REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA Tuesday, May 1, 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 Nguyen, First District, gave the invocation**

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

I. PRESENTATIONS/INTRODUCTIONS

*** II. CONSENT CALENDAR (Items 1-19)**

23154

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 11 WHICH WAS CONTINUED TO 5/8/07, 9:30 A.M., AND ITEMS 4 & 16 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE

DEPARTMENT APPOINTMENTS

1. Health Care Agency - Emergency Medical Care Committee - Appoint Christopher Kahn, MD, Orange, to complete term ending 6/30/07; and appoint Duane S. Olson, Corona and Gregory A. Pate, Anaheim, to complete terms ending 6/30/08 - All Districts

COMMENDATIONS/PROCLAMATIONS

2. Chairman Norby - Adopt resolution congratulating Elizabeth Wells as the Walter Knott Award recipient

RESO: 07-051

ELECTED DEPARTMENT HEADS

Auditor-Controller:

3. Receive and file Fund/Agency Semi-Annual Report, FY 2006-07 - All Districts

*** 4. Approve deletion of dismantled, missing, obsolete, stolen and surplused equipment items from department/agency capital asset inventories - All Districts**

24135

CONTINUED TO 5/8/07, 9:30 A.M.

5. Approve schedule of County Capital Assets Physical Inventory Dates for calendar years 2007 and 2008 - All Districts

6. Receive and file Annual Report of Revolving Funds for FY 2005-06 - All Districts

7. Receive and file Annual Report of Cash Difference Funds, Annual Report of Cash Losses Replenished by the Auditor-Controller and the Annual Report of Overage Fund for FY 2005-06 - All Districts

8. District Attorney - Approve agreement with National Insurance Crime Bureau to lease a vehicle for use in investigation of insurance-related crimes and/or fraud ($1.00); and authorize District Attorney or designee to execute agreement - All Districts

DANA POINT HARBOR DEPARTMENT

9. Adopt resolution requesting membership in California Maritime Infrastructure Authority (CMIA); and authorize Director or designee to sit on CMIA Board of Directors as County's representative, and agreeing to terms and conditions of Joint Powers Authority agreement - All Districts

RESO: 07-052

10. Approve purchase order P0700004708 with LSA for environmental assessment work of Dana Point Harbor boat launch ramp project ($4,990.19) - District 5

HOUSING AND COMMUNITY SERVICES DEPARTMENT

11. Approve agreement with St. Joseph Health System to provide training services for high growth initiative biotechnology trainees, 5/2/07 - 4/30/08 ($100,000); and authorize Director or designee to modify policies and procedures, agreement and extend term for additional year without Board action under certain conditions - All Districts

23154

CONTINUED TO 5/8/07, 9:30 A.M.

ORANGE COUNTY PUBLIC LIBRARY

12. Approve amended agreement with Marketable Engineered Products, LLC to modify scope of work for Cypress, Garden Grove and El Toro branch libraries and provide engineering services for HVAC system, La Habra Branch Library - All Districts

13. Approve submission of grant application to Target Corporation for Target Early Childhood Reading grant - All Districts

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

14. Approve agreement D07-037 with Santa Ana for traffic control improvements at various locations in the Civic Center Plaza area; and make California Environmental Quality Act findings - District 1

15. Approve agreements D07-018 with David Evans and Associates, Inc. and D07-019 with CNC Engineering for on-call road project services ($200,000 each); and make California Environmental Quality Act findings - All Districts

*** 16. Adopt resolution supporting the Groundwater Replenishment System and Orange County Water District in identifying and developing alternative sources for safe and reliable water supply - All Districts**

23154

CONTINUED TO 5/8/07, 9:30 A.M.

SOCIAL SERVICES AGENCY

17. Approve agreement CJV0407 with Family Support Network as provider for Wraparound Orange County Support services, 7/1/07 - 6/30/08 ($125,000); and authorize Director or designee to extend agreement up to twelve additional months under certain conditions - All Districts

18. Approve Orange County Refugee Services Plan, FFYs 2006-07 and 2007-08; authorize submission to State Department of Social Services; and authorize Director to execute amendments under certain conditions - All Districts

GENERAL ADMINISTRATION

19. County Counsel - Approve agreement with H. Lawson Mead for legal services relating to informal hearings and updates to Administrative Plan for rental assistance programs administered by Housing and Community Services Department/Orange County Housing Authority; and authorize County Counsel to execute agreement - All Districts

END OF CONSENT CALENDAR

*** III. DISCUSSION ITEMS (Items 20-33)**

ELECTED DEPARTMENT HEADS

*** 20. Sheriff-Coroner - Ratify submission and execution of grant application to and acceptance of grant award, assurances and certifications from Governor's Office of Emergency Services for Anti-Drug Abuse Enforcement Program, FY 2007-2008 ($512,371) - All Districts**

32154

APPROVED AS RECOMMENDED

HEALTH CARE AGENCY

*** 21. Approve price agreement N1000008570 with RXAmerica, LLC., for pharmacy benefits management services for Indigents and Behavioral Health Services programs, effective 7/1/07 - 6/30/10 - All Districts**

35124

APPROVED AS RECOMMENDED

*** 22. Approve agreements with Cooper Fellowship, Inc. ($163,010 per year), Woodglen Recovery Junction, Inc. ($90,708 per year), Korean Community Services ($60,000 per year) and Phoenix House Orange County, Inc. ($93,000 per year) for Parolee Services Network outpatient and residential substance abuse services, 7/1/07 - 6/30/09 - All Districts**

31254

APPROVED AS RECOMMENDED

*** 23. Approve master agreement with various providers for Mental Health Wraparound services, 7/1/07 - 6/30/08 ($637,239); and authorize Director or designee to execute individual agreements - All Districts**

15234

APPROVED AS RECOMMENDED

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

*** 24. Approve amendment 3 to agreement D01-106 with RBF Consulting for environmental analysis & alignment investigations for extension of Alton Parkway between Irvine Boulevard and Commercentre Drive, extending term to 5/9/08 ($177,443; new total $1,302,639); and make California Environmental Quality Act findings - Districts 3 & 5**

35124

APPROVED AS RECOMMENDED

*** 25. Receive and file report on County road program revenue projections over the next 35-years; and direct staff to formulate recommendations for sharing Prop 42 funds with cities and for the use of Prop 1B funds, and return to the Board within 90 days for approval; and make California Environmental Quality Act findings - All Districts**

34125

DIRECT STAFF TO RETURN TO THE BOARD IN 90 DAYS WITH A RECOMMENDATION ON HOW TO SHARE THE COUNTY'S EXCESS PROP. 42 FUNDS WITH ORANGE COUNTY CITIES BASED ON A POPULATION WEIGHTED DISTRIBUTION. DIRECT STAFF TO INFORM THE BOARD ON HOW POPULATION WEIGHTED DISTRIBUTION IMPACTS PROJECTS. DIRECT STAFF TO DEVELOP A ROLLING 5-YEAR FORECAST SHOWING THE AMOUNT OF PROP. 42 FUNDS TO BE USED BY THE COUNTY OVER THE NEXT FIVE YEARS AND THE AMOUNT TO BE ALLOCATED TO THE CITIES. DIRECT STAFF TO EQUALLY DIVIDE THE PROP. 1B FUNDS BETWEEN EACH SUPERVISORIAL DISTRICT. DIRECT STAFF TO WORK WITH EACH DISTRICT TO GATHER A LIST OF POSSIBLE PROJECTS THAT WOULD BE ELIGIBLE FOR PROP 1B FUNDING. DIRECT STAFF TO RETURN TO THE BOARD IN 90 DAYS FOR APPROVAL OF PROP. 1B FUNDED PROJECTS.

*** 26. Receive and file Harbors, Beaches & Parks Strategic Plan update; and consider issues and recommendations identified by the Board's Ad Hoc Committee on the HBP Strategic Plan and provide direction to staff - All Districts (Continued from 4/24/07, Item 9)**

B.O. PRESENTED REPORT AND DIRECTED STAFF TO RETURN TO THE BOARD WITH AN OC PARKS AND BEACHES STRATEGIC PLAN AS DIRECTED BY THE

BOARD AND ACCORDING TO STRAW VOTES TAKEN

PUBLIC PROTECTION

Probation:

27. Approve price agreement N1000008755 with Redwood Toxicology Laboratory, Inc. for urinalysis and oral fluids laboratory testing services, 5/1/07- 4/30/08 ($409,155); renewable for four additional one year terms per Board policy; and make California Environmental Quality Act findings - All Districts

53124

APPROVED AS RECOMMENDED

28. Receive and file Chief Probation Officer s update on Los Pinos operational status (Board Directive 4-17-07) - All Districts

RECEIVED AND FILED

GENERAL ADMINISTRATION

County Executive Office:

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

23154

APPROVED AS RECOMMENDED

30. Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Article 2. Informal Bidding Procedures, Sections 1-8-10 Through and Including 1-8-13, and Adding Section 1-8-14, of the Codified Ordinances of the County of Orange" - All Districts (Continued from 4/24/07, Item 40)

23154

APPROVED AS RECOMMENDED

ORD: 07-005

31. Consider second reading and adoption of "An Ordinance of the County of Orange, California Amending Article 2. Purchasing, Section 1-4-13 of the Codified Ordinance of the County of Orange" - All Districts (Continued form 4/24/07, Item 41)

25134

APPROVED AS RECOMMENDED

ORD: 07-006

32. Human Resources Department - Approve price agreement N1000008597 with SHPS, Inc. for Health Care Management Program, 5/1/07 - 4/30/10 ($2,198,820); renewable for two additional years per Board policy - All Districts (Continued from 4/17/2007, Item 76; 4/24/07, Item 44)

B.O. DELETED

33. Chairman Norby - Direct CEO to determine scope, staffing, budget and organizational structure of a County performance audit program that reports directly to the Board and report back to the Board in advance of 2007-08 budget hearings

43125

APPROVED AS RECOMMENDED

IV. PUBLIC HEARINGS (Item 34)

HOUSING AND COMMUNITY SERVICES DEPARTMENT

34. Acting as the Board of Supervisors and Orange County Housing Authority - Public Hearing to consider submission of Final Annual Action Plan, FY 2007-08 to U. S. Department of Housing and Urban Development; and authorize Director or designee to execute related documents and amendments under certain conditions - All Districts

B.O. CLOSED PUBLIC HEARING

35124

APPROVED AS RECOMMENDED

V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

*** CS-1. Human Resources Department - CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6: Agency Negotiator: Thomas G. Mauk Employee Organizations: Orange County Employees Association (OCEA), Orange County Attorneys Association (OCAA), Service Employees International Union (SEIU), and the American Federation of State, County and Municipal Employees (AFSCME) RE: Terms and Conditions of Employment**

B.O. HELD, NO REPORTABLE ACTION

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

PUBLIC COMMENTS:

Charles Griffin - Oral Re: (1) Orange County Register article regarding air quality in Orange County (2) Use of mag lev monorail system

Darrell Nolta - Oral Re: (1) Orange County Register article regarding social services provided in Orange County (2) Consequences of use of medical marijuana

COUNTY EXECUTIVE OFFICER COMMENTS:

None

*** BOARD COMMENTS:**

*** Supervisor Bates - Oral Re: Recent notice of assessments to boat owners in Dana Point. (1) Direct staff to identify the systems and/or communications failed and allowed 4 years of taxes to go unpaid when harbor operations changed from leasehold to operating agreements (2) Direct Staff to identify the legal basis of authority for retroactive assessments (3) Directed staff to identify the remedies available to boaters who received notices.**

Supervisor Campbell - Oral Re: AB1234 Report: Reported on recent trip to Harvard Business School as part of the County's continuing education/professional growth

ADJOURNED: 2:41 P.M.

24135

Adjourned in memory of Betty Larson

14235

Adjourned in memory of Vi Smith

***** 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