REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, July 24, 2007

BOARD HEARING ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

CHRIS NORBY
CHAIRMAN
Fourth District

JOHN M. W. MOORLACH
VICE CHAIRMAN
Second District

JANET NGUYEN
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

PATRICIA BATES
SUPERVISOR
Fifth District

COUNTY EXECUTIVE OFFICER	COUNTY COUNSEL	CLERK OF THE BOARD
Thomas G. Mauk	Benjamin P. de Mayo	Darlene J. Bloom

ATTENDANCE: All Present

EXCUSED: None

PRESENT:	COUNTY EXECUTIVE OFFICER	Thomas G. Mauk
	COUNTY COUNSEL	Benjamin P. de Mayo
	CLERK OF THE BOARD	Darlene J. Bloom

INVOCATION: Supervisor Nguyen, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Moorlach, Second District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Norby recognized graduates of the Orange County Leadership Academy VII

II. CONSENT CALENDAR (Items 1-17)

52134 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 5 WHICH RECEIVED A NO VOTE FROM SUPERVISOR CAMPBELL; AND ITEMS 4 & 17 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Campbell -** Children and Families Commission of Orange County - Appoint

Sandra Barry, Anaheim, for term ending 3/31/09

DEPARTMENT APPOINTMENTS

2. **Health Care Agency -** Orange County Mental Health Board - Reappoint Erica Phoa, Orange, for term ending 4/3/10 and Robert Reid, Tustin, for term ending 4/22/10 - All Districts

COMMENDATIONS/PROCLAMATIONS/REPORTS

3. **Supervisor Nguyen -** Adopt resolution acknowledging Yen Ngoc Do, founder of Nguoi Viet Newspaper
RESO: 07-105

ELECTED DEPARTMENT HEADS

4. **Auditor-Controller -** Adopt resolution establishing October 3rd of every year as the day property tax rates are approved by the Board of Supervisors per Government Code Section 29100 - All Districts
25134 **APPROVED AS RECOMMENDED**
RESO: 07-106

HEALTH CARE AGENCY

5. Approve agreement 526-5320-71209-07 for Family Health services ($213,267) and letter of agreement for data system modification ($4,667) with California Family Health Council, Inc., 1/1/07 - 12/31/07 - All Districts
52134 **APPROVED AS RECOMMENDED**
N

6. Approve amended agreement with WMC-A, Inc., dba Western Medical Center-Anaheim for mental health inpatient services, 7/1/06 - 6/30/08 - All Districts

7. Approve PC 1000 Drug Diversion Certification Program with various providers, 8/1/07 - 7/31/08 - All Districts

HOUSING AND COMMUNITY SERVICES DEPARTMENT

8. Approve Memorandum of Understanding with Southern California Indian Center for operations of One-Stop system, effective 8/1/07; and authorize Executive Director of Orange County Workforce Investment Board to make related amendments - All Districts

9. Approve Memorandum of Understanding with Orange County Workforce Investment Board (OCWIB) for operations of One-Stop system, effective 8/1/07; and authorize Executive Director of Orange County Workforce Investment Board to make related amendments - All Districts

ORANGE COUNTY PUBLIC LIBRARY

10. Approve price agreement N1000008907 with Lighthouse Creative Group, Inc. for resource development coordination services for READ Orange County Literacy Program, 7/24/07 - 7/23/08 ($28,600); renewable for two additional one year terms ($29,900 second year; $31,200

third year) - All Districts

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

11. Certify completion and authorize release of security for traffic signal installation at O'Neill Parkway and Cecil Pasture Road, Tract 15827, DMB Ladera, LLC, Ladera Ranch area - District 5

12. Certify completion and authorize release of security for traffic signal installation at O'Neill Parkway and Cecil Pasture Road, Tract 15813, DMB Ladera, LLC, Ladera Ranch area - District 5

13. Authorize release of security for street improvements, street lights, sewer and water systems, landscaping and monumentation, Tract 16687, Standard Pacific Corporation, Ladera Ranch area - District 5

14. Authorize release of security for storm drain and landscaping improvements and monumentation, Tract 14974, Shea Homes Limited Partnership, Aliso Viejo - District 5

15. Adopt resolution accepting Central Orange County Integrated Regional and Coastal Watershed Management Plan; authorize submission of application for State grants for related projects; and make California Environmental Quality Act findings - All Districts
RESO: 07-107

16. Receive bids and award contract to Collins Builders, Inc. for remodeling of reception counters on 4th and 5th floors, Probation/Manchester Office Building ($163,700) - District 3

GENERAL ADMINISTRATION

17. **County Executive Office -** Approve agreement with Buchalter Nemer for continuance of appellate counsel legal services of Robert Dato and his associate Efret Cogan for Fogarty-Hardwick v. County of Orange, et al litigation, effective 7/16/07 - All Districts

31254 **APPROVED AS RECOMMENDED**

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-S31C)

ELECTED DEPARTMENT HEADS

18. **Auditor-Controller -** Receive and file Countywide Accounting and Personnel System Financial/Purchasing System Upgrade Analysis Document and Phase I Implementation Project Governance Plan; approve price agreement N1000009062 with CGI Technologies and Solutions Inc. for CAPS system upgrade, 7/24/07 - 6/30/12 ($17,481,419); authorize Purchasing Agent to modify scope of work under certain conditions; and approve price agreement N1000009063 with AERIS Enterprises, Inc. for quality assurance services, 7/24/07 - 12/31/09 ($769,000) - All Districts

32154 **APPROVED AS RECOMMENDED**

19. **Treasurer-Tax Collector -** Consider second reading and adoption of "An Ordinance of the County of Orange, California Adding Section 8-1-22 to the Codified Ordinances of the County of Orange to Establish a Fee for Preparing Delinquent Tax Records and Giving Notice of Delinquency When Second Installment of Taxes on the Secured Roll is Delinquent" - All Districts (Continued from Closed Public Hearing 7/17/07, Item 60)

25134 **APPROVED AS RECOMMENDED**
N

ORD: 07-013

HEALTH CARE AGENCY

20. Approve agreement with South Coast Children's Society for Crisis Residential Program for Transitional Age Youth, 8/1/07 - 6/30/08 ($933,028) and 7/1/08 - 6/30/09 ($1,087,941) - All Districts

35124 **APPROVED AS RECOMMENDED**

21. Approve amended agreement with Phoenix House Orange County, Inc. for in-custody alcohol and drug treatment services, 7/1/06 - 6/30/08 ($316,500; new total $3,059,256) - All Districts

13254 **APPROVED AS RECOMMENDED**

22. Approve agreements with Casa De La Familia ($231,250) and Nhan Hoa Comprehensive Health Care Clinic ($211,377) for Adult Mental Health Outreach and Engagement services, 8/1/07 - 6/30/08 - All Districts

31254 **APPROVED AS RECOMMENDED**

23. Approve amended agreement with Providence Community Services for Transitional Age Youth Full Service/Wraparound Program, 7/1/07 - 6/30/08 ($1,300,000; new total $4,213,000) - All Districts

23154 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

24. Approve amendment 2 to agreement D02-135 with Dana Point for road operations and maintenance, extending term two years ($850,000) - District 5

52134 **APPROVED AS RECOMMENDED**

25. Receive bids and award contract to Griffith Company for Poche Beach Ultraviolet Light Bacteria Disinfection Project ($2,296,475); and approve agreement D07-033 with San

Clemente for finance, construction, operation and maintenance - District 5
51234 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

26. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
B.O. **DISCUSSED**

27. Adopt resolution amending current policy governing acceptance of gifts and donations; rescinding Resolution 93-1235; direct Auditor-Controller to amend County Accounting Policy #R-2 Monetary and Property Gifts: Acceptance, Reporting, and Disbursement to reflect changes - All Districts
B.O. **DELETED**

28. Receive and file response to 5/22/07 Board Directive; direct County Executive Officer to arrange Board of Supervisors workshop concerning Citizen Law Enforcement Review Board on 9/18/07 - All Districts
23154 **APPROVED AS RECOMMENDED**

29. Receive and file response to 6/13/07 Board Directive; direct County Executive Office to implement proposed County Community Customer Service Center, and direct Resources and Development Management Department Real Estate to return to the Board with necessary lease arrangements - District 1 (Continued from 6/26/07, Item 110; 7/17/07, Item 51)
13254 **APPROVED AS RECOMMENDED**
N N

30. **Human Resources Department** - Receive and file Internal Service Fund 292 - Self-Funded PPO Health Plans reserve analysis - All Districts
B.O. **CONTINUED TO 8/14/07, 9:30 A.M.**

31. **Chairman Norby** - Approve creation of performance audit functioning reporting directly to the Board; direct County Executive Office to work with Chairman of the Board to develop list of qualifications for Performance Auditor position and return to the Board for final approval
43125 **APPROVED AS RECOMMENDED**

Supervisor Bates:

S31A. Waste Management Commission - Reappoint Steven Knoblock, San Clemente, for term ending 7/1/09
54123 **APPROVED AS RECOMMENDED**

S31B. Housing and Community Development Commission - Reappoint Bruce Sonnenberg, Irvine, for term ending 6/30/09
54123 **APPROVED AS RECOMMENDED**

S31C. **County Executive Office -** Authorize operation transfer of $2.5 million for designated special Revenue Fund 15S to Orange County Special Financing Authority Debt Service Fund 599 to

meet County's obligation under the Teeter program to purchase delinquent property tax receivables - All Districts

32154 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Item 32)

HEALTH CARE AGENCY

32. Public Hearing to consider determination of rates for basic life support ambulance rates and advanced life support paramedic assessment and transportation fee; rescinding Resolution 06-125, effective 7/1/07; and make California Environmental Quality Act findings - All District (Continued from 6/26/07, Item 113; 7/17/07, Item 37)

B.O. **CONTINUED TO 9/11/07, 9:30 A.M.**

V. CLOSED SESSION (Items CS-1-CS-5)

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Estate of David Zimmerman Orange County Superior Court Case Nos. A-226765, 06CC11558

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED THE SETTLEMENT IN THE CASE OF ESTATE OF DAVID ZIMMERMAN. THE PROPOSED SETTLEMENT REMAINS SUBJECT TO FINAL APPROVAL OF OTHERS. AS SOON AS THE PROPOSED SETTLEMENT BECOMES FINAL, DETAILS WILL BE MADE AVAILABLE IN THE OFFICE OF COUNTY COUNSEL TO ANY PERSON WHO INQUIRES.**

CS-2. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):
Number of Cases: One Case

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, AUTHORIZED COUNTY COUNSEL TO FILE LITIGATION. THE IDENTITY OF THE PARTIES AND OTHER PARTICULARS WILL BE DISCLOSED TO ANY PERSON UPON INQUIRY ONCE THE ACTION Is FILED.**

CS-3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case

B.O. **HELD, NO REPORTABLE ACTION**

CS-4. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):
Number of Cases: One Case (Continued from 7/17/07, Item CS-1)

B.O. **HELD, NO REPORTABLE ACTION**

CS-5. **County Executive Office -** PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957:
Title: Director of Internal Audit (Continued from 7/17/07, Item CS-2)
B.O. **HELD, NO REPORTABLE ACTION**

VI. PUBLIC, CEO, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:
Darrell Nolta - Oral Re: (1) witnesses to hit and run collision in 3rd District; and (2) opposed to Medical Marijuana ID Program

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Chairman Norby - Oral Re: Acknowledged his son Alex Norby's article in the local section of the Register

ADJOURNED: 2:08 P.M.
24135 **Adjourned in honor of La Palma's recognition by Money Magazine as the 16th Best City in the Nation**

34125 **Adjourned in memory of Scott Desmond**

14235 **Adjourned in memory of Michael Glover**

*** KEY ***

Left Margin Notes

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Campbell
4. = Supervisor Norby
5. = Supervisor Bates

A. = Abstained
X. = Excused
N. = No
BO = Board Order

ORD. = Ordinance
RESO. = Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CHRIS NORBY, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board