REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, April 22, 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	Darlene J. Bloom

INVOCATION: Supervisor Norby, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Nguyen, First District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chair Moorlach - Update provided by Acting Sheriff Jack Anderson

II. CONSENT CALENDAR (Items 1-22)

35142 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 5, 15 & 16 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

1. **Supervisor Bates -** Orange County Veterans Advisory Council - Appoint Larry M. Colins, Laguna Woods, to complete term ending 1/4/10

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

2. Approve agreement with Orange County Sanitation District for supplemental law enforcement services, 5/1/08 - 5/31/08 ($1,500) - District 2

3. Approve donation from Sheriff's Emergency Operations Center to Orange County Child Abuse Prevention Center of surplus beds and bedding; approve notice, waiver of liability and hold harmless agreement; and make related findings - All Districts

4. Approve price agreement N1000009813 with Microsoft Corporation for consultant services related to Microsoft Exchange Server Software ($66,196) - All Districts

5. Approve Hold Harmless Agreement with Costa Mesa for use of Fire Department training facility for Sheriff's SWAT Team Testing Tryouts, 4/24/08; and authorize Sheriff-Coroner or designee to execute agreement - District 2

25134 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

6. Approve Medi-Cal Administrative Activities/Targeted Case Management (MAA/TCM) Consortium Participation agreement for FY 2007-08 and FY 2008-09 with Marin County for claim reimbursement; and authorize Director or designee to execute agreement - All Districts

JOHN WAYNE AIRPORT

7. Approve agreement with KFM Engineering for traffic engineering services ($65,000); authorize Director to renew for two additional one year periods; and make California Environmental Quality Act findings - District 2

8. Approve agreement with Kishimoto Architects for architectural engineering services ($65,000); authorize Director to renew for two additional one year periods; and make California Environmental Quality Act findings - District 2

9. Approve agreement with Toft Wolff Farrow for electrical engineering services ($65,000); authorize Director to renew for two additional one year periods; and make California Environmental Quality Act findings - District 2

10. Approve agreement with Toft Wolff Farrow for mechanical engineering services ($65,000); authorize Director to renew for two additional one year periods; and make California Environmental Quality Act findings - District 2

11. Approve agreement with AE Consulting for civil engineering services ($65,000); authorize Director to renew for two additional one year periods; and make California Environmental Quality Act findings - District 2

12. Approve agreement with MACTEC for geotechnical engineering services ($65,000); authorize Director to renew for two additional one year periods; and make California Environmental Quality Act findings - District 2

13. Approve agreement with Bucknam & Associates for pavement management services ($65,000); authorize Director to renew for two additional one year periods; and make California Environmental Quality Act findings - District 2

14. Approve agreement with Integrated Design Services (IDS) for structural engineering services ($65,000); authorize Director to renew for two additional one year periods California Environmental Quality Act findings - District 2

15. Approve agreement with MACTEC for pavement engineering services ($65,000); authorize Director to renew for two additional one year periods; and make California Environmental Quality Act findings - District 2

23145 **APPROVED AS RECOMMENDED**

16. Approve plans and specifications and set bid opening for 5/28/08, 2:00 p.m., to reconstruct landing surface of Runway 1L-19R; approve list of pre-qualified general contractors; and make California Environmental Quality Act findings - District 2

23145 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

17. Adopt resolution accepting dedication of fee simple interest for permanent open space regional park purposes, for Lot J, Tract 8292 Aliso and Wood Canyons Wilderness Park; and make California Environmental Quality Act and other findings - District 5
RESO: 08-034

18. Approve agreements D07-132 through D07-165 with all Orange County cities for implementation of FY 2008-09 Proposition 42 City Aid program - All Districts (4/5 vote)

OC WASTE & RECYCLING

19. Adopt resolution authorizing Director to defer collection of landfill disposal fees under certain conditions from Orange County cities and local agencies in the event of a declared local state of emergency - All Districts
RESO: 08-035

20. Approve Third Amended and Restated Landfill Gas Rights and Production Facilities agreement with Brea Parties, for gas disposal system, Olinda Alpha Landfill; authorize Director to execute agreement and accept ownership of landfill gas collection and control system; authorize Auditor-Controller to make related payment; and make California Environmental Quality Act findings - District 3

GENERAL ADMINISTRATION

21. **County Executive Office -** Receive and file charitable organization actual income/expenses for 2007 and planned activities for 2008; and adopt resolution superseding Resolution 02-057 for purpose of Sheriff's donation of certificates for ride-alongs and tours that support fundraising activities of non-profit charitable organizations - All Districts (Continued from 4/1/08, Item 19; 4/15/08, Item 16)
RESO: 08-043

22. **Registrar of Voters -** Appoint Anthony Bedolla as Alternate Safety Member of the Board of Retirement of Orange County Employees' Retirement System for remaining term ending 6/30/09 - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 23-32)

ELECTED DEPARTMENT HEADS

23. **Treasurer-Tax Collector -** Adopt resolution authorizing sale and issuance of Placentia-Yorba Linda Unified School District General Obligation Bonds of School Facilities Improvement District 2002-1 Election of 2008, Series A ($90,000,000); and authorizing related actions - Districts 3 & 4

43152 **APPROVED AS RECOMMENDED**
X

RESO: 08-036

JOHN WAYNE AIRPORT

24. Receive bids and award contract to Sully-Miller Contracting Company for pavement maintenance repairs ($500,000); and make California Environmental Quality Act findings - District 2

25134 **APPROVED AS RECOMMENDED**
X

25. Approve use of design-build contract method for Terminal A & B Baggage Handling System Enhancements project; approve list of pre-qualified design-build contractors; authorize Director to establish and enforce a Department of Industrial Relations approved Third-Party Labor Compliance program; authorize Director to issue a Request for Proposals to listed pre-qualified design-build contractors, establish proposal due date, receive and open proposals; and make California Environmental Quality Act findings - District 2

25134 **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

26. Consider second reading and adoption of "An Ordinance of the County of Orange, California, Repealing the Uniform Building Code, 1997 Edition; Repealing the California Building Code, 2001 Edition; Repealing the California Building Standards Code, 2001 Edition; Repealing Ordinance 03-003 and Adopting by Reference the California Building Code, 2007 Edition and the International Building Code, 2006 Edition, With Appendix and Amendments Thereto"; "An Ordinance of the County of Orange, California, Repealing the 2000 Edition of the Uniform Plumbing Code Repealing Ordinance 03-007, and Adopting by Reference the Edition of the Uniform Plumbing Code, 2006 Edition and the California Plumbing Code, 2007 Edition, Including Appendices, With Amendments Thereto"; "An Ordinance of the County of Orange, California Repealing the 2000 Edition of the Uniform Mechanical Code, Repealing Ordinance 03-004, and Adopting by Reference the Uniform Mechanical Code, 2006 Edition, and the California Mechanical Code, 2007 Edition, With Modifications and Amendments Thereto"; "An Ordinance of the County of Orange, California Repealing the National Electrical Code, 1999 Edition, Repealing Ordinance 03-005 and Adopting by Reference the National Electrical Code, 2005 Edition and the California Electrical Code, 2007, Edition with Amendments Thereto"; "An Ordinance of the County of Orange, California Repealing Uniform Fire Code, 1997 Edition; Repealing Ordinance 04-003 and Adopting by Reference the California Fire Code, 2007 Edition and the International Fire Code, 2006 Edition, With Appendix 1, B, and C and Amendments Thereto"; " An Ordinance of the County of Orange Amending Sections 7-1-812, 7-1-813 and 7-1-814 and 7-1-820 All Relating To Hazardous Grading Conditions, Grading Appeals, Issuance, Expiration and Renewal"; and adopt resolutions making related

findings - All Districts (Continued from 4/15/08, Item 35)
32145 **APPROVED AS RECOMMENDED**
RESO: 08-037 - 08-041
ORD: 08-005 - 08-010

27. **Acting as the Orange County Flood Control District -** Approve agreement D08-025 with Epic Land Solutions for Santa Ana River and Prado Dam Basin real estate acquisition program ($200,000); and make California Environmental Quality Act findings - All Districts
35142 **APPROVED AS RECOMMENDED**

PUBLIC PROTECTION

28. **Probation -** Adopt resolution approving submission of Orange County Comprehensive Multi-Agency Juvenile Justice Plan modification for FY 2008-09 to State Corrections Standards Authority; and authorize Chief Probation Officer to execute application - All Districts
53142 **APPROVED AS RECOMMENDED**
RESO: 08-042

GENERAL ADMINISTRATION

County Executive Office:

29. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
53142 **APPROVED AS RECOMMENDED**

30. Approve amendment 1 to Fire Protection agreement with State Department of Forestry and Fire Protection for fire services within State Responsibility Areas, ($1,068,530; new total $12,665,998) - All Districts
35142 **APPROVED AS RECOMMENDED**

31. Approve recommended grant applications submitted by OC Public Libraries in 4/22/08 Grants report - All Districts
35142 **APPROVED AS RECOMMENDED**

32. **Human Resources Department -** Approve Management Pay-for-Performance Program (P4P) to replace Management Appraisal Program for Administrative Management bargaining unit - All Districts
25134 N **APPROVED AS RECOMMENDED, SUBJECT TO REVIEW BY THE BOARD WITHIN ONE YEAR (JUNE 2009)**

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (Items CS-1-CS-2)

GENERAL ADMINISTRATION

County Counsel:

CS-1. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):

Number of Cases: One Case
(Continued from 4/15/08, CS-1)

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, SUPERVISOR NGUYEN BEING ABSENT, APPROVED A PROPOSED SETTLEMENT OF POTENTIAL LITIGATION. 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.**

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -
Pursuant to Government Code Section 54956.9(a):
Name of Case: In the Matter of Whistlejacket Capital Limited (in Receivership) and in the Matter of the Insolvency Act of 1986 Trial Court Case No. 01753 of 2008
(Continued from 4/15/08, SCS3)

B.O. **HELD, NO REPORTABLE ACTION**

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

PUBLIC COMMENTS:
Darrell A. Nolta - Oral Re: Theo Lacy Jail issues/recent news articles and DA's position on recent jail matters; and Sheriff recruitment

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisor Bates - Oral Re: Importance of AED devices in facilities. Directed the Clerk of the Board to ensure the location of the devices are well posted in the building.

ADJOURNED: 11:43 A.M.

32154 **Adjourned in memory of Darrell "Guy" Poncy**

12345 **Adjourned in memory of Galven MacArio**

12345 **Adjourned in memory of Bob Dethlefson**

25134 **Adjourned in memory of Qader Un-issa Begum**

25134 **Adjourned in memory of Judge Leonard Goldstein**

52134 **Adjourned in memory of Don E. Jeisoy**

52134 **Adjourned in memory of Helen B. Arron**

*** 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