REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA Tuesday, January 9, 2007, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR 333 W. Santa Ana Blvd., 10 Civic Center Plaza Santa Ana, California BILL CAMPBELL CHAIRMAN Third District

CHRIS NORBY

VICE CHAIRMAN

Fourth District

VACANT

SUPERVISOR

First District

JOHN M. W. MOORLACH

SUPERVISOR

Second 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 Norby, Fourth District, led the assembly in the Pledge of Allegiance**

*** I. PRESENTATIONS/INTRODUCTIONS**

*** Judge Nancy Stock administered the Oath of Office to Supervisor Chris Norby and Marian Bergeson administered the Oath of Office to Supervisor Pat Bates**

*** II. CONSENT CALENDAR (Items 1-24)**

3524 X

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 5 WHICH WAS CONTINUED TO 1/23/07, 9:30 A.M.; AND ITEM 12 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE

BOARD APPOINTMENTS

Supervisor Moorlach:

1. Airport Arts Commission - Reappoint Darlene D. DeAngelo, Huntington Beach for term concurrent with 2nd District Supervisor's term of office

2. Waste Management Commission - Reappoint James A. Wahner, Costa Mesa for term ending 1/2/09; and appoint Daniel L. Worthington, Costa Mesa for ending 1/31/09

3. Orange County Veterans Advisory Council - Reappoint Gilbert J. Coerper, Huntington Beach for term ending 1/2/09

4. Regional Recreational Trails Advisory Committee - Reappoint Frank Colver, Newport Beach and appoint Frederick Redell, Costa Mesa for terms concurrent with 2nd District Supervisor's term of office

5. Orange County Planning Commission - Appoint Gerald L. Chapman, Huntington Beach for term concurrent with 2nd District Supervisor's term of office

3524 X

CONTINUED TO 1/23/07, 9:30 A.M.

6. Orange County Public Facilities Corp. - Appoint Stan Mortensen, Newport Beach for term concurrent with 2nd District Supervisor's term of office

7. Orange County Historical Commission - Reappoint Margrit Kendrick, Los Alamitos and appoint Craig Clements, Los Angeles and Ron Williams, Fountain Valley for terms concurrent with 2nd District Supervisor's term of office

8. Orange County Human Relations Commission - Appoint William Scott Johns, Laguna Beach to complete term ending 1/8/09

9. Mental Health Board - Appoint Cecile Dillon, Ph.D, Huntington Beach to complete term ending 12/4/09

10. Harbors, Beaches and Parks Commission - Appoint Stephan H. Andranian, Costa Mesa for term concurrent with 2nd District Supervisor's term of office

11. Development Processing Review Committee - Reappoint Jay Bullock, Seal Beach and Jackie Hare, Santa Ana for term concurrent with 2nd District Supervisor's term of office

*** 12. Airport Commission - Appoint Chris A. Welsh, Newport Beach for term concurrent with 2nd District Supervisor's term of office**

3524

APPROVED AS RECOMMENDED

DEPARTMENT APPOINTMENTS

13. Resources and Development Management Department - Approve formation of Orange Park Acres Advisory Committee (OPAAC) and adopt Bylaws; appoint Orange Park Acres Residents John Cox, Richard Siebert, Michael Forkert, Tom Davidson, Monique McGinnis, Marty Poort, Mike Hughes, George Bloecher and Chuck McNees - District 3 (Continued from 12/19/06, Item 14)

COMMENDATIONS/PROCLAMATIONS

14. Chairman Campbell - Adopt resolution recognizing "Arts for Orange County" as the County's official local arts agency

RESO: 07-003

HEALTH CARE AGENCY

15. Approve amended agreement with Behavioral Health Services, Inc. for inpatient substance abuse detoxification services, 7/1/06 - 6/30/07 ($98,550; new total $317,550) - All Districts

16. Ratify submission of grant application to United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for expanding services in Co-Occurring Disorders Court ($200,000) - All Districts

HOUSING AND COMMUNITY SERVICES DEPARTMENT

17. Approve Workforce Investment Act cost reimbursement agreement with Orange County Business Council for Workforce Innovation Regional Economic Development project, 1/10/07 - 6/30/07 ($18,000); and authorize Director or designee to execute subsequent amendments under certain conditions - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

18. Approve Right of Entry agreement with The Irvine Company LLC. for access to property adjacent to San Joaquin Landfill for monitoring activities; authorize Director to execute agreement; and make California Environmental Quality Act findings - District 3

ORANGE COUNTY PUBLIC LIBRARY

19. Approve acceptance of grant award from California State Library for California Library Literacy Services, FY 2006 - 07 ($101,057) - All Districts

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

20. Approve license with Orange City Mills Limited Partnership for animal control shelter off-site staff parking at 3400 Metropolitan Way, Orange, 12/1/06 - 11/30/07; and make California Environmental Quality Act findings - District 3

SOCIAL SERVICES AGENCY

*** 21. Approve price agreement N1000008435 with Cooperative Personnel Services for classification study services, 1/10/07 - 5/24/07 ($96,935) - All Districts**

GENERAL ADMINISTRATION

Clerk of the Board:

22. Approve initial Conflict of Interest Code for the Integrated Law and Justice Agency of Orange County - All Districts

23. Adopt State Model Conflict of Interest Code designating all positions and "countywide" disclosure categories for county department, boards, commissions, and committee and other authorities under the full jurisdiction of the Board of Supervisors - All Districts

24. Chairman Campbell - Approve waiver of fees for use of the Old Orange County Courthouse for filming purposes

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 25-S32C)

HEALTH CARE AGENCY

*** 25. Approve agreement with State Department of Health Services for California Healthcare for Indigents Program, FY 2006-07 ($655,635) - All Districts**

3254

APPROVED AS RECOMMENDED

*** 26. Approve amended master agreement with various providers for Substance Abuse Crime Prevention Act services, 7/1/06 - 6/30/07 ($795,923; new total $5,251,982); and authorize Director or designee to execute individual agreements - All Districts**

3524

APPROVED AS RECOMMENDED

PUBLIC PROTECTION

27. District Attorney - Approve price agreement N1000008404 with Forensic Science Service, Ltd. for forensic software licensing and maintenance services, 2/1/07 - 1/31/08 ($875,000) - All Districts

B.O. CONTINUED TO 1/23/07, 9:30 A.M.

GENERAL ADMINISTRATION

County Executive Office:

*** 28. Board Directive update - Status of non-public protection departments' disaster recovery planning**

2354

RECEIVED AND FILED

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

B.O. DISCUSSED

Treasurer-Tax Collector:

30. 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)

B.O. CONTINUED TO 2/6/07, 9:30 A.M.

*** 31. Adopt resolution authorizing sale and issuance of Saddleback Valley Unified School District Obligation Bonds, Election of 2004, Series 2007A ($60,000,000) - District 5**

5234

APPROVED AS RECOMMENDED

RESO: 07-008

*** 32. Board of Supervisors - Election of Officers**

3524

NOMINATED AND ELECTED SUPERVISOR NORBY AS CHAIRMAN AND SUPERVISOR MOORLACH AS VICE-CHAIRMAN

Supervisor Moorlach:

*** S32A. Santa Ana Heights Project Advisory Committee - Appoint Edward D. Bosley, Santa Ana Heights for term ending 5/20/08**

2534

APPROVED AS RECOMMENDED

*** S32B. Adopt resolution congratulating City of Fountain Valley upon its 50th Anniversary**

2354

APPROVED AS RECOMMENDED

RESO: 07-005

*** S32C. County Executive Office - Adopt resolution authorizing execution and delivery of Bond Purchase Agreement for Taxable Pension Obligation Bonds, 2007 Series A ($240,000,000) and authorize other related matters and make budgetary adjustments (RA 2 4/5 vote) - All Districts**

2354

APPROVED AS RECOMMENDED

RESO: 07-006

IV. PUBLIC HEARINGS (Items 33-34)

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

*** 33. Consider second reading and adoption of "An Ordinance of the County of Orange, California to Adopt the 2006/2007 Building and Planning Schedules including the 2006/2007 Building and Safety, Planning, Subdivision and Grading Permit Deposit and Fee Schedule, and the 2006/2007 Building and Safety and Planning Rate Table" - All Districts (Continued from 12/19/06, Item 103)**

B.O. CLOSED PUBLIC HEARING

2435 A

APPROVED AS RECOMMENDED

ORD: 07-002

GENERAL ADMINISTRATION

*** 34. County Executive Office - Public Hearing to consider adopting resolution approving Apartment Development Revenue Bonds, Issue A of 2007; submission of an application to California Debt Limit Allocation Committee for private activity mortgage revenue bond allocation ($24,000,000), Granite Court Apartments; and approve selection of financing team and other related matters - District 3**

B.O. CLOSED PUBLIC HEARING

5234

APPROVED AS RECOMMENDED

RESO: 07-007

V. CLOSED SESSION (Items CS-1-CS-3)

GENERAL ADMINISTRATION

CS-1. County Counsel - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: County of Orange v. Newport Golf Club, LLC, et al., Orange County Superior Court Case No. 06CC12837

B.O. HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE APPROVED A PROPOSED SETTLEMENT IN THE CASE OF COUNTY OF ORANGE V. NEWPORT GOLF CLUB, LLC, ET AL. 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 COUNTY COUNSEL TO ANY PERSON WHO INQUIRES.

Human Resources Department:

CS-2. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6: Agency Negotiator: Thomas G. Mauk Employee Organizations: Association of Orange County Deputy Sheriffs RE: Terms and Conditions of Employment

B.O. HELD, NO REPORTABLE ACTION

CS-3. CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6: Agency Negotiator: Thomas G. Mauk Employee Organizations: Orange County Managers Association RE: Terms and Conditions of Employment

B.O. HELD, NO REPORTABLE ACTION

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

*** PUBLIC COMMENTS:**

*** Rev. Lance Allen Oral RE: Announced and invited Board Members to the Civic Center Fellowship, held on Thursdays, 12:15 - 12:45 p.m.**

*** Karen Finn Oral RE: Discussed Lt. Hunt's employment; and the passing of Officer Dan**

Bessant

* **Charles Griffen Oral RE: Airport fuel alternatives**

* **Darrell Nolta Oral RE: Corruption issues; and use of DNA evidence**

* **Wayne Quint, Paul Barttell, Herb Seigmund, Bill McGovern, Tom Dominguez, Robert MacLeod, Oral RE: AOCDS contract negotiation issues; and submission of letters from public safety employees regarding characterization of AOCDS staff**

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

* **Supervisor Campbell Oral RE: Directed the CEO to investigate why United Way is no longer funding Boy Scouts of America any longer and what options might be available. Directed the CEO to provide the Board with a report on 1/30/07 and to invite representatives of both organizations to that meeting.**

* **Chairman Norby Oral RE: Announced that he would be giving his State of the County Address and Goals for 2007 at the 1/23/07 Board Meeting and asked that each board member be prepared to provide their individual goals at that time. He also announced that beginning January 16, 2007 and every Tuesday following at 7:30 a.m. he would be at the Starbucks at 4th & Broadway, Santa Ana to discuss county issues with individuals, an opportunity to "Share with the Chair."**

ADJOURNED: 12:30 P.M.

2435

* **Adjourned in memory of Christian Nicholas Lehmeier**

2435

*** Adjourned in memory of Frances Jane Johnson**

4235

*** Adjourned in memory of Alexander Buck**

3425

*** Adjourned in memory of President Gerald R. Ford**

4235

*** Adjourned in memory of Betty Ruth Pickler**

***** KEY *****

Left Margin Notes

1. (Supervisor Vacant

A. (Abstained

2. (Supervisor John M. W. Moorlach

X. (Excused

3. (Chairman Bill Campbell

N. (No

4. (Vice 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