

**SAN JOAQUIN COUNTY**

**BOARD OF SUPERVISORS**

**MINUTE SUMMARY**

**TUESDAY, DECEMBER 8, 1998**

PRESENT: SUPERVISORS SIMAS, CABRAL, MARENCO, GUTIERREZ, BARBER

Minutes of the Board of Supervisors Meeting of December 1, 1998. APPROVED.

Marenco/Cabral 5 B-98-1501

Consent Items #1--- 24. APPROVED WITH THE EXCEPTION OF CONSENT #1, #6 & #7 WHICH WERE CONSIDERED SEPARATELY. Simas/Gutierrez - 5

10:00 a.m. bos Presented Certificate of Appreciation to Bryan Morse for His Service on the San Joaquin County Retirement Board.

10:00 a.m. bos Presented Proclamation for County Drunk and Drugged Driving Month to Captain Dennis Lobenberg, Commander, Stockton Highway Patrol Office.

10:00 a.m. Appointments to Boards & Commissions:

- A. Boggs Tract Community Center Advisory Board 1 Position. **CONTINUED TO**
- B. **1/5/99 AT 10:00 A.M.**
- C. Juvenile Justice Delinquency Prevention Commission 1 Position. REAPPOINTED FLAVIO GONZALES. Marenco/Simas 5 B-98-1505
- D. Water Advisory Commission 1 Position (Under Submission from 11/10/98).

- REAPPOINTED FRANCES MIZUNO. Cabral/Marenco 5 B-98-1506

**FLOOD CONTROL**

1. pw/fc Oral Report by the Water Resources Coordinator Regarding the November 20, 1998
  - Meeting of the Advisory Water Commission. Report was presented by Henry Hirata, Public Works Director. ACCEPTED REPORT. Simas/Gutierrez 5 B-98-1504

David Baker, County Administrator, introduced Ben Hulse, the new Director of the Community

Development Department.. The Board acknowledged their thanks to Tom Walker, Acting Director of the Community Development Department.

### **• GENERAL GOVERNMENT**

1. cao Establishment of San Joaquin County Children and Families First Commission Introduce and Waive Reading of Ordinance. David Baker, County Administrator, briefed the Board on this matter. APPROVED STAFF RECOMMENDATIONS, A COPY OF WHICH IS ON FILE IN THE CLERK OF THE BOARD S OFFICE. Gutierrez/Simas 5 B-98-1505 & 1510

### **COMMUNICATIONS**

bos Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing and Approved and Presented Resolutions, Proclamations & Commendations Honoring Individuals, Events and/or Organizations. Simas/Gutierrez 5 B-98-1502

### **SCHEDULED AFTERNOON ITEMS**

#### **Planning Consent**

1:30 p.m. cdd Public Hearing Regarding Text Amendment Application #TA-98-6 (Various Revisions) of San Joaquin County (All Districts). APPROVED STAFF RECOMMENDATIONS, A COPY OF WHICH IS ON FILE WITH THE CLERK OF THE BOARD S OFFICE. Cabral/Marenco 5 B-98-1527 & ORDINANCE

#4006

1:30 p.m. cdd Public Hearing Regarding General Plan Map Amendment Application #**GP-98-10** and Zone Reclassification Application #**ZR-98-14**, in the New Jerusalem area, of **Clayton Borchers & Robert and Evelyn Davis**, by San Joaquin County Community Development Department (5<sup>th</sup> District). APPROVED STAFF RECOMMENDATION, A COPY OF WHICH IS ON FILE IN THE CLERK OF THE BOARD S OFFICE.

Cabral/Marengo 5 B-98-1528, R-98-634 & ORDINANCE #4007

### **Regular Items**

1:30 p.m. cdd - Public Hearing Regarding the **Appeal by Emile Atwood** of the Planning Commission s Approval of a Time Extension for Approved Major Subdivision

Application #**SU-91-12** (4<sup>th</sup> District). Tom Gau, Senior Civil Engineer, Community Development Department, briefed the Board on this matter. Dr. Emile Atwood also

addressed the Board. APPROVED 5 YEAR EXTENSION. Simas/Cabral 3, Marengo & Gutierrez No R-98-635

1:30 p.m. cdd Public Hearing Regarding the **Appeal by Wanda Laudenslager** of the Planning

Commission s Denial of Variance Application #**VR-98-2** (5<sup>th</sup> District). Tom Gau, Senior Civil Engineer, briefed the Board on this item. Wanda Laudenslager & Anthony Noceti

also spoke on this matter. DENIED APPEAL. Cabral/Marengo 4, Gutierrez No R-98-636

1:30 p.m. cdd Public Hearing Regarding the **Appeal by RLC Associates** of the Planning Commission s Denial of Major Subdivision Application #**SU-98-1 (Tract #2161)**

of **JSA Properties** (4<sup>th</sup> District). Tom Gau, Senior Civil Engineer, briefed the Board

on this matter. Attorney Howard Seligman, representing the applicant; John Pahl; Rod Schatz; Ron Cheek, Civil Engineer with RLC Associates; Doug Urbic; Mike Atherton; Thomas Van Dyke; Raetta Schatz; Chris Locke, manager of LLC Family Farm; Robert Hesseltine; Christy Locke; Paul Hodnett, representing Star Building Systems; and Rodney Schatz also addressed the Board on this item. **DENIED APPEAL.** Marengo/Gutierrez 3, Simas & Cabral No R-98-637

1:30 p.m. cdd Public Hearing on the **Appeal by Kenneth N. Meleyco** of the Planning Commission's Approval of Minor Subdivision Application #**MS-98-22 of Ronald Towery (c/o Dillon & Murphy)** (4<sup>th</sup> District). Tom Gau, Senior Civil Engineer, briefed the Board on this item. Kenneth Meleyco spoke in favor of his Appeal. Attorney Steve Herum, representing Ronald Towery, spoke in opposition to the appeal and the continuance. **CONTINUED TO 1/26/99 AT 1:30 P.M. - HEARING OPEN.**

### **BOARD OF SUPERVISORS QUESTIONS AND COMMENTS**

Supervisor Gutierrez requested a quarterly report from the Human Services Agency on the Welfare Reform programs beginning January 1999.

Chairman Barber welcomed KADAP students and their teacher, Tom Rautert.

### **CLOSED SESSION**

Personnel Government Code Section 54957; Conference with Legal Counsel Pursuant to Government Code Section 54956.9(b)(1) Regarding Significant Exposure to Litigation (1 Case);

Conference with legal counsel pursuant to Government Code Section 54956.9 (a): Gabriel Tovar Sr. Vs. County San Joaquin County Superior Court #000868; Keith Cummings, et al. vs. Gene

Zwingleberg and County of San Joaquin, et al., San Joaquin County Superior Court #CV004303.

Conference with Labor Negotiator Pursuant to Government Code Section 54957.6 Agency Negotiators: Jeff Sloan, Bill McLeod, Harry Lewis, Employee Organizations: SJPEA, DSA, SEIU & Unrepresented.

### CONSENT HEALTH & HUMAN SERVICES

1. hsa Case Management Services Agreement Curtis & Associates Inc. CONSIDERED
2. SEPARATELY. John Vera, Human Services Agency Director, responded to questions from

the Board of Supervisors. APPROVED. Cabral/Simas 5 A-98-921

3. a/cs Approval of Subgrant Award #FF-9899-11, Amendment #1 for the Period July 1, 1998 to
4. June 30, 1999. B-98-1507 & A-98-922
5. osa Office of Substance Abuse: Monthly Information/Activity Report for October 1998.
6. B-98-1508

### CONSENT PUBLIC WORKS

7. pw Board Order Adopting Policies Directed to Secure Additional Funding for the Safety and
8. Preservation of the County Maintained Road Network. B-98-1509
9. pw Board Order to Establish a Special District Trust Fund. B-98-1511
10. pw Board Order Setting the Date of **February 2, 1999 at 10:15 a.m.** for a Public Hearing
11. Concerning a Resolution to Establish User Charges, and to Conditionally Accept a Loan from

the United States Department of Agriculture and to Allocate Funds from Special District Settlement Funds for the **Shaded Terrace** Maintenance District. CONSIDERED

SEPARATELY. Richard Brassfield, USDA Director Rural Development and Jinny Monroe were also present for this matter. APPROVED. Cabral/Simas 5 B-98-1512

12. pw Board Order Setting the Date of **February 2, 1999 at 10:15 a.m.** for a Public Hearing
  - for a Resolution to Establish User Charges, and to Conditionally Accept a Loan and a Grant from the United States Department of Agriculture and to Allocate Funds from Special District Settlement Funds for the **Sunnyside Estates** Maintenance District. CONSIDERED

SEPARATELY. Richard Brassfield, USDA Director Rural Development , and Jinny

Monroe were also present for this matter. APPROVED. Cabral/Simas 5 B-98-1513

8. pw Resolution Providing for Accepting Completion of the Contract for the Jack Tone Road Resurfacing, Federal Aid Project #STPL-5929(060), and Execution of a Notice of Completion (5<sup>th</sup> District). R-98-631

9. pw Resolution Providing for Accepting Completion of the Contract for the McAllen Road  
10. Resurfacing and Execution of a Notice of Completion (2<sup>nd</sup> District). R-98-632

### **CONSENT FLOOD CONTROL**

11. pw/fc Approve Announcement of 5 Positions on the Water Advisory Commission. B-98-1514

### **12. CONSENT LAW & JUSTICE**

13. drug/crt Approval of Employment Contract for Al Hunt, Substance Abuse Counselor,  
14. Drug Court. A-98-923  
15. da Employment Contracts for Seth Hoyt, Jr., Gary Winuk, Annette Avery, Nancy Welter  
16. and Felecia Hobbs. A-98-924---928  
17. s/o Establishment of Contingency Account (Revolving Fund) for the Sheriff-Coroner/Public  
18. Administrator. B-98-1515

### **CONSENT GENERAL GOVERNMENT**

19. assr Approve Addendum and 1999 Notice of Participation in the State-County Property Tax  
20. Administration Program. B-98-1516 & A-98-929  
21. cao Reappointment of County Counsel. B-98-1517  
22. cao 1998-99 Intergovernmental Partnership Program for Library Services. B-98-1518  
23. cdd Removal of Weed Abatement Assessments from 1998-1999 Tax Rolls. B-98-1519  
24. eedd Recommendation to Approve the San Joaquin County Revolving Loan Fund s Conflict  
25. of Interest Code Amendments. B-98-1520  
26. eedd Recommendation to Approve the San Joaquin County Economic Development  
27. Association s Conflict of Interest Code Amendments. B-98-1521  
28. eedd Out-of-State Travel for John Kreiger, Business Loan Officer, to Attend NDC Certification  
Course ED202 in Washington D.C. B-98-1522 & 1523  
29. labor/rel Certification of San Joaquin County Correctional Officers Association (SJCCOA) as  
30. the Recognized Employee Organization for the Correctional Officers Representation Unit.

B-98-1524

31. labor/rel Certification of California Nurses Association (CNA) as the Recognized Employee

- Organization for the Registered Nurses Representation Unit. B-98-1525

23. rov Resolution Accepting Statement of the Votes Cast at the Consolidated General Election

November 3, 1998, Declaring Certain Candidates Elected and Authorizing the Issuance of

Certificates of Election/Appointment. R-98-633

24. purch Authorization to Contract for Elevator Maintenance with Millar Elevator Service Co.

B-98-1526 & A-98-930

**ADJOURNED TO TUESDAY, DECEMBER 15, 1998 AT 10:00 A.M.**

Simas/Gutierrez 5 B-98-1503