REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA Tuesday, March 27, 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 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 Janet Nguyen by Bill Steiner**

*** Chairman Norby presented resolutions commending Herb Nakasone, Ed Kwan and Jim Miller on their retirement**

*** Chairman Norby introduced Alain Dudit, Consul General of Canada**

*** Presentation by Sheriff Carona regarding Immigration and Nationality Act Cross-Designation Program**

*** II. CONSENT CALENDAR (Items 1-52)**

32154

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 41 WHICH WAS CONTINUED TO 4/24/07, 9:30 A.M.; ITEM 51 WHICH WAS DELETED; AND ITEMS 44 & 45 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE

BOARD APPOINTMENTS

Supervisor Bates:

1. Assessment Appeals Board No. 4 - Appoint Craig Alexander, Dana Point, for term ending 9/3/09

2. Public Financing Advisory Committee - Reappoint Thomas T. Hammond, Laguna Niguel, for term ending 8/11/09

3. Orange County Historical Commission - Reappoint Doris Walker-Smith, Dana Point, and appoint J. Donald Tryon, San Juan Capistrano for terms concurrent with 5th District Supervisor's term of office

ELECTED DEPARTMENT HEADS

District Attorney:

4. Approve price agreement F1000002825 with West Publishing Corporation, dba Thomson West for purchase of various law publications, 4/1/07- 3/31/08 ($50,000); renewable for additional two year terms per Board policy - All Districts

5. Approve price agreement N1000008671 with Jack Ferrado, dba Stadium Automotive for repair and maintenance of Orange County Auto Theft Task Force's vehicles, 4/1/07-3/31/08 ($35,000); renewable for additional two year terms per Board policy - All Districts

Sheriff-Coroner:

6. Approve license agreement with Buena Park for rental of Sheriff's Katella Training

Facility for training purposes, Orange ($1,000); and make California Environmental Quality Act findings - District 3

7. Approve price agreement N1000008663 with Matrix Imaging Products, Inc. for maintenance of scanners, 3/27/07-3/26/08 ($57,048); renewable for four additional years per Board policy ($70,000 per year) - All Districts

8. Authorize use of County resources for two meals for attendees of the Southern California Jail Managers Association meeting for promoting education goodwill, mutual support and spirit of cooperation among law enforcement personal, 4/19/07; and make appropriate findings - All Districts

DANA POINT HARBOR DEPARTMENT

9. Approve assignment of agreement D06-053 from Cash & Associates to URS Corporation Americas for consultant services, Harbor Revitalization project, effective 9/29/06 - District 5

HEALTH CARE AGENCY

10. Approve clinical site agreement with Coast Community College District and Golden West College Nursing Program for nursing students with clinical work experience, 3/27/07 - 3/26/12 - All Districts

HOUSING AND COMMUNITY SERVICES DEPARTMENT

11. Approve submission of two grant applications to and acceptance of grant awards from Orange County United Way for Self-Sufficiency Calculator Pilot Program ($100,000); and authorize Director or designee to execute related documents - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

12. Approve price agreement N1000008619 with Bryan A. Stirrat & Associates to provide maintenance and repair services for Central Region Landfill Groundwater and Leachate Collection systems, 4/1/07- 3/31/08 ($100,000); renewable for two additional one year terms per Board policy - District 3

13. Select Bryan A. Stirrat & Associates as primary and Simplus Management Corporation as alternate firms to provide construction management, quality assurance/quality control and archaeological/paleontological services for South Region Landfills; and authorize negotiation of agreement for Board approval - District 5

14. Approve plans and specifications and set bid opening for 5/16/07, 2:00 p.m., for Pre-Mitigation Implementation Project, Prima Deshecha Landfill; and make California Environmental Quality Act findings - District 5

15. Approve price agreement N1000008623 with Viejo Sweeping Service to provide street sweeping services for County's landfills, 4/1/07 - 3/31/08 ($130,000); renewable for two additional one year terms per Board policy - Districts 3 & 5

JOHN WAYNE AIRPORT

16. Select Kishimoto Architects, Inc. as primary and RJC Architecture as alternate firms for architectural engineering services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

17. Select AE Consulting, Inc. as primary and KPFF Consulting Engineers as alternate firms for civil engineering services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

18. Select Toft Wolf Farrow, Inc. as primary and Dan Vaughan Consulting as alternate firms for electrical engineering services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

19. Select MACTEC as primary and Ninyo and Moore as alternate firms for geotechnical engineering services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

20. Select Toft Wolff Farrow, Inc. as primary and TMAD Taylor and Gaines as alternate firms for mechanical engineering services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

21. Select MACTEC as primary and Ninyo and Moore as alternate firms for pavement engineering services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

22. Select Bucknam and Associates as primary and Kleinfelder, Inc. as alternate firms for pavement management services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

23. Select Integrated Design Services, Inc. as primary and KPFF Consulting Engineers as alternate firms for structural engineering services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

24. Select KFM Engineering, Inc. as primary and VA Consulting, Inc. as alternate firms for traffic engineering services; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

25. 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 16341, DMB Ladera LLC, Ladera Ranch area - District 5

RESO: 07-040

26. Authorize release of security for street improvements, street lights, sewer and water systems, landscaping, traffic signal modification and monumentation, Tract 15219, Rancho Santa Margarita Joint Venture, Rancho Santa Margarita area - District 5

27. Authorize release of security for monumentation, Parcel Map 2004-155, Irvine Community Development Company, LLC, Irvine area - District 3

28. Approve plans and specifications and set bid opening for 5/2/07, 2:00 p.m., for replacement of electrical equipment, Irvine Regional Park; and make California Environmental Quality Act findings - District 3

29. Approve plans and specifications and set bid opening for 5/2/07, 2:00 p.m., for Phase II renovation of Los Pinos Camp; and make California Environmental Quality Act findings - District 5

30. Approve plans and specifications and set bid opening for 5/2/07, 2:00 p.m., for

construction and operation of 800 MHz Sheriff Communications facility, Dana Point; and make California Environmental Quality Act findings - District 5

31. Approve price agreement N1000008616 with Power Clean, Inc. for steam cleaning services at various Civic Center Plaza facilities, 4/1/07 - 3/31/08 ($19,720.44); renewable for two additional years per Board policy; and make California Environmental Quality Act findings - District 1

32. Approve plans and specifications and set bid opening for 5/2/07, 2:00 p.m., for replacement of uninterruptible power supply, Building 12; and make California Environmental Quality Act findings - District 1

33. Approve plans and specifications and set bid opening for 5/2/07, 2:00 p.m., for replacement of master controlled lighting system with individual lighting controls, Probation Headquarters; and make California Environmental Quality Act findings - District 1

34. Approve plans and specifications and set bid opening for 5/2/07, 2:00 p.m., for painting of restrooms and common areas, various Civic Center buildings; and make California Environmental Quality Act findings - District 1

35. Approve plans and specifications and set bid opening for 5/2/07, 2:00 p.m., for remodeling of reception counters on 4th and 5th floors, Probation/Manchester Office Building; and make California Environmental Quality Act findings - District 3

36. Accept work with Hardy and Harper, Inc. for asphalt overlay resurfacing of various streets; project completed 3/1/06 ($654,709.58) - Districts 1, 2, 3 and 4

37. Relieve low bidder Dynalectric from obligations; receive bids and award contract to J. Kim Electric, Inc. for connection of microturbines, County Data Center ($198,000) - District 1

38. Approve Joint Funding Agreement 07W4CAD02320 with United States Geological Survey for operation of Agua Chinon and Marshburn Channels monitoring stations, 11/1/06 - 10/31/07 ($64,300); authorize Director to execute agreement and subsequent amendments under certain conditions; and make California Environmental Quality Act findings - District 3

39. Approve price agreement N1000008590 with Group Oliver, Inc. for information

technology project management services, 4/1/07 - 3/31/08 ($170,000); renewable for one additional year per Board policy - All Districts

40. Approve plans and specifications and set bid opening for 5/2/07, 2:00 p.m., for installation of In-Roadway Flashing Crosswalk Light System for Hewes Avenue at Spaulding Avenue and Red Hill Avenue at Bullard Lane; and make California Environmental Quality Act findings - District 3

41. Approve agreement with Orange County Fire Authority and Rancho Mission Viejo to establish fire safety standards and procedures; and authorize Director to make subsequent amendments under certain conditions - District 5

32154

CONTINUED TO 4/24/07, 9:30 A.M.

42. Accept work with HRS Engineering Corporation for construction of Sunset Beach walkway at Kid's Beach Pacific Coast Highway; project completed 2/1/06 ($213,541.69) - District 2

43. Approve agreement with Newport Beach for code enforcement and water quality inspection services; and authorize Auditor-Controller to make related payments - District 2

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

*** 44. Approve plans and specifications and set bid opening for 5/2/07, 2:00 p.m., for construction of Huntington Beach Channel from Indianapolis Avenue to Adams Avenue; and make California Environmental Quality Act findings - District 2**

25134

APPROVED AS RECOMMENDED

*** 45. Appoint Ignacio Ochoa, P.E. as Chief Engineer for the Orange County Flood Control District - All Districts**

23154

APPROVED AS RECOMMENDED

GENERAL ADMINISTRATION

Clerk of the Board:

46. Approve proposed amendments to the Conflict of Interest Code Designated Filer Exhibits for the Orange County Transportation Authority, Anaheim Union High School District and the Orange County Water District - All Districts

47. Approve proposed amendments to the County s Conflict of Interest Code Designated Filers Exhibits for the Dana Point Harbor Department - All Districts

48. County Counsel - Authorize termination of agreement with Hawkins Delafield & Wood, LLP as primary for legal services in negotiating and drafting waste disposal agreements with participating cities; approve amendment 2 to agreement with Stradling Yocca Carlson & Rauth for professional legal services; and authorize County Counsel to execute agreement - All Districts

County Executive Office:

49. Approve amended price agreement N1000007644 with Advanced Integrated Solutions, Inc. for remedy software license support, effective 4/1/07 - 3/31/08 ($69,466); renewable for one additional one-year period - All Districts

50. Receive and file Charitable Organization Actual Income/Expenses for 2006 and planned activities for 2007 - All Districts

51. Approve standard form agreement for exhibit space for 2007 Orange County Fair; and authorize departments and agencies to execute related documents - All Districts

32154

DELETED

52. Internal Audit - Receive and file Internal Audit Department Monthly Status Report for February 2007 - All Districts

END OF CONSENT CALENDAR

*** III. DISCUSSION ITEMS (Items 53-S63D)**

ELECTED DEPARTMENT HEADS

*** 53. Sheriff-Coroner - Approve price agreement N1000008677 with RS Elevator Corporation for elevator maintenance and repair services, 3/27/07 - 3/26/12 ($1,800,000) - All Districts**

32154

APPROVED AS RECOMMENDED

DANA POINT HARBOR DEPARTMENT

54. Approve amended agreement D02-049 with Keyser Marston Associates for consultant services related to Harbor Revitalization project, extending term three years ($250,000; new total $550,000); authorize Director or designee to execute agreement; and make California Environmental Quality Act findings - District 5

B.O. CONTINUED TO 4/24/07, 9:30 A.M.

HEALTH CARE AGENCY

*** 55. Approve amended price agreement N3000006352 with The Regents of the University of California, Irvine for methadone and urinalysis laboratory services, effective 11/26/06 - 11/25/07 ($40,000; new total $335,000) - All Districts**

32154

APPROVED AS RECOMMENDED

*** 56. Authorize submission of Mental Health Services Act Community Services and Supports Growth Funding Plan to State Department of Mental Health for planned program funding, 7/1/07 - 6/30/08 ($9,030,400); and authorize Director or designee to execute related documents - All Districts**

23154

APPROVED AS RECOMMENDED

SOCIAL SERVICES AGENCY

*** 57. Approve agreements WBC0706 with Arbor E & T, LLC for job services, employment support and job retention services, ($23,658,906) and WBC0806 with Maximus, Inc. for case management services ($15,052,934), 4/1/07 - 6/30/09; and authorize Director or designee to extend term of agreements under certain conditions - All Districts**

53124

APPROVED AS RECOMMENDED

*** 58. Select various providers for Child Welfare Services Redesign Supportive services, 7/1/07 - 6/30/08; and authorize negotiation of agreement for Board approval - All Districts**

23154

APPROVED AS RECOMMENDED

GENERAL ADMINISTRATION

County Executive Office:

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

32154

APPROVED AS RECOMMENDED

*** 60. Approve in concept final projects to be completed using Santa Ana Heights Bond proceeds and Tax Increment; and direct staff to return to the Board with an amended Memorandum of Agreement with Newport Beach for Santa Ana Heights Fire Station and Recreation Facility - District 2**

23154 A N

APPROVED AS RECOMMENDED

*** 61. Adopt resolution revising Workers' Compensation Claims settlement procedures to authorize CEO/Risk Management to settle workers' compensation claims if settlement amount is less than $100,000, excluding statutorily required payments pursuant to Labor Code - All Districts**

32154

CONTINUED TO 4/17/07, 9:30 A.M.

*** 62. 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; 3/6/07, Item 25)**

2534

APPROVED AS RECOMMENDED

*** 63. Supervisor Norby and Supervisor Moorlach - Approve amended 2007 County Contract Policy Manual to supersede all prior purchasing policies; and authorize County Executive Officer to implement revised monetary thresholds requiring approval by the Board - All Districts**

24135

APPROVED AS RECOMMENDED

Chairman Norby:

*** S63A. Adopt resolution proclaiming April 22-28, 2007 as "National Crime Victims' Rights Week"**

42135

APPROVED AS RECOMMENDED

RESO: 07-041

*** S63B. Ratify Chairman's authorization to grant Southern California Gas Company (SoCalGas) the right to utilize images, pictures, names, voices, statements (oral and written) and other information or materials describing or portraying the Orange County Sheriff's Department and Resources and Management Development Department's experience with SoCalGas and/or energy efficiency**

43125

APPROVED AS RECOMMENDED

*** S63C. Auditor-Controller - Approve renewal of price agreement N1000005309 as N5000005309 with Macias, Gini, & O'Connell LLP to perform independent audit and related services for FY 06-07 ($685,394) - All Districts**

23154

APPROVED AS RECOMMENDED WITH DIRECTION TO STAFF THAT THE MATTER GO OUT TO BID NEXT YEAR AND THAT THE PROPOSALS BE REVIEWED BY THE AUDIT OVERSIGHT COMMITTEE FOR RECOMMENDATION TO THE BOARD

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

*** S63D. Select Arroyo Associates, Inc. as primary and Maximums, Inc. as alternate firm to serve as consultant contractor for RDMD's Facilities Operations Management Review; authorize Director or designee to negotiate agreement and return to the Board for approval - All Districts**

23154

APPROVED AS RECOMMENDED

IV. PUBLIC HEARINGS (Items 64-67)

ELECTED DEPARTMENT HEADS

*** 64. District Attorney - Public Hearing to consider second reading and adoption 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" - All Districts (Continued from 3/6/07, Item S25A)**

B.O. CLOSED PUBLIC HEARING

32154

APPROVED AS RECOMMENDED

ORD: 07-003

HOUSING AND COMMUNITY SERVICES DEPARTMENT

Acting as the Board of Supervisors and Orange County Housing Authority:

*** 65. Public Hearing to consider adopting revised Orange County Housing Authority Administrative Plan, FY 2007-2008; and authorize Executive Director or designee to finalize and submit plan to U.S. Department of Housing and Urban Development - All Districts**

B.O. CLOSED PUBLIC HEARING

52134

APPROVED AS RECOMMENDED

*** 66. Public Hearing to consider approving Orange County Housing Authority's Public Housing Agency Annual Plan, FY 2007; authorize Executive Director or designee to execute related documents and submit to U.S Department of Housing and Urban Development - All Districts**

B.O. CLOSED PUBLIC HEARING

32154

APPROVED AS RECOMMENDED

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

*** 67. Public Hearing to consider adopting resolution approving abandonment for portion of Laguna Coast Wilderness Park; approve quitclaim deed to Laguna Beach; and make California Environmental Quality Act findings - District 5 (unanimous vote) (Continued to set Public Hearing from 1/23/07, Item 24)**

B.O. CLOSED PUBLIC HEARING

53124

APPROVED AS RECOMMENDED

RESO: 07-042

V. CLOSED SESSION (None)

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

*** PUBLIC COMMENTS:**

*** Darrell Nolta - Oral Re: Support funding of Sheriff Carona's ICE Program**

*** Lizann Martinez - Oral Re: Oppose ICE Program**

COUNTY EXECUTIVE OFFICER COMMENTS:

None

*** BOARD COMMENTS:**

*** Supervisor Moorlach - Oral Re: AB 1234 Report: Discussed travel to Sacramento to attend CSAC New Supervisors Institute Training, February 22 and 23, 2007**

*** Supervisor Campbell - Oral Re: (1) AB 823 - OC Road Funds Distribution Directive of March 20, 2007 to add directive to staff to evaluate Prop 1B $62M in funding to see if they can be divided up among the 5 supervisorial districts for project allocation or involvement. (2) Discussed letter received from William Paoli threatening class action litigation against the county if the Board were to vote not to implement medical marijuana ID cards.**

*** Supervisor Nguyen - Oral Re: Thanked Board Members for their support**

ADJOURNED: 12:37 P.M.

54123

*** Adjourned in memory of Nathan Shapell**

24135

*** Adjourned in honor of NAIA making it to the semi finals 2 years in a row and**

congratulations to Vanguard University junior, Jessica Richter named NAIA Division I Women's Basketball Player of the Year.

***** KEY *****

Left Margin Notes

1. (Supervisor Nguyen

A. (Abstained

2. (Supervisor Moorlach

X. (Excused

3. (Supervisor Campbell

N. (No

4. (Supervisor Norby

BO (Board Order

5. (Supervisor 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