REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA Tuesday, March 20, 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 Bates, Fifth District, gave the invocation, gave the invocation**

*** PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District, led the assembly in the Pledge of Allegiance, led the assembly in the Pledge of Allegiance**

*** I. PRESENTATIONS/INTRODUCTIONS**

*** Chairman Norby recognized graduates of the Orange County Leadership Academy VI**

*** II. CONSENT CALENDAR (Items 1-37)**

3254

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 3, 6, 10, 16, 19, 31, 32 & 37 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE; AND ITEMS 20, 25, & 30 WHICH WERE DELETED

BOARD APPOINTMENTS

1. Supervisor Moorlach - Sunset Beach LCP Advisory Committee - Reappoint Patricia Kennedy for term ending 12/31/08 and Thomas Burke for term ending 2/28/08; appoint Silvia Faris and G. Michael Lyon for terms ending 12/18/08; appoint Kip Kibler for term ending 12/31/08; and appoint Phyllis W. Maywhort, Sunset Beach, for terms ending 12/31/07

COMMENDATIONS/PROCLAMATIONS

2. Supervisor Moorlach - Adopt resolution congratulating Joe Rosener for his many years of dedication to his community in supporting families and children

RESO: 07-035

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

*** 3. Authorize use of County vehicle and staff for transportation of Foothill High School students and chaperones participating in "Every 15 Minutes" drinking and driving awareness program, 3/27/07 - 3/28/07; and make appropriate findings - District 3**

4325

APPROVED AS RECOMMENDED

4. Approve plans and specifications and set bid opening for 4/25/07, 2:00 p.m., for replacement of ventilation system for lead filtration, Katella Shooting Range; and make California Environmental Quality Act findings - District 3

5. Authorize use of six County vehicles for 50 bicycle riders participating in 2007 Peace Officer Memorial Bicycle Ride, 5/4/07 - 5/8/07; and make appropriate findings - All Districts

*** 6. Approve Sheriff-Coroner to travel to Great Britain and France to meet with law enforcement, private sector and government officials on international terrorism and law enforcement issues, 3/30/07 - 4/14/07 - All Districts**

3524

APPROVED AS RECOMMENDED

HEALTH CARE AGENCY

7. Approve price agreement N1000008550 with Trilogy Integrated Resources, LLC., for network maintenance and support, effective 4/1/07 - 6/30/08 ($38,115); renewable for four individual consecutive one-year terms per Board policy - All Districts

8. Approve amended price agreement N3000005873 with Monogram Biosciences, Inc., for lab testing services, effective 7/1/06 - 6/30/07 ($100,000; new total $160,000) - All Districts

9. Approve price agreement N1000008604 with Automated Case Management System, Inc., for software maintenance and support services, effective 4/1/07 - 3/31/08 ($76,200) - All Districts

*** 10. Approve agreement with Regents of the University of California for primary medical care services, 3/20/07 - 2/29/08 ($84,000) - All Districts**

3524

APPROVED AS RECOMMENDED

INTEGRATED WASTE MANAGEMENT DEPARTMENT

11. Approve renewal of price agreements N2000007603 with Associated Laboratories and N2000007604 with Calscience Environmental Laboratories, Inc. for water quality analysis services, Orange County Landfills, 4/1/07 - 3/31/08 ($125,000) - All Districts

ORANGE COUNTY PUBLIC LIBRARY

12. Approve plans and specifications and set bid opening for 4/18/07, 2:00 p.m., for replacement of air conditioning units, Fountain Valley Branch Library; and make California Environmental Quality Act findings - District 2

13. Approve subordinate price agreement N3000005165 with Orange County Welding for sheet metal fabrication/installation services, 4/1/07 - 3/1/08 ($30,000) - All Districts

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

14. Accept easement deed and assignment and assumption agreement from Irvine for riding and hiking trail purposes, Hicks Canyon Community Park; and make California Environmental Quality Act findings - District 3

15. Approve agreement D06-112 with Orange County Transportation Authority for replacement of State Route 91 express lane barriers - District 3

*** 16. Approve amendment 2 to agreement D05-010 with Stewart Geo Technologies, Inc. for on-call aerial photography and digital mapping services, extending term to 3/20/08 ($100,000); and make California Environmental Quality Act findings - All Districts**

2435

APPROVED AS RECOMMENDED

17. Approve plans and specifications and set bid opening for 4/25/07, 2:00 p.m., for Brenan Way drainage improvements and pavement overlay, North Tustin area; and make California Environmental Quality Act findings - District 3

18. Accept work with Beador Construction Company, Inc. for Skyline Drive Storm Drain Phase II improvements; project completed 1/19/06 ($1,611,275.95) - District 3

*** 19. Approve amendment 2 to agreement D05-008 with Digital Mapping, Inc. for on-call aerial photography and digital mapping services, extending term to 3/20/08 ($100,000); and make California Environmental Quality Act findings - All Districts**

2435

APPROVED AS RECOMMENDED

20. Approve agreement with Tonner Hills SSP, LLC and Tonner Hills 680, LLC for implementation of development obligations of Tonner Hills; and make California

Environmental Quality Act findings - District 3

3254

DELETED

21. Approve plans and specifications and set bid opening for 4/25/07, 2:00 p.m., for site electrical, Irvine Ranch Historic Park; and make California Environmental Quality Act findings - District 3

22. Approve plans and specifications and set bid opening for 4/25/07, 2:00 p.m., for roof rehabilitation, Lamoreaux Justice Center; and make California Environmental Quality Act findings - District 3

23. Approve plans and specifications and set bid opening for 4/25/07, 2:00 p.m., for removal and replacement of fixed audience seating, Hall of Administration, and Central and Harbor Justice Centers; and make California Environmental Quality Act findings - Districts 1 & 2

24. Approve plans and specifications and set bid opening for 4/18/07, 2:00 p.m., for reconstruction of Yellowpine Lane drainage improvements and pavement overlay from Meadow Ridge Drive to the end of Yellowpine Lane, Portola Hills area; and make California Environmental Quality Act findings - District 3

25. 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; 3/6/07, Item 5)

3254

DELETED

26. Authorize release of security for street improvements, street lights, landscaping and monumentation, Tract 16409, WL Homes, LLC, Newport Coast area - District 5

27. Authorize release of security for street improvements, street lights, landscaping and monumentation, Tract 16408, WL Homes, LLC, Newport Coast area - District 5

28. Approve agreement with Michael Merino Architect for remodel of Central Justice Center ($34,200); and make California Environmental Quality Act findings - District 1

29. Adopt resolution certifying completion of street improvements, street lights, storm drains, sewer and water systems, landscaping and monumentation; authorizing release of security and accepting public street improvements, street lights, storm drains, sewer and water systems, landscaping and monumentation, Tract 15987, DMB Ladera, LLC, Ladera Ranch area - District 5

RESO: 07-036

30. Select Arroyo Associates, Inc. as primary and Maximus Incorporated as alternate firms for management and technology services of the Facilities Operations Division; and authorize negotiation of agreement for Board approval - All Districts

3254

DELETED

*** 31. Approve plans and specifications and set bid opening for 4/25/07, 2:00 p.m., for remodeling of Independencia Community Center; and make California Environmental Quality Act findings - District 4**

4325

APPROVED AS RECOMMENDED

*** 32. Approve plans and specifications and set bid opening for 4/25/07, 2:00 p.m., for Poche Beach Ultraviolet Light Bacteria Disinfection Project; and determine Mitigated Negative Declaration Number IP 02-150 is adequate to satisfy California Environmental Quality Act findings - District 5 (Continued from 3/13/07, Item 24)**

5234

APPROVED AS RECOMMENDED

Acting as the Orange County Flood Control District:

33. Approve agreement D06-076 with Boyle Engineering Corporation for on-call engineering services, three-year term ($200,000); and make California Environmental Quality Act findings - Districts 1, 2, 3 and 4

34. Approve agreement D07-002 with Moffatt & Nichol for on-call engineering services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

SOCIAL SERVICES AGENCY

35. Select National Pediatric Support Services, Inc. as provider for Team Decision Making Child Care services, 7/1/07 - 6/30/08; and authorize negotiation of agreement for Board approval - All Districts

36. Select Orange County Child Abuse Prevention Center as provider for Volunteer Advocacy services, 7/1/07 - 6/30/08; and authorize negotiation of agreement for Board approval - All Districts

PUBLIC PROTECTION

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

APPROVED AS RECOMMENDED

END OF CONSENT CALENDAR

*** III. DISCUSSION ITEMS (Items 38-49)**

ELECTED DEPARTMENT HEADS

*** 38. Sheriff-Coroner - Accept grant from Governor's Office of Emergency Services for California Multi-Jurisdictional Methamphetamine Enforcement Team ($500,000) - All Districts**

3524

APPROVED AS RECOMMENDED

HEALTH CARE AGENCY

*** 39. Approve agreement 06-55699 with State Department of Health Services for Cancer Detection Partnership services, 3/1/07 - 6/30/09 ($769,748) - All Districts**

3254

APPROVED AS RECOMMENDED

*** 40. Approve amendment A03 to agreement 04-35368 with State Department of Health Services for AIDS related services, 7/1/04 - 6/30/07 ($26,546 decrease; new total $9,065,362) - All Districts**

3524

APPROVED AS RECOMMENDED

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

*** 41. Receive bids and award contract to MCM Construction, Inc. for Antonio Parkway Bridge widening ($4,604,376) - District 5**

5234

APPROVED AS RECOMMENDED

*** 42. Approve renewal of price agreement N1000007546 with CleanStreet for street**

sweeping services in north portion of unincorporated Orange County, 4/1/07 - 5/31/08 ($260,000); and make California Environmental Quality Act findings - Districts 1, 2, 3 and 4

4325

APPROVED AS RECOMMENDED

SOCIAL SERVICES AGENCY

*** 43. Approve selection of various providers to provide Wraparound Orange County services, 7/1/07 - 6/30/08; and authorize negotiation of agreements for Board approval - All Districts**

3425

APPROVED AS RECOMMENDED

GENERAL ADMINISTRATION

Human Resources Department:

44. Approve salary adjustment for Deputy Juvenile Correctional Officer I and II - All Districts (Continued from 2/27/07, Item 68; 3/13/07, Item 45)

B.O. DELETED

*** 45. Approve price agreement N1000008633 with Performance Management Partners to conduct analysis of department staff and service levels, 3/20/07 - 8/20/07 ($66,400) - All Districts (Continued from 3/13/07, Item 33)**

3254

APPROVED AS RECOMMENDED

County Executive Office:

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

2534

APPROVED AS AMENDED TO CHANGE POSITION ON AB 1355 TO OPPOSE

*** 47. Adopt resolution regarding Supplemental Targeted Adjustment for Retirees Cost of Living Adjustment for benefit year, 4/1/07 - 3/31/08 - All Districts (Continued from 3/13/07, Item 44)**

5324

APPROVED AS RECOMMENDED; DIRECTED STAFF TO ANALYZE THIS PROGRAM AS PART OF THE PENSION REFORM STUDY; EVALUATE ALL FUNDING OPTIONS FOR STAR COLA TO AVOID UNFUNDED LIABILITY TO THE COUNTY; DEVELOP POLICY OPTIONS FOR FUTURE APPLICATION OF STAR COLA TO RETIREE GROUPS; AND PROVIDE BOARD WITH GROWTH OF INFLATION ASSUMPTIONS TO EVALUATE FUTURE NUMBERS OF PARTICIPANTS.

RESO: 07-037

*** 48. Adopt resolutions approving assignment and assumption agreement for transfers of ownership of Spring Lakes financed by Variable Rate Demand Apartment Development Revenue Refunding Bonds, Issue G of 1998, Series 1 ($12,000,000) and Vintage Woods financed by Variable Rate Demand Apartment Development Revenue Refunding Bonds, Issue H of 1998 ($19,500,000); and authorize Public Finance Manager to execute agreement - District 5**

5324

APPROVED AS RECOMMENDED

RESO: 07-038 - 07-039

*** 49. Receive and File Retiree Medical Unfunded Liability Status Report - All Districts**

2354

RECEIVED AND FILED

IV. PUBLIC HEARINGS (None)

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

GENERAL ADMINISTRATION

County Counsel:

*** CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Melvin Guevara v. County of Orange, WCAB No. ANA 393928**

B.O. HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF MELVIN GUEVARA V. COUNTY OF ORANGE. 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 CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.

*** CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Elizabeth Venable, et al., vs. County of Orange, et al., United States District Court Case No. SACV07-201**

B.O. HELD, NO REPORTABLE ACTION

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

*** PUBLIC COMMENTS:**

*** Ken B - Oral Re: Concern regarding mistletoe infected Sycamore Trees**

*** Karen Finn - Oral Re: (1) Investigate retirement of Lt. Bill Hunt; (2) Access transportation for seniors**

*** Charles Griffin - Oral Re: Use of alternative fuel vehicles**

*** Lisann Martinez - Oral Re: Trust accounts for youth or young adult offenders**

*** Darrell Nolta - Oral Re: (1) Brown Act violation article; (2) District 1 election issues**

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

*** Supervisor Campbell - Oral Re: Discussed Santiago Oaks fire last week and his observation of fire destruction from helicopter**

*** Chairman Norby - Oral Re: Announced 3/27/07, 9:00 A.M. Reception for District 1 Supervisor who will be sworn into office that day.**

ADJOURNED: 12:40 P.M.

2354

*** Adjourned in memory of Katherine M. Chew**

***** KEY *****

Left Margin Notes

Right Margin Notes

1. √ Supervisor Smith

A. √ Abstained

O. √ Ordinance

2. √ Supervisor Silva

X. √ Excused

R. √ Resolution

3. √ Vacant

N. √ No

4. √ Supervisor Norby

BO √ Board Order

5. √ Chairman Wilson

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

THOMAS W. WILSON, CHAIRMAN

Orange County Board of Supervisors

DARLENE J. BLOOM

Orange County Clerk of the Board