REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

*Tuesday, May 13, 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: Chair Moorlach, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Bates, Fifth District, led the assembly in the Pledge of Allegiance

## I. PRESENTATIONS/INTRODUCTIONS

## II. CONSENT CALENDAR (Items 1-12)

51342 **APPROVED AS RECOMMENDED**

### BOARD APPOINTMENTS

1. **Supervisor Bates -** Airport Land Use Commission for Orange County - Reappoint Tom O'Malley, Laguna Woods, for term ending 5/7/12

### ELECTED DEPARTMENT HEADS

2. **Sheriff-Coroner -** Approve price agreement N1000009934 with Community Service Programs, Inc. for domestic violence victim services, 5/13/08 - 5/12/13 ($75,000 per year) - All Districts

### HEALTH CARE AGENCY

3. Adopt resolution approving agreement with California Environmental Protection Agency for Aboveground Petroleum Storage Act Grant, 1/1/08 - 3/1/10 ($145,732); and authorize Director or designee to execute agreement - All Districts
*RESO: 08-051*

**OC PUBLIC WORKS**

4. Authorize release of security for private streets, street lights, landscaping and monumentation, Tract 16457, Irvine Community Development Company LLC, Newport Beach - District 5

5. Authorize release of security for survey monumentation, Tract 14487, The Irvine Company, Newport Beach - District 5

6. Adopt resolution certifying completion of street improvements, street lights, landscaping and monumentation; and authorize release of security, Tract 15800, SDLBK CYN, LP, Trabuco Canyon area - District 3
*RESO: 08-052*

7. Authorize release of security for monumentation, Tract 13992, Baldwin Building Company, Lake Forest - District 5

8. Approve Memorandum of Understanding with Newport Beach for West Santa Ana Heights Reorganization Area Permit Processing - District 2

9. Receive and file Traffic Committee Report dated 3/20/08; approve recommendations and adopt necessary resolutions; and rescind a portion of Resolution 83-0447; and make California Environmental Quality Act findings - Districts 1 & 4
*RESO: 08-053*

10. Approve plans and specifications and set bid opening for 6/18/08, 2:00 p.m., for remodeling of multi-purpose room, Auditor Controller; and make California Environmental Quality Act findings - District 1

11. **Acting as the Orange County Flood Control District -** Approve license agreement D08-024 with The Pegasus School to re-establish irrigation water line, Santa Ana River, three year term; authorize Auditor Controller to issue check in the amount of $3,000; and make California Environmental Quality Act findings - District 2

**GENERAL ADMINISTRATION**

12. **Supervisor Campbell -** Approve waiver of parking, permit and vendors fees for the California Heart Connection's 8th Annual picnic on 6/1/08 at Mason Regional Park

END OF CONSENT CALENDAR

## III. DISCUSSION ITEMS (Items 13-S31B)

## ELECTED DEPARTMENT HEADS

**Sheriff-Coroner:**

13. Approve renewal of price agreement N2000007837 with SimplexGrinnell LP for maintenance and repair of fire alarm at Theo Lacy Facility, 5/23/08 - 5/22/09 ($268,800) - District 3
31452 **APPROVED AS RECOMMENDED**

14. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 for installation and acquisition of a CCTV Digital Surveillance and Recording System for Theo Lacy Facility, including inmate barracks and interior of guard stations; and set review to determine continuing need for emergency action for 5/20/08, 9:30 a.m. and every 14 days thereafter; and make California Environmental Quality Act findings - District 3 (4/5 vote) (Continued from 4/15/08, S32A; 4/29/08, Item 25)
35142 **APPROVED AS RECOMMENDED**

## HEALTH CARE AGENCY

15. Approve master agreements with various providers for short term housing services ($250,000 per year) and conditional release program supplemental rate housing services ($32,353 per year), 7/1/08 - 6/30/10; and authorize Director or designee to execute individual agreements - All Districts
53142 **APPROVED AS RECOMMENDED**

16. Approve master agreement with various providers for Wraparound Mental Health Outpatient services, 7/1/08 - 6/30/09; and authorize Director or designee to execute individual agreements - All Districts
53142 **APPROVED AS RECOMMENDED**

17. Approve agreements with Kinship Center ($1,950,006), Olive Crest Treatment Centers ($1,414,509) and South Coast Children's Society ($1,460,312) for Mental Health Outpatient services, 7/1/08 - 6/30/09 - All Districts
13452 **APPROVED AS RECOMMENDED**

18. Approve agreement with Phoenix House Orange County, Inc. for In-Custody Alcohol and Drug Treatment services, 7/1/08 - 6/30/09 ($1,434,007); and approve agreements with The Villa Center, Inc. ($245,000), Phoenix House Orange County, Inc. ($1,637,928), Cooper Fellowship, Inc. ($380,000), Roque Center, Inc. ($1,358,305), Woodglen Recovery Junction, Inc. ($446,000) and Hope House Corporation ($820,000) for Alcohol and Drug Abuse Residential Treatment services, 7/1/08 - 6/30/09 - All Districts
51342 **APPROVED AS RECOMMENDED**

19. Approve agreements with Korean Community Services ($154,999), Nhan Hoa Comprehensive Health Care Clinic ($219,683) and Orange County Asian and Pacific Islander Community Alliance ($150,756) for Mental Health Outreach and Engagement services, 7/1/08 - 6/30/09; and approve agreement with Goodwill Industries of Orange County for Supported Employment services, 7/1/08 - 6/30/09 ($535,705) - All Districts

31452 **APPROVED AS RECOMMENDED**

20. Approve renewal of price agreement N3000006840 with United Maintenance Systems for janitorial services, 7/1/08 - 6/30/09 ($189,000); renewable for one additional year, per Board policy - District 1

15342 **APPROVED AS RECOMMENDED**

21. Response to Board Directive (5/6/08) - Provide direction to staff on oversight of correctional medical services - All Districts

43152 **APPROVED AS RECOMMENDED, DIRECTED STAFF TO RETURN TO THE BOARD IN 60 DAYS WITH DETAILED PROPOSAL TO ESTABLISH AN INSTITUTIONAL HEALTH SERVICES QUALITY ASSURANCE BOARD**

## OC PUBLIC WORKS

22. **Acting as the Orange County Flood Control District -** Approve acquisition contract and accept grant deed from Maria Vieira for purchase of real property for Prado Dam project ($1,020,000); authorize Director or designee to execute related documents; authorize Auditor-Controller to make related payments; and make California Environmental Quality Act findings - All Districts

35142 **APPROVED AS RECOMMENDED**

23. Approve agreements D08-027 with Lim & Nascimento Engineering Corporation and D08-028 with McLean & Schultz for on-call bridge project services, three year term ($300,000 each); and make California Environmental Quality Act findings - All Districts

53142 **APPROVED AS RECOMMENDED**

## GENERAL ADMINISTRATION

**County Executive Office:**

24. Adopt resolution approving FY 2008-09 agreements with Community Service Programs, Inc., for administration of Office of Homeland Security/Office of Emergency Services grants for Victim/Witness Assistance Program ($1,028,957) and Gang Victim Services ($110,000); approve agreement with Community Service Programs, Inc. for administration of various services ($1,449,378); authorize the Clerk of the Board of Supervisors to execute grant award agreement; and make California Environmental Quality Act findings - All Districts

35142 **APPROVED AS RECOMMENDED**
*RESO: 08-054*

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

B.O. **DISCUSSED**

26. Approve Plan of Cooperation agreement with Orange County Community Foundation for construction and acceptance of A-4 Skyhawk monument for Civic Center Plaza - All Districts

15342 **APPROVED AS RECOMMENDED**
N

27. Approve recommended grant applications submitted by Social Services Agency and Health Care Agency in 5/13/08 Grants report; and adopt resolution authorizing Health Care Agency Director or designee to submit application for Used Oil Recycling Block Grant, 7/1/08 - 6/30/11 - All Districts
51342 **APPROVED AS RECOMMENDED**
*RESO: 08-055*

28. Acting as the Legislative Body of Community Facilities District No. 2004-1 (Ladera Ranch) - Approve amendment 1 to Acquisition, Funding and Disclosure agreement for Series A of 2005 Special Tax Bonds; and authorize Public Finance Manager to execute agreement - District 5 (Continued from 5/6/08, Item 47)
B.O. **CONTINUED TO 5/20/08, 9:30 A.M.**

29. Approve price agreement N1000009949 with Southern California Risk Management Associates (SCRMA) for administration of County's self-insured workers' compensation claims, 5/7/08 - 6/30/09; renewable for two additional one year periods per Board policy - All Districts (Continued from 5/6/08, Item 50)
35142 **APPROVED AS RECOMMENDED**

30. **Human Resources Department -** Approve transition of Law Enforcement Management from County health plans to Association of Orange County Deputy Sheriffs health plans, effective 7/1/08 - All Districts
B.O. **CONTINUED TO 5/20/08, 9:30 A.M.**

31. **Chair Moorlach -** Adopt resolution to defer certain development fees; direct Director of OC Public Works to provide Board with quarterly reports on implementation and use of fee deferral program; set agenda item for no later than 5/9/09 to consider whether to extend deferral of development fees for additional years or allow fee deferral program to expire; and make related findings - All Districts
25134 **APPROVED AS RECOMMENDED**
*RESO: 08-056*

S31A. **Supervisor Campbell -** Adopt resolution recognizing the Nation of Israel's 60th Anniversary
32145 **APPROVED AS RECOMMENDED**

S31B. **Human Resources Department -** Discuss the recommendations by Bob Murray and Associates of the final candidates for Sheriff-Coroner and provide direction to staff for the interview and selection process to be conducted on May 27, 2008
51342 **APPROVED AS RECOMMENDED**

## IV. PUBLIC HEARINGS (Item 32)

## OC COMMUNITY RESOURCES

32. Public Hearing to consider submission of Final Annual Action Plan, FY 2008-09 to U.S. Department of Housing and Urban Development; and authorize Director or designee to execute related documents - All Districts (Continued from 5/6/08, Item 53)
B.O. **CLOSED PUBLIC HEARING**

51342 **APPROVED AS RECOMMENDED**

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

## GENERAL ADMINISTRATION

**County Counsel:**

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Laderahope, etc., et al. v. County of Orange, etc., et al. Orange County Superior Court Case No. 30-2008-00100906
(Continued from 5/6/08, Item CS-3)

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

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

B.O. **CONTINUED TO 5/20/08, 9:30 A.M.**

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

**PUBLIC COMMENTS:**
Gary Boatright - Oral Re: Asked on procedure for selecting Sheriff; and state of OC law enforcement

Darrell A. Nolta - Oral Re: Election for 1st & 3rd District Supervisors; and use of DNA as evidence

**COUNTY EXECUTIVE OFFICER COMMENTS:**
None

**BOARD COMMENTS:**
Supervisor Campbell - Oral Re: Announced OC Public Works - Katella Yard will be having an Open House & Car Show on 5/17/08; and Irvine Park will be celebrating EMS Appreciation Day on 5/18/08

**ADJOURNED: 12:35 P.M.**

12345 **Adjourned in memory of Manuel Rosen**

12345 **Adjourned in memory of Albert D. Campos**

12345 **Adjourned in memory of Dean l. Sherrill**

12345 **Adjourned in memory of Nancy Russell Shank**

*** KEY ***

***Left Margin Notes***

1. = Supervisor Nguyen
2. = Supervisor Moorlach
3. = Supervisor Campbell

A. = Abstained
X. = Excused
N. = No

4. = Supervisor Norby
5. = Supervisor Bates

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*