

# 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, June 4, 2002, 9:30 A.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**  
SUPERVISOR  
First District

**JAMES W. SILVA**  
SUPERVISOR  
Second District

**TODD SPITZER**  
SUPERVISOR  
Third District

ATTENDANCE: All Present

EXCUSED: None

PRESENT: COUNTY EXECUTIVE OFFICER                      Michael Schumacher  
                  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 Smith, First District, led the assembly in the Pledge of Allegiance

### **I. PRESENTATIONS/INTRODUCTIONS**

Chair Coad presented a resolution proclaiming June 1, 2002 - September 30, 2002 for Orange County Fire Ant Authority as "Fire Ant Awareness Campaign"

Chair Coad presented a resolution proclaiming June 2002 as "Drowning Prevention and Awareness Month"

### **II. CONSENT CALENDAR (Items 1-29)**

23154    **APPROVED AS RECOMMENDED WITH THE EXCEPTIONS OF ITEMS 2, 4, 8, 12 AND 25 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE; ITEM 20 WHICH WAS DELETED; AND ITEM 27 WHICH WAS CONTINUED TO 6/18/02, 9:30 A.M.**

### **BOARD APPOINTMENTS**

1.        **Supervisor Smith** - Animal Control Advisory Board - Appoint Colleen McCammon, Seal Beach, to complete term ending 3/1/04

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## **Supervisor Silva:**

2. Santa Ana Heights Project Advisory Committee - Appoint Harold Klassen and Jay Taylor, Santa Ana Heights, to complete terms ending 5/20/05; reappoint Peter MacDonald, Barbara Venezia, Richard Moriarty, Jeffrey Hamilton, Richard Dayton, Mary Slouka, Gregory Carroll, Roger Summers, Gary Hall, Newport Beach and Davis Stieve, Santa Ana Heights, for terms ending 5/20/05  
24135 **APPROVED AS RECOMMENDED**
3. Comprehensive Economic Development Strategy Committee - Reappoint Ronald Burczewski, Seal Beach, for term ending 7/1/04
4. **Chair Coad** - Veterans Advisory Council - Reappoint William C. Manes, Dana Point, for term ending 3/27/04 and Dorothy Fisher, Lake Forest, for term ending 3/4/04  
41235 **APPROVED AS RECOMMENDED**

## **COMMENDATIONS/PROCLAMATIONS**

5. **Supervisor Silva** - Adopt resolution commending William Sanchez for his years of leadership as a member of Audit Oversight Committee  
*RESO: 02-145*

## **HEALTH CARE AGENCY**

6. Approve price agreement N1000004061 with California State University, Long Beach Foundation for tobacco program evaluation services, 6/1/02 - 10/31/02 (\$87,000); renewable for two additional years (\$137,000) - All Districts
7. Approve price agreement N1000004111 with CLEW Associates for professional services to develop and implement Alcohol/Drug-Sensitive Information Planning System in a Geographic Information System format, 5/1/02 - 6/30/03 (\$79,000) - All Districts

## **JOHN WAYNE AIRPORT**

8. Approve amended agreement with John Wayne Airport Yellow Cab Service, extending term two and a half years; renewable for two additional years; and make California Environmental Quality Act and other findings - District 2  
25134 **APPROVED AS RECOMMENDED**

## **PUBLIC FACILITIES AND RESOURCES DEPARTMENT**

9. Receive bids and award contract to Paul D. Wilson, Inc. for remodeling of HCA/ Public Health Laboratory - Task 2 - Bacteriology (\$380,000) - District 1
10. Approve purchase of flatbed truck from Reynolds Buick-GMC for wilderness park fire suppression, Harbors, Beaches & Parks (\$33,682) - All Districts
11. Receive bids and award contract to Premier Paving, Inc. for parking lot asphalt repair and slurry seal, Health Care Agency facility, Santa Ana (\$80,790) - District 1

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12. Approve and accept easement deed from The Irvine Company and Irvine Community Development Company for operation, maintenance and repair of extension to Peter's Canyon Riding & Hiking Trail; and make California Environmental Quality Act and other findings - District 3  
31254 **APPROVED AS RECOMMENDED**
13. Approve amended agreement D99-046 with California State University, Fullerton Foundation for archaeological/paleontological curation program, extending term one year (\$58,000) - All Districts
14. Approve and accept grant deed from Rancho Santa Margarita Joint Venture for 6.5 acre of land for regional park purposes, O'Neill Regional Park, Rancho Santa Margarita; and make California Environmental Quality Act findings - District 5
15. Adopt resolution approving amended Coastal Greenbelt Authority Bylaws - District 5  
*RESO: 02-146*
16. Ratify emergency procurement for replacement of main electrical power cables, Central Justice Center; award contracts to Hampton Tedder Electric Company, Inc. for replacement of power cables and portable diesel emergency generator (\$200,000) and Orange Coast Window Maintenance, Inc. for cleaning of diesel exhaust and soot (\$100,000) - District 1

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

17. Approve agreement D02-039 with Chambers Group, Inc. for on-call environmental support services for Santa Ana River Mainstem and proposed Prado Dam projects - District 2
18. Approve and accept easement deeds from and quitclaim deed to Talega Associates, LLC for flood control basin and storm drain purposes, Segunda Deshecha Channel, San Clemente; and make California Environmental Quality Act findings - District 5

## **PUBLIC PROTECTION**

19. **District Attorney** - Adopt resolution approving enhancement of child support enforcement; and rescind Resolution 98-58, effective 7/1/02 - All Districts  
*RESO: 02-147*
20. **Probation** - Receive bids and award contract with Design Modular Buildings Inc. for installation of modular training unit, Youth and Family Resource Center, Santa Ana (\$115,363) - District 1  
23154 **DELETED**

## **Sheriff-Coroner:**

21. Approve price agreement N1000004143 with Identix Incorporated for maintenance of LiveScan fingerprinting devices, 4/29/02 - 4/28/03 (\$23,473); renewable for two additional years - All Districts
22. Ratify emergency purchase order PC 060 P000014647.02 with Air-Ex Air Conditioning Inc. for replacement of water heating unit, Theo Lacy Jail Barracks H (\$15,000) - District 3
23. Approve price agreement N1000004239 with WESCAM for repair and service of airborne video downlink system, 6/5/02 - 6/4/03 (\$50,000); renewable for two additional years - All Districts

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## GENERAL ADMINISTRATION

### County Counsel:

- 24 .            Approve amended agreement with Luce Forward, Hamilton & Scripps, LLP for professional legal services relating to right of way acquisition for Rancho Portrero Leadership Academy - District 3
- 25 .            Receive and file report on slate mailer regulation - All Districts  
24135        **APPROVED AS RECOMMENDED**
- 26 .            Set 6/25/02, 9:30 a.m., as a public hearing to consider condemnation of easements for access road to Rancho Potrero Leadership Academy - District 3  
*RESO: 02-148*

### County Executive Office:

- 27 .            Receive and file District Attorney Charitable Organization Income/Expenses Report for year 2001 and 2002 Report of no planned charitable activities - All Districts (Continued from 5/21/02, Item 27)  
23154        **CONTINUED TO 6/18/02, 9:30 A.M.**
- 28 .            Receive and file financial statement of Orange County Employees Retirement System - All Districts
- 29 .            **Treasurer-Tax Collector** - Adopt resolution rescinding tax sale of Parcel No. 014-281-10 and approving public auction sale 1368 for parcel on 8/22/02 - All Districts  
*RESO: 02-149*

END OF CONSENT CALENDAR

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## III. DISCUSSION ITEMS (Items 30-S54B)

### HEALTH CARE AGENCY

30. Approve master lease agreement No 5001028E with Compaq Financial Services Corporation for information system hardware - All Districts  
B.O. **DELETED**
31. Approve amended agreement SCC30 (01/02) with State Department of Alcohol and Drug Program for alcohol and drug abuse treatment and prevention services, 7/1/01 - 6/30/02 (\$284,786 reduction; new total \$22,892,996) - All Districts  
52134 **APPROVED AS RECOMMENDED**
32. Approve amended agreement with New Alternatives, Inc. (\$286,468; new total \$510,968) and Canyon Acres (\$186,940; new total \$1,181,000) for mental health outpatient services, 7/1/01 - 6/30/02; and approve agreement with New Alternatives, Inc. for mental health outpatient services, 7/1/02 - 6/30/03 (\$367,205) - All Districts  
45123 **APPROVED AS RECOMMENDED**
33. Approve price agreement N1000004327 with Rugamas Building Maintenance Service for janitorial service, 6/1/02 - 5/31/03 (\$203,847); renewable for two additional years - District 1  
B.O. **DELETED**

### PUBLIC FACILITIES AND RESOURCES DEPARTMENT

34. Approve agreement with Parking Concepts, Inc. for operation and management of Civic Center Pay Parking facilities, 6/1/02 - 5/31/03; renewable for four additional years - District 1 (Continued from 5/21/02, Item 45)  
13254 **APPROVED AS RECOMMENDED**
35. Select TRG & Associates as primary and David Evans & Associates, Inc. as alternate firms for assistance with implementation of stormwater public and business education program; and authorize negotiation of agreement for Board approval - All Districts (Continued from 5/21/02, Item 46)  
B.O. **CONTINUED TO 6/25/02, 9:30 A.M.**
36. Receive bids and award contract to Cohen Construction, Inc. for lighting system/retrofit, Gates and Osborne Buildings, Probation/Juvenile Hall, Manchester Office Building, County Operations Center (Buildings A, B and C) and Health Care Agency (1719 & 1729 W. 17th St., Santa Ana) (\$689,000) - Districts 1 & 3  
13254 **APPROVED AS RECOMMENDED**
37. Receive report addressing the Formation of Underground Utility District No. 36 for conversion of the Laguna Canyon Road aerial utility facilities to underground locations, Laguna Canyon Road; set public hearing for 6/25/02, 9:30 a.m.; and make California Environmental Quality Act findings - District 5  
52134 **APPROVED AS RECOMMENDED**  
*RESO: 02-150*
38. Approve agreement D02-047 with CH2M Hill for on-call flood control projects (\$200,000) - Districts 2 & 4  
24135 **APPROVED AS RECOMMENDED**
39. Receive report addressing the Formation of Underground Utility District No. 38 for conversion of the Laguna Canyon Road aerial utility facilities to underground locations, Laguna Canyon Road; set public

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52134 hearing for 6/25/02, 9:30 a.m.; and make California Environmental Quality Act findings - District 5  
**APPROVED AS RECOMMENDED**  
*RESO: 02-151*

## **SOCIAL SERVICES AGENCY**

40 .      Approve price agreements N1000004418 with Intratek Computer Inc., N1000004419 with Kforce.Com, N1000004420 with Majestic Systems Integration Company, N1000004421 with Online Resources, N1000004422 with SAI Software Consultants Inc., N1000004425 with Sapphire Technologies, Inc. and N1000004426 with Thor Services for information technology temporary help services, 6/1/02 - 2/28/03 (\$887,194); renewable for two additional years (\$1,182,925 per year) and three months (\$295,731) - All Districts  
32154      **APPROVED AS RECOMMENDED**

## **PUBLIC PROTECTION**

### **Sheriff-Coroner:**

41 .      Approve unbudgeted purchase of thermal imaging and measurement system from FLIR Systems, Inc. to assist in Predictive Maintenance Program (\$16,193) - All Districts  
31254      **APPROVED AS RECOMMENDED**

42 .      Approve unbudgeted purchase of forklift from Crown Lift Trucks for Theo Lacy Expansion Project, Building A warehouse (\$28,996) - District 3  
31254      **APPROVED AS RECOMMENDED**

43 .      Ratify emergency purchase order PC 060 P0017716.02 with LAD Construction, Inc. for unbudgeted repair of ceiling support rods, Aliso Viejo Sheriff's Station, Aliso Viejo (\$45,000) - District 5  
53124      **APPROVED AS RECOMMENDED**

44 .      Approve submission of grant application to U.S. Department of Justice for 2002 COPS Technology; and authorize the County Executive Officer and the Sheriff-Coroner to execute necessary documents (\$1,500,000) - All Districts  
31254      **APPROVED AS RECOMMENDED**

## **GENERAL ADMINISTRATION**

### **County Executive Office:**

45 .      Approve grant application allocations with various cities for Urban Runoff Matching Grant Program funds to reduce polluted water impacting high use beach areas - All Districts  
25134      **APPROVED AS RECOMMENDED**

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- 46 .            Approve amended Memoranda of Understanding for Orange County Employees Association, Probation Services Unit and Probation Supervisory Management Unit; adopt terms and conditions of employment for Probation Executive and Administrative Management employees; adopt amended personnel and salary resolution; and adopt resolution adopting a 2% at 50 retirement formula, effective 6/28/02 and a 3% at 50 formula, effective 6/10/05 - All Districts
- 42135            **APPROVED AS RECOMMENDED**  
*RESO: 02-152*

## **Treasurer-Tax Collector:**

- 47 .            Adopt resolution authorizing issuance of Capistrano Unified School District School Facilities Improvement District No. 1 General Obligations Bonds, Election of 1999, Series C; and approve related documents (\$17,600,069.90) - District 5
- 41235            **APPROVED AS RECOMMENDED**  
XX                *RESO: 02-153*
- 48 .            Adopt resolution authorizing issuance and sale of Fullerton School District General Obligation Bonds, Election of 2002, Series A; and approve related documents (\$42,000,000) - District 4
- 41235            **APPROVED AS RECOMMENDED**  
XX                *RESO: 02-154*
- 49 .            Adopt resolution authorizing issuance and sale of Anaheim City School District General Obligation Bonds, Election of 2002, Series 2002; and approve related documents (\$35,000,000) - Districts 3 & 4
- 41235            **APPROVED AS RECOMMENDED**  
XX                *RESO: 02-155*
- 50 .            **Supervisor Smith** - Authorize payment of annual dues to Southern California Regional Airport Authority
- 14235            **APPROVED AS RECOMMENDED**  
XX
- 51 .            **Supervisor Silva** - Informational presentation to the Board of Supervisors by Orange County Flood Control District and Irvine Ranch Water District regarding Natural Treatment Systems
- B.O.            **CONTINUED TO 6/25/02, 9:30 A.M.**
- 52 .            **Chair Coad** - Reconsideration of Board action taken on 4/16/02 supporting annexing MCAS El Toro Base to the City of Irvine, excluding areas designated for County regional facilities (Continued from 5/14/02, Item 40)
- 41235            **CONTINUED TO 6/25/02, 9:30 A.M.**  
XX
- 53 .            **Supervisor Wilson and Planning and Development Services Department** - Approve agreement with Moore, Iacofano, Goltsman, Inc. for facilitator services for Phase I of Rancho Mission Viejo Planning Program (\$142,620) - District 5
- 52134            **APPROVED AS RECOMMENDED**

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54.     **Clerk of the Board** - Approve amendment 3 to agreement with SouthTech Systems, Inc. for final system deployment and implementation of the Comprehensive Agenda Management Solution (CAMS) system, extending term to 12/31/02 (\$100,000; new total \$510,000) - All Districts  
51234    **APPROVED AS RECOMMENDED**

## PLANNING AND DEVELOPMENT SERVICES

- S54A.    Approve agreement with California Department of Water Resources to cooperate in a two-year program to assist local entities throughout Southern California in their efforts to support watershed restoration programs; and authorize PDSD to add limited term position FYs 2002-04 - All Districts  
24135    **APPROVED AS RECOMMENDED**  
      XX

## GENERAL ADMINISTRATION

- S54B.    **Chair Coad** - Adopt a resolution proclaiming June 2002 as " National Homeownership Month" for U.S. Department of Housing and Urban Development  
41235    **APPROVED AS RECOMMENDED**  
      XX  
      *RESO: 02-156*

## IV. PUBLIC HEARINGS (Item 55)

### HEALTH CARE AGENCY

55.     Public Hearing to consider adopting resolution rescinding Resolution 01-143, effective 6/30/02; approving Environmental Health Services fee update for food, pool and special services, effective 7/1/02; and making California Environmental Quality Act findings - All Districts  
B.O.     **CLOSED PUBLIC HEARING**  
  
24135    **APPROVED AS RECOMMENDED**  
      XX  
      *RESO: 02-157*

## V. CLOSED SESSION (Items CS-1-SCS5)

### GENERAL ADMINISTRATION

#### **County Counsel:**

- CS-1.     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: County of Orange v. Air California, et al.; City of Newport Beach v. County of Orange, et al., Counterclaim, U.S. District Court (Central Dist.) Case No. CV 851542 TJH (MCx) - All Districts  
B.O.     **CONTINUED TO 6/18/02, 9:30 A.M.**

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CS-2. 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: Los Angeles Times Communications LLC v. Orange County District Attorney, OCSC No. 02CC03847 - All Districts

B.O. **HELD, THE CLERK READ: THE BOARD BY UNANIMOUS VOTE, SUPERVISORS SPITZER AND WILSON BEING ABSENT, AUTHORIZED COUNTY COUNSEL TO PROSECUTE ITS APPEAL IN THE CASE OF LOS ANGELES TIMES COMMUNICATIONS LLC V. ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE.**

CS-3. **County Executive Office** - Acting as the Orange County Development Agency - CONFERENCE WITH REAL PROPERTY NEGOTIATOR: County Executive Officer as the Executive Director of the Orange County Development Agency, requests a closed session to allow the Board of Supervisors Acting as the Orange County Development Agency, to grant authority to its negotiator, pursuant to Government Code Section 54956.8, regarding the price and terms of payment for the purchase, sale, exchange or lease of real property as noted below.  
Property: 20071 SW Cypress, Newport Beach, CA  
Negotiator: Tony Ferrulli, Manger, CEO Real Estate  
Negotiating parties: Donald M Koll and Koll Trust  
Under Negotiation: Price and terms of payment

B.O. **CONTINUED TO 6/18/02, 9:30 A.M.**

## **County Counsel:**

SCS4. 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: County of Orange v. Kevin J. Linden dba Elite Distributing Co., OCSC No. 02CC02013

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

SCS5. 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: County of Orange v. Orange County Assessment Appeals Board No. 3, OCSC Case No. 00CC03385

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

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

### **PUBLIC COMMENTS:**

Charles Griffin - Oral Re: Assembly Bill 2333 (SCAG's Authority) and JWA runways

Linda Grace - Oral Re: Light rail concerns and support of initiative repealing business utility tax

### **BOARD COMMENTS:**

None

### **ADJOURNED: 12:13 P.M.**

24135 Adjourned in memory of Helen Starling

XX

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\*\*\* 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*