REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA Tuesday, February 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 Campbell, Third District, gave the invocation**

*** PLEDGE OF ALLEGIANCE: Supervisor Moorlach, Second District, led the assembly in the Pledge of Allegiance**

*** I. PRESENTATIONS/INTRODUCTIONS**

*** Supervisor Bates presented a resolution proclaiming February 6, 2007 as "Wear Red for Women Day"**

*** II. CONSENT CALENDAR (Items 1-29)**

*** 3254**

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 9 WHICH WAS CONTINUED TO 2/27/07, 9:30 A.M., ITEM 27 WHICH WAS CONTINUED TO 3/6/07, 9:30 A.M., AND ITEM 11 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE

BOARD APPOINTMENTS

1. Supervisor Campbell - Foothill/Trabuco Specific Plan Review Board - Appoint Dale Weber, Mission Viejo, for term ending 6/30/08

2. Supervisor Moorlach - Senior Citizens Advisory Council - Reappoint Donald MacAllister and appoint David Sullivan, Huntington Beach, for terms ending 12/31/08

3. Chairman Norby - Senior Citizens Advisory Council - Reappoint Patricia A. Trotter, Fullerton, for term ending 12/31/08

COMMENDATIONS/PROCLAMATIONS

4. Chairman Norby - Adopt resolution proclaiming February 18-24, 2007 as "National Engineers Week"

RESO: 07-017

ELECTED DEPARTMENT HEADS

5. District Attorney - Approve purchase order PC 026 P0700003269 with California Media Solutions, Inc. for video tapes needed for case preparations and presentations ($9,856.97) - All Districts

6. Public Administrator/Public Guardian - Adopt resolution approving $135,000 increase in Public Administrator/Public Guardian revolving fund; supersede Resolutions 83-1477 & 92-410 - All Districts

RESO: 07-018

Sheriff-Coroner:

7. Authorize use of County vehicles for transportation of Explorers to attend 2007 Orange County Law Enforcement Explorer Advisor Association Winter Academy, Los Alamitos military base to Garden Grove Community Center, 2/19/07; and make appropriate findings - All Districts

8. Approve agreement HSTS07-07-C-00040 with Federal government for Federal Air Marshal Service use of Katella Training Facility, 2/6/07 - 2/5/12; and make California Environmental Quality Act findings - District 3

9. Select DMJM H&N as primary and STK Architecture as alternate firms for design services for Intake Release Center Booking Loop Remodel; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 1

3254

CONTINUED TO 2/27/07, 9:30 A.M.

10. Select DMJM H&N as primary and STK Architecture as alternate firms for design services for Theo Lacy Consolidated Maintenance Project; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 3

CHILD SUPPORT SERVICES

*** 11. Approve price agreement N1000008509 with Policy Studies Inc., for completion of management analysis and training for Telephone Assistance Service Center, 2/6/07 - 6/30/07 ($100,000) - All Districts**

2354

APPROVED AS RECOMMENDED

12. Approve price agreement N1000008502 with Dell Marketing LP for Microsoft Applications Licenses, 2/11/07 - 2/10/10 ($350,000) - All Districts

HEALTH CARE AGENCY

13. Approve agreement with Hoag Memorial Hospital Presbyterian for HIV Specialty Medical services, 3/1/07 - 2/29/08; and authorize Director or designee to execute agreement - All Districts

14. Approve price agreement N1000008492 with New World Language Services, Inc. for language interpretation and translation services, 2/7/07 - 2/6/08 ($50,000); renewable for two additional consecutive one-year periods per Board policy - All Districts

HOUSING AND COMMUNITY SERVICES DEPARTMENT

15. Approve Workforce Investment Act Cost Reimbursement agreement with AeA for workforce training, 2/7/07 - 12/31/07 ($50,000); and authorize Director or designee to extend agreement under certain conditions - All Districts

16. Acting as the Board of Supervisors and Orange County Development Agency - Receive and file Financial Transactions and Housing Activity Annual Report for FY 2005-2006

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

17. Select Wayne C. Siu Architects as primary and Meyer and Associates Architects and Park Planners as alternate firms for design of New Group Shelter, Mile Square Park; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - District 2

18. Approve plans and specifications and set bid opening for 3/21/07, 2:00 p.m., for roof rehabilitation, North Justice Center; and make California Environmental Quality Act findings - District 4

19. Approve plans and specifications and set bid opening for 3/21/07, 2:00 p.m., for roof rehabilitation, Manchester Building; and make California Environmental Quality Act findings - District 3

20. Approve price agreement N1000008460 with Robert Yablonski for asset management services, 2/6/07 - 2/8/08 ($50,400); renewable for two additional years per Board policy - All Districts

21. Approve amendment 5 to agreement D98-085 with Orange County Transportation Authority for landscaping services, State Route 55 Freeway - Districts 1 & 3

22. Accept project report for formation of Ortega Highway Underground Utility District No. 41; set public hearing for 2/27/07, 9:30 a.m., to consider adopting resolution to

establish Ortega Highway Underground Utility District No. 41; and make California Environmental Quality Act findings - District 5

RESO: 07-019

23. Approve plans and specifications and set bid opening for 3/14/07, 2:00 p.m., for replacement of playground equipment, Mason Regional Park; and make California Environmental Quality Act findings - District 3

24. Approve plans and specifications and set bid opening for 3/7/07, 2:00 p.m., for slurry seal of various streets; and make California Environmental Quality Act findings - Districts 1, 2 & 5

25. Receive bids and award contract to Medina Systems Contracting for security upgrades, Juvenile Hall ($188,100) - District 3

26. Approve Tract 16566, The Irvine Land Company LLC, Newport Coast Planned Community; accept easement for emergency access and public service vehicle ingress and egress purposes; approve agreement S1106-0142 and accept bonds guaranteeing construction improvements - District 5

27. Approve memorandum of agreement with Newport Beach, Huntington Beach and Costa Mesa for cooperation related to proposed Orange Coast River Park - District 2

3254

CONTINUED TO 3/6/07, 9:30 A.M.

28. Acting as the Orange County Flood Control District - Approve Seven Oaks Dam Water Conservation feasibility report funding agreement with San Bernardino County Flood Control District, Riverside County Flood Control and Water Conservation District, San Bernardino Valley Municipal Water District and Western Municipal Water District of Riverside County - All Districts

GENERAL ADMINISTRATION

29. County Counsel - Select Hawkins Delafield & Wood, LLP as primary and Lewis Brisbois Bisgaard & Smith LLP as secondary law firms for legal services in negotiating

and drafting Waste Disposal agreements with participating cities; and authorize County Counsel to execute agreements - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 30-S48D)

ELECTED DEPARTMENT HEADS

*** 30. Sheriff-Coroner - Approve Impact Mitigation Agreement - Ranch Plan Project with Rancho Mission Viejo Community Development LLC regarding law enforcement vehicles and facilities for Ranch Plan Property ($4,298,600) - District 5**

5234

APPROVED AS RECOMMENDED

*** 31. Treasurer-Tax Collector - Approve 2007 Investment Policy Statement as amended; and adopt resolution delegating authority, as specified in Codified Ordinance Section 1-2-320, to the Treasurer-Tax Collector - All Districts (Continued from 12/19/06, Item 102; 1/9/07, Item 30)**

3524 A

APPROVED AS RECOMMENDED

RESO: 07-020

CHILD SUPPORT SERVICES

*** 32. Approve renewal of price agreement N3000005679 with Print N Mail Inc. for on-line billing statements and printing and mailing services support, 3/1/07 - 2/28/08 ($565,763) - All Districts**

3254

APPROVED AS RECOMMENDED

HEALTH CARE AGENCY

*** 33. Approve agreements with AIDS Services Foundation Orange County ($1,276,678), Delhi Center ($154,711), The Gay and Lesbian Community Services Center of Orange County ($55,553), Laguna Beach Community Clinic, Inc. ($238,922), Public Law Center ($75,895) and Shanti Orange County ($179,208) for HIV services, 3/1/07 - 2/29/08 - All Districts**

3524

APPROVED AS RECOMMENDED

*** 34. Approve amended agreements with California State University Fullerton Foundation ($79,000; new total $309,000) and The Regents of the University of California ($78,000; new total $328,000) for alcohol, tobacco, and other drug prevention services, 11/1/05 - 9/30/07 - All Districts**

4325

APPROVED AS RECOMMENDED

HOUSING AND COMMUNITY SERVICES DEPARTMENT

*** 35. Acting as the Board of Supervisors and Orange County Development Agency - Adopt resolutions approving loan commitment to Anaheim Family Housing Partners, L.P. for Summercrest Apartment Homes, Anaheim ($2,456,886); authorize Director or designee to execute subordination agreement and related documents; and make California Environmental Quality Act findings - District 4**

4325

APPROVED AS RECOMMENDED

RESO: 07-021 - 07-022

JOHN WAYNE AIRPORT

*** 36. Approve amendment 3 to agreement with Landrum & Brown, Inc. for additional services for Settlement Amendment Implementation Plan and Terminal Planning services ($335,573; new total $1,259,869); and find Final EIR 582 and addendum 582-1 are adequate to satisfy requirements of California Environmental Quality Act - District 2**

4235

APPROVED AS RECOMMENDED

*** 37. Approve agreement with DMJM Harris, Inc. for South Remain Overnight project construction management services ($2,295,073); and find Final EIR 582 and addendum 582-1 are adequate to satisfy requirements of California Environmental Quality Act - District 2**

2354

APPROVED AS RECOMMENDED

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

*** 38. Receive bids and award contract to Beador Construction Company, Inc., for Santa Ana River Trail Improvements ($1,626,100); and make California Environmental Quality Act findings - Districts 2 & 3**

3254

APPROVED AS RECOMMENDED

*** 39. Approve change order no. 28 with Hilbrick Construction ($114,871) and accept asbestos abatement and restroom improvements, Probation/Youth Guidance Center; project completed 8/7/06 ($1,124,429.49) - District 1**

4325

APPROVED AS RECOMMENDED

*** 40. Approve agreement with Carter & Burgess, Inc. for yard operations and maintenance, 1750 S. Douglas Road, Anaheim ($1,157,587); and make California Environmental Quality Act findings - District 3**

3524

APPROVED AS RECOMMENDED

PUBLIC PROTECTION

Probation:

*** 41. Adopt resolution approving grant agreement CSA 916-06 with Corrections Standards Authority for Mentally Ill Offender Crime Reduction Program, 1/1/07 - 6/30/08 ($1,499,378); and authorize Chief Probation Officer or designee to execute agreement and amendments under certain conditions - All Districts**

3254

APPROVED AS RECOMMENDED

RESO: 07-023

*** 42. Approve COPLINK System Use Policy Agreement and Supplemental Agreement for participation by Probation Department and District Attorney in electronic information sharing system for criminal justice agencies; authorize Chief Probation Officer and District Attorney to execute agreements and direct them to return to the Board annually for approval of succeeding fiscal year's costs - All Districts**

2354

APPROVED AS RECOMMENDED

GENERAL ADMINISTRATION

*** 43. County Counsel - Consider second reading and adoption of "An Ordinance Amending Sections 1-6-5 and 1-6-6, of the Codified Ordinances of the County of Orange Adjusting the Limitations on Campaign Contributions" - All Districts (Continued from 1/30/07, Item 27**

2354

APPROVED AS RECOMMENDED

ORD: 07-001

County Executive Office:

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

3254

APPROVED AS RECOMMENDED

*** 45. Approve FY 2006-07 Second Quarter Budget Report; approve related budget adjustments and amend master position control - All Districts (4/5 vote)**

3254

APPROVED RECOMMENDED ACTIONS #1 THROUGH #7

2353

CONTINUED RECOMMENDED ACTION #8 TO 2/27/07, 9:30 A.M.

*** 46. Approve price agreement N1000008540 with Network Television Time, Inc., for Board of Supervisors video services and equipment, 4/1/07 - 3/31/08 ($415,000); renewable for four additional one year periods - All Districts**

3254

APPROVED AS RECOMMENDED

*** 47. Human Resources Department - Receive and file Human Resources and Payroll Visioning Project Plan; approve price agreement N1000008362 with Agree Ya Solutions, Inc. for Human Resources and Payroll Visioning Project, 2/6/07 - 5/6/08 ($475,000) - All Districts**

B.O. CONTINUED TO 2/27/07, 9:30 A.M.

*** 48. Supervisor Moorlach - Consider adopting resolution revoking Resolution 95-271; re-establishing an Internal Audit Unit within the office of the Auditor-Controller; approve amended bylaws to the Orange County Audit Oversight Committee; approve master positions control; direct annual audit of the Auditor-Controller's Office; and direct CEO and Auditor-Controller to reflect transfer of internal audit responsibilities and staff to Auditor-Controller's Office, effective 3/1/07**

2435 NN

MOTION TO APPROVE AS RECOMMENDED FAILED TO CARRY

Chairman Norby:

*** S48A. In-Home Supportive Services Advisory Committee - Appoint Jacqueline Sue Lauder, Yorba Linda, for term ending 12/31/07**

4325

APPROVED AS RECOMMENDED

*** S48B. Orange County Veterans Advisory Committee - Appoint Glen A. Sutch, Placentia, to complete term ending 3/27/08**

4325

APPROVED AS RECOMMENDED

*** S48C. Waste Management Commission - Reappoint Anthony J. Florentine, Fullerton, for term ending 2/2/09**

4325

APPROVED AS RECOMMENDED

*** S48D. Human Resources Department - Approve amended Memorandum of Agreement for appointment of County Executive Officer - All Districts**

4325

APPROVED AS RECOMMENDED

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-CS-6)

GENERAL ADMINISTRATION

County Counsel:

*** CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Chris Amarillas v. County of Orange, Case No. 06CC04878**

*** THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE APPROVED A PROPOSED SETTLEMENT IN THE CASE OF CHRIS AMARILLAS 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: Tyrone Paul, Sr. and Maria Paul v. County of Orange and Jay Hosey, Case No. 06CC02108 (consolidated with 06CC02396)**

* **THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE APPROVED A PROPOSED SETTLEMENT IN THE CASE OF TYRONE PAUL, SR. AND MARIA PAUL V. COUNTY OF ORANGE AND JAY HOSEY. 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-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Shawn Crisp v. County of Orange, WCAB Case No. LBO0345505**

* **THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE APPROVED A PROPOSED SETTLEMENT IN THE CASE OF SHAWN CRISP 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-4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Traci Ann Sturms v. County of Orange, WCAB Case No. ANA0339618**

* **THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE APPROVED A PROPOSED SETTLEMENT IN THE CASE OF TRACI ANN STURMS 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-5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Dianna Burner v. County of Orange, WCAB Case No. AHM011849**

* **THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE APPROVED A PROPOSED SETTLEMENT IN THE CASE OF DIANNA BURNER 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-6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Mario Garcia v. County of Orange, WCAB Case No. SBR 335298**

* **HELD, NO REPORTABLE ACTION**

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

* **PUBLIC COMMENTS:**

* **Charles Griffin - Oral Re: Audit of JWA expansion; aircraft fuel options**

* **Joseph Vanderhoff - Oral Re: Clerk Recorder marriage license policies**

COUNTY EXECUTIVE OFFICER COMMENTS:

* **The CEO announced the website location for updates on the District 1 Supervisorial election today, www.ocvote.com**

* **BOARD COMMENTS:**

* **Supervisors Norby and Moorlach - Oral Re: Directed the CEO to explore countywide branding on civic center signage, County facilities and parks signage, department letterhead, etc. and provide Board with recommendations.**

* **Chairman Norby - Oral Re: Invited everyone to join him for lunch on George Washington's birthday, 2/22/07, 12:00 noon, at the Building 12, 3rd floor, Caf OC.**

* **ADJOURNED: 1:08 P.M.**

*** Adjourned in memory of Michael S. Brigandi**

2435

*** Adjourned in memory of Sid Soffer**

3425

*** Adjourned in memory of Stanley Roach**

***** 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