

# SUMMARY ACTION MINUTES

## SPECIAL MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA



MONDAY, NOVEMBER 4, 2002, 2:00 P.M.

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

**CYNTHIA P. COAD**  
Chair  
Fourth District

**THOMAS W. WILSON**  
Vice Chair  
Fifth District

**CHARLES V. SMITH**  
First District

**JAMES W. SILVA**  
Second District

**TODD SPITZER**  
Third District

ATTENDANCE All Present

PRESENT: COUNTY EXECUTIVE OFFICER Michael Schumacher  
COUNTY COUNSEL Benjamin P. de Mayo  
CLERK OF THE BOARD Darlene J. Bloom

**CS-1. County Counsel - CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION:** County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The cases are: ETRPA v. County of Orange, Board of Supervisors, et al., San Diego Sup. Ct. Case No. GIC785764; County of Orange v. City of Laguna Woods, et al., San Diego Sup. Ct. Case No. GIC781205; ETRPA v. Southern Calif. Assoc. of Governments (County of Orange, Intervenor), OCSC Case No. 01CC06129; ETRPA and Paul Eckles v. Board of Supervisors; et al., San Diego Sup. Ct. Case No. GIC776645; consolidated with Bart Garry v. City of Irvine, County of Orange, et al., San Diego Sup. Ct. Case No. GIC779128; ETRPA, et al. v. Board of Supervisors, et al., Court of Appeal, Case No. DO37802; Citizens for Jobs & the Economy, et al. v. County of Orange, et al., Court of Appeal, Case No DO37543; County of Orange v. City of Irvine, OCSC Case No. 00CC03146; consolidated with Citizens for Jobs & the Economy v. City of Irvine, OCSC Case No. 00CC03173; Songstad v. Superior Court, Court of Appeal Case No. DO38503 (appeal from OCSC Case No. 01CC08612); Naughton v. Board of Supervisors, OCSC Case No. 02CC04400; and Nestande and CJE v. Watson, et al., OCSC Case No. 01CC08612

**B.O. HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, APPROVED PROPOSED FULL OR PARTIAL SETTLEMENT IN THE CASE OF ETRPA, ET AL. V. BOARD, SDSC CASE NO. GIC 776645; BART GARRY V. CITY OF IRVINE ET.**

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**AL., OCSC CASE NO. 01CC06462; ETRPA, ET AL. V. COUNTY OF ORANGE ET AL. CALIFORNIA COURT OF APPEAL, FOURTH DISTRICT, DIVISION ONE, CASE NO. D037802; AND ETRPA, ET AL V. COUNTY OF ORANGE, ET AL., SDSC CASE NO. GIC 785764. 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 THE CLERK OF THE BOARD TO ANY PERSON WHO INQUIRES. WITH REGARD TO COUNTY V. CITY OF LAGUNA WOODS, TH BOARD BY UNANIMOUS VOTE, DECIDED NOT TO APPEAL.**

**CS-2. County Counsel** - CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION:  
County Counsel requests a closed session to discuss with the Board of Supervisors the status of pending litigation pursuant to Government Code Section 54956.9(a). The case is: Barratt American Incorporated, et al., v. County of Orange. et al., OCSC Case No. 01CC04025

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

PUBLIC COMMENTS: None

BOARD COMMENTS: None

ADJOURNED: 2:39 P.M.

# SUMMARY ACTION MINUTES

\*\*\* KEY \*\*\*

## *Left Margin Notes*

1. ✓ Supervisor Smith
2. ✓ Supervisor Silva
3. ✓ Supervisor Spitzer
4. ✓ Chair Coad
5. ✓ Supervisor 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)*

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*CYNTHIA P. COAD, CHAIR*  
*Orange County Board of Supervisors*

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*DARLENE J. BLOOM*  
*Orange County Clerk of the Board*