

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, August 12, 2003, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

THOMAS W. WILSON
CHAIRMAN
Fifth District

JAMES W. SILVA
VICE CHAIRMAN
Second District

CHARLES V. SMITH
SUPERVISOR
First District

BILL CAMPBELL
SUPERVISOR
Third District

CHRIS NORBY
SUPERVISOR
Fourth District

ATTENDANCE: All Present

EXCUSED: None

PRESENT: COUNTY EXECUTIVE OFFICER James D. Ruth, Interim CEO
 COUNTY COUNSEL Benjamin P. de Mayo
 CLERK OF THE BOARD Susan Novak, Assistant

INVOCATION: Supervisor Smith, First District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Norby, Fourth District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Vicki Wilson, Director of PFRD made a presentation on NPDES Water Quality Public Education Materials and Chairman Wilson presented Mark A. Hillis a certificate for his contribution of artwork to the program

Chairman Wilson presented a resolution to the Coalition of Community Clinics in recognition of Community Clinic Week

II. CONSENT CALENDAR (Items 1-22)

43125 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 20 WHICH WAS DELETED AND ITEM 22 WHICH RECEIVED A NO VOTE FROM SUPERVISOR SILVA**

BOARD APPOINTMENTS

Supervisor Norby:

1. Assessment Appeals Board No. 2 - Reappoint Jack Marshall, Costa Mesa, for term ending 9/3/06

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2. Assessment Appeals Board Hearing Officers - Reappoint Mark L. Pugatch, Yorba Linda, for term ending 9/3/06
3. Assessment Appeals Board No. 1 - Reappoint Redmond McAneny, Newport Beach, for term ending 9/3/06
4. Assessment Appeals Board No. 3 - Reappoint Rhonda J. McCune, Costa Mesa, for term ending 9/3/06
5. Placentia Library District - Appoint Richard C. DeVecchio, Placentia, to complete term ending 12/3/04

HEALTH CARE AGENCY

6. Approve price agreement N1000005236 with Pacific Eagle International Security, Inc. for unarmed security guard services, 9/1/03 - 8/31/04 (\$63,689); renewable for two additional years (\$63,584 per year) - District 1

HOUSING AND COMMUNITY SERVICES DEPARTMENT

7. Approve plans and specifications and set bid opening for 9/17/03, 2:00 p.m., for reconstruction and improvement to portions of Belmont Street and Merten Avenue, Cypress; and make California Environmental Quality Act findings - District 2

JOHN WAYNE AIRPORT

8. Approve plans and specifications and set bid opening for 9/10/03, 2:00 p.m., for reconstruction of west perimeter road on airfield - District 2

PLANNING AND DEVELOPMENT SERVICES

9. Approve Tract 16346, Pardee Homes, Ladera Ranch area; accept dedication for street purposes; accept easement for storm drain purposes; approve agreement S0503-0127 and accept bonds guaranteeing construction of improvements - District 5
10. Approve Tract 16354, Shea Homes Limited Partnership, Ladera Ranch area; accept dedication for street purposes; accept easement for storm drain purposes; approve agreement S0703-0131 and accept bonds guaranteeing construction of improvements - District 5

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

11. Approve agreement 03-0249 with the State Department of Food and Agriculture for inspection of high-risk plant shipments, 7/1/03 - 6/30/04 (\$254,416) - All Districts
12. Approve agreement 03-0189 with the State Department of Food and Agriculture for organic food enforcement, 7/1/03 - 6/30/04 (\$900) - All Districts
13. Adopt resolution certifying mileage of maintained streets and highways within unincorporated areas, as of 4/30/03 - All Districts
RESO: 03-279
14. Accept work with Moradi Engineering & Construction Company for deteriorated restroom replacement, Mile Square Regional Park; project completed 2/28/02 (\$333,644.16) - District 2

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15. Approve price agreement N1000004933 with MC Nottingham Co. Inc. for septic tank pumping and cleaning at various Harbors, Beaches and Parks facilities, 8/12/03 - 8/11/04 (\$60,000); renewable for two additional years - All Districts

PUBLIC PROTECTION

Sheriff-Coroner:

16. Ratify submission of grant application to U.S. Department of Justice for proposed DNA Enhanced Efficiency and Productivity Program (\$194,030) - All Districts
17. Ratify submission of grant application to U.S. Department of Justice for 2003 COPS Technology Program for Integrated Law and Justice services (\$248,375) - All Districts

GENERAL ADMINISTRATION

County Executive Office:

18. Approve price agreement N1000005329 with Peak Technologies, Inc. for maintenance and repair of Moore folder/sealer equipment, three year term effective 8/5/03; renewable for two additional years - All Districts
19. Adopt resolution adopting Government Code Sections 31680.4 and 31680.5 regarding reinstatement of retired County employees membership to Retirement System - All Districts
RESO: 03-280
20. Approve proposed response to findings 1-5 and recommendations 1-4 to FY 2002-03 Grand Jury Report "Who Represents the Orange County Taxpayers?" - All Districts
- B.O. **DELETED**
21. **Chairman Wilson** - Adopt resolution designating United Way of Orange County to conduct 2003 charitable campaign for Orange County employees, 10/6/03 - 11/7/03; and appoint Chief Probation Officer, Stephanie Lewis as Chair and Health Care Director, Juliette Poulson as Co-Chair to this years campaign
RESO: 03-281
22. **Treasurer-Tax Collector** - Approve agreement with Yorba Linda Water District as an outside participant in the County Treasury for purposes of investments - All Districts
- 43125 **APPROVED AS RECOMMENDED**
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END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 23-S29A)

PLANNING AND DEVELOPMENT SERVICES

23. Approve Tract 16348, Richmond American Homes of California Inc., Ladera Ranch area; accept easement for public utility purposes; and approve construction agreement S0503-0129 and accept bonds guaranteeing construction of improvements - District 5
52134 **APPROVED AS RECOMMENDED**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

24. Adopt resolution authorizing submission of grant application to California Coastal Conservancy for replacement of Aliso Beach Park restroom/concession building (\$996,940); and authorize Director or designee to execute related documents - District 5
53124 **APPROVED AS RECOMMENDED**
RESO: 03-282

SOCIAL SERVICES AGENCY

25. Approve master agreement CTB1803 and authorize Director to execute agreements with California licensed Marriage and Family Therapists, Clinical Social Workers and Clinical Psychologists for child abuse and/or neglect prevention/intervention counseling services, 10/1/03 - 9/30/06 - All Districts
31245 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

26. Approve sale, procedure for sale and Purchase Agreement for Promissory Note for land, Newport Beach; authorize Manager, CEO/Real Estate or designee to establish minimum bid and return to the Board for approval of sale of note; waive prepayment penalty of Golden Hills Properties, LLC if determined to be highest, responsive bidder; authorize execution of related documents; and make related findings - District 2 (4/5 vote) (Continued from 7/29/03, Item 57)
B.O. **DELETED**
27. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
32145 **APPROVED AS RECOMMENDED**
28. Approve adoption of Health Plan Rates for 2004; and authorize Employee Benefits Manager to sign Group Service Policies with CIGNA and Kaiser - All Districts
43125 **APPROVED AS RECOMMENDED**

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- 29 . Consideration and possible action on contract for legislative advocacy services with Manatt Phelps & Phillips and possible contract with Scott Baugh of Mayer Brown for such services - All Districts
- 3 **MOTION DIED FOR LACK OF A SECOND TO APPROVE RECOMMENDED ACTION AS AMENDED TO DELETE SOLE SOURCE CONTRACT WITH MAYER BROWN AND INSTEAD ISSUE AN RFP TO SELECT A FIRM WITHIN 180-DAY TERMINATION PERIOD**
- 21345 **APPROVED AS RECOMMENDED**
- S29A . **Supervisor Norby** - Consider providing direction to staff to take necessary actions to transfer ownership of the Buena Park Veterans' Hall to American Legion Post #354
- 41235 **APPROVED AS RECOMMENDED**

IV. PUBLIC HEARINGS (Item 30)

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

- 30 . Public Hearing to consider adopting resolution updating Geomatics map check fees, FYs 2003-04 and 2004-05; and rescinding resolution 02-255 as it relates to survey map check fees - All Districts
- B.O. **CONTINUED TO 8/26/03, 9:30 A.M.**

V. CLOSED SESSION (Items CS-1-SCS3)

GENERAL ADMINISTRATION

- CS-1 . **County Counsel** - Closed Session
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: In re County of Orange, U. S. Bankruptcy Court Case No. SA 94-22272-JR
- B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF IN RE 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.**

County Executive Office:

- CS-2 . Closed Session
PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957:
Title: Public Defender
- B.O. **HELD, NO REPORTABLE ACTION**
- SCS3 . Closed Session
PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957: Title:
County Executive Officer
- B.O. **HELD, NO REPORTABLE ACTION**

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VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Larry Laven - Oral Re: Recognition of OCTA and Sheriff

Darrell Nolta - Oral Re: Economic globalization

BOARD COMMENTS:

None

ADJOURNED: 11:25 A.M.

31245 Adjourned in memory of Verrill A. Townsend

51234 Adjourned in memory of Ho Chup Tam

51234 Adjourned in memory of Rachel Parker

*** KEY ***

Left Margin Notes

1. √ Supervisor Smith
2. √ Supervisor Silva
3. √ Supervisor Campbell
4. √ Supervisor Norby
5. √ Chairman Wilson

Right Margin Notes

- | | |
|------------------|-----------------|
| A. √ Abstained | O. √ Ordinance |
| X. √ Excused | R. √ Resolution |
| N. √ No | |
| BO √ Board Order | |

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

*THOMAS W. WILSON, CHAIRMAN
Orange County Board of Supervisors*

*SUSAN NOVAK, ASSISTANT
Orange County Clerk of the Board*