

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, September 9, 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 Fred Branca, Interim CFO
COUNTY COUNSEL Benjamin P. de Mayo
CLERK OF THE BOARD Darlene J. Bloom

INVOCATION: Supervisor Norby, Fourth District, gave the invocation

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

I. PRESENTATIONS/INTRODUCTIONS

Supervisor Silva and Mr. Won Cha of the Korean Christian Association honored Richard Huffnagle

Chairman Wilson presented a resolution proclaiming September 2003 as "Alcohol and Drug Prevention, Treatment and Recovery Month"

Supervisor Silva presented a resolution to Jim Silcock of the California Paralyzed Veterans Association

II. CONSENT CALENDAR (Items 1-38)

32145 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEM 14 WHICH WAS CONTINUED TO 9/16/03, 9:30 A.M., AND ITEM 13 WHICH WAS PULLED FOR DISCUSSION AND SEPARATE VOTE**

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

BOARD APPOINTMENTS

1. **Chairman Wilson** - Development Processing Review Committee - Appoint Thomas Grable, Lake Forest, for term concurrent with Supervisor's term of office

DEPARTMENT APPOINTMENTS

2. **Health Care Agency** - Mental Health Board - Reappoint Janice A. DeLoof, Fullerton, for term ending 7/20/06 - All Districts

COMMENDATIONS/PROCLAMATIONS

3. **Chairman Wilson** - Adopt resolution congratulating Margaret A. Hagy on her retirement for thirty six years of service and dedication to the County of Orange
RESO: 03-291
4. **Supervisor Campbell** - Adopt resolution declaring September 2003 as "Orange County Fights Epilepsy Month"
RESO: 03-292

HOUSING AND COMMUNITY SERVICES DEPARTMENT

5. Approve amended Orange County Workforce Investment Board Bylaws to allow reimbursement of expenses to Youth Council members - All Districts
6. Ratify submission of grant application to Administration on Aging for implementation of Diabetes and Obesity Intervention program for seniors (\$250,000) - All Districts
7. Approve amended agreement #M1 with the Orange County Business Council for conducting labor market research projects (\$75,000; new total \$146,374) - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

8. Approve agreement with TRC for on-call California Environmental Quality Act support services, 3 year term (\$200,000) - All Districts

JOHN WAYNE AIRPORT

9. Approve lease with Federal Aviation Administration for continued operation and maintenance of medium intensity approach lighting system/runway approach identification lights; and make California Environmental Quality Act and other findings - District 2

ORANGE COUNTY PUBLIC LIBRARY

10. Received and file Developer Fee Deposit Reports; and make related findings - All Districts

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PUBLIC FACILITIES AND RESOURCES DEPARTMENT

11. Approve agreement No. 03-0369 with the State Department of Food and Agriculture for nursery stock regulations inspection, 7/1/03 - 6/30/04 (\$32,624.44) - All Districts
12. Approve plans and specifications and set bid opening for 10/1/03, 2:00 p.m., for replacement of chiller equipment and install common chilled water distribution header, Central Utility Facility, Santa Ana - District 1
13. Approve amended lease and option with Goldrich, Kest and Grau and approve lease rent credit for environmental documentation preparation, Sunset Harbour Site Master Plan project (\$99,000) - District 2 (Continued from 8/19/03, Item 12)
- 23145 **APPROVED AS RECOMMENDED WITH THE UNDERSTANDING THAT FUTURE ANNUAL EXTENSIONS RETURN TO THE BOARD FOR APPROVAL**
14. Approve agreement with BFL Owen & Associates for seismic design upgrade, Civic Center Garage, Santa Ana (\$223,135) - District 1
- 32145 **CONTINUED TO 9/16/03, 9:30 A.M.**
15. Approve master agreement with Southern California Gas Company for sale of licenses for Orange County Geographic Information System and authorize Director or designee to execute individual agreements; adopt resolution approving revised fee schedule; rescinding resolution 95-896; and making California Environmental Quality Act and other findings - All Districts
RESO: 03-293
16. Approve acquisition contract for easement deeds from Aliso Viejo Community Association, Laguna Hills (\$17,000); approve and make California Environmental Quality Act and related findings - District 5
17. Receive and file Traffic Committee Reports dated 7/17/03; approve recommendations; and adopt necessary resolutions - Districts 4 and 5
RESO: 03-294 - 03-296
18. Accept work with KEC Engineering for ocean water quality improvements, Greenville-Banning Channel; project completed 12/11/02 (\$1,107,381.31) - District 2
19. Accept grant deed from The Irvine Company and Irvine Community Development Company; approve easement deed to Tustin for addition to Irvine Ranch Headquarters Historical Park; and make California Environmental Quality Act findings - District 3
20. Accept work with Habitat West, Inc. for Talbert Nature Preserve restoration/enhancement; project completed 6/5/02 (\$154,234.45) - District 2
21. Approve plans and specifications and set bid opening for 10/15/03, 2:00 p.m., for ADA compliance remodeling of public restroom, Orange County Public Law Library - District 1
22. Approve continuance of emergency and make appropriate findings pursuant to Public Contract Code Section 22050(c)(1) for repair of HVAC ductwork, Central Justice Center; set review to determine continuing need for emergency action for 9/23/03, 9:30 a.m., and every 14 days thereafter - District 1 (4/5 vote) (Continued from 7/22/03, Item 50; 8/5/03, Item 8; 8/19/03, Item 9; 8/26/03, Item 16)

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23. Adopt resolution vacating easements for sidewalk and pedestrian purposes; approve and accept replacement easement deed for sidewalk purposes from Ladera Ranch Maintenance Corporation; and make California Environmental Quality Act and other findings - District 5
RESO: 03-297
24. Approve and accept grant of easements and access and maintenance agreement from Rancho Mission Viejo, LLC and Ladera Ranch Maintenance Corporation for additional right of way, Crown Valley Parkway Bridge; and make California Environmental Quality Act findings - District 5
25. Approve amended agreement D02-038 with PSOMAS for on-call water quality professional services, extending term 24 months - District 5
26. Approve plans and specifications and set bid opening for 10/15/03, 2:00 p.m., for new public restroom building, Laguna Niguel Regional Park - District 5
27. Approve plans and specifications and set bid opening for 10/15/03, 2:00 p.m., for new public restroom building, Irvine Regional Park - District 3
28. Approve plans and specifications and set bid opening for 10/15/03, 2:00 p.m., for new public restroom building, Mile Square Regional Park - District 2
29. Approve purchase of pickup truck from Wonderies Chevrolet for County operations and maintenance use (\$30,671) - All Districts

Acting as the Orange County Flood Control District:

30. Declare 20,600 square feet parcel surplus; approve quitclaim deed and offer and agreement to purchase real property with Stanton Redevelopment Agency, Anaheim-Barber City Channel (\$270,000 revenue); and make California Environmental Quality Act findings - District 2
31. Approve agreement D03-023 with Chevron Pipe Line Company for pipeline removal at Tustin Avenue Bridge widening over Atwood Channel; and make California Environmental Quality Act findings - District 4

PUBLIC PROTECTION

32. **District Attorney** - Approve Memorandum of Understanding for Orange County Auto Theft Task Force to reimburse California Department of Insurance overtime expenses incurred by assigned investigator from Task Force funds, term ending 1/1/05 (\$23,686, FY 2003-04); and authorize District Attorney & Sheriff-Coroner to execute amendments under certain conditions - All Districts

Sheriff-Coroner:

33. Approve price agreement N1000004860 with American Aircraft Maintenance, Inc. for maintenance and repair of surveillance aircraft, 9/9/03 - 9/8/06 (\$30,000 per year); renewable for two additional years - All Districts
34. Authorize use of County vehicles and staff for transportation of attendees of California Jail Programs Association Conference, 9/30/03 - 10/3/03; and make appropriate findings - All Districts
35. Adopt resolution ratifying submission and execution of grant application and grant award

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agreement to State Office of Homeland Security, Office of Domestic Preparedness for State Homeland Security Grant Program 03 Part II Critical Infrastructure Program (\$301,083) - All Districts
RESO: 03-298

GENERAL ADMINISTRATION

County Executive Office:

36. Approve agreement 03-010AD with Affordable Housing Applications, Inc. for administrative services for Mortgage Credit Certificate Program, 9/9/03 - 8/31/07 (\$80,000 per year) - All Districts

37. Acting as the Board of Supervisors and Orange County Flood Control District - Adopt resolution approving property tax exchange agreement with Orange County Vector Control District for annexation of tax rate areas 03-002 and 03-079, Fullerton - District 4
RESO: 03-299

38. Adopt resolution for continuance of military supplemental pay and benefits through 3/11/04, unless terminated earlier by the Board of Supervisors - All Districts
RESO: 03-300

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 39-S53B)

HEALTH CARE AGENCY

39. Approve amendment 2 to Standard Agreement County 30 (02/03) with the State Department of Alcohol and Drug Programs for provision of alcohol and drug abuse treatment and prevention services, FY 2002-03 (\$53,768; new total \$22,427,336) - All Districts
24135 **APPROVED AS RECOMMENDED**
40. Accept cash donation from Hoag Memorial Hospital Presbyterian for Child Abuse Services Team program (\$500,000) - All Districts
23145 **APPROVED AS RECOMMENDED**

INTEGRATED WASTE MANAGEMENT DEPARTMENT

41. Receive bids and award contract to Reyes Construction, Inc. for construction of San Juan Capistrano Regional Household Hazardous Waste Collection Center, Prima Deshecha Landfill (\$878,880) - District 5
52134 **APPROVED AS RECOMMENDED**
42. Approve amended agreement with Bryan A. Stirrat & Associates for construction management, quality assurance/quality control and engineering support services, Frank R. Bowerman Landfill, extending term two years (\$156,641; new total \$2,856,641) - District 3
32145 **APPROVED AS RECOMMENDED**

JOHN WAYNE AIRPORT

43. Select Kimley-Horn and Associates, Inc. for engineering design work for main runway overlay; and authorize negotiation of agreement for Board approval - District 2
21345 **APPROVED AS RECOMMENDED**
44. Approve agreement with Atlantic Southeast Airlines, Inc. dba Delta Connection for commuter airline operations; and make California Environmental Quality Act and other findings - District 2
23145 **APPROVED AS RECOMMENDED**
45. Approve plans and specifications and set bid opening for 10/15/03, 2:00 p.m. and approve unbudgeted capital project and related budget adjustment for installation of temporary passenger waiting facility - District 2 (4/5 vote)
21345 **APPROVED AS RECOMMENDED**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

46. Approve amendment 12 to agreement D96-146 with LSA Associates, Inc., Laguna Canyon Road Improvement Project, extending term to 12/31/06 (\$532,403; new total \$1,874,784) - District 5
53124 **APPROVED AS RECOMMENDED**
47. Receive bids and award contract to ARB, Inc. for sewer conversion, Irvine Regional Park (\$3,570,722); and make California Environmental Quality Act findings - District 3
31245 **APPROVED AS RECOMMENDED**

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PUBLIC PROTECTION

Sheriff-Coroner:

- 48 . Accept grant award from Governor's Office of Emergency Services for State Homeland Security Grant Program, FY 2003 (\$2,843,469); authorize Sheriff-Coroner to execute all related documents; and authorize Auditor-Controller to transfer equipment to other entities under certain conditions - All Districts
32145 **APPROVED AS RECOMMENDED**
- 49 . Approve letter of interest to support concept and to pursue necessary federal funding to design and construct Multi-Agency Airborne Law Enforcement Support Facility, Joint Forces Training Base, Los Alamitos; and direct Sheriff's Department to work with other government entities to develop concept - District 2
21345 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

- 50 . Approve recommended positions on introduced or amended legislation and consider other legislative subject matters - All Districts
34125 **APPROVED AS RECOMMENDED**
- 51 . Ratify Public Financing Advisory Committee's selection of various financing professionals; authorize Financial Advisor to prepare Policy Compliance/Financing Analysis Report on formation of Community Facilities District 2003-1 and finding of public facilities; and adopt resolutions of intention to establish Community Facilities District 2003-1 (Ladera Ranch); make appropriate findings; and set public hearing for 10/21/03, 9:30 a.m.; authorize levy of special tax, incur and pay debt service on bonded indebtedness - District 5
51234 **APPROVED AS RECOMMENDED**
RESO: 03-301 - 03-302
- 52 . Approve agreement with Sperry Capital, Inc. to provide analyses and financial advisory services related to issuance of debt for financing of for Financial, Purchasing and Human Resources System (CAPS) and CalWIN System - All Districts
B.O. **CONTINUED TO 9/23/03, 9:30 A.M.**
- 53 . **Treasurer-Tax Collector** - Adopt resolution authorizing sale and issuance of Brea Olinda Unified School District General Obligation Bonds, Election of 1999, Series 2003A; and approve related documents (\$9,500,563.50) - District 3
32145 **APPROVED AS RECOMMENDED**
RESO: 03-303

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Chairman Wilson:

- S53A. Adopt resolution commending The Irvine Company and Trails4All for sponsoring and
organizing the September 20, 2003, 7th Annual Inner-Coastal and Watershed Cleanup Day
52134 **APPROVED AS RECOMMENDED**
 RESO: 03-304
- S53B. Adopt resolution commemorating September 11, 2001
53124 **APPROVED AS RECOMMENDED**
 RESO: 03-305

IV. PUBLIC HEARINGS (Item 54)

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

54. 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
(Continued from 8/12/03, Item 30; 8/26/03, Item 53)
- B.O. **CLOSED PUBLIC HEARING**
- 13245 **APPROVED AS RECOMMENDED**
 RESO: 03-306

V. CLOSED SESSION (Items CS-1-SCS4)

GENERAL ADMINISTRATION

County Counsel:

- CS-1. Closed Session CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -
Pursuant to Government Code Section 54956.9(a): Name of Case: Kathleen Horgan v. County
of Orange, ANA 0350065
- B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED
A PROPOSED SETTLEMENT IN THE CASE OF KATHLEEN HORGAN V. 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
CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**
- CS-2. Closed Session CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -
Pursuant to Government Code Section 54956.9(a): Name of Case: Jack Missouri v. County of
Orange, AHM 0098829
- B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED
A PROPOSED SETTLEMENT IN THE CASE OF JACK MISSOURI V. 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
CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

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CS-3. Closed Session CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code Section 54956.9(a): Name of Case: Janet Northart v. County of Orange, LBO 299566

B.O. **HELD, THE CLERK READ: THE BOARD BY A UNANIMOUS VOTE, APPROVED A PROPOSED SETTLEMENT IN THE CASE OF JANET NORTHART V. 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 CEO/RISK MANAGEMENT TO ANY PERSON WHO INQUIRES.**

SCS4. **County Executive Office** - Closed Session PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957: Title: County Executive Officer

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

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Andrew Brooks - Oral Re: PDSO enforcement of land use conditions, Summit Association, Santa Ana area

Larry Laven - Oral Re: American flag issues

BOARD COMMENTS:

Supervisor Campbell - Oral Re: Congratulated various County staff

Supervisor Silva - Oral Re: Reported Darrell Nolta's bicycle accident

Supervisor Norby - Oral Re: LA Times article on paid administrative leave

ADJOURNED: 11:30 A.M.

21345 Adjourned in memory of Ruth Purdy

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*** 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*