REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, August 14, 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: Supervisor Nguyen, Moorlach, Campbell & Bates

EXCUSED: Supervisor Norby

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

INVOCATION: Supervisor Bates, Fifth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Nguyen, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Vice Chairman Moorlach presented a resolution commending William D. Mahoney on his retirement

II. CONSENT CALENDAR (Items 1-34)

31452 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 13, 14, 20 & 25 WHICH WERE DELETED; ITEMS 31 & 34 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Supervisor Nguyen:

1. Airport Arts Commission - Appoint John Acosta, Santa Ana, for term concurrent with 1st District Supervisor's term of office

2. Waste Management Commission - Appoint Adam Probolsky, Laguna Hills, for term

ending 7/25/10

3. Orange County Historical Commission - Appoint Chris Thai, Garden Grove, for term concurrent with 1st District Supervisor's term of office

4. Orange County Historical Commission - Appoint Tish Leon, Santa Ana, for term concurrent with 1st District Supervisor's term of office

5. Planning Commission - Appoint Tony Lam, Westminster, for term concurrent with 1st District Supervisor's term of office

6. Senior Citizens Advisory Council - Appoint Patricia McGuigan, Santa Ana, for term ending 12/31/08

DEPARTMENT APPOINTMENTS

7. **Health Care Agency -** Alcohol and Drug Advisory Board - Appoint Shelly Lummus, Orange, for term ending 9/21/10 and Alicia Shelly, Orange, to complete term ending 10/18/09- All Districts

COMMENDATIONS/PROCLAMATIONS/REPORTS

Chairman Norby:

8. Adopt resolution declaring August as Eligibility Professionals Recognition Month
RESO: 07-134

9. Adopt resolution declaring the month of September as "Child Cancer Awareness Month"
RESO: 07-135

10. Adopt resolution congratulating St. Joseph Health System on obtaining "2007 Great Workplace Award"
RESO: 07-136

11. **Supervisor Nguyen -** Adopt resolution commending Pamala McGovern on her retirement from Council on Aging of Orange County
RESO: 07-137

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

12. Approve agreement with Rancho Santiago Community College District for coroner courses - All Districts

13. Approve plans and specifications and set bid opening for 9/19/07, 2:00 p.m., for construction of parking lots, Theo Lacy Facility; and find final EIR 558 and Addendums IP97-136 and IP00-022 are adequate to satisfy requirements of California Environmental Quality Act findings - District 3

31452 **DELETED**

X

CHILD SUPPORT SERVICES

14. Adopt resolution rescinding Resolution 02-147, effective 9/1/07, due to implementation of the federally mandated California Child Support Automation System - All Districts

31452 **DELETED**

X

HOUSING AND COMMUNITY SERVICES DEPARTMENT

15. Adopt 2007-08 Budget and Orange County Development Agency Work Program; and make California Environmental Quality Act findings - All Districts

16. **Acting as the Orange County Housing Authority** - Approve Section 8 Management Assessment Program Certification and related documents; and authorize submission to U.S. Department of Housing and Urban Development - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

17. Approve agreement with LSA Associates, Inc. for biological monitoring services, Central Region landfills, three year term ($150,000) - District 3

18. Approve agreement with LSA Associates, Inc. for archaeological/paleontological services, Central Region landfills, three year term ($180,000) - District 3

JOHN WAYNE AIRPORT

19. Approve agreement with Sidley Austin LLP as Bond Counsel/Disclosure Counsel for Airport Capital Improvement Program; and authorize Director or designee to execute agreement - District 2

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

20. Approve agreement D07-063 with Discovery Science Center for public education services to meeth the requirements of Santa Ana and San Diego Regional Water Quality Control Boards stormwater permits - All Districts

31452 **DELETED**

X

21. Approve plans and specifications and set bid opening for 9/19/07, 2:00 p.m., for expansion of display area of paleontological exhibit, Clark Regional Park; and make California Environmental Quality Act findings - District 4

22. Adopt resolution certifying completion of street improvements, street lights, sewer and monumentation; authorizing release of security and accepting public street improvements, street lights, sewer and monumentation, Tract 16554, HQT Homes Tustin L.P., North Tustin area - District 3
RESO: 07-138

23. Approve acquisition contract and accept easement deed from Tustin Unified School District for

temporary rights to property for Tustin Branch Trail ($2,000); authorize Director or designee to execute related documents; authorize Auditor-Controller to make related payments; and make California Environmental Quality Act findings - District 3

24. Approve amended lease agreement with AP-Cityview, LLC for office space for Mental Health, Probate and Juvenile Dependency Appeals programs, Garden Grove; and make California Environmental Quality Act findings - District 1

25. Approve conservation easement deed from Tonner Hills 680, LLC and Tonner Hills SSP for open space purposes, Tonner Hills Planned Community; and make California Environmental Quality Act findings - District 3

31452 X **DELETED**

26. Approve plans and specifications and set bid opening for 9/12/07, 2:00 p.m., for construction of Laguna Canyon Road Wetlands Mitigation; and find that EIR 556 and Addendums IP 00-143, IP 01-031 and IP 02-170 are adequate to satisfy requirements of California Environmental Quality Act findings - District 5

27. Authorize release of security for private street improvements, street lights, landscaping and monumentation, Tract 16195, Brookfield Ziani, LLC, Newport Coast area - District 5

28. Receive and file Traffic Committee Report dated 7/19/07; approve recommendations; and adopt necessary resolutions - District 3
RESO: 07-139 - 07-140

GENERAL ADMINISTRATION

29. **Clerk of the Board -** Approve proposed amendments to the County's Conflict of Interest Code Designated Filers Exhibits for the Treasurer-Tax Collector - All Districts

County Executive Office:

30. Approve amended price agreement N2000007010 with Hewlett Packard Company for maintenance of computer servers, 8/16/07 - 8/15/08 ($149,990) - All Districts

31. Approve Orange County Tourism Council 2006-07 Annual Report and agreement with Orange County Tourism Council for Regional Tourism Program - All Districts

25134 X **APPROVED WITH THE CONDITION THAT THE TOURISM COUNCIL AMEND THEIR BYLAWS, IF NECESSARY, TO ADD 5 BOARD OF SUPERVISORS REPRESENTATIVES TO THE COUNCIL, ONE NOMINATED FROM EACH SUPERVISORIAL DISTRICT**

32. Approve eGovernment Look and Feel Policy and Standards for website development practices; and adopt proposed County logo to incorporate into new County Identity - All Districts

33. **Supervisor Campbell -** Authorize waiver of fees for The Lymphoma Research Foundation of Orange County fundraising event on 11/3/07, Mason Park, Irvine

34. **Chairman Norby -** Expand 5/22/07 Board Directive to make all surplus personal computer

equipment available to Orange County Department of Education (OCDE) at no cost to include surplus computer related equipment with total value of less than $5,000 per lot be made available for donation to local government agencies, special districts & non-profit organizations

23154 **APPROVED AS RECOMMENDED**

X

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 35-51)

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

35. Receive Building 16 Site Reuse Study from M. Arthur Gensler Jr. & Associates, Inc. (dba Gensler) and consider alternative scenarios for further analysis and implementation, Santa Ana Civic Center area - District 1
B.O. **CONTINUED TO 9/11/07, 9:30 A.M.**

36. Approve agreement with Southern California Gas Company for purchase of OC Landbase mapping system ($300,000); authorize Auditor-Controller to make related payments - All Districts
31452 **APPROVED AS RECOMMENDED**
X

SOCIAL SERVICES AGENCY

37. Receive and file CalWIN Update Presentation - All Districts
B.O. **DELETED**

PUBLIC PROTECTION

Probation:

38. Ratify submission of Technology Transfer Program grant application to Office of National Drug Control Policy, Counterdrug Technology Assessment Center for forensic tool kit - All Districts
53142 **APPROVED AS RECOMMENDED**
X

39. Approve cost of COPLINK services allocated to Probation and District Attorney's office by Integrated Law and Justice Agency for Orange County, 7/1/07 - 6/30/08 ($24,900 each agency) - All Districts
13452 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Executive Office:

40. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
31452 **APPROVED AS RECOMMENDED**
X

41. Approve proposed response to FY 2006-07 Grand Jury Report "Orange County's Beaches: An Environmental Scorecard." - All Districts
31452 **APPROVED AS RECOMMENDED**
X

42. Approve proposed response to FY 2006-07 Grand Jury Report "Death by Abuse: One

Death is Too Many." - All Districts

53142 X **APPROVED AS RECOMMENDED**

43. Approve proposed response to FY 2006-07 Grand Jury Report "What is Social Services Agency Doing to Help FamilyResource Centers Fulfill Their Strategic Mission?" - All Districts

35142 X **APPROVED AS RECOMMENDED**

44. Approve proposed response to FY 2006-07 Grand Jury Report "Where Are Orange County's Foster Children?" - All Districts

35142 X **APPROVED AS RECOMMENDED**

45. Approve proposed response to FY 2006-07 Grand Jury Report "Orangewood Children's Home: Overstaffed and Underutilized?" - All Districts

31452 X **APPROVED AS RECOMMENDED**

46. Approve grant applications report as proposed and adopt resolutions as recommended; and make California Environmental Quality Act and other findings - All Districts

35142 X **APPROVED AS RECOMMENDED**

RESO: 07-141 - 07-146

Human Resources Department:

47. Receive and file Internal Service Fund 292 - Self-Funded PPO Health Plans reserve analysis - All Districts (Continued from 7/24/07, Item 30)

35142 X **DIRECTED STAFF TO DEVELOP A PROGRAM TO REFUND, THROUGH A REBATE OR RATE HOLIDAY, CONTRIBUTIONS SUFFICIENT TO REDUCE THE INTERNAL SERVICE FUND 292'S RESERVE AS OF 12/31/07 TO THE APPROPRIATE INCURRED BUT NOT REPORTED (IBNR) AND PREMIUM STABILIZATION RESERVE (PSR) LEVEL AND RETURN TO THE BOARD ON 9/11/07 FOR APPROVAL OF THE PROGRAM TO BE IMPLEMENTED IN 2008.**

48. Adopt Employee Health Plan Rate Tables for 2008 for designated employees; authorize Director or designee to sign policies with CIGNA and Kaiser for Group Service Health Plans; and approve amended Administrative Services agreement N1000007147 with CIGNA Healthcare of California, Inc. for Health Maintenance Organization health plan for employees, effective 1/01/07 - 12/31/08 - All Districts (Continued from 7/31/07, Item 36)

32145 X **APPROVED AS MODIFIED TO EXCLUDE CONSIDERATION OF 2008 EMPLOYEE PPO HEALTH PLAN RATES UNTIL 8/21/07**

49. Approve Administrative Services Agreements N1000009067 with CIGNA Healthcare of California, Inc., N1000009068 with Kaiser Foundation Health Plan, Inc. and N1000009069 with Blue Cross of California for retiree health plans, effective 1/1/08 - 12/31/08; renewable for two additional one year periods per Board policy; authorize

Director or designee to sign group service agreements with CIGNA, Kaiser and Group Benefit agreement and Medicare Advantage contract with Blue Cross of California; adopt Retiree Health Plans and associated rates for 2008 and to apply for federal subsidy for CIGNA and Premier Wellwise health plans - All Districts

32145
X **APPROVED AS MODIFIED TO EXCLUDE CONSIDERATION OF 2008 RETIREE PPO HEALTH PLAN RATES UNTIL 8/21/07; AND DIRECTED STAFF TO CONTINUE TO EXPLORE ADDITIONAL HEALTH PLANS/OPTIONS FOR RETIREES TO LOWER COST AND REPORT BACK TO THE BOARD WITH FINDINGS AND POSSIBLE OPTIONS ON 9/11/07.**

50. Adopt 2008 Exclusive Care Select Retiree Health Plan Rate Table; approve Group Retiree Healthcare Services agreement with Exclusive Care Select Retiree Health Plan, Riverside County, 1/1/08 - 12/31/08; authorize Director or designee to execute agreement; and authorize Human Resources Department to pay one-time initiation fee of $50,000 to Riverside County to cover up-front administrative costs - All Districts

32145
X **APPROVED AS RECOMMENDED**

51. **Supervisor Moorlach -** Approve salary adjustments for Public Administrator, effective 8/17/07; approve deletion of Public Guardian from master position control; delete and rescind any and all Annual Leave benefits, effective from and after 6/22/07; and approve deletion of job classification of Public Guardian

25134
XX **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Items 52-53)

HEALTH CARE AGENCY

52. Public Hearing to consider adopting resolution to establish fees for Medical Marijuana Identification card, effective 10/1/07; and make California Environmental Quality Act findings - All Districts

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

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

53. Public Hearing to consider reading and adoption of "An Ordinance of the County of Orange, California, Amending the Orange County Zoning Map by Rezoning Certain Portions of the Cleveland National Forest from "General Agricultural," to "Open Space" (Zone Change 05-03)" - Districts 3 & 5 (Continued from 6/26/07, Item 115)

B.O. **CLOSED PUBLIC HEARING**

51234
XX **APPROVED AS RECOMMENDED**

ORD: 07-014

V. CLOSED SESSION (Items CS-1-CS-2)

GENERAL ADMINISTRATION

CS-1. **County Executive Office -** PUBLIC EMPLOYEE PERFORMANCE EVALUATION -

Pursuant to Government Code Section 54957:
Title: County Counsel

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

CS-2. **Human Resources Department** - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6: Agency Negotiator: Thomas G. Mauk
Employee Organizations: Orange County Attorneys Association (OCAA), Service Employees International Union (SEIU), American Federation of State, County and Municipal Employees (AFSCME), the Association of Orange County Deputy Sheriffs (AOCDS) and 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:

Robin Rustin - Oral Re: Mandatory funding for Veterans Health Care

Charles Griffen - Oral Re: Fuel alternatives and global warming information

Darrell Nolta - Oral Re: Secretary of State's review of OC electronic voting system

David Cortez - Oral Re: Boundary map of El Modena annexation area; maintaining El Modena area street sweeping program and vehicle parking violations

Gary Boatwright - Oral Re: Homeless issues and location of published General Relief Regulations

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

None

ADJOURNED: 2:21 P.M.

32145 **Adjourned in memory of Myron Thompson**
X

12345 **Adjourned in memory of James E. Faust**
XX

12345 **Adjourned in memory of Frank M. Luna**
XX

12345 **Adjourned in memory of James Sverre Dahl Hogseth**
XX

52134 **Adjourned in memory of Bill Trudeau, San Clemente Field Sergeant**
XX

25134 **Adjourned in memory of Dick Peulicher**
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)

JOHN M. W. MOORLACH, VICE CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board