REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA Tuesday, March 13, 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, gave the invocation**

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

I. PRESENTATIONS/INTRODUCTIONS

*** II. CONSENT CALENDAR (Items 1-33)**

3254

APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 24 WHICH WAS CONTINUED TO 3/20/07, 9:30 A.M.; AND ITEMS 12, 17, 23 & 33 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE

BOARD APPOINTMENTS

1. Supervisor Campbell - Orange Park Acres Advisory Committee - Appoint Ron Thon, Orange, for term ending 1/8/10

DEPARTMENT APPOINTMENTS

2. Housing and Community Services Department - Orange County Workforce Investment Board - Appoint J. Adalberto Quijada, Santa Ana, for term ending 12/31/09 - All Districts

COMMENDATIONS/PROCLAMATIONS

3. Supervisor Moorlach - Adopt resolution congratulating Saint Joseph's Church on its 120th Anniversary

RESO: 07-031

ELECTED DEPARTMENT HEADS

4. District Attorney - Approve amended price agreement N3000006370 with Transcor America LLC for transportation of extradited prisoners ($26,400; new total $42,400) - All Districts

Sheriff-Coroner:

5. Authorize use of County resources for Explorers' participation in Imperial Valley Explorer Competition, Imperial, California, 3/29/07 - 4/1/07; and make appropriate findings - All Districts

6. Authorize use of County resources for Explorers Awards Banquet, 3/29/07; and approve purchase order PC 060 P0700003935 with Interstate Management Company LLC, dba Hilton Irvine/Orange County Airport Hotel, ($9,880); and make appropriate findings - All Districts

7. Approve price agreement N1000007493 with Motorola, Inc. for 800 MHz radio equipment repair services, 3/13/07 - 3/12/08 ($90,000); renewable for four additional one year terms per Board policy - All Districts

HEALTH CARE AGENCY

8. Approve agreement with Babak N. Rad, M.D., Inc. for HIV specialty medical services, 3/13/07 - 2/29/08; and authorize Director or designee to execute agreement - All Districts

9. Approve amended price agreement N3000005442 with Iron Mountain Off-Site Data for data storage and retrieval services, extending term to 6/30/07 ($25,000; new total $70,000) - All Districts

HOUSING AND COMMUNITY SERVICES DEPARTMENT

10. Approve amendment 2 to agreement 16-N1-06 with Coastline Community College District for training of Licensed Vocational Nurses to become Registered Nurses, 7/1/05 - 3/31/07 ($10,667; new total $38,167); and authorize Director or designee to execute agreement - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

11. Approve price agreement N1000008489 with Bryan A. Stirrat & Associates for maintenance and repair services for groundwater extraction and various liquid conveyance systems, Prima Deshecha Landfill, 4/1/07 - 3/31/08 ($75,000); renewable for two additional one year terms per Board policy - District 5

JOHN WAYNE AIRPORT

*** 12. Select Jacobs Facilities, Inc. as primary and DMJM Aviation as alternate firms to perform construction management services for Terminal C project; authorize negotiation of agreement for Board approval; and find Final EIR 582 and addendum 582-1 are adequate to satisfy requirements of California Environmental Quality Act - District 2**

APPROVED AS RECOMMENDED

13. Approve amended price agreement N3000005193 with Orange County Welding and Fabrication for special sheet metal fabrication and installation services, 4/1/07 - 3/31/08 ($25,000); and make California Environmental Quality Act findings - District 2

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

14. Adopt resolution initiating 2007 Weed Abatement Program; and set public hearing for 4/17/07, 9:30 a.m., to consider protests to removal of fire hazards by County contractor - All Districts

RESO: 07-032

15. Approve Commercial Day Camp Licenses with US Ocean Safety, Inc. and California Junior Lifeguard Programs, Inc. for junior lifeguard programs, Salt Creek Beach District 5

16. Approve agreement with Washington Group International for on-call road and traffic related projects, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

*** 17. Approve Commercial Day Camp License with California Junior Lifeguard Programs, Inc. for junior lifeguard program, Sunset Beach District 2**

2354

APPROVED AS A ONE-YEAR LICENSE, DIRECTED HBP STAFF AND COUNTY ROAD ENGINEER TO EVALUATE TRAFFIC CONGESTION DURING PEAK DROP OFF AND PICK UP PERIODS DURING THE LICENSE PERIOD AND REPORT FINDINGS TO THE BOARD.

18. Approve plans and specifications and set bid opening for 4/18/07, 2:00 p.m., for replacement of existing perimeter fence, Probation / Juvenile Hall; and make California Environmental Quality Act findings - District 3

19. Accept work with Marine Air, Inc. for replacement of air conditioning units, Phase II, Juvenile Hall; project completed 1/31/07 ($232,164) - District 3

20. Approve price agreement N1000008594 with SimplexGrinnell for fire alarm maintenance and repair at Resources and Development Management Department Headquarters and Sheriff-Coroner Forensic Science Services Building, 3/15/07 - 3/14/08 ($90,750); renewable for two additional years per Board policy; and make California Environmental Quality Act findings - District 1

21. Approve plans and specifications and set bid opening for 4/18/07, 2:00 p.m., for Data Center Generator Rehabilitation; and make California Environmental Quality Act findings - District 1

22. Approve plans and specifications and set bid opening for 4/18/07, 2:00 p.m., for rehabilitation of six Generators at various locations; and make California Environmental Quality Act findings - Districts 1 & 3

23. Approve plans and specifications and set bid opening for 4/18/07, 2:00 p.m., for demolition of existing and construction of new restroom and concession building, Aliso Beach Park; and make California Environmental Quality Act findings - District 5

5234

APPROVED AS RECOMMENDED

24. Approve plans and specifications and set bid opening for 4/25/07, 2:00 p.m., for Poche Beach Ultraviolet Light Bacteria Disinfection Project; and determine Mitigated Negative Declaration Number IP 02-150 is adequate to satisfy California Environmental Quality Act findings - District 5

3254

CONTINUED TO 3/20/07, 9:30 A.M.

25. Approve plans and specifications and set bid opening for 4/18/07, 2:00 p.m., for air intake maintenance, Osborne Building; and make California Environmental Quality Act findings - District 1

26. Approve price agreement N1000008544 with Safelite Fulfillment, Inc. for glass repair and replacement services of County owned vehicles, 3/13/07 - 3/12/08 ($40,000); renewable for two additional years per Board policy - All Districts

Acting as the Orange County Flood Control District:

27. Approve agreement D06-083 with Stantec Consulting, Inc. for on-call engineering services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

28. Accept work with Garcia Juarez Construction, Inc. for repair of Federal Storm Channel at various County locations, Seal Beach Leisure World community; project completed 11/29/05 ($189,479) - District 2

29. Approve agreement D06-074 with AKM Consulting Engineers for on-call engineering services, three-year term ($200,000); and make California Environmental Quality Act findings - All Districts

PUBLIC PROTECTION

Probation:

30. Approve renewal of agreement with Constitutional Rights Foundation of Orange County for Juvenile Peer Court services, 4/1/07 - 3/31/08 ($99,828); and make California Environmental Quality Act findings - All Districts

31. Approve amended price agreement F1000002673 with JWT Employment Communications for advertising services, 6/1/06 - 9/29/08 ($150,000, new total $190,000); renewable for two individual consecutive one year terms per Board policy ($80,000 per year); and make California Environmental Quality Act findings - All Districts

32. Approve agreement with Jerry Maxwell for transfer of ownership of narcotic detection dog at no cost to former handler; and authorize Chief Probation Officer to execute agreement - All Districts

GENERAL ADMINISTRATION

*** 33. Human Resources Department - Approve price agreement N1000008633 with Performance Management Partners to conduct analysis of department staff and service levels, 3/13/07 - 3/12/08 ($75,000) - All Districts**

CONTINUED TO 3/20/07, 9:30 A.M.

N

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 34-S45C)

ELECTED DEPARTMENT HEADS

*** 34. Auditor-Controller - Approve renewal of price agreement N1000006705 with Saile Technologies, Inc. for functional and technical support for County-wide Accounting and Personnel System (CAPS), 3/15/07 - 3/14/08 ($312,000) - All Districts**

3254

APPROVED AS RECOMMENDED

HEALTH CARE AGENCY

*** 35. Approve agreement 05-75535-000 with State Department of Mental Health for mental health services and support, 4/1/06 - 6/30/08 ($77,032,244); and authorize Director or designee to execute agreement - All Districts**

*** 3254**

APPROVED AS RECOMMENDED

*** 36. Approve amended price agreement N3000006291 with NetChemistry, Inc. for electronic eligibility system services for Medical Services for Indigents Program, 7/1/06 - 6/30/07 ($102,693; new total $365,193); renewable for one additional year ($283,317) per Board policy; and approve amended price agreement N2000006880 with Trojan Healthcare Management dba eCEDA Technologies for software subscription and support services for Medical Services for Indigents Program, 7/1/06 - 6/30/07 ($126,869; new total $407,869); renewable for one additional year ($476,600) per Board policy - All Districts**

*** 3425**

APPROVED AS RECOMMENDED

HOUSING AND COMMUNITY SERVICES DEPARTMENT

*** 37. Approve amendments three and four to agreements with St. Anselm's Cross-Cultural Community Center, Inc., St. Jude Hospital, Inc., and South County Senior Services, Inc. for Senior Non-Emergency Medical Transportation services, 4/1/07-6/30/07; approve fee increase; and authorize Director or designee to execute agreements - All Districts**

2354

APPROVED AS RECOMMENDED

INTEGRATED WASTE MANAGEMENT DEPARTMENT

*** 38. Approve agreement with GeoSyntec Consultants for environmental engineering support services, three year term ($3,300,000) - All Districts**

3254

APPROVED AS RECOMMENDED

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

*** 39. Approve amended agreement with American Golf Corporation for David L. Baker Memorial Golf Course at Mile Square Regional Park - District 2 (Continued from 2/27/07, Item 60)**

2534

APPROVED AS RECOMMENDED

*** 40. Receive bids and award contract to KZC Construction, Inc. for Orange Park Acres storm drain and overlay resurfacing; and make California Environmental Quality Act findings, ($1,194,991.50) - District 3**

3254

APPROVED AS RECOMMENDED

GENERAL ADMINISTRATION

County Executive Office:

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

2354

APPROVED AS RECOMMENDED

*** 42. Approve proposed follow-up response to FY 05-06 Grand Jury Reports - All Districts**

3524

APPROVED AS RECOMMENDED

43. Consider continuation of membership with National Association of Counties (NACo) - All Districts (Continued from 2/27/07, Item 63)

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

*** 44. Adopt resolution regarding Supplemental Targeted Adjustment for Retirees Cost of Living Adjustment for benefit year, 4/1/07 - 3/31/08 - All Districts**

2

MOTION TO APPROVE PAYMENT IN YEAR COMPUTED VS. 30-YEAR AMORTIZATION PAYMENT AND DIRECTION TO CEO TO INCLUDE IN THE BUDGET EACH YEAR DIED FOR LACK OF SECOND

5324

CONTINUED TO 3/20/07, 9:30 A.M.

45. Human Resources Department - Approve salary adjustment for Deputy Juvenile Correctional Officer I and II - All Districts (Continued from 2/27/07, Item 68)

B.O. CONTINUED TO 3/20/07, 9:30 A.M.

*** S45A. County Counsel - Retain law firm of Reish Luftman Reicher & Cohen to provide advice and representation regarding employee benefits issues, including County's defined benefit retirement plans; and authorize County Counsel to execute standard outside counsel agreement - All Districts**

2354

APPROVED AS RECOMMENDED

*** S45B. Supervisor Bates - Adopt resolution proclaiming March 2007 as "Social Worker Recognition Month"**

2354

APPROVED AS RECOMMENDED

RESO: 07-033

*** S45C. Chairman Norby - Adopt resolution proclaiming March 2007 as "Mediation Month"**

2354

APPROVED AS RECOMMENDED

RESO: 07-034

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

*** CS-1. County Counsel - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Richard P. McKee v. Orange County Board of Supervisors, Orange County Superior Court Case No. 07CC0301**

B.O. HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE APPROVED A PROPOSED SETTLEMENT IN THE CASE OF RICHARD P. MCKEE V. ORANGE COUNTY BOARD OF SUPERVISORS. 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 THE COUNTY COUNSEL TO ANY PERSON WHO INQUIRES.

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

*** PUBLIC COMMENTS:**

*** Charles Griffin - Oral Re: Hybrid vehicle use**

*** Karen Finn - Oral Re: Congratulations to Neal Kelly for outstanding February 6, 2007 election; AG reprimand of Sheriff; meals on wheels and dial-a-ride concerns**

*** Lisann Martinez - Oral Re: Equitable and fair provision of services and collection efforts**

*** Juan Suarez - Oral Re: Competitive bidding process concerns, Mason Park Projects**

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

*** Chairman Norby - Oral Re: AB 1234 Report: (Item 41) Discussed Washington, DC trip last week to meet with federal legislators on various legislative issues.**

ADJOURNED: 12:14 P.M.

2454

*** Adjourned in memory of Don Winton**

5423

*** Adjourned in memory of Christopher Laurent**

***** KEY *****

Left Margin Notes

Right Margin Notes

1. v Supervisor Smith

A. v Abstained

O. v Ordinance

2. v Supervisor Silva

X. v Excused

R. v Resolution

3. v Vacant

N. v No

4. v Supervisor Norby

BO v Board Order

5. v Chairman Wilson

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

THOMAS W. WILSON, CHAIRMAN

Orange County Board of Supervisors

DARLENE J. BLOOM

Orange County Clerk of the Board