REGULAR MEETING OF THE BOARD OF SUPERVISORS
ORANGE COUNTY, CALIFORNIA

Tuesday, September 16, 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: Supervisors: Bates, Norby, Nguyen and Moorlach

EXCUSED: Supervisor Campbell

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

Supervisor Bates presented a resolution honoring the heroic efforts of Orange County Sheriff's Deputies Mark Wehrli and Brian Gunsolley

Chairman Moorlach presented certificates to Orange County 2008 Olympic Champions

II. CONSENT CALENDAR (Items 1-17)

51342 X **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 2 & 3 WHICH WERE CONTINUED TO 9/23/08, 9:30 A.M.; AND ITEMS 4, 5 & 15 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

DEPARTMENT APPOINTMENTS

1. **Health Care Agency -** Mental Health Board - Appoint Jenny Monge, Cypress, to

complete term ending 4/3/10; Gregory Wright, Anaheim, to complete term ending 3/4/11; Dr. Frances Williams, Santa Ana, to complete term ending 5/20/11; and Jason Kellogg, M.D., Huntington Beach, to complete term ending 3/14/09 - All Districts

ELECTED DEPARTMENT HEADS

2. **District Attorney -** Approve price agreement N1000009935 with Forensic Science Service, Ltd. for forensic software licensing and maintenance services, 9/17/08 - 9/16/09 ($300,000) - All Districts

51342 X **CONTINUED TO 9/23/08, 9:30 A.M.**

3. **Treasurer-Tax Collector -** Approve price agreement N1000010332 with Moody's Analytics to provide credit research services for US Investment Grade Research, Asset Backed Commercial Paper Research/Query and Banking Capital Markets, 11/1/08 - 10/31/09 ($58,354) - All Districts

51342 X **CONTINUED TO 9/23/08, 9:30 A.M.**

HEALTH CARE AGENCY

4. Approve agreements with Community Action Partnership of Orange County for Network for a Healthy California - Children's Power Play! Campaign services ($137,500) and Latino Campaign services ($155,000), 10/1/08 - 9/30/09 - All Districts

15342 XN **APPROVED AS RECOMMENDED**

OC DANA POINT HARBOR

5. Response to Board Directive (7/29/08) - Oral Report on Dana Point Harbor Revitalization project - District 5

PRESENTED

OC COMMUNITY RESOURCES

6. Approve Declaration of Restriction for park purposes for Roger Stanton Park, Midway City area; and make California Environmental Quality Act findings - District 1

7. **Acting as the Board of Supervisors and Orange County Housing Authority -** Approve recommended projects for 2008 Continuum of Care Associated Application for Homeless Assistance; authorize Director or designee to modify funding requests, terms and services and execute related documents; and authorize acceptance of funds for shelter plus activities and samaritan housing initiative - All Districts

OC PUBLIC WORKS

8. Approve plans and specifications and set bid opening for 10/22/08, 2:00 p.m., for Hall of Administration security egress; and make California Environmental Quality Act findings - District 1

9. Approve agreement with Grillias, Pirc, Rosier, Alves for Irvine Park Maintenance

Building Replacement Project ($189,000); and make California Environmental Quality Act findings - District 3

10. Approve plans and specifications and set bid opening for 10/22/08, 2:00 p.m., for restrooms replacement, Sunset Beach Regional Park; and make California Environmental Quality Act findings - District 2

11. Approve price agreement N1000010282 with Tapia Landscaping for landscaping maintenance services for Santa Ana River Trail, 10/1/08 - 9/30/09 ($268,603); renewable for two additional years per Board policy; and make California Environmental Quality Act findings - Districts 1, 2, 3 and 4

12. Approve Bill of Sale to Irvine Ranch Water District for transfer of Katie Wheeler Branch Library sewer facilities; and make California Environmental Quality Act findings - District 3

13. Rescind Board action taken on Board date 8/19/08, items 18 and 19; approve plans and specifications and set bid opening of 10/1/08, 2:00 p.m., for Hewes Avenue project and set bid opening date and time contingent upon receiving an authorization to proceed from Caltrans for Seventeenth Street project; and make California Environmental Quality Act findings - District 3

14. Accept work of Micon Construction, Inc. for Orchard Drive Park Refurbishment Project, Santa Ana Heights area, project completed 4/7/08 ($98,879.80); and make California Environmental Quality Act findings - District 2

PUBLIC PROTECTION

15. **Probation -** Approve price agreement N1000010347 with Eye-Mac Investigations for Adult Sex Offender Polygraph Examinations Services, 10/1/08 - 9/30/09 ($170,000); renewable for two additional years per Board approval - All Districts

52134 X **APPROVED AS RECOMMENDED**

SOCIAL SERVICES AGENCY

16. Approve renewal of price agreement N1000009200 with Cellco Partnership dba Verizon Wireless for wireless services and equipment, 10/1/08 - 9/30/09 ($350,000) - All Districts

17. Approve renewal of price agreement N1000009197 with Nextel of California, Inc. dba Sprint Nextel for wireless equipment and services, 10/1/08 - 9/30/09 ($250,000) - All Districts

END OF CONSENT CALENDAR

III. DISCUSSION ITEMS (Items 18-S28A)

ELECTED DEPARTMENT HEADS

18. **Auditor-Controller -** Adopt resolution concerning temporary transfer of cash between various funds to cover potential cash shortages, 9/16/08 - 6/30/09 - All Districts

15342
X **APPROVED AS RECOMMENDED**

RESO: 08-127

HEALTH CARE AGENCY

19. Approve amendment 1 to agreement 06-76040-000 with State Department of Mental Health for Consolidated Medi-Cal Mental Health services, 7/1/06 - 6/30/09 (FY 2007-08 reduction of $961; new total $11,336,672); and authorize Director or designee to execute amendment - All Districts

51342
X **APPROVED AS RECOMMENDED**

20. Approve agreement 08-85179 with State Department of Public Health for Network for Healthy California Local Incentive Awardee funds, 10/1/08 - 9/30/11 ($687,161 per year); and authorize Director or designee to execute Contractors Release form upon submission of final invoice - All Districts

15342
X **APPROVED AS RECOMMENDED**

21. Approve agreement 08-85180 with State Department of Public Health for Network for Healthy California Regional grant, 10/1/08 - 9/30/09 ($900,000), 10/1/09 - 9/30/10 ($909,000) and 10/1/10 - 9/30/11 ($918,090) - All Districts

15342
X **APPROVED AS RECOMMENDED**

22. Approve master agreement with various providers for medical, dental and behavioral health services, 9/29/08 - 9/28/09 ($5,068,353); and authorize Director or designee to execute individual agreements - All Districts

51342
X **APPROVED AS RECOMMENDED**

OC COMMUNITY RESOURCES

23. Approve price agreement N1000010262 with David Evans and Associates Inc. for preparation of plans and specifications for OC Parks capital improvement projects, Irvine Ranch Historic Park, 11/29/07 - 11/28/08 ($51,135) - District 3

12345
X **APPROVED AS RECOMMENDED**

OC PUBLIC WORKS

24. **Acting as the Orange County Flood Control District -** Approve agreement with Huntington Beach Wetlands Conservancy for Huntington Beach Wetlands Restoration Project ($1,184,900) - District 2

25134 **APPROVED AS RECOMMENDED**
X

OC WASTE & RECYCLING

25. Select Environ Strategy Consultants as primary and Bryan A. Stirrat & Associates as alternate firms for operation and maintenance services for North Region's groundwater control, monitoring and water supply systems; and authorize negotiation of agreement for Board approval - District 3
52134 **APPROVED AS RECOMMENDED**
X

26. Approve option agreement PM 126-39 with CR&R, Inc. to develop self-haul Material Recovery Facility, Prima Deshecha Landfill; and authorize Director to execute lease agreement - District 5
51342 **APPROVED AS RECOMMENDED**
X

GENERAL ADMINISTRATION

County Executive Office:

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

28. Board Directive Response 3/18/08 - Receive and file OC Infrastructure Reorganization status report; and approve application of 'OC Brand' for other organization units within OC Public Works, which includes OC Engineering and OC Watersheds - All Districts
B.O. **CONTINUED TO 9/23/08, 9:30 A.M.**

S28A. **Chair Moorlach -** Authorize Clerk of the Board to modify any approving Minute Order to add the language, "Resolution and Minute Order" of the Board for purpose of approving State Grant Award agreements and other directives
51342 **APPROVED AS RECOMMENDED**
XX

IV. PUBLIC HEARINGS (Items 29-31)

HEALTH CARE AGENCY

29. Public Hearing to consider adopting resolution approving Drinking Driver Program Enrollment Fee update; superseding and rescinding Resolution 91-764, effective 10/1/08; and making California Environmental Quality Act findings - All Districts
B.O. **CLOSED PUBLIC HEARING**

52134 **APPROVED AS RECOMMENDED**
X

RESO: 08-128

30. Public Hearing to consider adopting resolution approving PC 1000 Drug Diversion Program Fee update; superseding and rescinding portion of Resolution 94-1257 and 99-509, effective 10/1/08; and making California Environmental Quality Act findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

52134 X **APPROVED AS RECOMMENDED**

RESO: 08-129

31. Public Hearing to consider adopting resolution approving Alcohol and Other Drug Program Fee update; superseding and rescinding Resolution 91-1277 and portion of 93-748, effective 10/1/08; and making California Environmental Quality Act findings - All Districts

B.O. **CLOSED PUBLIC HEARING**

52134 X **APPROVED AS RECOMMENDED**

RESO: 08-130

V. CLOSED SESSION (Item CS-1)

GENERAL ADMINISTRATION

CS-1. **County Counsel -** CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c): Number of Cases: One Case

B.O. **CONTINUED TO 9/23/08, 9:30 A.M.**

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

PUBLIC COMMENTS:

Charles Griffin - Oral Re: Global warming and use of alternate fuels

Dusty Otero - Oral Re: Juanero Indians designation issues

Darrell A. Nolta - Oral Re: Dana Point Harbor revitalization project & services; Metrolink use in Orange County

COUNTY EXECUTIVE OFFICER COMMENTS:

None

BOARD COMMENTS AND TRAVEL REPORTS:

Chair Moorlach - Oral Re: Directed CEO to brief BOS on 2% budget cuts CEO has requested departments to make; status of TRANS and cash flow and on SIVs as latest Treasurer's Report has raised questions

ADJOURNED: 11:47 A.M.

25134 X **Adjourned in memory of Helen Uggla**

12345 **Adjourned in memory of Ming Nghiem**
X

52134 **Adjourned in memory of William Paul Moffart**
X

25134 **Adjourned in memory of Bob Leon Cowen**
X

*** 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