

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, May 11, 2004, 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
COUNTY COUNSEL Benjamin P. de Mayo
CLERK OF THE BOARD Darlene J. Bloom

INVOCATION: Supervisor Silva, Second District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Campbell, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Chairman Wilson welcomed Honorable Noor Muhammad Jadmani, Consul General of Pakistan

Chairman Wilson presented a resolution proclaiming May 2004 as "Mental Health Month"

Chairman Wilson presented a resolution proclaiming May 2004 as "Older Americans Month"

Chairman Wilson presented a resolution proclaiming May 10-16, 2004 as "Cover the Uninsured Week"

Chairman Wilson presented a resolution proclaiming May 16-22, 2004 as "Emergency Medical Services Week"

Chairman Wilson presented a resolution proclaiming May 12, 2004 as "Nurse Recognition Day"

II. CONSENT CALENDAR (Items 1-20)

31245 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 6, 9 & 15 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE**

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BOARD APPOINTMENTS

1. **Supervisor Norby** - Senior Citizens Advisory Council - Appoint Conrad J. DeWitte, Fullerton, to complete term ending 12/31/04

COMMENDATIONS/PROCLAMATIONS

2. **Supervisor Smith** - Adopt resolution commending John C. Shaw for receiving the 2004 Community Award from Children and Families Commission of Orange County
RESO: 04-116

HOUSING AND COMMUNITY SERVICES DEPARTMENT

3. Approve adoption of the 2004 Orange County Projections as official policy for all County planning and research activities - All Districts
4. Approve revised standard contracts and special provisions for various U.S. Department of Housing and Urban Development Program funding allocations, effective FY 2004-05; and authorize Director or designee to execute individual contracts provisions and certain amendments - All Districts
5. **Acting as the Orange County Housing Authority** - Approve Riverside Charitable Corporation as new managing general partner and USA Multifamily Management, Inc. as new property manager, Tustin Heritage Place Apartments; authorize 90 day extension to fund permanent financing and subordinate Orange County Housing Authority loan; and authorize Director or designee to execute related documents - District 3

INTEGRATED WASTE MANAGEMENT DEPARTMENT

6. Select GeoSyntec Consultants as primary and Bryan A. Stirrat & Associates as alternate firms to provide multi-discipline engineering support services, south region landfill operations; and authorize negotiation of agreement for Board approval - District 5 (Continued from 4/20/04, Item 11; 4/27/04, Item 8)

51234 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

7. Approve price agreement N1000005822 with The Foliage Group for interior plant maintenance services, 6/1/04 - 5/31/07 (\$87,033); renewable for two additional years (\$29,011 per year); and make California Environmental Quality Act findings - District 2

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

8. Approve Communications Site License agreement with Southern California Edison and Cingular Wireless for wireless communications facility, Santiago Oaks Regional Park; and make California Environmental Quality Act and other findings - District 3
9. Approve license agreement with Orange County Sanitation District for operation and maintenance of pump station on premises of Orange County Sanitation District's Plant No. 1 - District 2

21345 **APPROVED AS RECOMMENDED**

10. Receive bids and award contract to R.J. Noble Company for asphalt overlay resurfacing of Lincoln

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Avenue from Santa Ana River to Orange County Limits (\$247,327.90) - District 3

11. Accept work with California Pavement Maintenance Company, Inc. for slurry seal of various streets; project completed 11/7/03 (\$212,151.66) - Districts 1, 2, 3 and 4
12. 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 16116, William Lyon Homes, Inc., Ladera Ranch area - District 5
RESO: 04-117
13. 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 16103, Standard Pacific Corp., Ladera Ranch area - District 5
RESO: 04-118
14. Deny bid protest of DLS Builders; waive clerical error by Harline Enterprises, Inc.; receive bids and award contract to Harline Enterprises, Inc. for new public restroom building, Laguna Niguel Regional Park (\$181,048) - District 5
15. Approve agreement with Peyo & Associates for weapons screening stations improvement, Central Justice Center, Santa Ana (\$46,720) - District 1
21345 **APPROVED AS RECOMMENDED**
16. Approve price agreement N1000005840 with Sallie Jones for professional library services, effective upon issuance (\$24,500); renewable for two additional years - All Districts
17. **Acting as the Orange County Flood Control District** - Approve four master rental agreement forms for use in renting District-owned property for the Prado Dam Project; and authorize Director or designee to execute individual rental agreements - All Districts
18. **Acting as the Board of Supervisors and Orange County Flood Control District** - Approve price agreement N1000005510 with Williams & Maher, Inc. for electrical services at various facilities, 5/12/04 - 5/11/05 (\$65,000); renewable for two additional years; and make California Environmental Quality Act findings - All Districts

SOCIAL SERVICES AGENCY

19. Approve agreement with California State Association of Counties for Welfare Client Data Systems Management, 7/1/04 - 6/30/05 (\$20,574) - All Districts

PUBLIC PROTECTION

20. **Sheriff-Coroner** - Authorize use of County vehicles for transportation of children participating in "Wilderness Camp 2004" mentoring program on 6/5/04; and make appropriate findings - Districts 3 & 5

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 21-S33B)

HEALTH CARE AGENCY

21. Approve amended standard agreement 03-73041-000 with State Department of Mental Health for consolidated medi-cal mental health services, 7/1/03 - 6/30/04 (\$23,661 decrease; new total \$10,515,519) - All Districts
21345 **APPROVED AS RECOMMENDED**
22. Approve master agreement with various hospital providers, 7/1/04 - 6/30/05 (\$230,000) and agreement with UWMC Hospital Corporation dba Western Medical Center-Anaheim, 7/1/04 - 6/30/06 (\$2,168,600) for adult mental health inpatient services; and authorize Director or designee to execute individual agreements - All Districts
13245 **APPROVED AS RECOMMENDED**
23. Approve agreements with Orange County Association for Mental Health dba Mental Health Association of Orange County for multi-service center and intensive recovery services for mentally disabled homeless, 7/1/04 - 6/30/05 (\$1,512,724) - All Districts
31245 **APPROVED AS RECOMMENDED**
24. Receive oral update on the status of implementation of Integrated Records Information System - All Districts
B.O. **DELETED**

HOUSING AND COMMUNITY SERVICES DEPARTMENT

25. Approve Community Center Management agreement; select Community Action Partnership of Orange County as manager of Anaheim Independencia Community Center; select Abrazar, Inc. as manager of Midway City Community Center; select Community Action Partnership of Orange County as manager of El Modena Community Center; authorize Director or designee to execute related documents; and make California Environmental Quality Act and National Environmental Policy Act findings - Districts 1, 3 & 4
12345 **APPROVED AS RECOMMENDED**

INTEGRATED WASTE MANAGEMENT DEPARTMENT

26. Select GeoSyntec Consultants as primary and Advanced Earth Sciences, Inc. as alternate firms to provide multi-discipline engineering support services, central region landfills; and authorize negotiation of agreement for Board approval - District 3 (Continued from 4/20/04, Item 67)
32145 **APPROVED AS RECOMMENDED**

RESOURCES AND DEVELOPMENT MANAGEMENT DEPARTMENT

27. Approve contract change order no. 1 to agreement D03-083 with Hardy & Harper, Inc. for asphalt overlay resurfacing of various streets (\$52,598.66; new total \$675,627.66) - Districts 1, 2, 3 and 4 (4/5 vote)
21345 **APPROVED AS RECOMMENDED**

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28. Approve take over agreement with American Manufacturers Mutual Insurance Company, a subsidiary of Kemper Insurance for completion of Superior Court/Remodel Floors 9-11- District 1 (Continued RA # 4 & 5 from 4/27/04, Item S40A; 5/4/04, Item 17)
- B.O. CONTINUED TO 5/18/04, 9:30 A.M.

PUBLIC PROTECTION

29. **District Attorney** - Adopt resolution approving amended standard agreement with State Office of Criminal Justice Planning to accept additional State funds for State Vertical Prosecution Program, 7/1/03 - 6/30/04 (\$14,434; new total \$430,558); authorize District Attorney or designee to execute subsequent amendments under certain conditions; and make California Environmental Quality Act and other findings - All Districts
- 23145 APPROVED AS RECOMMENDED
RESO: 04-119

Sheriff-Coroner:

30. Approve price agreements L1000000020 with Orange Mirror Screen & Auto as primary and L1000000021 with Bat Jac Glass Company as secondary for glazing, glass repair and replacement services, 5/11/04 - 5/10/05 (\$75,000 each); renewable for four additional years - All Districts
- 15234 APPROVED AS RECOMMENDED
31. Adopt resolution approving amended Intergovernmental agreement J-E12-M-144 with U.S. Marshals Service for housing of federal prisoners in County jail system; approve rates of cost recovery; and authorize Sheriff-Coroner to update rates annually to ensure full cost recovery - All Districts
- B.O. CONTINUED TO 5/18/04, 9:30 A.M.

GENERAL ADMINISTRATION

County Executive Office:

32. Approve FY 2003-04 Third Quarter Budget Report; amend master position control and approve related budget adjustments - All Districts (RA #1 & #2 4/5 vote)
- 25134 APPROVED RECOMMENDED ACTION #1 AS RECOMMENDED
- 15234 APPROVED RECOMMENDED ACTION #2 AS RECOMMENDED
- 21345 APPROVED RECOMMENDED ACTIONS #3-6 AS RECOMMENDED
33. Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
- B.O. DISCUSSED
- S33A. **Supervisor Norby** - Authorize letter to School District Trustees and Superintendents encouraging support of the County's High School Poll Worker Program
- 42135 APPROVED AS RECOMMENDED

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- S33B. **Chairman Wilson** - Discussion, consideration and direction to County staff concerning a draft agreement and possible allocation of Prop 172 funds to Orange County Fire Authority
B.O. **DISCUSSED**

IV. PUBLIC HEARINGS (Item 34)

HEALTH CARE AGENCY

34. Public Hearing to consider adopting resolution approving amended basic life support ambulance rates and advanced life support paramedic assessment and transport fee, as requested by Orange County Fire Authority Board of Directors (OCFA), effective 7/1/04; direct Agency to return to the Board annually for fee adjustment; authorize OCFA to conduct competitive process for selection and award of emergency ambulance agreements for certain areas; and make California Environmental Quality Act findings - All Districts (Continued from 4/27/04, Item 41; 5/4/04, Item 21)
B.O. **CLOSED PUBLIC HEARING**

- 53124 **APPROVED AS RECOMMENDED**

N N

RESO: 04-120

V. CLOSED SESSION (Items CS-1-SCS-3)

GENERAL ADMINISTRATION

County Counsel:

- CS-1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Pursuant to Government Code Section 54956.9(b):
Number of Cases: One Case (Continued from 5/4/04, Item CS-1)
B.O. **HELD, NO REPORTABLE ACTION**
- SCS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a):
Name of Case: Vedanta Society of Southern California v. County of Orange, OCSC Consolidated Case No. 791309
B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, SUPERVISOR SILVA BEING ABSENT, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF VEDANTA SOCIETY OF SOUTHERN CALIFORNIA V. COUNTY OF ORANGE AND AUTHORIZED THE CLERK OF THE BOARD AND COUNTY COUNSEL TO SIGN THE SETTLEMENT DOCUMENTS AND AUTHORIZED THE CLERK OF THE BOARD TO SIGN ANY NECESSARY REAL ESTATE DOCUMENT. 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.**
- SCS-3. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION - Pursuant to Government Code Section 54956.9(c):
Name of Case: One Case
B.O. **HELD, NO REPORTABLE ACTION**

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VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Larry Laven - Oral Re: Campaign contribution rules

Darrell Nolta - Oral Re: Westminster Council activities

BOARD COMMENTS:

None

ADJOURNED: 12:59 P.M.

*** KEY ***

Left Margin Notes

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

Right Margin Notes

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

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

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

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