REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, December 4, 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

JANET NGUYEN
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 Nguyen presented a resolution commending Nam Loc Nguyen on his commitment to public service

James McConnell, Washington, D.C. Legislative Advocate, provided an update on current Federal issues (item 27)

II. CONSENT CALENDAR (Items 1-13)

32154 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 1 WHICH WAS DELETED; AND ITEMS 3 & 8-10 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

COMMENDATIONS/PROCLAMATIONS/REPORTS

1. **Supervisor Nguyen -** Adopt resolution commending Ruth Smith on her retirement

32154 **DELETEDDELETED**
X

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

2. Approve agreement to transfer funds to eligible cities for 2007 Emergency Management Performance Grant Program; and authorize Sheriff-Coroner or designee to execute agreement - All Districts

3. Adopt resolution amending membership of the Emergency Management Council and designation of Director of Emergency Services, and rescinding Resolution 05-016 - All Districts

25134 **CONTINUED TO 12/18/07, 9:30 A.M.**
X

INTEGRATED WASTE MANAGEMENT DEPARTMENT

4. Approve renewal of price agreement N2000007235 with Bryan A. Stirrat & Associates for operation and maintenance services, Coyote Canyon Landfill Groundwater Extraction System, 12/13/07 - 12/12/08 ($65,000) - District 5

ORANGE COUNTY PUBLIC LIBRARY

5. Approve agreement with City of Orange for adult literacy services, 12/4/07 - 12/3/08 ($10,000) - District 3

6. Approve agreement with City of Orange for READING ROCKS Family Literacy services, 12/4/07 - 12/3/08 ($25,000) - District 3

7. Approve price agreement N1000009232 with Robert W. West for marketing and outreach services for READ/Orange County Literacy Program, 1/10/08 - 1/9/09 ($32,500); renewable for two one-year periods ($33,500 second year; $34,500 third year) - All Districts

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

8. Approve agreement D07-131 with Orange County Fire Authority for access and use of OC Landbase mapping system, 12/5/07 - 1/25/13 ($75,000 per year revenue); and make California Environmental Quality Act findings - All Districts (Continued from 11/20/07, Item 12)

23154 **APPROVED AS RECOMMENDED**

9. Approve Memorandum of Understanding C-7-0681 with Orange County Transportation Authority for Oso Parkway/Pacific Park Drive signal synchronization demonstration project - District 5

25134 **APPROVED AS RECOMMENDED**

10. Approve purchase order PC 296 P0800002894 with Ironman Parts & Service for retrofitting County-owned diesel-fueled heavy-duty vehicles ($240,139.15) - All Districts

23154 **APPROVED AS RECOMMENDED**
X

PUBLIC PROTECTION

Probation:

11. Adopt resolution approving revised per diem of $50.00 per meeting plus travel and other necessary expenses for Public Member of the Orange County Board of Parole Commissioners, and rescinding Resolution 62-244 - All Districts
RESO: 07-206

12. Approve Administrative Memorandum of Understanding with Orange County Superintendent of Schools for support services for the Accountability Commitment Program, 11/1/07 - 10/31/12; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

13. **Human Resources Department -** Approve amendment 1 to price agreement N1000006529 with NEOGOV, Inc. for online recruitment and applicant tracking services, 1/25/08 - 1/24/09 ($35,000); renewable for one additional year, per Board policy - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 14-S29C)

ELECTED DEPARTMENT HEADS

Sheriff-Coroner:

14. Approve renewal of price agreement N2000008350 with Computer Deductions, Inc. for software development, maintenance and support, 12/1/07 - 11/30/08 ($2,858,941); approve contingency increase not to exceed 10%; renewable for three additional one year periods - All Districts (Continued from 11/20/07, Item 36)
35124 **APPROVED AS RECOMMENDED**

15. Accept 2007 Homeland Security Grant Program award from the Governor's Office of Homeland Security ($6,105,648); authorize Auditor-Controller to make related payments and budget adjustments; authorize purchasing agent to purchase related equipment; authorize Sheriff-Coroner to execute related documents; and authorize Auditor-Controller to transfer equipment to other entities under certain conditions - All Districts (4/5 vote)
23154 X **APPROVED AS RECOMMENDED**

16. Approve purchase order PC 15L P0800003171 with Harris Stratex Networks Operating Corporation for installation of microwave equipment ($2,533,980); and approve contingency increase not to exceed 10% - All Districts
23154 X **APPROVED AS RECOMMENDED**

17. Continue proclamation of a local emergency in connection with Santiago Fire, located within geographic area of County of Orange pursuant to Government Code Section 8630(b) and section 3-1-6(a) of the Codified Ordinances of the County of Orange; and set review to determine continuing need for emergency action for 12/18/07, 9:30 A.M. - All Districts (Continued from 10/23/07, Item S21C; 11/6/07, Item 27; 11/20/07, Item 57 - Previously listed under County Counsel)
32154 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

18. Approve amendment 3 to agreement with Mariposa Women and Family Center for Alcohol and Drug Abuse Prevention and Behavioral Health Outpatient services, 7/1/06 - 6/30/08 ($453,063; new total $1,849,476) - All Districts
35124 **APPROVED AS RECOMMENDED**

19. Approve agreement 07-77053-00 with State Department of Mental Health for Conditional Release Program, 7/1/07 - 6/30/08 ($1,062,475); and authorize Director or designee to execute agreement - All Districts
21354 **APPROVED AS RECOMMENDED**

20. Approve agreement EPO CDC 07-30 with State Department of Public Health for planning and preparing for public health and healthcare system emergencies, 8/31/07 - 8/9/08 ($751,746) - All Districts
23154 **APPROVED AS RECOMMENDED**

INTEGRATED WASTE MANAGEMENT DEPARTMENT

21. Approve implementation of AB 939 Regional Recycling and Waste Diversion Grant Program; and approve recommended funding allocations- All Districts (Continued from 10/23/07, Item 19; 11/6/07, Item 21; 11/20/06, Item 41)
35124 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

22. Approve agreement with Kimley-Horn and Associates, Inc. for design and construction services for Parking Access and Revenue Control System ($1,085,539); and make California Environmental Quality Act findings - District 2
25134 **APPROVED AS RECOMMENDED**
X

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

23. **Acting as the Orange County Flood Control District -** Approve continuance of emergency pursuant to Public Contract Code Section 22050 (c)(1) for emergency repairs of damaged levee of northerly East Garden Grove - Wintersburg Channel; approve acceptance of Coastal Development Permit and authorize Director or designee to execute permit; and set for review to determine continuing need for emergency action for 12/18/07, 9:30 a.m. - District 2 (Continued from 10/16/07, Item 32; 10/30/07 Item 13; 11/6/07, Item 24; 11/20/07, Item 51)
24135 **APPROVED AS RECOMMENDED**
X

PUBLIC PROTECTION

Probation:

24. Select PCR Services Corporation as primary and EcoSystems Restoration Associates as alternate firms for Joplin Onsite Habitat Restoration and Mitigation and Offsite Mitigation/Arundo Removal for Joplin Youth Center Pond and Road Repair Project; authorize negotiation of agreement for Board approval; and find Final EIR 590 is adequate to satisfy requirements of California Environmental Quality Act - District 3
41235 **APPROVED AS RECOMMENDED**

25. Approve agreements with Community Service Programs, Inc. for Community Resource Collaborative Services for North, Central and West Orange County Youth and Family Resource Centers, 1/1/08 - 12/31/08 ($817,709); renewable for one additional one year period ($854,788); and make California Environmental Quality Act findings - All Districts
15234 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

26. **County Counsel -** Consider second reading and adoption of "An Ordinance of the County of Orange, California Adding Sections 5-1-31 and 5-1-32 to Article 2 of Division 1 of Title V of the Codified Ordinances of the County of Orange Prohibiting the Issuance of Approvals That Would Permit a Use That Violates State or Federal Law and Prohibiting Businesses or

Activities That Would Violate Local, State or Federal Law" - All Districts (Continued from 10/30/07, Item 30)

B.O. **DELETED**

County Executive Office:

27. Approve 2008 County of Orange Legislative Platform and consider other legislative subject matters - All Districts (Continued from 11/20/07, Item 52)

31254 N **APPROVED AS MODIFIED TO DEFER ACTION ON FEDERAL FUNDING PROPOSAL FOR NEW DISTRICT ATTORNEY DNA CRIME LAB PENDING EVALUATION BY THE CEO ON THE POSSIBILITY OF EXPANDING OR ENHANCING THE SHERIFF CRIME LAB VS. BUILDING A NEW SEPARATE LAB FOR THE DA.**

28. Approve recommended grant applications as proposed and other actions as recommended - All Districts (Continued from 11/20/07, Item 54)

13254 **APPROVED AS RECOMMENDED**

29. Approve recommended grant applications as proposed in 12/4/07 Grants Report and other actions as recommended - All Districts

13254 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

S29A. Approve agreement D07-170 with Southern California Gas Company for purchase of all rights to OC Landbase mapping system ($300,000); authorize the Auditor-Controller to make related payment; and make California Environmental Quality Act findings - All Districts

25134 **APPROVED AS RECOMMENDED**

HOUSING AND COMMUNITY SERVICES DEPARTMENT

S29B. Approve Workforce Investment Act Cost Reimbursement agreement with Orange County Conservation Corps for National Emergency Grant (NEG)-Fire Project, 12/4/07 - 12/31/08 ($1,799,940); authorize Director or designee to modify policies and procedures, extend agreement, transfer allocated funds and make amendments under certain conditions; and authorize contingency increase not to exceed 10% - All Districts

23154 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

S29C. Adopt resolution approving an emergency permit fee waiver policy/process for victims of the Santiago Fire; and make related findings - District 3

23154 **APPROVED AS RECOMMENDED**
RESO: 07-207

IV. PUBLIC HEARINGS (Item 30)

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

30. Public Hearing to consider adopting resolution denying appeal filed by Brandon Ogden and uphold Planning Commission's decision to deny proposed variance located at 12581 Barrett

Lane, Santa Ana - District 3

B.O. **CONTINUED TO 1/29/08, 9:30 A.M.**

V. CLOSED SESSION (Items CS-1-SCS2)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Retired Employee's Association of Orange County, Inc. v. County of Orange, United States District Court Case No. SACV07-1301AG

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

SCS2. **Chairman Norby -** PUBLIC EMPLOYEE APPOINTMENT: PERFORMANCE AUDIT DIRECTOR - Pursuant to Government Code Section 54957:
Title: Performance Audit Director

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

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

PUBLIC COMMENTS:

Chriss Street - Oral Re: Discussed the status of the current financial market and Treasurer's Pool activities

Kenneth Taylor - Oral Re: Advised Board of new "SuperScooper" Airplane for fire fighting

Karen Finn - Oral Re: Discussed concerns regarding litigation involving Treasurer-Tax Collector and Sheriff and Sheriff personnel assignments

Darrell Nolta - Oral Re: Discussed attacks of the Sheriff Department's Acting Sheriff; recent bicycle accident; Westminster Emergency Room care; lack of low cost emergency care; cost of health care and lack of insurance by CA residents

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS:

Supervisor Campbell - Oral Re: AB 1234 Report: Discussed recent trip to San Diego to participate in Senator Feinstein's Hearing on recent fire activities

Supervisor Nguyen - Oral Re: AB 1234 Report (during Item 27): Discussed recent trip to Washington DC to work with Federal Lobbyist on water issues, and other federal legislative matters

Supervisor Nguyen - Oral Re: Directed CEO to provide status report on Board action of August, 2007 re: status and statistical information on donating surplus County computers to schools and non-profits.

Chairman Norby - Oral Re: Announced the successful implementation of the first "County Connections" that allows for one on one networking opportunities among managers and department heads

ADJOURNED: 2:50 P.M.

54123 **Adjourned in memory of Mike Allen**

24135 **Adjourned in memory of Helena Fikse Justus**

34125 **Adjourned in memory of Robert McDonough**

34125 **Adjourned in memory of Ellamae Perry**

14235 **Adjourned in memory of Genevieve Alton Molloy**

14235 **Adjourned in memory of Charlotte Andrews**

*** 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)

CHRIS NORBY, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board