

# A G E N D A



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

*Tuesday, March 23, 2004*

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

COUNTY EXECUTIVE OFFICER  
James D. Ruth

COUNTY COUNSEL  
Benjamin P. de Mayo

CLERK OF THE BOARD  
Darlene J. Bloom

*The Orange County Board of Supervisors welcomes you to this meeting. This agenda contains a brief general description of each item to be considered. The Board of Supervisors encourages your participation. If you wish to speak on an item contained in the agenda, please complete a Speaker Form identifying the item(s) and deposit it in the Speaker Form Return box located on the side of the podium. If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Comment period at the close of the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing in the agenda. Speaker Forms are available in the containers located on the far left and far right walls and at the middle entrance to the Hearing Room. When addressing the Board, please state your name for the record prior to providing your comments. Please address the Board as a whole through the Chair. Comments to individual Supervisors or staff are not permitted. Speakers will be limited to three (3) minutes.*

*\*\* The meeting room will accommodate hearing impaired persons. Please see the Clerk for assistance. \*\**

*All supporting documentation is available for public review in the office of the Clerk of the Board of Supervisors located in the Hall of Administration Building, 10 Civic Center Plaza, Room 465, Santa Ana, California 92701 during regular business hours, 8:00 a.m. - 5:00 p.m., Monday through Friday.*

**9:30 A.M.**

INVOCATION: Supervisor Norby, Fourth District

PLEDGE OF ALLEGIANCE: Supervisor Smith, First District

### I N D E X

I. PRESENTATIONS/INTRODUCTIONS		Page 2
II. CONSENT CALENDAR	(Items 1-23)	Page 2
III. DISCUSSION ITEMS	(Items 24-33)	Page 5
IV. PUBLIC HEARINGS	(None Scheduled)	Page 6
V. CLOSED SESSION	(Items CS-1-CS-7)	Page 6
VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT		Page 7

# A G E N D A

## I. PRESENTATIONS/INTRODUCTIONS

James McConnell, Washington, D.C. Legislative Advocate will provide a legislative update

Chairman Wilson will be presenting resolution designating United Way of Orange County to conduct 2004 charitable campaign for Orange County employees, 9/22/04 - 10/29/04; and appoint Health Care Director, Juliette Poulson as Chair and Integrated Waste Management Department Director, Jan V. Goss as Co-Chair to this year's campaign

Chairman Wilson will be presenting a resolution commending Sharon-Saunders McManis on her retirement

American Heart Association, Orange County, will be presenting the Board with an Automated External Defibrillator (AED) machine

## II. CONSENT CALENDAR (Items 1-23)

*All matters are approved by one motion unless pulled by a Board Member for discussion or separate action. At this time, any member of the public may ask the Board to be heard on any item on the Consent Calendar.*

### BOARD APPOINTMENTS

#### **Supervisor Smith:**

1. Senior Citizens Advisory Council - Reappoint Shirley A. Cohen, Santa Ana, for term ending 12/31/05
2. Veterans Advisory Council - Reappoint Terrill Mc Carty, Fountain Valley, for term ending 3/27/06

### COMMENDATIONS/PROCLAMATIONS

#### **Chairman Wilson:**

3. Adopt resolution endorsing "CITIES THAT READ" campaign in its commitment to mobilize literacy volunteers and increase awareness of literacy needs
4. Adopt resolutions recognizing 10 recipients for Medal of Valor

#### **Supervisor Campbell:**

5. Adopt resolution commending Sergeant Charles Chapman on his retirement
6. Adopt resolution commending Dick Kataoka on his retirement

### CHILD SUPPORT SERVICES

7. Approve price agreement N1000005704 with Document Control Solutions, Inc., a division of Smead Manufacturing Company, to implement file tracking system, 3/23/04 - 3/22/05 (\$282,883.74); renewable for three additional years (\$21,825 per year) - All Districts

### HEALTH CARE AGENCY

# A G E N D A

8. Approve designation of Mark A. Refowitz, MSW as Local Mental Health Director - All Districts

## INTEGRATED WASTE MANAGEMENT DEPARTMENT

9. Approve plans and specifications and set bid for 5/5/04, 2:00 p.m., for construction of Gothard Street Former Refuse Disposal Station Improvement Project, Huntington Beach; find that the project is covered by Negative Declaration No. 313; and make California Environmental Quality Act findings - District 2

## JOHN WAYNE AIRPORT

10. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) for Phase II structural security modifications; set review to determine continuing need for emergency action for 3/30/04, 9:30 a.m. and every 14 days thereafter - District 2 (4/5 vote) (Continued from 3/9/04, Item 46)

## RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

11. Adopt resolution certifying completion of street improvements and street lights; authorizing release of security; and accepting public street improvements, street lights, sewer and water systems and monumentation, Tract 15626, Taylor Woodrow Homes, Inc., Ladera Ranch area - District 5
12. Approve amended agreements with Wayne C. Siu Architects and Peyo and Associates, Inc. for on-call architect-engineer services (\$50,000; new total \$150,000 each) - All Districts
13. Approve plans and specifications and set bid opening for 4/28/04, 2:00 p.m., for soil and groundwater remediation, Central Utility Facility, Santa Ana; and make California Environmental Quality Act findings - District 1
14. Reject all bids received on 10/15/03; approve plans and specifications and set bid opening for 4/21/04, 2:00 p.m., for reconstruction of curb and gutter, Tustin area; and make California Environmental Quality Act findings - District 3
15. Approve agreement with First National Insurance Company of America for elevator and ADA compliance modifications, Building A, County Operations Center; and authorize Director or designee to execute related documents - District 1

### **Acting as the Orange County Flood Control District:**

16. Approve and accept easement deed from NCC-Caliber V LLC for ingress/egress purposes, Segunda Deshecha Channel, San Clemente; and make California Environmental Quality Act and other findings - District 5
17. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050 (c)(1) regarding sediment removal from San Diego Creek; set review to determine continuing need for emergency action on 3/30/04, 9:30 a.m., and every 14 days thereafter - Districts 1, 2 and 3 (4/5 vote) (Continued from 12/16/03, Item 64; 1/6/04, Item 5; 1/13/04, Item 25; 1/27/04, Item 31; 2/10/04, Item 11; 2/24/04, Item 27; 3/9/04, Item 31)

# A G E N D A

## SOCIAL SERVICES AGENCY

18. Approve purchase order Y0022601-04 with Oracle Corporation for renewal of software licenses, product support and software updates for CLS#3373725 and CLC# 34224846, 3/27/04 - 3/30/05 (\$89,749.49) - All Districts

## GENERAL ADMINISTRATION

### **Clerk of the Board:**

19. Approve proposed exhibits to the Conflict of Interest Codes for Housing and Community Services Department and Social Services Agency - All Districts
20. Authorize the Clerk of the Board to request certification by the US Department of State to become a Passport Acceptance Facility - All Districts
21. **County Counsel** - Approve amended agreement with Stradling Yocca Carlson & Rauth for professional legal services - All Districts

### **County Executive Office:**

22. Receive and file External Restructuring Program Report for the County of Orange
23. Approve price agreement with Russ Patton for Human Resources consultant services, 3/23/04 - 7/23/04 (\$64,000) - All Districts

END OF CONSENT CALENDAR

# A G E N D A

## III. DISCUSSION ITEMS (Items 24-33)

*At this time, members of the public may ask the Board to be heard on the following items as those items are called.*

### HOUSING AND COMMUNITY SERVICES DEPARTMENT

24. Approve amended agreement with St. Jude Medical Center for implementation and operation of North Orange County Senior Connections Senior-Non Emergency Transportation Program, 3/23/04 - 6/30/04 (\$180,000; new total \$597,754); and authorize negotiation of renewal for FY 2004-05 - Districts 2, 3 & 4

### JOHN WAYNE AIRPORT

25. Approve operating agreement with Mesa Airlines, Inc. for operation as a commercial air carrier; find Final EIR 582 is adequate to satisfy requirements of California Environmental Quality Act; and make related findings - District 2

### RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

26. Adopt resolution approving grant agreement 03-201-003 with California Department of Boating and Waterways for youth boating programs, Dana Point Youth and Group Facility Project (\$10,000); authorize Director or designee to execute amendments under certain conditions; and make California Environmental Quality Act findings and certifications - District 5
27. Second reading and adoption of "An Ordinance of the County of Orange, California, Amending Various Sections of the Subdivision Code for the Purpose of (1) Reflecting the New County Organizational Structure, (2) Streamlining the Subdivision Process, and (3) Improving Consistency with State Law" - All Districts (Continued from 3/16/04, Item 42)

### SOCIAL SERVICES AGENCY

28. Approve leases GA1213-95-3 and GA 1213-95-4 with Dolphinshire, L.P. for office space for Medi-Cal and Food Stamp Programs, Garden Grove; and make California Environmental Quality Act findings - District 1

### PUBLIC PROTECTION

#### **Sheriff-Coroner:**

29. Declare emergency and make appropriate findings pursuant to Public Code Section 22050; ratify emergency purchase order PC 060 L0022600.04 with LAD Construction for repair of uneven floors to prevent health hazard due to inability to adequately maintain floor surfaces in sanitary conditions, Intake/Release Center Scullery (\$31,239); project completed 2/26/04; and make related findings - District 1 (4/5 vote)
30. Approve amendment 2 to agreement with Appriss Inc. for automated crime victim notification services, extending term to 4/30/05 (\$120,000) - All Districts

# A G E N D A

## GENERAL ADMINISTRATION

### **County Executive Office:**

31. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters
32. Approve price agreement Y1000000831 with Computer Associates International, Inc. for Enterprise Data Management Software Licensing and Maintenance, 3/23/04 - 3/22/07 (\$245,892 per year); renewable for two additional years - All Districts
33. Approve general fund reserves policy for the Annual Strategic Financial Plans - All Districts (Continued from 2/24/04, Item 69; 3/16/04, Item 37)

## **IV. PUBLIC HEARINGS (None Scheduled)**

## **V. CLOSED SESSION (Items CS-1-CS-7)**

### **County Counsel:**

- CS-1. Closed Session  
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):  
Name of Case: Francis Small v. County of Orange, ANA 0348246; ANA 0348249
- CS-2. Closed Session  
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):  
Name of Case: Maria S. Tenorio v. County of Orange, ANA 0347481
- CS-3. Closed Session  
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):  
Name of Case: Barratt American Inc., et al., v. County of Orange, et al., OCSC Case No. 03CC00235  
(Continued from 3/16/04, Item CS-2)
- CS-4. Closed Session  
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):  
Name of Case: The Irvine Company v. County of Orange, L.A.S.C. No. BC 308544
- CS-5. Closed Session  
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):  
Number of Cases: One Case

# A G E N D A

## County Executive Office:

- CS-6. Close Session  
CONFERENCE WITH LABOR NEGOTIATOR - Pursuant to Government Code Section 54957.6:  
Agency Negotiator: Susan Paul  
Employee Organizations: American Federation of State, County and Municipal Employees Local 2076, Orange County Attorneys Association, Orange County Employees Association, International Union of Operating Engineers Local 501, and Service Employees International Union Local 787
- CS-7. Closed Session  
CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Pursuant to Government Code Section 54956.8:  
Property: 2642 Michelle Avenue Tustin, CA Legal Property: 14102 Michelle Avenue Tustin, CA  
Agency Negotiator: Tony Ferrulli  
Negotiating Parties: Mira Mesa Shopping Center, L.L.C.

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

### **PUBLIC COMMENTS:**

*At this time, members of the public may address the Board of Supervisors regarding any off-agenda items within the subject matter jurisdiction of the Board of Supervisors provided that NO action may be taken on off-agenda items unless authorized by law. Comments shall be limited to three minutes per person and twenty minutes for all comments, unless different time limits are set by the Chairman subject to the approval of the Board.*

### **BOARD COMMENTS:**

*At this time, members of the Board of Supervisors may comment on agenda or non-agenda matters and ask questions of or give directions to staff; provided that NO action may be taken on off-agenda items unless authorized by law.*

### **ADJOURNED:**

### **NEXT MEETINGS:**

<b>March 30, 2004</b>	<b>Regular Meeting</b>
<b>April 6, 2004</b>	<b>Canceled Meeting</b>
<b>April 13, 2004</b>	<b>Canceled Meeting</b>