REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, January 15, 2008, 9:30 A.M.

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

JOHN W. M. MOORLACH
CHAIRMAN
Second District

PATRICIA BATES
VICE CHAIR
Fifth District

JANET NGUYEN
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: Supervisor Nguyen, Norby and Moorlach

EXCUSED: Supervisor Campbell and Bates

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

INVOCATION: Chair Moorlach, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Norby, Fourth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

None

II. CONSENT CALENDAR (Items 1-33)

41352 XX **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 12 & 25 WHICH WERE DELETED; ITEM 17 WHICH WAS CONTINUED TO 1/29/08, 9:30 A.M.; AND ITEMS 3, 4, 11, 13, 15, 18, 31-33 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

DEPARTMENT APPOINTMENTS

1. **Health Care Agency -** Dental Health Advisory Board - Reappoint Ernestina Avalos-Figueroa, DDS, Aliso Viejo; Harris Done, DDS, Anaheim; Sidney Field, DDS, Newport Coast; Dolores Ramos, RDH, La Habra; Gladys Smith, Santa Ana; and Sharon Tipple, RN, Orange, for terms ending 10/25/09 - All Districts

ELECTED DEPARTMENT HEADS

2. **District Attorney -** Approve change order No. 1 to PC 026 0800003102 with U.S. National Corp for interior painting at DA/Branch Court Operations, Central Justice Center ($5,592.00; new total $30,392.00) - All Districts (Continued form 1/8/08, Item 6)

Sheriff-Coroner:

3. Adopt resolution amending membership of the Emergency Management Council and designation of Director of Emergency Services, and rescinding Resolution 05-016 - All Districts (Continued from 12/4/07, Item 3; 12/18/07, Item 3)

14352
XX

APPROVED AS RECOMMENDED

RESO: 08-001

4. Approve agreement No. 07-204-773 with State Department of Boating and Waterways for Harbor Patrol Division training, 1/1/08 - 5/31/08 ($23,200 reimbursement); and authorize Captain Deana Bergquistl to execute agreement - All Districts

12345
X X

APPROVED AS RECOMMENDED

5. Approve price agreement N1000009504 with Matrix Imaging Products, Inc., for on-site Index Card conversion project, 1/15/08 - 1/14/09 ($170,000) - All Districts

HEALTH CARE AGENCY

6. Adopt resolution approving agreement UBG13-07-25 with California Integrated Waste Management Board for Used Oil Recycling Block Grant Funds for 16 cities, 7/1/07 - 6/30/10 ($289,059); and authorize Director or designee to execute agreement - All Districts
RESO: 08-002

INTEGRATED WASTE MANAGEMENT DEPARTMENT

7. Approve plans and specifications and set bid opening for 3/12/08, 2:00 p.m., for security and roadway improvements project, Coyote Canyon Landfill; and make California Environmental Quality Act findings - District 5

8. Approve plans and specifications and set bid opening for 3/12/08, 2:00 p.m., for perimeter gas monitoring probes, Prima Deshecha Landfill; and make California Environmental Quality Act findings - District 5

9. Approve plans and specifications and set bid opening for 3/12/08, 2:00 p.m., for landfill asphalt paving, Santiago Canyon Landfill; and make California Environmental Quality Act findings - District 3

10. Approve plans and specifications and set bid opening for 3/12/08, 2:00 p.m., for security gates & fencing project, Prima Deshecha Landfill; and make California Environmental Quality Act findings - District 5

JOHN WAYNE AIRPORT

11. Authorize Director to allocate regulated average daily departures, seat capacity, remain overnight and passenger capacity to scheduled commercial passenger carriers, commercial cargo carriers and commuter carriers under Phase 2 Commercial Airline Access Plan and Regulation for 2008-09 Plan Year; approve related actions; and make California Environmental Quality Act findings - District 2

24135 **APPROVED AS RECOMMENDED**
XX

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

12. Select Donald Krotee Partnership, Inc. as primary and Pickard Architects as alternate firms for Chestnut Central Storage Facility project; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 1

41352 **DELETED**
XX

13. Approve plans and specifications and set bid opening for 2/13/08, 2:00 p.m., for barrier replacement and seismic retrofit of Santiago Canyon Road Bridge; and find that Negative Declaration IP03-042 is adequate to satisfy requirements of California Environment Quality Act - District 3

21345 **APPROVED AS RECOMMENDED**
X X

14. Approve agreement with Trabuco Canyon Water District for sanitary sewer services, O'Neill Regional Park; authorize Auditor-Controller to issue related payments; and make California Environmental Quality Act findings - Districts 3 and 5

15. Accept work of American Electric Co. for Caspers Wilderness Park electrical upgrade, project completed 6/30/07 ($554,778) - District 5

14235 **MOTION TO APPROVE STAFF RECOMMENDATION FAILED TO CARRY**
NNXX

21345 **CONTINUED TO 1/29/08, 9:30 A.M.**
X X

16. Approve plans and specifications and set bid opening for 2/20/08, 2:00 p.m., for replacement of water supply backflow devices for various facilities; and make California Environmental Quality Act findings - District 1

17. Relieve low bidder, Best Contracting Services, Inc. from obligation; receive bids and award contract to NKS Mechanical Contracting for Phase III replacement of air conditioning units, Juvenile Hall ($159,408) - District 3

41352 **CONTINUED TO 1/29/08, 9:30 A.M.**
XX

18. Receive bids and award contract to Hondo Company, Inc. for restroom replacement, Irvine Regional Park ($280,474) - District 3

24135 **APPROVED AS RECOMMENDED**
XX

19. Receive bids and award contract to Spec Construction Co., Inc. for restroom replacement,

O'Neill Regional Park ($351,099) - District 3

20. Receive bids and award contract to All American Asphalt for asphalt overlay resurfacing of Santiago Canyon Road ($346,000) - District 3

21. Accept work of Spec Construction Company, Inc. for new restroom building, Laguna Niguel Park; project completed 11/19/07 ($298,390.27) - District 5

22. Authorize release of security for private street improvements, street lights, storm drains, landscaping and monumentation, Tract 16456, Irvine Community Development Company, LLC, Newport Coast area - District 5

23. Authorize release of security for private street improvements, street lights, storm drains, landscaping and monumentation, Tract 16455, Irvine Community Development Company, LLC, Newport Coast area - District 5

24. Accept work of H L Miller, Inc., for Harbor Justice Center Custody Enclosures, project completed 12/2/07 ($121,391) - District 2

25. Select Wayne C. Siu Architects as primary and Kishimoto Architects, Inc., as alternate firms for Hall of Administration Lobby project; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 1

41352 XX **DELETED**

26. Receive and file Traffic Committee Report dated 11/15/07; approve recommendations and adopt necessary resolutions; and rescind a portion of Resolution 85-1465, North Tustin and Rossmoor area - Districts 2 & 3
RESO: 08-003

27. Adopt resolution vacating Cole Lane in North Tustin; and make California Environmental Quality Act and other findings - District 3
RESO: 08-004

28. **Acting as the Orange County Flood Control District** - Approve agreement D05-040 with Huntington Beach for Newland Street widening and Huntington Beach Channel bridge culvert extension project; and make California Environmental Quality Act findings - District 2

Acting as the Board of Supervisors and Orange County Flood Control District:

29. Receive bids and award contract to Penn Woods Corporation for slurry seal of access roads at Seven Oaks Dam ($137,875) - All Districts

30. Approve agreement D07-169 with Hall & Foremen, Inc. for on-call engineering services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

County Executive Office:

31. Acting as the Board of Supervisors and Orange County Flood Control District - Approve agreement with Westminster for graffiti removal and street-sweeping services in unincorporated islands within City's Sphere of Influence; and authorize RDMD Purchasing Agent or designee to execute agreement - District 1

14352 **APPROVED AS RECOMMENDED**

XX

32. Receive and file status of IBM Processor mainframe lease - All Districts

21345 **APPROVED AS RECOMMENDED**

X X

33. **Chairman Moorlach -** Receive and file memorandum on Southern California Regional Airport Authority

21345 **APPROVED AS RECOMMENDED**

X X

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 34-56)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

34. Approve agreement with DMJM H&N for Musick Master Plan ($2,433,707) - District 3
12345 **MOTION TO CONTINUE MATTER TO 1/29/08, 9:30 A.M. FAILED TO CARRY**
XNX

42135 **MOTION TO APPROVE STAFF'S RECOMMENDATION FAILED TO CARRY**
NXX

14235 **APPROVED AS RECOMMENDED**
XX

35. Approve renewal of price agreement N3000007479 with Richards-Fischer-Fukumoto Medical Group Inc., for forensic pathology/autopsy services, 2/1/08 - 1/31/09 ($2,108,000) - All Districts
12345 **APPROVED AS RECOMMENDED**
X X

36. Approve price agreement N1000009480 with Southwest Mortuary Services for body transport services, 1/15/08 - 1/14/09 ($300,000); renewable for four additional years per Board policy - All Districts
41352 **APPROVED AS RECOMMENDED**
XX

37. Approve purchase & indemnification agreements with Len Jablon Helicopters, Inc., for sale of McDonnell Douglas/Boeing MD600N helicopter ($510,510); and authorize purchasing agent to execute related documents - All Districts
14352 **APPROVED AS RECOMMENDED**
XX

HEALTH CARE AGENCY

38. Approve amendment to agreements with College Community Services ($286,000; new total $2,547,550) and Orange County Mental Health Association dba Mental Health Association of Orange County ($975,000; new total $2,797,665) for Adult Mental Health services, 7/1/07 - 6/30/08 - All District
14352 **APPROVED AS RECOMMENDED**
XX

39. Approve agreement with State Department of Public Health for California Healthcare for Indigents Program, FY 2007-08 ($713,605) - All Districts
14352 **APPROVED AS RECOMMENDED**
XX

40. Approve price agreement N1000009166 with The Regents of the University of California, Irvine on behalf of UCI Pathology Services for methadone and urinalysis laboratory services, 3/1/08 - 2/28/09 ($335,000); renewable for two additional one-year periods, per Board policy -

All Districts

HOUSING AND COMMUNITY SERVICES DEPARTMENT

41. **Acting as the Board of Supervisors and Orange County Development Agency** - Approve agreement with Orange County Business Council for Labor Market Information/Economic Development, 1/8/08 - 6/30/09 ($200,000); and authorize Director or designee to execute agreement and subsequent amendments under certain conditions and renew for two additional one year periods without further Board action and to modify Comprehensive Economic Development Strategy components, Workforce Report components and delivery, mapping requirements and LMI research deliverables; and approve contingency increase not to exceed 10% - All Districts (Continued from 1/8/08, Item 11)

21345 **APPROVED AS RECOMMENDED**
X X

INTEGRATED WASTE MANAGEMENT DEPARTMENT

42. Approve price agreement N1000009523 with Carmody Construction Company and The Hoagy Company, Inc. for maintenance and repair services for IWMD facilities, 1/27/08 - 01/26/09 ($284,190); renewable for two additional one-year periods, per Board policy- Districts 3 & 5

12345 **APPROVED AS RECOMMENDED**
X X

43. Select Riester as primary and SGA as alternate firms for outreach and education for recycling; and authorize negotiation of agreement for Board approval - All Districts

B.O. **CONTINUED TO 1/29/08, 9:30 A.M.**

ORANGE COUNTY PUBLIC LIBRARY

44. Approve price agreement F1000003032 with EBSCO for online subscriptions, 2/1/08 - 1/31/09 ($239,670); renewable for four one-year periods ($246,860 for second year; $254,266 for third year; $261,894 for fourth year; and $269,751 for fifth year) per Board policy - All Districts

41352 **APPROVED AS RECOMMENDED**
XX

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

45. Approve amendment 1 to agreement D99-087 and agreement D07-016 with Caltrans for construction of Laguna Canyon Road and agreement D07-112 with Laguna Beach for deed restrictions and easements; receive bids and award contract to Nakae & Associates for construction of Laguna Canyon Road Wetlands Mitigation ($1,621,851) - District 5

24135 **APPROVED AS RECOMMENDED**
XX

46. Approve price agreements with various providers for refuse bin collection services at various County facilities, 2/1/08 - 1/31/13; approve contingency increase not to exceed 10%; and make California Environmental Quality Act findings - All Districts

14352 **APPROVED AS RECOMMENDED**
XX

47. Approve agreement D07-032 with Lake Forest for maintenance and operation of City traffic

signals, effective 1/15/08 ($220,000); and make California Environmental Quality Act - District 5

14352 **APPROVED AS RECOMMENDED**
XX

48. Select various firms for on-call coastal engineering, water quality improvement, watershed management and water quality monitoring services; and authorize negotiation of agreements for Board approval - All Districts

B.O. **CONTINUED TO 2/5/08, 9:30 A.M.**

49. Approve amendment 1 to agreement with Carter & Burgess, Inc. for design development and construction document services for relocation of County's Katella Yard ($762,847; new total $1,920,434) - District 3

21345 **APPROVED AS RECOMMENDED**
X X

50. Approve acquisition contract and accept grant deed from Silva Family Trust for purchase of real property for Clerk-Recorder Archives Division ($2,100,000); authorize Director or designee to execute related documents; and make California Environmental Quality Act findings - District 1

14352 **APPROVED AS RECOMMENDED**
XX

51. **Acting as the Orange County Flood Control District -** Approve continuance of emergency pursuant to Public Contract Code Section 22050 (c)(1) for emergency repairs of damaged levee of northerly East Garden Grove - Wintersburg Channel; and set for review to determine continuing need for emergency action for 1/29/08, 9:30 A.M. - District 2 (Continued from 10/16/07, Item 32; 10/30/07 Item 13; 11/6/07, Item 24; 11/20/07, Item 51; 12/4/07, Item 23; 12/18/07, Item 41; 1/8/08, Item 12)

21345 **APPROVED AS RECOMMENDED**
X X

PUBLIC PROTECTION

52. **Probation -** Approve renewal of agreement with Providence Community Services for provision of comprehensive employment services for North, Central and West Orange County Youth and Family Resource Centers, 2/01/08 - 1/31/09 ($686,134); renewable for one additional one year period per Board policy ($695,388); and make California Environmental Quality Act findings - All Districts

41352 **APPROVED AS RECOMMENDED**
XX

GENERAL ADMINISTRATION

County Executive Office:

53. Approve recommended positions on introduced or amended legislative and consider other legislative subject matters - All Districts
DISCUSSED

54. Authorize CEO/Information Technology to utilize State CalNet2 agreement with AT&T

for voice, data and long distance services, for five-year period, effective upon approval; authorize CEO/IT to execute authorization to order forms to add or delete services - All Districts

14352 **APPROVED AS RECOMMENDED**
XX

55. Approve recommended grant applications submitted by Orange County Public Library,, Housing and Community Services Department, Social Services Agency and Sheriff-Coroner in 1/15/08 Grants report - All Districts

14352 **APPROVED AS RECOMMENDED**
XX

56. **Supervisor Nguyen -** Authorize waiver of building rental and staff fees for breakfast honoring Chief Justice Ron George event on 2/8/08, Old Orange County Courthouse, Santa Ana

14352 **APPROVED AS RECOMMENDED**
XX

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

CS-1. **Human Resources Department -** Acting as the Board of Supervisors and In-Home Supportive Services Public Authority - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organizations: Alliance of Orange County Workers (AOCW) and In-Home Supportive Services Provider Unit (IHSS) represented by United Domestic Workers of America (UDWA)
Re: Terms and Conditions of Employment

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

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

PUBLIC COMMENTS:
Cheryl Atkinson, Alex Vega, Darrell Nolta, Mike Gonzalez, Carol Rudat, Tim Whitacre, Gary Boatwright, Mike James - Oral Re: Sheriff-Coroner resignation and appointment comments and suggestions

Minister Joseph Vanderhoff - Oral Re: Concerns regarding Clerk-Recorder's marriage license policy that prohibits jail inmate marriages.

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Chair Moorlach - Oral Re: On behalf of the Board of Supervisors, the Chair stated that he accepted the resignation of Michael Corona as OC Sheriff-Coroner effective 1/14/08.

Board Members - Oral Re: Sheriff-Coroner Vacancy: Directed HR staff to immediately begin the

recruitment process for Sheriff-Coroner and to return to the Board on 1/29/08 with recruitment options and associated costs. Directed that all applications for the position of Sheriff-Coroner be sent or forwarded to HR.

Supervisor Norby - Oral Re: Requested that the Clerk-Recorder place his Marriage License Policies on the Board's agenda to discuss public speaker, Minister Joseph Vanderhoff's concerns.

ADJOURNED: 12:22 P.M.

12345 **Adjourned in memory of Kenneth Yates**
X X

42135 **Adjourned in memory of Carl Karcher**
XX

*** 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)

Chair, Orange County Board of Supervisors

Orange County Clerk of the Board