REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, September 23, 2008,* 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
333 W. Santa Ana Blvd., 10 Civic Center Plaza
Santa Ana, California

**JOHN M. W. MOORLACH**
CHAIR
Second District

**PATRICIA BATES**
VICE CHAIR
Fifth District

**JANET NGUYEN**
SUPERVISOR
First District

**BILL CAMPBELL**
SUPERVISOR
Third District

**CHRIS NORBY**
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

| | | |
|---|---|---|
| PRESENT: | COUNTY EXECUTIVE OFFICER | Thomas G. Mauk |
| | COUNTY COUNSEL | Benjamin P. de Mayo |
| | CLERK OF THE BOARD | Susan Novak, Chief Deputy |

INVOCATION: Supervisor Campbell, Third District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Norby, Fourth District, led the assembly in the Pledge of Allegiance

## I. PRESENTATIONS/INTRODUCTIONS

Vice Chair Bates presented a resolution proclaiming October 6-12, 2008 as "Financial Planning Week"

Chair Moorlach presented a resolution commending Alan Slater on his work for the County and California Superior Court, County of Orange

Chair Moorlach - Cindy Quon, District Director for Caltrans District 12, presented the Board an award for Excellence in Transportation for SR-133/Laguna Canyon Road Project

## II. CONSENT CALENDAR (Items 1-20)

31452 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 3, 6 & 18 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

**BOARD APPOINTMENTS**

1. **Vice Chair Bates -** Orange County Human Relations Commission - Appoint Bill Wood, Laguna Beach, for term ending 9/22/10

2. **Chair Moorlach -** Sunset Beach LCP Advisory Committee - Appoint Stanley Wolf, Sunset Beach, to complete term ending 12/31/08

**DEPARTMENT APPOINTMENTS**

3. **Health Care Agency -** CalOptima Board of Directors - Appoint Edward Kacic; Mary Ann Foo; and Gustavo Valdespino, Irvine, for terms ending 9/30/12 - All Districts

45132 **CONTINUED TO 10/7/08, 9:30 A.M.**

**COMMENDATIONS/PROCLAMATIONS/REPORTS**

**Chair Moorlach:**

4. Adopt resolution proclaiming October 5-11, 2008 as National Long-Term Care Residents' Rights Week
*RESO: 08-131*

5. Adopt resolution commending Designated Psychiatric Facilities for their dedication to meeting needs of those with serious mental disorders
*RESO: 08-132*

**ELECTED DEPARTMENT HEADS**

6. **District Attorney -** Approve price agreement N1000009935 with Forensic Science Service, Ltd. for forensic software licensing and maintenance services and DNA sample collection kits, analysis and storage, 9/24/08 - 9/23/09 ($250,000) - All Districts (Continued from 9/16/08, Item 2)

35142 **APPROVED AS RECOMMENDED**

**Treasurer-Tax Collector:**

7. Approve amendment 3 to price agreement N4000006782 with Netvantage for ItemAge programming and installation services ($2,262.75); renewable for one additional year, 4/1/09 - 3/31/10 ($8,884) - All Districts

8. Approve price agreement N1000010332 with Moody's Analytics to provide credit research services for US Investment Grade Research, Asset Backed Commercial Paper Research/Query and Banking Capital Markets, 11/1/08 - 10/31/09 ($58,354) - All Districts (Continued from 9/16/08, Item 3)

**JOHN WAYNE AIRPORT**

9. Approve renewal of price agreement N2000008249 with Transcore LP for hardware and software maintenance of Automated Vehicle Inventory system, 9/25/08 - 9/24/09 ($39,491); renewable for two additional one-year periods; and make California Environmental Quality Act findings - District 2

**OC DANA POINT HARBOR**

10. Accept work of Associated Pacific Constructors for Dana Point Harbor Boat Launch Ramp Renovation project, project completed 5/24/07 ($2,328,518.57) - District 5

**OC PUBLIC WORKS**

11. Approve license agreement with Southern California Edison and Laguna Woods for public use of hiking and riding trail from El Toro Road to Laguna Coast Wilderness Park, five year term; and make California Environmental Quality Act findings - District 5

**PUBLIC PROTECTION**

**Probation:**

12. Approve Federal Equitable Sharing agreement 10/1/08 - 9/30/09 and Federal Annual Certification Report, FY 2007-08; authorize Clerk of the Board and Chief Probation Officer to execute agreement and report; and make California Environmental Quality Act findings - All Districts

13. Approve amendment 1 with Community Service Programs, Inc. for In-Home Family Intervention services for North and West Orange County Youth and Family Resource Centers, extending terms to 1/31/09 ($30,058; new total $168,146 for North and $30,851; new total $174,982 for West); and make California Environmental Quality Act findings - All Districts

14. Approve Memorandum of Understanding with Orange County Superintendent of Schools for Juvenile Mentally Ill Offender Crime Reduction Program services 7/1/08 - 9/30/08 ($36,000); and make California Environmental Quality Act findings - All Districts

**SOCIAL SERVICES AGENCY**

15. Receive bids and award contract to WE Construction, Inc. for renovation of facility, 401 S. Tustin Street, Orange ($719,000); and make California Environmental Quality Act findings - District 3

**GENERAL ADMINISTRATION**

16. **Clerk of the Board** - Approve 2009 Board of Supervisors Meeting Schedule - All Districts

**County Executive Office:**

17. Approve amendment 1 to price agreement N1000009174 with Nextel of California, Inc. for cellular phone equipment and airtime services, 10/1/08 - 9/30/09 ($130,000) - All Districts

18. Board Directive Response 6/24/08 - Receive and file status report on Balanced

Scorecard Performance Management software implementation - All Districts

53142 **APPROVED AS RECOMMENDED**

19. Authorize Chairman of Board of Supervisors to sign Joint Declaration letter with Administrative Office of Courts for trial court facilities - All Districts

20. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for August 2008 - All Districts

END OF CONSENT CALENDAR

## III. DISCUSSION ITEMS (Items 21-S35A)

### ELECTED DEPARTMENT HEADS

21. **Auditor-Controller -** Approve amendment 1 to price agreement N1000009230 with CGI Technologies and Solutions Inc. for CAPS proprietary software maintenance, 10/1/08 - 9/30/09 ($546,409.16) - All Districts

35142 **APPROVED AS RECOMMENDED**

22. **Sheriff-Coroner -** Approve amendments to extend 27 price agreements with Verizon Wireless, AT&T Mobility LLC, and Sprint Nextel for cellular telephone equipment and airtime, 10/1/08 - 9/30/12 ($1,706,000) - All Districts

35142 **APPROVED AS RECOMMENDED**

### HEALTH CARE AGENCY

23. Approve renewal of subordinate price agreement N1000009184 with Nextel of California, Inc. dba Sprint Nextel for wireless services and equipment, 10/1/08 - 9/30/09 ($300,000); renewable for three additional one year periods, per Board policy - All Districts

53142 **APPROVED AS RECOMMENDED**

### JOHN WAYNE AIRPORT

24. Approve renewal of price agreement N2000006119 with Flagship Airport Services, Inc. for custodial maintenance services, 10/1/08 - 9/30/09 ($3,396,319.20); and make California Environmental Quality Act findings - District 2

25134 **APPROVED AS RECOMMENDED**

### JOHN WAYNE AIRPORT AND COUNTY EXECUTIVE OFFICE

25. Approve request for proposals for underwriter services; authorize County Executive Office, Public Finance to send request for proposals package to Goldmabn Sachs & Co. and De La Rosa & Company and underwriting firms approved for airport bond financing transactions by Public Financing Advisory Committee and Board of Supervisors on 12/12/06; and find Final EIR 582 and addendum 582-1, as revised by Final Supplemental EIR 582, are adequate to satisfy requirements of California Environmental Quality Act - District 2

31452 **CONTINUED TO 10/7/08, 9:30 A.M.**
N

### OC PUBLIC WORKS

26. Approve amendment 1 to price agreement N1000009176 with AT&T Mobility LLC ($313,415 per year; new total $1,213,660) and N1000009177 with Nextel of California, Inc., ($142,088.50; new total $568,352) for cellular telephone services, extending terms to 9/30/12; and make California Environmental Quality Act findings - All Districts

13452 **APPROVED AS RECOMMENDED**

27. Approve agreements with California Department of Transportation for D08-088 design

and D08-089 construction for Laguna Canyon Road Revegetation Project from State Route 73 to Interstate 405 - Districts 3 and 5

53142 **APPROVED AS RECOMMENDED**

**OC WASTE & RECYCLING**

28. Select Geosyntec Consultants as primary and Bryan A. Stirrat as alternate firms for multi-discipline engineering support services, Central Region Landfill; and authorize negotiation of agreement for Board approval - District 3

31452 **APPROVED AS RECOMMENDED**

29. Board Directive Response 10/2/07 - Receive and file AB 939 Surcharge Quarterly Report - All Districts

35142 **RECEIVED AND FILED**

**PUBLIC PROTECTION**

30. **Probation -** Approve amendment 1 to subordinate price agreement N1000009175 with Nextel of California, Inc. for cellular phone equipment and airtime services, 10/1/07 - 9/30/08 ($30,000; new total $280,000); renewable for three additional years per Board policy; and make California Environmental Quality Act findings - All Districts

35142 **APPROVED AS RECOMMENDED**

**GENERAL ADMINISTRATION**

**County Executive Office:**

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

**DISCUSSED**

32. Select Urban Futures, Inc., to provide administrative services for the County's Mortgage Credit Certificate (MCC) Program; and authorize negotiation of agreement for Board approval - All Districts

35142 **APPROVED AS RECOMMENDED**

33. Board Directive Response 3/18/08 - Receive and file OC Infrastructure Reorganization status report; and approve application of 'OC Brand' for other organization units within OC Public Works, which includes OC Engineering and OC Watersheds - All Districts (Continued from 9/16/08, Item 28)

35142 **APPROVED AS RECOMMENDED**

34. Approve recommended grant application submitted by Health Care Agency in 9/23/08 grant report; adopt resolution approving submission of grant applications for continued funding of various department programs; and rescinding Resolution 07-172 - All Districts

13452 **APPROVED AS RECOMMENDED**

*RESO: 08-133*

35. Board Directive Response 8/5/08 - Request Board of Supervisors select a preferred notification letter to be sent to OC Cities regarding redevelopment

amendment proposals - All Districts

B.O. **CONTINUED TO 10/7/08, 9:30 A.M.**

S35A. Adopt resolution authorizing the Authorized Officers of the County to take necessary actions in connection with Teeter Plan Obligations Commercial Paper Notes, Series A, including, but not limited to, replacing Dealer Bank for Notes - All Districts

35142 **APPROVED AS RECOMMENDED**
*RESO: 08-134*

## IV. PUBLIC HEARINGS (Item 36)

## OC PUBLIC WORKS

36. Public Hearing to consider adopting "An Ordinance of the County of Orange, California Amending Section 7-9-40, 7-9-141 and 7-9-142 of the Codified Ordinances of the County of Orange Regarding Senior Living Facilities"; and adopt Negative Declaration IP08-173 - All Districts (Continued form 9/9/08, Item 53)

51342 **CONTINUED TO 10/7/08, 9:30 A.M.**

## V. CLOSED SESSION (Item CS-1)

## GENERAL ADMINISTRATION

CS-1. **County Counsel** - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):
Number of Cases: One Case
(Continued from 9/16/08, CS-1)

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, AUTHORIZED COUNTY COUNSEL TO FILE LITIGATION. THE IDENTITY OF THE PARTIES AND OTHER PARTICULARS WILL BE DISCLOSED TO ANY PERSON UPON INQUIRY ONCE THE ACTION IS FILED.**

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

**PUBLIC COMMENTS:**
Rocio Watson, Kathy Strong, Lori Maxfield, Chris Winter, Sandy Ruiz - Oral Re: request for County to provide temporary financial assistance to Women's Transitional Living Center

Darrell Nolta - Oral Re: supports County assistance to Women's Transitional Living Center; suggests Office of Independent Review examine District Attorney claim Sheriff Dept. mishandled Deputy sex offender case; jail overcrowding

**COUNTY EXECUTIVE OFFICER COMMENTS:**
None

**BOARD COMMENTS AND TRAVEL REPORTS:**
Supervisor Norby - Oral Re: Notification letter to be sent by Chair to Orange County cities regarding redevelopment amendment proposals; Women's Transitional Living Center issue will be agendized for 10/7/08 Board meeting; Sanitation District issues

Supervisor Campbell - AB 1234 Report on trip to Washington DC last week regarding OC Flood Control and Water Project issues

Vice Chair Bates - Oral Re: 9/22/08 hearing on 241 Toll Road extension

Chair Moorlach - Oral Re: Direction to CEO that ASRs for contract renewals should include red-lined changes version, CEO to research and report back to Board Offices re: County policies for assisting contracted service providers with cash flow issues; CEO to arrange presentation by OCERS and Treasurer on status of investment portfolios at 10/21/08 Board meeting

**ADJOURNED: 12:48 P.M.**

32145 **Adjourned in memory of Orville Grouchow**

12345 **Adjourned in memory of Josephine Ramirez**

12345 **Adjourned in memory of Daniel Lucas**

12345 **Adjourned in memory of Alex Dexter**

*** 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)*

*Chair, Orange County Board of Supervisors*

*Orange County Clerk of the Board*