REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, May 8, 2007, 9:30 A.M.

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

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 Moorlach, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Bates, Fifth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

None

II. CONSENT CALENDAR (Items 1-24)

32154 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 1 & 23 WHICH WERE DELETED; ITEM 2 WHICH WAS CONTINUED TO 5/15/07, 9:30 A.M.; AND ITEMS 4, 5, 7, 11 & 22 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

COMMENDATIONS/PROCLAMATIONS

1. **Supervisor Campbell -** Adopt resolution honoring Judge Michael Brenner on his retirement from Orange County Superior Court

32154 **DELETED**

ELECTED DEPARTMENT HEADS

2. **Auditor-Controller -** Approve deletion of dismantled, missing, obsolete, stolen and surplused equipment items from department/agency capital asset inventories - All Districts (Continued from 5/1/07, Item 4)

32154 **CONTINUED TO 5/15/07, 9:30 A.M.**

3. **District Attorney -** Approve price agreement N1000008727 with Collins & Aikman Floorcovering dba Collins & Aikman Floorcoverings, Inc for removal and replacement of carpet at DA/branch court operations, Central Justice Center, 5/10/07 - 12/31/07 ($148,440.53) - All Districts

Sheriff-Coroner:

4. Adopt resolution authorizing submission of the FY07 Emergency Management Performance Grant application to Governor's Office of Emergency Services ($395,909); and authorize Sheriff-Coroner to execute applications and related documents - All Districts

53124 **APPROVED AS RECOMMENDED**
RESO: 07-053

5. Approve use of buses for transporting out-of-state team members participating in Orange County Cop Bowl, 5/18/07 -5/20/07; and make appropriate findings - All Districts

23154 **APPROVED AS RECOMMENDED**

6. Approve license agreement with Anaheim for rental of Sheriff's Katella Training Facility for training purposes, Orange ($1,000); and make California Environmental Quality Act findings - District 3

DANA POINT HARBOR DEPARTMENT

7. Approve amendment 10 to agreement D91-139 with Dana Point Harbor Association for sharing cost to promote and advertise commercial activities ($81,000) - District 5

51234 **APPROVED AS RECOMMENDED**

8. Approve amended agreement D05-084 with Moffatt & Nichol for additional dredge material testing and permits ($80,000; new total $380,000); and make California Environmental Quality Act findings - District 5

HEALTH CARE AGENCY

9. Approve purchase order PC 042 P0700602640 with AutoMed Technologies, Inc. for installation of automated medication dispensing machine for Central Jail ($212,212) - All Districts

10. Approve master agreement with various providers for Certification Review Hearing Officer services 7/1/07 - 6/30/09 ($33,540 per year); and authorize Director or designee to execute agreements - All Districts

HOUSING AND COMMUNITY SERVICES DEPARTMENT

11. Approve agreement with St. Joseph Health System to provide training services for high growth

initiative biotechnology trainees, 5/9/07 - 4/30/08 ($100,000); and authorize Director or designee to modify policies and procedures, agreement and extend term for additional year without Board action under certain conditions - All Districts (Continued from 5/1/07, Item 11)

53124 **APPROVED AS RECOMMENDED**

ORANGE COUNTY PUBLIC LIBRARY

12. Approve submission of grant application to State Department of Education for English Language and Civics Education grant to support English language civic education - All Districts

13. Approve submission of grant application to California State Library for California of the Past: Pilot Digital Story Station Program grant for recording memories of local community or California history by library patrons - All Districts

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

14. Approve lease agreement with Saddleback Valley Unified School District for use of 1,000 square feet of office and therapy space, Esperanza Special Education School, Mission Viejo, ten-year term; and make California Environmental Quality Act findings - District 5

15. Accept work of PALP, Inc. dba Excel Paving Company for El Modena alley rehabilitation improvements; project completed 9/19/06 ($97,221.80) - District 3

16. Accept work of GCI Construction, Inc. for repair of Santiago Canyon Road drainage, 500 feet northerly of Gertner Estate Road; project completed 8/4/06 ($278,398.36) - District 3

17. Accept work of Pavement Coatings Company for slurry seal of various County streets; project completed 9/18/06 ($870,392.18) - Districts 1, 2, 3 and 4

18. Receive bids and award contract to Collins Builders, Inc. for protective awnings, Lamoreaux Justice Center ($218,700) - District 3

19. Accept work of Thomco Construction, Inc. for relocation of children's waiting room, Central Justice Center; project completed 3/15/07 ($323,043.06) - District 1

20. Approve amended agreement D03-065 with Mofatt & Nichol Engineers for on-call dredging services, extending term three years ($100,000; new total $400,000) - District 2

21. Approve plans and specifications and set bid opening for 6/6/07, 2:00 p.m., for computer room improvements, Central Justice Center; and make California Environmental Quality Act findings - District 1

22. Receive bids and award contract to Bond Blacktop, Inc. for sealing of pavement cracks of various streets in Orange County ($144,000) - Districts 1, 2, 3 & 5

25134 **REJECTED STAFF RECOMMENDATIONS AND DIRECTED STAFF TO REBID PROJECT**

23. Adopt resolution supporting the Groundwater Replenishment System and Orange County Water District in identifying and developing alternative sources for safe and reliable water supply - All Districts (Continued from 5/1/07, Item 16)

32154 **DELETED**

GENERAL ADMINISTRATION

24. **Chairman Norby -** Appoint of Karen Roper to the Orange County Emergency Food and Shelter Board Program

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 25-34)

HEALTH CARE AGENCY

25. Approve amendment 2 to master agreement with various providers for Substance Abuse Crime Prevention Act services, 7/1/06 - 6/30/07; and authorize Director or designee to execute agreements - All Districts
35124 **APPROVED AS RECOMMENDED**

26. Approve master agreement with various providers for Mental Health Residential Rehabilitation services 7/1/07 - 6/30/08 ($1,037,610) and 7/1/08 - 6/30/09 ($1,037,330); and authorize Director or designee to execute agreements - All Districts
23154 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

27. Approve price agreement N2000007205 with Great Scott Tree Service, Inc. for annual tree maintenance services, 5/7/07 - 5/6/08 ($725,000); and make California Environmental Quality Act findings - All Districts
23154 **APPROVED AS RECOMMENDED**

28. Approve amended agreement with Parking Concepts, Inc. for operation of Civic Center Parking facilities ($510,000); and approve amendment 2 to agreement with Parking Concepts, Inc. for operation of Manchester Avenue Complex Parking facilities ($250,000), extending terms to 11/30/07 - Districts 1 and 3
13254 **APPROVED AS RECOMMENDED**

29. Approve lease agreement with Civic Center, LLC for rental space of 12,223 square feet at 600 West Santa Ana Boulevard, Santa Ana; and make California Environmental Quality Act findings - District 1
B.O. **CONTINUED TO 5/15/07, 9:30 A.M.**

30. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve price agreements N1000008179 with Pirkle Truck & Equipment and N1000008180 with Cheryl's Trucking Service for on-call rental of haul trucks, 5/15/07 - 5/14/08 ($425,000 each); renewable for two additional years per Board policy; and make California Environmental Quality Act findings - All Districts
23154 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

31. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
32154 **APPROVED AS RECOMMENDED**

32. Approve FY 2006-07 Third Quarter Budget Report; approve related budget adjustments and amend master position control - All Districts (4/5 vote)
23154 **APPROVED AS RECOMMENDED**

33. **Registrar of Voters -** Authorize negotiation of sole source agreement with Pitney Bowes, Inc. for purchase of an additional Series 8 Inserter for absentee ballot processing; and return to the Board for approval - All Districts

35124 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Item 34)

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

34. Public Hearing to consider adopting resolution vacating three unused pedestrian access easements, South Laguna Beach; and making California Environmental Quality Act findings and continue consideration of resolution vacating parcel "A" to 6/5/07, 9:30 a.m. - District 5 (Continued from 3/6/07, Item 6)

B.O. **CLOSED PUBLIC HEARING**

53124 **APPROVED AS RECOMMENDED**
RESO: 07-054

V. RECESS AND DISCUSSION ITEM (Item 35)

35. **County Counsel - Receive training on the Brown Act - All Districts**
HELD

VI. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Fogarty-Hardwick v. County of Orange, et al., Orange County Superior Court Case No. 01CC02379

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE AUTHORIZED CEO-RISK MANAGEMENT TO RETAIN THE FIRM OF THEODORA, ORINGER, MILLER & RICHMAN PC, TO ASSIST IN THE DEFENSE IN THE CASE OF FOGARTY-HARDWICK V. COUNTY OF ORANGE.**

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

PUBLIC COMMENTS:
Karen Finn - Oral Re: Law enforcement support and garage safety

Charles Griffen - Oral Re: County island annexation recommendations

Dr. Patel - Oral Re: (1) Concerns over bar code errors in grocery stores and (2) protection of seniors against abuse

Lizann Martinez - Oral Re: Individual's rights and the justice system

Darrell Nolta - Oral Re: (1) Brown Act training; (2) parking lot security; and (3) stewardship and funding of county parks

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
None

ADJOURNED: 2:08 P.M.
51234 **Adjourned in memory of Kyle, Emma & Katie Coble**

12345 **Adjourned in memory of Gil Ferguson**

*** 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