REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, October 30, 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 Districts

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 Campbell, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Presentation given by the Fire Authority and Sheriff-Coroner updating the Board on the 2007 Santiago Fire

II. CONSENT CALENDAR (Items 1-21)

35124 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 9, 13 & 18 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Campbell -** Emergency Medical Care Committee - Reappoint James Winder, Yorba Linda, for term ending 6/30/09

Supervisor Bates:

2. Mental Health Board - Appoint Carol Langone, Laguna Niguel, to complete term ending 12/11/07

3. Assessment Appeals Board No. 2 - Appoint Paula Cosenza, Laguna Niguel, for term ending 9/5/10

COMMENDATIONS/PROCLAMATIONS/REPORTS

Supervisor Moorlach:

4. Adopt resolution congratulating Mariners Christian School on it's 20th Anniversary
RESO: 07-190

5. Adopt resolution congratulating South Coast Plaza on it's 40th Anniversary
RESO: 07-191

ELECTED DEPARTMENT HEADS

6. **Sheriff-Coroner -** Approve FY 2006-07 Federal Annual Certification Report for participation by Department and Orange County Regional Narcotics Suppression Program in the Federal Equitable Sharing Program - All Districts

HEALTH CARE AGENCY

7. Approve clinical site agreement with the University of Southern California Department of Occupational Science and Occupational Therapy and the Department of Biokinesiology and Physical Therapy Programs, 10/30/07 - 10/29/12 and Federal Work-Study Program Social-Work Off Campus Organization agreement for student services, FY 2007-08 - All Districts

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

8. Approve agreement with Wayne C. Siu Architects for design of new group shelter, Mile Square Regional Park ($85,522); and make California Environmental Quality Act findings - District 2

9. Accept easement deed from Mark Alan Benardo and Rachel Benardo for open space preservation purposes, Trabuco Canyon area; and make California Environmental Quality Act findings - District 3

32154 **APPROVED AS RECOMMENDED**

10. Approve Communications Site Lease with Royal Street Communications California, LLC, for a wireless communications facility; and approve Consent to Sublease between New Cingular Wireless PCS, LLC and Royal Street Communications California, LLC to co-locate on an existing Cingular Wireless cellular monopole, Yorba Regional Park - District 3

11. Accept work of Fleming Environmental, Inc. for playground equipment replacement, Mason Regional Park, project completed 9/4/07 ($109,400) - District 3

12. Approve agreement D07-028 with Cities of Anaheim, Los Alamitos and Seal Beach for surveyor map checking services - Districts 2, 3 and 4

Acting as the Orange County Flood Control District:

13. Approve continuance of emergency pursuant to Public Contract Code Section 22050 (c)(1) and make appropriate findings 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 11/6/07, 9:30 a.m. - District 2 (4/5 vote) (Continued from 10/16/07, Item 32)

23154 **APPROVED AS RECOMMENDED**

14. Accept work of DenBoer Engineering & Construction, Inc. for construction of Cathodic Protection System, Huntington Beach Channel, project completed 8/18/06 ($1,199,240.01) - District 2

15. Approve agreement D06-078 with RBF Consulting for on-call professional services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

SOCIAL SERVICES AGENCY

16. Approve Memorandum of Understanding MCE0407 with Public Health Foundation Enterprises, Inc. for Volunteer Child Reading Program, 11/1/07 - 6/30/10; and authorize Director or designee to execute - All Districts

17. Approve price agreement N1000009109 with Professional Tutors of America for individual academic tutoring services, 11/1/07 - 10/31/10 ($240,000); renewable for one additional two-year period ($180,000) per Board policy - All Districts

18. Approve price agreement N1000009159 with Father Flanagan's Boys' Town for technical support services for Orangewood Children's Home, 11/1/07 - 10/31/08 ($75,000); renewable for two additional one-year periods ($85,000 per year) per Board policy - District 3

53124 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

19. **Probation -** Approve renewal of price agreement N3000006831 with United Maintenance Systems for carpet cleaning service for various facilities, 11/1/07 - 10/31/08 ($37,908); and make California Environmental Quality Act findings - Districts 1, 3, 4 & 5

GENERAL ADMINISTRATION

20. **County Executive Office -** Approve price agreement N1000009376 with SouthTech Systems, Inc. for DisclosureDocs Changes and eDisclosure Systems services, 10/30/07 - 6/30/08 ($200,000); renewable for two additional one-year periods ($7,500 per year) per Board policy - All Districts

21. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for September 2007 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 22-S35A)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

22. Approve renewal of price agreement N2000008163 with NEC Corporation of America for maintenance of Automated Fingerprint Identification System; and approve contingency increase not to exceed 10%, 11/1/07 - 10/31/08, ($222,261) - All Districts
53124 **APPROVED AS RECOMMENDED**

23. Approve renewal of price agreement N2000008169 with Amtec Engineering Corporation for information technology and printer repair services, 11/1/07 - 10/31/08 ($132,000) - All Districts
31254 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

24. Approve Standard Agreement with State Department of Public Health for Emergency Medical Services Appropriation funding, FY 2007-08 ($1,147,049) - All Districts
32154 **APPROVED AS RECOMMENDED**

25. Approve Notice of Grant Awards with State Department of Alcohol and Drug Programs for Drug Court Partnership Act of 2002 ($451,339) and Comprehensive Drug Court Implementation Dependency Drug Court ($269,414), 7/1/07 - 6/30/08; and authorize Director or designee to execute grants - All Districts
23154 **APPROVED AS RECOMMENDED**

26. Approve Standard Agreement 07-65333 with State Department of Public Health for Network Healthy California Local Incentive Awardee funds, 10/1/07 - 9/30/08 ($887,223) - All Districts
34125 **APPROVED AS RECOMMENDED**

27. Approve amendment 2 to agreement 04-35728 with State Department of Health Services for Chlamydia Screening Project and Disease Investigation and Surveillance, 7/1/04 - 6/30/09 ($160,000; new total $522,125) - All Districts (Continued from 10/16/07, Item 25)
31254 **APPROVED AS RECOMMENDED**

INTEGRATED WASTE MANAGEMENT DEPARTMENT

28. Authorize payment and transfer of 45 acres of Coastal Sage Scrub (CSS) to Resources and Development Management Department for FY 2007-08 ($3,014,280) and for 35 acres for FY 2008-09 ($2,424,870); and authorize Auditor-Controller to make budget adjustments - All Districts
34125 **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

29. Approve amendment 1 to agreement with Electronic Data Systems Corporation for CalWORKs Information Network, term ending 7/31/10 ($16,659,567; new total $63,260,021); authorize Director or designee to execute all related documents and amendments; and receive and file CalWIN Update PowerPoint Presentation - All Districts

32154 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

30. **County Counsel -** Consider first reading of "An Ordinance of the County of Orange, California Adding Sections 5-1-31 and 5-1-32 to Article 2 of Division 1 of Title V of the Codified Ordinances of the County of Orange Prohibiting the Issuance of Approvals That Would Permit a Use That Violates State or Federal Law and Prohibiting Businesses or Activities That Would Violate Local, State or Federal Law"; set second reading and adoption for 11/06/07, 9:30 a.m. - All Districts

54123 **CONTINUED TO 12/4/07, 9:30 A.M.**

County Executive Office:

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

NO ACTION TAKEN

32. Approve allocation of funds and agreements with Santa Ana Kiwanis Club for a sports court in Barrier Free Park ($35,000), with Santa Ana for capital improvements at Jerome Center Park ($100,000), with Rose Center Foundation for capital improvements and equipment for Westminster Rose Center Theatre ($150,000), with Westminster Community Services Department for capital improvements at Westminster Senior Center ($40,000) and with Boy Scouts of America, Orange County Council for camp roads at the Learning for Life Outdoor Education Center ($20,000); authorize the Clerk of the Board to execute agreements and make related findings; and delete prior Board action 10/16/07 to continue this matter to 11/20/07 - All Districts (4/5 vote) (Continued from 10/16/07, Item 36)

13254 N **APPROVED AS RECOMMENDED**

33. Approve recommended grant applications as proposed and other actions as recommended - All Districts

43125 **APPROVED AS RECOMMENDED**

34. Authorize CEO Risk Management and CEO Purchasing to enter into negotiation with Cambridge Integrated Services Group for Workers' Compensation Third Party Administrator services, 1/1/08 - 12/31/09; and return to the Board for final approval - All Districts

B.O. **DELETED**

35. Approve price agreement N1000009296 with Strategic Investment Solutions, Inc. to review and report on performance and risk levels and risk management associated with the Orange County Employees Retirement System asset allocation, investment policies and procedures, and investment manager selection and monitoring practices, 10/16/07 - 10/15/08; renewable for two additional one year periods per Board policy - All Districts (Continued from 10/16/07, Item 33)

B.O. **CONTINUED TO 11/20/07, 9:30 A.M.**

S35A. **Supervisor Moorlach -** Adopt resolution proclaiming its sincere congratulations and gratitude to Christ Community Church on its 50Th Anniversary of its establishment in Orange County

43125 **APPROVED AS RECOMMENDED**
RESO: 07-192

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:
Bruce Moore - Oral Re: Questions regarding cuts to Retiree Medical Grant

Darrell Nolta - Oral Re: Concerns regarding County's preparedness for multi-type disasters (Black Swan), e.g. another fire in the Santiago Canyon area.

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Moorlach - Oral Re: Discussed LA Times article regarding Sheriff Michael Carona's federal indictment and asked that Sheriff Carona resign and the Board appoint an interim Sheriff pending a future election.

Chairman Norby - Oral Re: Stated that he will be working with County Counsel on the development of a proposed initiative for the 11/6 agenda to amend Orange County's campaign finance laws to be consistent with state regulations and to establish an Ethics Commission to ensure uniform compliance. Asked Board Members to work with County Counsel if they had suggestions for this proposal.

ADJOURNED: 12:53 P.M.

54123 **Adjourned in memory of Jane Cheroske**

24135 **Adjourned in memory of Reggie Front**

54123 **Adjourned in memory of Sharon Rae Economos**

14235 **Adjourned in memory of Jeffery Hughes**

*** 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