REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA Tuesday, March 6, 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

VACANT

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**

*** Swearing in ceremony for incoming Supervisor Nguyen**

CONTINUED TO 3/27/07, 9:30 A.M.

*** II. CONSENT CALENDAR (Items 1-18)**

3254

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 3 WHICH WAS DELETED; ITEM 5 WHICH WAS CONTINUED TO 3/20/07, 9:30 A. M.; AND ITEMS 10, 15 & 18 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE

BOARD APPOINTMENTS

1. Supervisor Campbell - Foothill Trabuco Specific Review Board - Appoint Steve Parker, Trabuco Canyon, to complete term ending 6/30/07

DEPARTMENT APPOINTMENTS

2. Health Care Agency - Alcohol & Drug Advisory Board - Appoint Ellen Ahn, Fullerton, to complete term ending 11/12/09 - All Districts

DANA POINT HARBOR DEPARTMENT

3. Approve purchase order PC 108P0700004708 with LSA for work on Boat Launch Ramp Renovation project ($4,964.60) - District 5

3254

DELETED

INTEGRATED WASTE MANAGEMENT DEPARTMENT

4. Approve price agreement N1000008488 with Paradigm Software, L.L.C. for software maintenance and support services, 3/15/07 - 3/14/10 ($177,000); renewable for two additional one year terms per Board policy ($59,000 per year) - All Districts

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

5. Approve memorandum of agreement with Newport Beach, Huntington Beach and Costa Mesa for cooperation related to proposed Orange Coast River Park - District 2 (Continued from 2/6/07, Item 27)

3254

CONTINUED TO 3/20/07, 9:30 A.M.

6. Adopt resolution of intent to abandon four unused pedestrian access easements, South Laguna Beach; and set public hearing for 5/8/07, 9:30 a.m. - District 5

RESO: 07-029

7. Approve agreement D06-113 with Lim & Nascimento Engineering Corp for on-call road project services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

8. Approve agreement D07-009 with PCR Services Corporation and agreement D07-010 with BonTerra Consulting for on-call regulatory permitting and environmental services, three-year term ($200,000 per year); and make California Environmental Quality Act findings - All Districts

9. Adopt resolution terminating Disadvantaged Business Enterprise (DBE) Program adopted on 7/18/06; approving agreement D07-012 with State Department of Transportation for DBE Race-Neutral Implementation Agreement; and authorizing Director or designee to execute related documents - All Districts

RESO: 07-030

*** 10. Approve easement deeds and agreement with City of Orange and accept quitclaim deed from The Irvine Company for storm drain and access purposes across portions of Irvine and Peters Canyon Regional Parks; and make California Environmental Quality Act findings - District 3**

3524

APPROVED AS RECOMMENDED

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

11. Approve agreement D06-075 with Tetra Tech, Inc. for on-call flood control projects, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

12. Approve plans and specifications and set bid opening for 4/25/07, 2:00 p.m., for Los Alamitos Pump Station; and make California Environmental Quality Act findings -

District 2

SOCIAL SERVICES AGENCY

13. Approve Memorandum of Understanding AHC0705 with The Regents of the University of California for Elder Abuse Forensic Center services, 3/6/07 - 12/31/08; and authorize Director or designee to execute Memorandum of Understanding - All Districts

14. Approve Memorandum of Understandings CLC0307 with Olive Crest Foster Family Agency and CLC0207 with Canyon Acres Children's Services for Intensive Treatment Foster Care Program, 3/7/07 - 3/6/08; and authorize Director or designee to execute Memorandum of Understandings and extend terms and conditions one additional year without further Board action - All Districts

PUBLIC PROTECTION

Sheriff-Coroner:

*** 15. Authorize use of five County vehicles for relay teams participating in 2007 Challenge Cup Baker to Vegas Relay Race, 4/20/07 - 4/23/07; and make appropriate findings - All Districts**

APPROVED AS RECOMMENDED

16. Receive and file annual Inmate Welfare Fund Expenditure Report for FY 2005-06 ($4,017,197) - All Districts

17. Approve Memorandum of Understanding with Irvine for participation of Irvine Police Department officer in the Sheriff's Terrorism Early Warning Group - District 3

*** 18. Approve amended price agreement N1000008122 with Premier Computing Technologies for purchase of Commissary inventory system, extending term to 9/25/07 ($162,932; new total $326,932) - All Districts**

APPROVED AS RECOMMENDED

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 19-S25A)

HEALTH CARE AGENCY

*** 19. Authorize Director or designee to accept Comprehensive Drug Court Implementation Program Year 2006-07 grant from State Department of Alcohol and Drug Programs for treatment services and community supervision, 1/1/07 - 12/31/07 ($1,023,457) - All Districts**

*** 3254**

APPROVED AS RECOMMENDED

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

*** 20. Receive bids and award contract to PALP, Inc. dba Excel Paving Company for storm drain improvements and overlay resurfacing of Randall Street, Orange Park Acres area ($716,041) - District 3**

3254

APPROVED AS RECOMMENDED

*** 21. Receive bids and award contract to All American Asphalt for asphalt overlay resurfacing of Fairhaven Avenue, Tustin area ($511,645) - District 3**

3254

APPROVED AS RECOMMENDED

GENERAL ADMINISTRATION

County Executive Office:

*** 22. Approve amended agreement No. 06-004DE with VA Consulting, Inc. for district engineering services for Community Facilities Districts and Assessment Districts, 8/28/06 - 9/30/11 - Districts 3 & 5**

3524

APPROVED AS RECOMMENDED

*** 23. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts**

3254

APPROVED AS RECOMMENDED

*** 24. Approve Second Amended and Restated County of Orange Board of Supervisors Policies and Procedures for consideration and approval of proposed public financings; and approve the amended Public Financing Advisory Committee Bylaws - All Districts**

2534

APPROVED AS AMENDED TO MODIFY POLICY LANGUAGE TO PROHIBIT TREASURER-TAX COLLECTOR FROM VOTING ON MATTERS WHERE THE COUNTY POOL IS A PARTICIPANT IN THE TRANSACTION

*** 25. Registrar of Voters - Receive and file certified Statement of Votes Cast for February 6, 2007 First Supervisorial District Vacancy election; and declare elected the person having the highest number of votes for the office of 1st District Supervisor - District 1 (Continued from 2/27/07, Item 51)**

2354

CONTINUED TO 3/27/07, 9:30 A.M.

ELECTED DEPARTMENT HEADS

*** S25A. District Attorney - First reading of "An Ordinance of the County of Orange, California Adopting Division 17, Article 1, of Title 3 of the Codified Ordinances of the County of Orange Pertaining to the DNA Database of the Orange County District Attorney's Office"; and set public hearing and second reading and adoption for 3/27/07, 9:30 a.m. - All Districts**

3254

APPROVED AS RECOMMENDED

IV. PUBLIC HEARINGS (Item 26)

HEALTH CARE AGENCY

*** 26. Public Hearing to consider options for funding Emergency Medical Services Fund by either adopting resolution to provide additional penalty assessment for distribution to Emergency Medical Services Fund, effective 4/1/07; and making California Environmental Quality Act findings; or approve $1,750,000 budgetary adjustment to partially offset uncompensated cost of emergency care provided by hospitals and physicians, FY 06-07 (4/5 vote) - All Districts (Continued RA #8 from 2/6/07, Item 45) (Continued Public Hearing from 2/27/07, Item 69)**

B.O. CLOSED PUBLIC HEARING

3254

APPROVED OPTION B TO PROVIDE $1,750,000 FROM GENERAL FUND FOR BALANCE OF FY 06-07

V. CLOSED SESSION

GENERAL ADMINISTRATION

SCS1. Human Resources Department - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6: Agency Negotiator: Thomas G. Mauk Employee Organizations: Association of Orange County Deputy Sheriffs and Orange County Managers Association RE: Terms and Conditions of Employment

B.O. HELD, NO REPORTABLE ACTION

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

*** PUBLIC COMMENTS:**

*** Charles Griffen - Oral Re: Fuel alternatives**

*** Lisann Martinez - Oral Re: Public involvement**

*** Juan Suarez - Oral Re: Competitive bid process, Mason Park Project**

*** Darrell Nolta - Oral Re: OC critical issues, employment and affordable housing concerns**

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

None

ADJOURNED: 12:45 P.M.

2435

*** Adjourned in memory of LouAnn Schroeder**

4235

*** Adjourned in memory of Lila McDonald**

4235

*** Adjourned in memory of Sandra Evans**

***** KEY *****

Left Margin Notes

1. (Supervisor Vacant

A. (Abstained

2. (Vice Chairman John M. W. Moorlach

X. (Excused

3. (Supervisor Bill Campbell

N. (No

4. (Chairman Chris Norby

BO (Board Order

5. (Supervisor Patricia Bates

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