

Tuesday, November 9, 2004

**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES HELD IN ROOM 381B
OF THE KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012**

9:30 AM

Present: Supervisor Gloria Molina, Supervisor Yvonne B. Burke, Supervisor Zev Yaroslavsky, Supervisor Michael D. Antonovich and Chairman Don Knabe

Invocation led by Rabbi Haim Beliak, Los Angeles (3).

Pledge of Allegiance led by Charles D. Hays, Adjutant, Joe Louis Post No. 633, The American Legion (2).

**THE FOLLOWING ITEMS WERE PRESENTED TO THE BOARD FOR CONSIDERATION
AND THE BOARD TOOK ACTIONS AS INDICATED IN BOLD .**

Video Transcript Link for Entire Meeting (03-1075)

[Video Transcript](#)

**THE FOLLOWING ITEMS WERE PRESENTED TO THE BOARD FOR CONSIDERATION
AND THE BOARD TOOK ACTIONS AS INDICATED IN BOLD .**

NOTICES OF CLOSED SESSION

The Board met in Closed Session to discuss the following:

CS-1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)

Susan Rodde, et al. v. Diana Bonta, County of Los Angeles, et al., United States District Court, Central District of California, Case No. CV 03 1580

Harris et al. v. Board of Supervisors et al., Los Angeles Superior Court Case No. BS 08 1860; United States District Court Case No. CV 03 2008

Union of American Physicians and Dentists, et al. v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BS 083 853

These lawsuits challenge the closure of Rancho Los Amigos National Rehabilitation Center and High Desert Hospital, and alleged curtailments at LAC+USC Medical Center and MLK/Drew Medical Center (03-1392)

[Video](#)

[Speaker 11-9-04](#)

CS-2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)

M. A. Mortenson Company v. Walt Disney Concert Hall, Inc., and Related Cases, Los Angeles Superior Court Case No. BC 306 166

These are lawsuits filed by construction contractors on the Walt Disney Concert Hall seeking additional compensation for construction services. (04-2677)

[See Final Action](#)

CS-3.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)

Leroy D. Baca v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BC 299 486

This is a lawsuit by the Sheriff challenging term limits for the office of Sheriff enacted by Charter amendment (Measure A) approved by the voters at the March 5, 2002 General Election. (04-2980)

REPORT OF ACTION TAKEN IN CLOSED SESSION:

THE BOARD DECIDED NOT TO FILE AN APPEAL IN THE TERM LIMITS LITIGATION.

THE VOTE OF THE BOARD WAS AS FOLLOWS:

SUPERVISOR MOLINA: AYE
SUPERVISOR BURKE: AYE
SUPERVISOR YAROSLAVSKY: AYE
SUPERVISOR ANTONOVICH: AYE
SUPERVISOR KNABE: AYE

[See Final Action](#)

CS-
4.

PUBLIC EMPLOYMENT
(Government Code Section 54957)

Consideration of candidates for appointment to the position of County Counsel.
(04-1736)

REPORT OF ACTION TAKEN IN CLOSED SESSION:

PURSUANT TO COUNTY CODE SECTION 2.06.010, THE BOARD WAIVED THE PROVISIONS OF FORMER SECTIONS 2.06.020 THROUGH 2.06.030 AND APPOINTED RAYMOND G. FORTNER, JR. TO THE POSITION OF COUNTY COUNSEL, EFFECTIVE NOVEMBER 17, 2004, AND INSTRUCTED THE DIRECTOR OF PERSONNEL TO NEGOTIATE AN ANNUAL SALARY. RAYMOND HAS SERVED IN COUNTY COUNSEL IN MANY CAPACITIES FOR ALMOST 35 YEARS AND AS CHIEF DEPUTY FOR THE PAST 8 YEARS. ALTHOUGH BEGINNING TO CONTEMPLATE FUTURE RETIREMENT PLANS, HE HAS AGREED TO STAY UNTIL EARLY 2006 TO FACILITATE THE RECRUITMENT OF A NEW SUCCESSOR COUNTY COUNSEL. THE BOARD ALSO INSTRUCTED THE DIRECTOR OF PERSONNEL TO EXECUTE AN AT-WILL EMPLOYMENT CONTRACT WHICH IS APPROVED AS TO FORM BY THE COUNTY COUNSEL SUBSEQUENT TO APPROVAL OF AN ANNUAL SALARY FOR RAYMOND G. FORTNER, JR. BY THE BOARD.

THE VOTE OF THE BOARD WAS AS FOLLOWS:

SUPERVISOR MOLINA: AYE
SUPERVISOR BURKE: AYE
SUPERVISOR YAROSLAVSKY: AYE
SUPERVISOR ANTONOVICH: AYE
SUPERVISOR KNABE: AYE

[Video](#)

[See Final Action](#)

[Speaker 11-9-04](#)

CS-5. PUBLIC EMPLOYMENT
(Government Code Section 54957)

Interview and consider candidates for appointment to the position of Agricultural Commissioner/Director of Weights and Measures. (04-2981)

CS-6.

PUBLIC EMPLOYMENT
(Government Code Section 54957)

Consideration of candidates for appointment to the position of Director of Internal Services. (04-2983)

REPORT OF ACTION TAKEN IN CLOSED SESSION:

PURSUANT TO COUNTY CODE SECTION 2.06.010, THE BOARD APPOINTED DAVE LAMBERTSON TO THE POSITION OF DIRECTOR OF INTERNAL SERVICES, EFFECTIVE NOVEMBER 17, 2004, AND INSTRUCTED THE DIRECTOR OF PERSONNEL TO NEGOTIATE AN ANNUAL SALARY. THE BOARD ALSO INSTRUCTED THE DIRECTOR OF PERSONNEL TO EXECUTE AN AT-WILL EMPLOYMENT CONTRACT WHICH IS APPROVED AS TO FORM BY COUNTY COUNSEL SUBSEQUENT TO APPROVAL OF AN ANNUAL SALARY FOR DAVE LAMBERTSON BY THE BOARD.

THE VOTE OF THE BOARD WAS AS FOLLOWS:

SUPERVISOR MOLINA:	AYE
SUPERVISOR BURKE:	AYE
SUPERVISOR YAROSLAVSKY:	AYE
SUPERVISOR ANTONOVICH:	AYE
SUPERVISOR KNABE:	AYE

[See Final Action](#)

SET MATTERS

9:30 a.m.

-
Presentation of plaque to The Honorable Ronald De Langhe, commemorating his appointment as Consul General of Belgium in Los Angeles, as arranged by the Chairman.

Presentation of plaques to the winners of the Special Awards, Top Ten Awards and the Bronze, Silver and Gold Eagle Awards, recipients of the County's 18th Annual Quality and Productivity Awards Program, as arranged by Supervisor Knabe.

Presentation of scroll to Colonel Joseph Smith, Director of Military and Veterans Affairs in honor of the American Veterans who have served our Country and

proclaiming November 11, 2004 as "Veterans Day" throughout Los Angeles County, as arranged by Supervisor Knabe.

Presentation of scrolls to Brigadier General John Gong, California National Guard, Captain Russell Nakaishi, California State Military Reserve, Chief Warrant Officer 2 Steve Cho, California State Military Reserve, and Chief Warrant Officer 2 James Chin, California State Military Reserve, in recognition of meritorious service at home and abroad, as arranged by Supervisor Antonovich.

Presentation of scroll to Dr. Stephen J. Ryan, commending him on his remarkable career in medicine and extending to him best wishes on his retirement as Dean of the University of Southern California's Keck School of Medicine, as arranged by Supervisor Antonovich.

Presentation of scrolls to Mrs. Hasmik Danielian and Dr. Armine Hacopian, congratulating them on receiving the Armenian Educational Foundation's Educator of the Year awards, as arranged by Supervisor Antonovich.

Presentation of scroll to Marcia Mayeda, Director of Animal Care and Control, proclaiming November 7 through 13, 2004 as "National Animal Shelter Appreciation Week" throughout Los Angeles County, as arranged by Supervisor Antonovich.

Presentation of pets to the television audience for the County's Pet Adoption Program, as arranged by Supervisor Antonovich. (04-0049)

**STATEMENT OF PROCEEDINGS FOR THE MEETING OF
THE COMMUNITY DEVELOPMENT COMMISSION
OF THE COUNTY OF LOS ANGELES
TUESDAY, NOVEMBER 9, 2004
9:30 A.M.**

- 1-D. Recommendation: Approve minutes of the meetings of the Community Development Commission for the month of September 2004. (04-2958)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

**STATEMENT OF PROCEEDINGS FOR THE MEETING OF
THE HOUSING AUTHORITY
OF THE COUNTY OF LOS ANGELES
TUESDAY, NOVEMBER 9, 2004
9:30 A.M.**

- 1-H.** Recommendation: Approve minutes of the meeting of the Housing Authority for the month of September 2004. (04-2959)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

**STATEMENT OF PROCEEDINGS FOR THE MEETING OF
THE REGIONAL PARK AND OPEN SPACE DISTRICT
OF THE COUNTY OF LOS ANGELES
TUESDAY, NOVEMBER 9, 2004
9:30 A.M.**

- 1-P.** Recommendation: Approve minutes of the meeting of the Regional Park and Open Space District for the month of September 2004. (04-2961)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

BOARD OF SUPERVISORS (Committee of Whole) 1 - 6

1. Recommendation as submitted by Supervisor Burke: Waive fees in amount of \$200, excluding the cost of liability insurance, for use of Ted Watkins Park by The Church on the Way for their first Watts Festival and Health Fair, to be held November 13, 2004. (04-2977)

APPROVED

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

2. Recommendation as submitted by Supervisor Knabe: Waive the \$150 permit fee and the estimated gross receipts fee in amount of \$1,350, excluding the cost of liability insurance, and reduce the parking fee to \$1 per car for staging and parking for the participants' vehicles, at Dockweiler State Beach for the Los Angeles International Association of Chiefs of Police 5K Run, to be held November 14, 2004. (04-2975)

APPROVED

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

3. Recommendation as submitted by Supervisor Antonovich: Reappoint, in lieu of election, Ruth M. Ralphs and Steven Sonder, to the two offices of Director for the Golden Valley Municipal Water District, for full terms ending January 5, 2009; and direct the Executive Officer of the Board to notify the Registrar-Recorder/County Clerk of the Board's action. (04-2978)

APPROVED

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

4. Recommendation as submitted by Supervisor Antonovich: Proclaim November 7 through 13, 2004 as "National Animal Shelter Appreciation Week" throughout Los Angeles County and encourage all residents to visit County animal shelters and give a shelter pet a loving new home. (04-2979)

APPROVED

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

5. Executive Officer of the Board's recommendation: Approve the Conflict of Interest and Disclosure Codes for the following agencies, effective the day following Board approval: (04-2945)

Accessibility Appeals Board
Alameda Corridor Transportation Authority
Animal Care and Control, Department of
Arts Commission
Bonita Unified School District
Chief Information Office
Consumer Affairs
Glendora Unified School District
Gorman School District
Keppel Union School District
Law Library
Los Angeles Memorial Coliseum Commission
Los Nietos Unified School District
Mental Health, Department of
Monrovia Unified School District
Mountain View School District
Mt. San Antonio Community College District
Ombudsman

Paramount Unified School District
Pomona-Walnut-Rowland Joint Water Line Commission
Probation Department
Public Social Services
Walnut Valley Water District
Westside Unified School District
Whittier Union High School District

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

6. Executive Officer of the Board's recommendation: Approve minutes for the September 2004 meetings of the Board of Supervisors and Special Districts for which the Board is the governing body. (04-2965)

THE BOARD TOOK THE FOLLOWING ACTIONS:

1. **INSTRUCTED THE EXECUTIVE OFFICER OF THE BOARD TO ENSURE THAT THE MINUTES AND THE STATEMENT OF PROCEEDINGS FOR THE MEETING OF SEPTEMBER 7, 2004, ADJOURNED TO SEPTEMBER 13, 2004, INCLUDE A REFERENCE TO THE FINDINGS OF THE DISTRICT ATTORNEY'S REPORT DATED NOVEMBER 5, 2004 THAT THE BOARD EXCEEDED THE PERMISSIBLE PARAMETERS OF GOVERNMENT CODE SECTION 54956.9, REGARDING THE SCOPE OF ALLOWABLE DISCUSSION AND REACHED APPARENT CONSENSUS ON ACTIONS RELATED TO SAVING KING/DREW MEDICAL CENTER;**
2. **RESCINDED AND DECLARED A NULLITY THE SPECIFIC ACTION THAT THE DISTRICT ATTORNEY FOUND TO HAVE CONSTITUTED "ACTION TAKEN" UNDER THE BROWN ACT; AND**
3. **APPROVED THE EXECUTIVE OFFICER OF THE BOARD'S RECOMMENDATION AS AMENDED BY THE FOREGOING.**

[See Supporting Document](#)

[Video Part 1](#)

[Video Part 2](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

ADMINISTRATIVE OFFICER (Committee of Whole) 7 - 8

7. Recommendation: Approve and authorize the Chief Administrative Officer to sign contract with First 5 LA Commission which will provide \$50,000 to test the reliability and feasibility of the child care quality rating instruments developed by the County of Los Angeles Policy Roundtable for Child Care; authorize the Chief Administrative Officer to prepare and execute program amendments as may deemed necessary to implement the contact; and approve appropriation adjustment in amount of \$50,000 to provide spending authority for acceptance of the First 5 LA Commission contract.
4-VOTES (04-2971)

CONTINUED TWO WEEKS TO NOVEMBER 23, 2004

[See Supporting Document](#)

Absent: None

Vote: Common Consent

8. Recommendation: Approve introduction of ordinance to extend the term of the petroleum pipeline franchise granted to United States of America through December 31, 2006; and find that project is exempt from the California Environmental Quality Act. (Relates to Agenda No. 48) (04-2943)

APPROVED

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: No: Supervisor Molina

COMMUNITY DEVELOPMENT COMMISSION (2) 9 - 11

9. Recommendation: Consider the Environmental Assessment/Mitigated Negative Declaration together with any comments received during the public review process, for development 118 senior apartment units in the City of Compton and unincorporated Compton area (2); find that after the incorporation of the mitigation measures identified in the Mitigation and Monitoring Plan, and required as a condition of project approval, the development of 118 apartment units on four parcels, totaling 4.22 acres at the northwest corner of Alondra Blvd. and the Long Beach 710 Freeway, south of Linsley St. and east of Frailey Ave., City of Compton and unincorporated Compton will not have a significant effect on the environment; approve the Environmental Assessment/Mitigated Negative Declaration; find that the project will have no adverse effect on wildlife resources; authorize the Executive Director, to complete and file with the Registrar Recorder/County Clerk, a Certificate of Exemption for the project; find that the Environmental Assessment/Mitigated Negative Declaration reflects the independent judgment of the County; instruct the Executive Director to file with the Registrar Recorder/County Clerk, a Notice of Determination, as required by California Environmental Quality Act; and to take any and all actions necessary to complete the implementation of the environmental review action for the project. (04-2942)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

10. Recommendation: Approve a Community Development Block Grant (CDBG) Reimbursable contract with Montebello Unified School District, for operating expenses of the Promoting Achievement with Students project, using \$20,000 in CDBG funds allocated to the First Supervisorial District, effective upon execution by all parties through June 30, 2005; and instruct the Executive Director, to execute the standard CDBG Reimbursable contract and all necessary amendments. (04-2951)

APPROVED

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

11. Recommendation: Approve amendment to Community Development Block Grant (CDBG) Reimbursable contract with the City of Hawaiian Gardens, to add \$104,166 in CDBG funds allocated to the Fifth Supervisorial District, in exchange for \$75,000 in general funds from the City of Hawaiian Gardens, which will increase the amount of allocated funds from \$595,423 to \$699,589; and authorize the Executive Director, acting as agent for the County, to execute the amendment to complete the exchange of funds, effective upon execution by all parties through June 30, 2005. (04-2954)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

FIRE DEPARTMENT (3) 12 - 14

12. Recommendation: Acting as the governing body of the Consolidated Fire Protection District, approve and instruct the Chairman to sign a three-year contract with Anne E. Kellogg, M.A., in an annual amount of \$156,000, to oversee and further develop the Critical Incident Stress Management program, which is designed to assist in the identification and resolution of critical incident stress to all personnel of the Consolidated Fire Protection District of Los Angeles County; authorize the Fire Chief to suspend and/or terminate the contract, if deemed necessary, and to amend the contract by way of extensions and rate increases to meet the terms and conditions as set forth in the agreement; also authorize annual contract expenditure in amount of \$468,000, for the first three years of the contract, in addition authorize contract expenditures for two additional one-year periods and an additional six month-to-month extension in total amount of \$412,000; and find that agreement is exempt from the California Environmental Quality Act. (Continued from meetings of 10-05-04, 10-12-04 and 11-03-04 at the request of the Fire Chief) (04-2572)

APPROVED; ALSO APPROVED AGREEMENT NO. 75136

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

13. Recommendation: Acting as the governing body of the Consolidated Fire Protection District, authorize the Fire Chief to execute two contracts with previously approved vendors for as-needed Heavy Equipment Maintenance and Repair Services for a period of six months on a month-to-month basis, up to cost of \$200,000, pending completion of an invitation for bid process; also authorize the Fire Chief to execute six contracts with previously approved vendors, for as-needed Emergency Response Hazardous Materials Cleanup Services, at a cost of \$100,000, for a period of twelve months on a month-to-month basis, pending completion of an invitation for bid process; and find that contracts are exempt from the California Environmental Quality Act. (04-2922)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

14. Recommendation: Accept with thanks, a thermal imaging system camera from the City of Westlake Village, valued at \$13,146, to be used by Fire Station 144 to locate fire victims and assist with search and rescue efforts. (04-2940)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

HEALTH SERVICES (Committee of Whole) 15 - 20

15. Recommendation: Approve and instruct the Director to sign a sole agreement with Grant & Weber for provision of Workers' Compensation Safety Net Services as required at County hospitals, health centers and comprehensive health centers, at no net County cost, to pursue recovery of Workers Compensation after the efforts of the County and its current vendors have been exhausted and the accounts have been closed as uncollectible or there is the potential that the accounts have been underreimbursed, effective upon Board approval through December 31, 2005, with an optional six-month extension through June 30, 2006. (04-2935)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

16. Recommendation: Approve and instruct the Director to offer and sign a new medical services agreement which satisfies traditional Civil Service exemptions permitting contracts and is exempt under the provisions of Proposition A, with Samy F. Farid, M.D., Inc., at confidential rates of payment on file with the Department, effective upon Board approval through June 30, 2005, with provision for four successive one-year renewal periods, ending on June 30, 2009, for the provision of outpatient prenatal and postpartum services at the Antelope Valley Health Center and off-site inpatient obstetrical services for County-registered patients at Antelope Valley Hospital, at an estimated annual net County cost of \$142,000; also approve and authorize the Director to review and approve the addition or deletion of physician subcontractors to the recommended agreement. (04-2957)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

17. Recommendation: Accept Notice of Cooperative Agreement in amount of \$119,996, from the Federal Centers for Disease Control and Prevention (CDC), for the Simplified Procedures for Routine HIV Screening in Acute Care Settings project, to study the outcome of modifying and simplifying pre-test procedures and generating additional publicity in maximizing the number of patients who are routinely offered and accept testing for HIV/STDs, effective September 1, 2004 through August 31, 2005; authorize the Director to accept amendments to the NCA which do not exceed 25% of the total amount of the CDC base award. (04-2933)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

18. Recommendation: Approve and instruct the Director to sign amendment to agreements with current Certified Registered Nurse Anesthetist providers to increase the hourly rate offered to contractors by a percentage amount between 30% and 37% for the day, evening and night shifts and in exchange to remove the contractors right to terminate for convenience, at a maximum total cost of \$634,160 per year, effective upon Board approval through September 30, 2005. (04-2937)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

19. Recommendation: Authorize the Director of Internal Services to proceed with the acquisition of two decontamination trailers and two towing vehicles at a total estimated cost of \$527,310, to provide on-site mass casualty decontamination capability to hospitals that have received contaminated victims of a bioterrorism incident. (04-2956)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

20. Recommendation: Authorize the Director to terminate for convenience, the Memorandum of Understanding with the Community Partners, Inc., and to issue the required 30 days advance Notice of Termination. (04-2955)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

INTERNAL SERVICES (3) 21

21. Joint recommendation with the Chief Probation Officer and Interim Director of Public Works: Instruct the Chief Probation Officer and Interim Directors of Internal Services and Public Works to issue the "Notice of Termination for Convenience" as set forth in their respective contracts, to terminate a total of four contracts with Advanced Building Maintenance. (04-2939)

THE BOARD TOOK THE FOLLOWING ACTIONS:

1. **ADOPTED THE INTERIM DIRECTOR OF INTERNAL SERVICES' JOINT RECOMMENDATION WITH THE CHIEF PROBATION OFFICER AND INTERIM DIRECTOR OF PUBLIC WORKS; AND**
2. **INSTRUCTED THE INTERIM DIRECTOR OF INTERNAL SERVICES TO EVALUATE AND DEVELOP A BETTER PROCESS FOR MONITORING CONTRACTS TO ENSURE COMPLIANCE WITH THE LIVING WAGE ORDINANCE.**

[See Supporting Document](#)
[Video](#)
[See Final Action](#)

Absent: None

Vote: Unanimously carried

PUBLIC WORKS (4) 22 - 37

22. Joint recommendation with the Chief Administrative Officer: Approve appropriation adjustment in the amount of \$1,081,000, to reestablish Capital Project 77185, Specs. 5622; LACO 517T for the completion of the replacement Conference Center on the Olive View/UCLA Medical Center campus (5), to be financed through funds paid to the County by the original performance bond surety for the project (American Safety

Casualty Insurance Company) as a result of a negotiated tender agreement, as well as through Federal and State disaster assistance funds. **4-VOTES** (04-2926)

CONTINUED ONE WEEK TO NOVEMBER 16, 2004

[See Supporting Document](#)
[Video](#)

Absent: None

Vote: Common Consent

23. Recommendation: Acting as the governing body of the County Flood Control District, accept completed construction work; adopt resolution approving the transfer and conveyance of Private Drain No. 1702, Tract No. 42435, Acton area (5), to the County Flood Control District for operation and maintenance; and find that transfer is exempt from the California Environmental Quality Act. **4-VOTES** (04-2923)

ADOPTED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

24. Recommendation: Acting as the governing body of the County Flood Control District, accept completed construction work; adopt resolution approving the transfer and conveyance of Private Drain No. 2226, Tract No. 48818, Acton area (5), to the County Flood Control District for operation and maintenance; and find that transfer is exempt from the California Environmental Quality Act. **4-VOTES** (04-2924)

ADOPTED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

25. Joint recommendation with the Chief Administrative Officer and the Interim Director of Parks and Recreation: Approve appropriation adjustment in amount of \$1,441,000, funded by State Proposition 12, to increase appropriation for a total revised project budget of \$5,493,530 for the Colonel Leon H. Washington Park New Gymnasium and General Park Improvement Project Specs. 6518, C.P. No. 77097 (2); award and authorize the Interim Director of Public Works to execute construction agreement with Gonzales Construction, the apparent lowest responsible bidder, in amount of \$4,179,950, funded by the General Fund and State Proposition 12 Per Capita Grant Funds. **4-VOTES** (04-2969)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

26. Joint recommendation with the Chief Administrative Officer and the Fire Chief, acting as the governing body of the Consolidated Fire Protection District: Approve appropriation adjustment in the amount of \$408,000 to increase the appropriation for the construction of Fire Station 89 - New Station Project, Specs. 5504R1, C.P. No. 70778 (3), also approve the revised total project budget of \$6,174,788 for the construction of Fire Station 89; and authorize the interim Director to execute change order to contract with MTM Construction Inc. to install a permanent subdrainage system for a not to exceed amount of \$209,000. (04-2941)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

27. Joint recommendation with the Chief Administrative Officer and Interim Director of Parks and Recreation: Approve the Mitigated Negative Declaration for the Loma Alta County Park Gymnasium and General Park Improvement Project and find that the project will not have a significant effect on the environment, and that the Mitigated Negative Declaration reflects the independent judgement of the County; adopt the Mitigation Monitoring and Reporting Program; adopt plans and specifications for construction of the Loma Alta County Park Gymnasium and General Park Improvement Project, Specs. 5396, C.P. No. 68961 (5), at an estimated construction

cost of \$3,332,680 funded by the Safe Neighborhood Park Propositions of 1992 and 1996, Park In-Lieu Fees Park Planning Area 40, Community Facilities District 7 Bond Funds, and State Proposition 12 Funds; set December 14, 2004 for bid opening; authorize the Interim Director of Public Works to execute a consultant services agreement with the apparent lowest responsible bidder to prepare a base line construction schedule for a fee not to exceed \$5,100; and find that the project will have no adverse effect on wildlife resources and authorize the Interim Director of Public Works to complete and file a certificate of fee exemption. (04-2928)

ADOPTED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

28. Joint recommendation with the Chief Administrative Officer and Interim Director of Parks and Recreation: Approve appropriation adjustment to transfer \$39,000 of Second District Discretionary Capital Project net County cost from the Colonel Leon H. Washington Park New Gymnasium and General Park Improvement Project, C.P. No. 77097, for a total revised project budget of \$2,017,100 for the Ladera County Park General Improvements Project, Specs. 6611, C.P. Nos. 86429 and 77099 (2); award and authorize the Interim Director of Public Works to execute construction agreement with Pima Corporation, the apparent lowest responsible bidder, in amount of \$1,334,200, funded by the Safe Neighborhood Parks Propositions of 1992 and 1996, the General Fund, Park In-Lieu Fees Special Fund, and State Proposition 12, Roberti-Z'Berg-Harris Grant funds. (04-2968)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

29. Recommendation: Consider and approve the Negative Declaration (ND) for the proposed project to construct a wildlife underpass on Harbor Blvd., City of La Habra Heights (4); concur that the project will not have a significant effect on the environment and that the ND reflects the independent judgment of the County; adopt the Reporting Program to ensure compliance with the project and conditions adopted to mitigate or avoid significant effects on the environment; approve and authorize the Interim Director to carry out the project and to pay the \$1,250 fee to the State

Department of Fish and Game. (Continued from meetings of 10-12-04 and 10-26-04 at the request of Supervisor Knabe) (04-2690)

ADOPTED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

30. Recommendation: Acting as the governing body of the County Flood Control District, approve and instruct the Chairman to execute the Memorandum of Agreement with the California Department of Transportation (Caltrans) and the Cities of Los Angeles, Santa Monica and El Segundo (2, 3 and 4), to develop a Santa Monica Bay Bacteria Total Maximum Daily Load (TMDL) Implementation Plan for Jurisdictional Groups 2 and 3 with the District's contribution toward the cost of the implementation plan not to exceed \$15,000 from the Fiscal Year 2004-05 Flood Control District Budget; also approve and instruct the Chairman to execute the Memorandum of Agreement with Caltrans, and Cities of Redondo Beach, Manhattan Beach, Torrance, Hermosa Beach and El Segundo to develop a Bacteria TMDL Implementation Plan for Jurisdictional Groups 5 and 6 with the District's contribution toward the cost of the implementation plan not to exceed \$5,000 from the Fiscal Year 2004-05 Flood Control District Budget. (04-2930)

APPROVED AGREEMENT NOS. 75138 AND 75139

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

31. Recommendation: Acting as the governing body of the County Flood Control District, authorize the Interim Director to enter into a cooperative agreement with North East Trees for the District to provide \$15,000 funded from the Fiscal Year 2004-05 Flood Control budget, to integrate architectural and aesthetic elements at the Thienes Avenue Gateway Project Phase II (1), that conform to the visions and goals of the San Gabriel River Corridor Master Plan. (04-2931)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

32. Recommendation: Acting as the governing body of the County Flood Control District, approve and instruct the Chairman to sign, on behalf of the County and the Flood Control District, the Memorandum of Agreement with the City of Los Angeles for the City to conduct weekly shoreline water quality sampling in accordance with the Santa Monica Bay Beaches Bacteria Total Maximum Daily Load Coordinated Shoreline Monitoring Plan (2, 3 and 4), at an annual cost not to exceed \$135,000, financed from the District's Fiscal Year 2004-05 budget. (04-2946)

APPROVED AGREEMENT NO. 75140

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

33. Recommendation: Certify that the Board has independently reviewed and considered the information contained in the Final Environmental Impact Report prepared and certified by the County Sanitation Districts of Los Angeles County and the mitigation monitoring program adopted by the Regional Planning Commission for the project; adopt findings made by the Regional Planning Commission relative to the significant environmental effects of the project and the adequacy of the mitigation monitoring program; approve and instruct the Chairman to sign the Amended Waste Plan Conformance Agreement between the Sanitation Districts and the County of Los Angeles for controlling and accounting for waste diversion and recycling programs at the Puente Hills Landfill (1); and find that the agreement will not have a significant effect on the environment. (04-2938)

ADOPTED; ALSO APPROVED AGREEMENT NO. 75141

[See Supporting Document](#)

Absent: None

Vote: No: Supervisor Molina

34. Recommendation: Adopt an order instructing the Interim Director to coordinate with the California Highway Patrol to implement radar speed enforcement on New York Dr. between Lake Ave. and Altadena Dr., unincorporated Altadena area (5). (04-2927)

ADOPTED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

35. Recommendation: Adopt and advertise plans and specifications for Admiralty Way at Marina del Rey Bicycle Path et al., vicinity of Marina del Rey (4), at an estimated cost between \$73,000 and \$90,000; set December 7, 2004 for bid opening; and find that the project is exempt from the California Environmental Quality Act. (04-2936)

ADOPTED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

36. Recommendation: Adopt and advertise plans and specifications for Parkway Tree Trimming and Removal, RD 556 A (FG) & B, Fiscal Year 2004-05, vicinities of Bouquet Canyon, Castaic, North Saugus, Stevenson Ranch, and Val Verde areas (5), at an estimated cost between \$225,000 and \$270,000; and set December 7, 2004 for bid opening; and find that the project is exempt from the California Environmental Quality Act. (04-2932)

ADOPTED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

37. Recommendation: Ratify changes and accept completed contract work for the following construction projects: (04-2976)

Project ID No. FCC0000120 - Sawpit Dam Spillway Modifications, City of Monrovia (5), G. B. Cooke, Inc., with a final contract amount of \$4,117,369.97 (Final Acceptance)

Project ID No. P100000292 - East Los Angeles Civic Center Renovation, Civic Center Way, vicinity of East Los Angeles (1), Padilla Paving Company, with a final contract amount of \$313,376.89

Project ID No. RDC0014103 - Broadway Ave., vicinity of Santa Fe Springs (1), Los Angeles Engineering, Inc., with changes in amount of \$1,200 and a final contract amount of \$239,346.63 (Revised Acceptance)

Project ID No. WWD4004022 - Water Wells at Well Sites 4-62, 4-65, 4-67, and 4-68, City of Lancaster (5), Bakersfield Well and Pump Company, with changes amounting to a credit of \$97,196 and a final contract amount of \$978,527.40

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

SHERIFF (3) 38 - 41

38. Recommendation: Authorize the Sheriff to accept a grant award from the United States Department of Justice, Office of Justice Programs, National Institute of Justice (NIJ) in amount \$562,217, for the purpose of funding the procurement and retention of automated systems, laboratory equipment, computer hardware/software and training for the Department's Scientific Services Bureau, thereby improving deoxyribonucleic acid analysis capacity and the infrastructure of the existing crime laboratory; authorize the Sheriff to execute all future amendments, modifications, extensions and/or augmentations to the grant; and approve appropriation adjustment in amount of \$550,000 to be offset with the Federal funds awarded to the Department by the NIJ. **4-VOTES** (04-2929)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

39. Recommendation: Authorize the Sheriff to accept a grant award from the United States Department of Justice, Office of Justice Programs, National Institute of Justice (NIJ) in amount of \$710,669, to fund deoxyribonucleic acid (DNA) analysis to identify and test backlogged forensic DNA casework samples, authorize the Sheriff to execute all future amendments, modifications, extensions and/or augmentations to the grant; and approve appropriation adjustment in amount of \$521,000 to be offset with the Federal funds awarded to the Department by the NIJ. **4-VOTES** (04-2964)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

40. Recommendation: Approve Memorandum of Understanding with the U.S. Department of Homeland Security to allow the Sheriff's Department to perform certain immigration enforcement functions, namely, to conduct interviews of foreign born inmates in the County jails, allowing the interviewers to access the Deportable Alien Control System, which is a federal computer database, at no cost to County, to determine if the foreign born inmate is a convicted criminal alien or a previously deported criminal alien. (Continued from meetings of 7-6-04, 8-3-04 and 8-10-04 at the request of the Sheriff) (04-1878)

CONTINUED TO THE MEETING OF JANUARY 11, 2005, OR AN EARLIER MEETING AS DETERMINED BY THE SHERIFF.

[See Supporting Document](#)

[Video](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

41. Recommendation: Transfer funds from Services and Supplies to reimburse the Sheriff's Special Appropriation Fund in amount of \$4,030.91. (04-2960)

APPROVED

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

TREASURER AND TAX COLLECTOR (1) 42

42. Recommendation: Approve and instruct the Chairman to sign Assignment and Delegation Agreement which delegates and assigns all rights, obligations, and interest for contract with Ancora Presort Partners to PSI Group, Inc. for presort mailing services. (04-2948)

APPROVED AGREEMENT NO. 74020, SUPPLEMENT 1

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

MISCELLANEOUS COMMUNICATIONS 43 - 47

43. Information Systems Advisory Body's recommendation: Approve and instruct the Chairman to sign agreement with Capita Technologies Inc., in amount of \$698,000 for development and implementation of the County's DNA Order Tracking System (DOTS), to better coordinate law enforcement efforts to collect DNA from positively identified criminal offenders; and authorize the Director to execute amendments and change notices to the agreement. (NOTE: The Chief Information Officer

recommends approval of this item). (Continued from meeting of 11-3-04 at the request of the Director) (04-2878)

APPROVED; ALSO APPROVED AGREEMENT NO. 75137

[See Supporting Document](#)

Absent: None

Vote: Unanimously carried

44. Request from the City of Irwindale to change the date of the City's General Municipal Elections to the first Tuesday after the first Monday in November of odd-numbered years. (04-2949)

APPROVED; AND INSTRUCTED THE REGISTRAR-RECORDER/COUNTY CLERK TO COMPLY, JURISDICTION TO PAY ALL COSTS.

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

45. Request from the City of Rolling Hills to render specified services relating to the conduct of a General Municipal Election to be held on Tuesday, March 8, 2005. (04-2950)

APPROVED; AND INSTRUCTED THE REGISTRAR-RECORDER/COUNTY CLERK TO COMPLY, JURISDICTION TO PAY ALL COSTS.

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

46. Request from the City of San Gabriel to render specified services relating to the

conduct of a General Municipal Election to be held March 8, 2005. (04-2952)

**APPROVED; AND INSTRUCTED THE REGISTRAR-RECORDER/COUNTY CLERK
TO COMPLY, JURISDICTION TO PAY ALL COSTS.**

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

47. Request from the City of San Fernando to render specified services relating to the conduct of a General Municipal Election to be held March 8, 2005. (04-2953)

**APPROVED; AND INSTRUCTED THE REGISTRAR-RECORDER/COUNTY CLERK
TO COMPLY, JURISDICTION TO PAY ALL COSTS.**

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

ORDINANCE FOR INTRODUCTION 48

48. Ordinance for introduction to extend the term of the petroleum pipeline franchise granted to the United States of America through December 31, 2006. (Relates to Agenda No. 8) (04-2944)

**INTRODUCED, WAIVED READING AND PLACED ON AGENDA FOR ADOPTION
ORDINANCE NO. 2004-0065F;**

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: No: Supervisor Molina

SEPARATE MATTER 49

49. Review pursuant to the Public Contract Code Section 22050, the Interim Director of Public Works' authorization to continue the administration of a contract with Malden Buntich Construction Company, on behalf of the Los Angeles County Flood Control District, to perform for the City of San Marino emergency work necessary to repair the damaged storm drain and sink hole along a 90 ft section of Mill Lane, which developed during the severe rainstorm of October 20, 2004 and to protect the City of San Marino's storm drain and street (Mill Lane) from future storm-related damage, as requested by Supervisor Antonovich at the meeting of October 26, 2004. **4-VOTES** (04-2963)

CONTINUED TWO WEEKS TO NOVEMBER 23, 2004

[See Supporting Document](#)

Absent: None

Vote: Common Consent

MISCELLANEOUS

50. **Additions to the agenda requested by Board members and the Chief Administrative Officer, which were posted more than 72 hours in advance of the meeting, as indicated on the green supplemental agenda.**

- 50-A. Recommendation as submitted by Supervisor Yaroslavsky: Waive parking fee in amount of \$200, excluding the cost of liability insurance, for use of the Hollywood Courthouse parking lot by My Friend's Place for their 7 Days of Hope Benefit, to be held November 14, 2004. (04-3013)

APPROVED

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

- 50-B.** Recommendation as submitted by Supervisor Antonovich: Instruct County Counsel to file a lawsuit on behalf of the County against the La Vina Homeowners' Association and any other appropriate parties, and to exhaust available judicial or administrative remedies, to secure the dedication of the trail easements and construction of the trails consistent with the entitlements for the La Vina housing development project in Altadena. (04-3015)

APPROVED

[See Supporting Document](#)

[See Final Action](#)

Absent: None

Vote: Unanimously carried

- 51. Items not on the posted agenda, to be presented and (if requested) referred to staff or placed on the agenda for action at a future meeting of the Board, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

- 51-A** Recommendation as submitted by Supervisor Antonovich: Direct the Chief Administrative Officer to provide a report within one week which provides a clear and concise description, status and basis for the subject proposal by the Risk Management Unit to modify the Los Angeles County Charter and assume responsibility over claims and lawsuits; and find that all other significant policy items involving the management of the County Counsel's office be held in abeyance until such time that a permanent County Counsel has been appointed. (04-3044)

APPROVED

[See Supporting Document](#)

[Video](#)

[See Final Action](#)

[Report](#)

Absent: None

Vote: Unanimously carried

54. Opportunity for members of the public to address the Board on items of interest that are within the subject matter jurisdiction of the Board.

KAREN OCAMB OF THE LOS ANGELES SUNSHINE COALITION ADDRESSED THE BOARD.

GENEVIEVE CLAVREUL ADDRESSED THE BOARD ON THE SUBJECT OF ITEM CS-1, CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION, PURSUANT TO SUBDIVISION (A) OF GOVERNMENT CODE SECTION 54956.9, PRIOR TO THE BOARD ADJOURNING TO CLOSED SESSION.

PETER BAXTER ADDRESSED THE BOARD ON THE SUBJECT OF ITEM CS-4, CONSIDERATION OF CANDIDATES FOR APPOINTMENT TO THE POSITION OF COUNTY COUNSEL, PURSUANT TO GOVERNMENT CODE SECTION 54957, PRIOR TO THE BOARD ADJOURNING TO CLOSED SESSION.

(04-3047)

[Video](#)

55. **Adjournment Motions**

On motions duly seconded and unanimously carried, the meeting was adjourned in memory of the following persons:

Supervisor Molina

Luis Sanchez Quintanar

Supervisor Burke and All Board Members

Dr. William I. Young

Supervisor Burke

Bernard Joseph Ainsworth
Eleanor Morrison Green

Supervisor Knabe

Jose Gonzales

Supervisor Antonovich

J. Margaret Begtrup
Robert W. May
John Edward Parker (04-3050)

ITEMS CONTINUED FROM PREVIOUS MEETINGS FOR FURTHER

DISCUSSION AND ACTION BY THE BOARD

- A-1.** Continue local emergencies as a result of the following: (a) Discovery of an infestation of fruit flies, as proclaimed on August 8, 1989; (b) Discovery of an infestation of fruit flies, as proclaimed on May 10, 1990; (c) Fire started on September 22, 2002 in the Williams Canyon Area in the foothills of the eastern San Gabriel Valley, as proclaimed by the Chair on September 25, 2002 and ratified by the Board on October 1, 2002; (d) Multiple fires in and around the Cities of Claremont and La Verne, as proclaimed by the Chief Administrative Officer on October 26, 2003 and ratified by the Board on October 28, 2003; and (e) Flooding in the Cities of Carson, Compton, Los Angeles, Lynwood, South Gate and the unincorporated areas of Willowbrook and Rosewood, as proclaimed by the Chair on November 12, 2003, ratified by the Board on November 18, 2003, and revised on December 2, 2003. **Documents on file in Executive Office**

REVIEWED AND CONTINUED

Closing 56

56. Open Session adjourned to Closed Session at 12:01 p.m. following Board Order No. 55 to:

CS-1.

Confer with legal counsel on the following existing litigation, pursuant to subdivision (a) of Government Code Section 54956.9:

Susan Rodde, et al. v. Diana Bonta, County of Los Angeles, et al., United States District Court, Central District of California, Case No. CV 03 1580

Harris et al. v. Board of Supervisors et al., Los Angeles Superior Court Case No. BS 08 1860; United States District Court Case No. CV 03 2008

Union of American Physicians and Dentists, et al. v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BS 083 853

These lawsuits challenge the closure of Rancho Los Amigos National Rehabilitation Center and High Desert Hospital, and alleged curtailments at LAC+USC Medical Center and MLK/Drew Medical Center. (03-1392)

CS-2.

Confer with legal counsel on the following existing litigation, pursuant to subdivision (a) of Government Code Section 54956.9

M. A. Mortenson Company v. Walt Disney Concert Hall, Inc., and Related Cases, Los Angeles Superior Court Case No. BC 306 166

These are lawsuits filed by construction contractors on the Walt Disney Concert Hall seeking additional compensation for construction services. (04-2677)

CS-3.

Confer with legal counsel on the following existing litigation, pursuant to subdivision (a) of Government Code Section 54956.9

Leroy D. Baca v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BC 299 486

This is a lawsuit by the Sheriff challenging term limits for the office of Sheriff enacted by Charter amendment (Measure A) approved by the voters at the March 5, 2002 General Election. (04-2980)

CS-4.

Consider candidates for appointment to the position of County Counsel, pursuant to

Government Code Section 54957. (04-1736)

CS-5.

Interview and consider candidates for appointment to the position of Agricultural Commissioner/Director of Weights and Measures, pursuant to Government Code Section 54957. (04-2981)

CS-6.

Consider candidates for appointment to the position of Director of Internal Services, pursuant to Government Code Section 5495 (04-2983)

Closed Session convened at 12:15 p.m. Present were Supervisors Gloria Molina, Yvonne B. Burke, Zev Yaroslavsky, Michael D. Antonovich and Don Knabe, Chairman presiding.

Closed Session adjourned at 3:47 p.m. Present were Supervisors Gloria Molina, Yvonne B. Burke, Zev Yaroslavsky, Michael D. Antonovich and Don Knabe, Chairman presiding.

The Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts, adjourned its meeting following Board Order No. 55, at 3:47 p.m. The Board will hold a Special Meeting on Monday, November 15, 2004 at 3:00 p.m. at Drew Magnet School to conduct a Beilenson Hearing. The next regular meeting of the Board is Tuesday, November 16, 2004 at 9:30 a.m. (04-3055)

The foregoing is a fair statement of the proceedings of the Special Meeting held November 15, 2004, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

Violet Varona-Lukens, Executive Officer
Executive Officer-Clerk
of the Board of Supervisors