REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, September 25, 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 Bates, Fifth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

II. CONSENT CALENDAR (Items 1-27)

34125 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 3 WHICH WAS DELETED; AND ITEMS 9 & 15 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

BOARD APPOINTMENTS

Chairman Norby:

1. Assessment Appeals Board No. 4 - Appoint Irene E. Ziebarth, Newport Beach, to complete term ending 8/31/08

2. Development Processing Review Committee - Appoint Douglas T. Cox, La Habra, for term concurrent with 4th District Supervisor's term of office

DEPARTMENT APPOINTMENTS

3. **Health Care Agency -** Mental Health Board - Reappoint Harvey P. Grody, Orange, for term ending 8/14/10

34125 **DELETED**
X

4. **Social Services Agency -** Orange County Child Care and Development Local Planning Council - Appoint Faye Campbell, La Habra, to complete term ending 8/5/08; Lori Vasquez, Costa Mesa, for term ending 8/05/09; and Marilee Cosgrove, Fullerton, to complete terms ending 8/5/09; and reappoint Roseann Andrus, Irvine; Ann Saneto, Irvine; Wayne Lumpkin, Laguna Hills; Doug Miller, Santa Ana; Jody Johnson, San Juan Capistrano; Maureen Fitzpatrick, San Clemente; Annette Jewell, Costa Mesa; and Diane Limbo, Garden Grove, for terms ending 8/5/09 - All Districts

COMMENDATIONS/PROCLAMATIONS/REPORTS

5. **Supervisor Campbell -** Adopt resolution honoring Gary Hayakawa on his retirement
RESO: 07-168

6. **Supervisor Nguyen -** Adopt resolution declaring October 2007 as "Orange County Innovation Month"
RESO: 07-169

ELECTED DEPARTMENT HEADS

7. **Sheriff-Coroner -** Approve agreement with DMJM H&N for Southeast Station Space Needs Study ($78,750) - Districts 3 & 5

HEALTH CARE AGENCY

8. Approve agreement 07-65561 with State Department of Health Services for Beach Environmental Assessment and Coastal Health Act Grant, 10/1/07 - 9/30/08 ($25,000) - All Districts

9. Approve agreement with Community Action Partnership of Orange County for Network for Healthy California - Children's Power Play! Campaign services ($150,000) and Latino Campaign services ($165,000) 10/1/07 - 9/30/08 - All Districts

53124 **APPROVED AS RECOMMENDED**

HOUSING AND COMMUNITY SERVICES DEPARTMENT

10. Approve Memoranda of Understanding with Orange County Workforce Investment Board and La Habra, The Bridge, Irvine Unified School District, the California Hispanic Commission on Alcohol and Drug Abuse, Inc. and the Department of Rehabilitation for operations of One-Stop system, effective 10/1/07; and authorize Executive Director of Orange County Workforce Investment Board to make related amendments under certain conditions - All Districts

11. Approve amended Workforce Investment Act Cost Reimbursement agreements with Coast Community College District to include non-standard mutual indemnification language for operation of Northern and Southern Regions Orange County One-Stop Centers - All Districts

12. Approve agreement with Council of Orange County, Society of St. Vincent de Paul for Cold Weather Armory Shelter Program, 10/3/07 - 5/31/08 ($485,000); and authorize Director or designee to execute agreement and exercise contingency contract increase or decrease not to exceed 10%; and authorize release of Request for Proposals to select qualified operator for FY 2008-09 and return to the Board with recommendation for approval - All Districts

JOHN WAYNE AIRPORT

13. Approve agreement with Tustin Unified School District for continued operation of noise monitoring system; and make California Environmental Quality Act findings - District 2

14. Approve price agreement N1000009144 with Signature Technologies, Inc. dba Com-Net Software for maintenance and emergency repair services for Flight and Baggage Information Display Systems and Master Clock equipment, 10/1/07 - 9/30/10 ($375,000); renewable for two additional one year terms per Board policy; and make California Environmental Quality Act findings - District 2

15. Approve amended price agreement N2000006164 with Softchoice for Microsoft Application Licenses, 10/1/07 - 9/30/10 ($90,151.98); and make California Environmental Quality Act findings - District 2

23154 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

16. Approve plans and specifications and set bid opening for 10/24/07, 2:00 p.m., for construction of entrance improvements, Irvine Regional Park; and make California Environmental Quality Act findings - District 3

17. Adopt resolution vacating Irrevocable Offer of Dedication for Lot 3, Tract 16157 and accept Irrevocable Offer to Convey Real Property from Ladera Ranch Maintenance Corporation for public local park purposes; and make California Environmental Quality Act findings - District 5
RESO: 07-170

18. Adopt resolution certifying completion of street improvements, street lights, sewer and water systems, and monumentation; authorizing release of security and accepting public street improvements, street lights, sewer and water systems, and monumentation, Tract 16342, Shea Homes Limited Partnership, Ladera Ranch area - District 5
RESO: 07-171

19. Authorize release of security for private street improvements, street lights, landscaping and monumentation, Tract 15705, Shea Homes Limited Partnership, Newport Coast area - District 5

20. Approve amendment 2 to agreement D04-051 with EconoLite Traffic Engineering and Maintenance, Inc. for maintenance of traffic signals, unincorporated Orange County and cities, extending term for one additional year; approve 2.9% increase in unit prices based on the greater Los Angeles area cost of living index - All Districts

21. Authorize release of security for private street improvements, street lights, sewer and water systems, and monumentation, Tract 16504, Warmington Meriden Associates, L.P., Ladera Ranch area - District 5

22. Authorize release of security for private street improvements, street lights, sewer and water systems, and monumentation, Tract 16387, Shea Homes Limited Partnership, Ladera Ranch area - District 5

23. Approve plans and specifications and set bid opening for 10/31/07, 2:00 p.m., for slurry seal of various streets; and make California Environmental Quality Act findings - Districts 3 & 5

24. **Acting as the Orange County Flood Control District -** Approve agreement D07-067 with WRC Consulting Services, Inc. for on-call engineering services; and make California Environmental Quality Act findings - All Districts

GENERAL ADMINISTRATION

25. **County Executive Office -** Approve price agreement N1000009227 with Kapow Technologies, Inc. for Kapow software, 9/25/07 - 9/24/08 ($149,600); renewable for two additional one-year periods, ($16,000 per year) per Board policy - All Districts

26. **Internal Audit -** Receive and file Internal Audit Department Monthly Status Report for August 2007 - All Districts

27. **Supervisor Campbell -** Authorize waiver of fees for the ALS Association of Orange County fundraising event on 10/20/07, Mason Regional Park, Irvine

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 28-41)

ELECTED DEPARTMENT HEADS

28. **District Attorney -** Approve lease agreement DA 06-029 with FT Investors, LLC to lease office space for staff at North Justice Center, 1400 N. Harbor Boulevard, Fullerton; and make California Environmental Quality Act findings - District 4

42135 **APPROVED AS RECOMMENDED**

29. **Sheriff-Coroner -** Accept grant award from U.S. Department of Justice for Edward Byrne Memorial Justice Assistance Grant Program, FY 2007 ($795,499); approve agreement to transfer funds to participating cities; and authorize Sheriff-Coroner to execute individual agreements - All Districts

32154 **APPROVED AS RECOMMENDED**

30. **Auditor-Controller -** Approve price agreement N1000009230 with CGI Technologies and Solutions Inc., for CAPS Proprietary Software Maintenance, 10/1/07 - 9/30/08 ($611,799) - All Districts

23154 **APPROVED AS RECOMMENDED**

CHILD SUPPORT SERVICES

31. Approve amended price agreement N1000008348 with GC Services Limited Partnership for debt collection and locate services, 1/1/08 - 12/31/08 ($200,000; new total $500,000); renewable for one additional year per Board policy - All Districts

23154 **APPROVED AS RECOMMENDED**

HEALTH CARE AGENCY

32. Approve price agreement F1000002964 with Gen Probe Sales & Service, Inc. for specimen collection kits for detection of Chlamydia and Gonorrhea, 10/1/07 - 9/30/08 ($260,000); renewable for one additional year, per Board policy - All Districts

21354 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

33. Select Barnhart, Inc. as primary and Owen Group as alternate firms for construction management services for B1 Parking Structure 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 findings - District 2

25134 **APPROVED AS RECOMMENDED**

34. Approve amended price agreement N2000006119 with SPC Airport Services for custodial maintenance services, 10/1/07 - 9/30/08 ($3,209,256); and make California Environmental Quality Act findings - District 2

21354 **APPROVED AS RECOMMENDED**

35. Approve agreement with Jacobs Facilities, Inc. for construction management services for Terminal C and renovation of Terminals A and B ($14,695,639); and find Final EIR 582 and addendum 582-1 are adequate to satisfy requirements of California Environmental Quality Act findings - District 2

23154 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

36. Select Central Parking Systems as primary and Parking Concepts, Inc. as alternate firms for management and operation of parking facilities at Civic Center and Manchester parking complexes; authorize negotiation of agreement for Board approval; and make California Environmental Quality Act findings - Districts 1 and 3

32154 **MOTION TO APPROVE STAFF RECOMMENDATION FAILED TO CARRY**
NNN

51234 **APPROVED AS MODIFIED; SELECTED PARKING CONCEPTS, INC. AS PRIMARY AND CENTRAL PARKING SYSTEMS AS ALTERNATE FIRM**

SOCIAL SERVICES AGENCY

37. Accept grant funds from State Department of Social Services ($414,984); approve agreement RKT0107 with Catholic Charities of Orange County, Inc., Saint Anselm's Cross-Cultural Community Center and The Cambodian Family for Refugee Employment Social Services, 10/1/07 - 9/30/08 ($352,736); and authorize Director or designee to extend term for twelve additional months without Board action under certain conditions - All Districts

23154 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

38. Select Platinum Advisors, LLC as firm for State Legislative Advocacy services; and authorize negotiation of agreements for Board approval - All Districts

32154 **APPROVED AS MODIFIED TO SET REIMBURSEMENT RATE AT $21,000 PER MONTH BUT NOT TO EXCEED $25,000 PER MONTH**

39. Approve grant applications report as proposed and adopt resolution as recommended; select Townsend Public Affairs, Inc. for assistance and expertise on grant proposals ($120,000 annually); and authorize negotiation of agreement for Board approval - All Districts

32154 **APPROVED AS RECOMMENDED**
RESO: 07-172

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

41. Acting as the legislative body of Community Facilities District (CFD) No. 88-1 (Aliso Viejo) - Approve amendment 7 to Agreement for Acquisition, Funding and Disclosure No. 2 of 1992 for Community Facilities District No. 88-1 - District 5

52134 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Item 42)

ELECTED DEPARTMENT HEADS

42. **Sheriff-Coroner -** Public Hearing to consider approval of 2007-08 State Citizens' Options for Public Safety (COPS) Program Supplemental Law Enforcement Services Funds; and make related budget adjustments - All Districts (4/5 vote)

B.O. **CLOSED PUBLIC HEARING**

23154 **APPROVED AS RECOMMENDED**

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: Barratt American, Inc. v. County of Orange, Case No. G035627

B.O. **HELD, THE CLERK READ: BY A UNANIMOUS VOTE, THE BOARD APPROVED A PROPOSED SETTLEMENT IN THE CASE OF BARRATT AMERICAN, INC. V. COUNTY OF ORANGE. 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.**

SCS2. **Human Resources Department -** CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:
Agency Negotiator: Thomas G. Mauk
Employee Organizations: Orange County Attorneys Association (OCAA), and the Association of Orange County Deputy Sheriffs (AOCDS)
RE: Terms and Conditions of Employment

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

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

PUBLIC COMMENTS:
Michael Brown - Oral Re: Oso Parkway Sidewalk Project - concerns about children crossing Oso Parkway and traffic flow for bicyclists; and Sheriff's Office Retirement funding concerns

George Garcia - Oral Re: Superior Court Judge benefit alterations; consideration of Resolution celebrating National American Month in November; and questioned duties, pay, etc. for County boards, commissions and committees

COUNTY EXECUTIVE OFFICER COMMENTS:
None

BOARD COMMENTS:
Supervisors Nguyen and Moorlach - Oral Re: Provided Board with a status report on the activities of the Civic Center Taskforce

Supervisor Nguyen - Oral Re: Extended invitation to attend County Community Service Center Open House on October 1, 2007 at 3:00 p.m.

Chairman Norby - Oral Re: Advised Board that he is looking for a board member to serve on the Orange

County Juvenile Justice Coordinating Council and to advise his office of interest

ADJOURNED: 12:26 P.M.

54123 **Adjourned in memory of Joseph Hanzich**

14235 **Adjourned in memory of Alphonso Montoya**

42135 **Adjourned in memory of Raymond "Ray" Juarez**

*** 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