

TUESDAY, APRIL 13, 1999

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

Minutes of the Board of Supervisors' Meeting of April 6, 1999. APPROVED.

Sieglock/Marenco - 5 B-99-411

Consent Items #1-25. APPROVED WITH THE EXCEPTION OF ITEM #12, WHICH WAS REMOVED FROM THE AGENDA. Sieglock/Marenco - 5

10:00 a.m. – bos – Presented Proclamation to Colleen Foster, Director of Library Services, Proclaiming April 11--17, 1999 as "National Library Week" in San Joaquin County.

10:00 a.m. – bos – Presented Proclamation to the Boys and Girls Clubs from the Cities of Lodi, Manteca, Stockton, and Tracy, in San Joaquin County, Proclaiming April 11—17, 1999 as "Boys & Girls Club" Week. Steve Ratto, President, CEO, representing Tracy Boys & Girls Club; Joe Pellegrino, 1st Vice-President , Board of Directors, representing Manteca Boys & Girls Club; and Supervisor Jack Sieglock, representing Lodi Boys & Girls Club; were present for this matter.

OFF AGENDA ITEM

Motion to Hear Matter: MATTER REGARDING STATE BOARD OF CORRECTIONS VIOLENT OFFENDER INCARCERATION GRANT AWARD FOR ADULT DETENTION PROJECT. Gutierrez/Sieglock – 5 B-99-423

Motion to Approve Recommendation: THE BOARD DECLINED THE \$2,053,556 FROM THE STATE BOARD OF CORRECTIONS FOR THE CONSTRUCTION OF A 132-BED ADULT DETENTION CENTER AND APPROVED TO ACCEPT THE \$2,053,556 FROM THE STATE BOARD OF CORRECTIONS FOR THE CONSTRUCTION OF A 66-BED ADULT DETENTION

FACILITY. Marenco/Simas – 5 B-99-424

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

- A. Emergency Medical Care Committee – 1 Position. APPOINTED KIP WYMAN. Marenco/Simas - 5 B-99-426
- B. French Camp Municipal Advisory Council – 5 Positions. **CONTD TO 4/20/99 @ 10:00 A.M.**
- C. Housing Authority Board – 1 Position (Contd from 3/23/99). **CONTD TO 5/11/99 @ 10:00 A.M.**
- D. Juvenile Justice-Delinquency Prevention Commission – 1 Position. **CONTD TO 5/11/99 @ 10:00 A.M.**
- E. Linden Municipal Advisory Council – 1 Position (Contd from 3/9/99) **CONTD TO 5/11/99 @ 10:00 A.M.**

GENERAL GOVERNMENT

1. cao – Customer Service Study Recommendations: Nine Completed Actions. Stephanie Larson, Management Analyst III, of County Administrator's Office, briefed the Board on this matter. Georgianna Reichelt and ToCan Nguyen addressed the Board on this matter.

APPROVED STAFF RECOMMENDATIONS. Simas/Gutierrez - 5 B-99-427

COMMUNICATIONS

bos – Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing and Approved and Presented Resolutions, Proclamations and Commendations Honoring Individuals, Events and/or Organizations. Simas/Sieglock - 5 B-99-412 & R-99-211 & 212.

BOARD OF SUPERVISORS QUESTIONS & COMMENTS

Chairman Cabral directed the Clerk of the Board Office to announce vacancy on the Stockton Port Commission to fill the remainder of an unexpired term.

Supervisor Gutierrez discussed the upcoming T.O.P.P.S. Conference to be held on April 29, 1999 at Elkhorn County Club.

Supervisor Sieglock discussed Educational Revenue Augmentation Funds matters.

PUBLIC COMMENT

Tim Viall, of Stockton Downtown Alliance, and Kristyn Nagata, invited the Board to the upcoming Cinco de Mayo activities.

Georgianna Reichelt addressed the Board on various matters.

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 Labor Negotiator Pursuant to Government Code Section 54957.6 – Agency Negotiators: Bill McLeod, Employee Organizations: SEIU, Sheriff's Sworn Management Association, CNA & Unrepresented; Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a): Marlene Kays vs. County, San Joaquin County Superior Court Case #198960; Johnson vs. County of San Joaquin, U.S. District Court, Eastern District of California, Sacramento Division, Case #CIV-S-98-2235-LKK-PAN.

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SCHEDULED AFTERNOON ITEMS

1:30 p.m. – (a) pw/fc – Discussion on Board of Supervisors' Position Concerning Leadership in Water Matters. John Pulver, Water Resources Coordinator, briefed the Board on

matter. Attorney Dante Nomellini, representing Central-Delta Water Agency;

Georgianna Reichelt, representing Land Utilization Alliance; Howard Seligman

speaking on behalf of Assemblyman Michael Machado; Reid Roberts, Chairman

of the Advisory Water Commission; Al Bonner, President of Board, Stockton East Water District; Attorney Tim O’Laughlin, of Oakdale Irrigation District; and Assistant Manager, Gary Ingraham, City of Stockton, addressed the Board on this matter.

THE BOARD DIRECTED STAFF TO DEVELOP AN ORGANIZATIONAL PLAN WITHIN 30 DAYS TO SUPPORT THE BOARD OF SUPERVISORS’ WITHIN ITS CONSTITUTIONAL AUTHORITY, CONSISTENT WITH THE BOARD’S POLICY DESIRE TO TAKE MORE OF A LEADERSHIP ROLE IN WATER DEVELOPMENT ISSUES. Sieglock/Simas – 5 B-99-428

(b) pw/fc – Board Order Approving the Preparation of an Engineer’s Report, in Compliance with Proposition 218, and Initiation of a Public Information Program for Water Investigation Zone #2. John Pulver, Water Resources Coordinator, briefed

the Board on this matter. Attorney Dante Nomellini addressed the Board on this matter. APPROVED (Phase I) THE PREPARATION OF AN ENGINEER’S REPORT, IN COMPLIANCE WITH THE REQUIREMENTS OF PROPOSITION 218; THE INVESTIGATION OF OTHER POTENTIAL OPTIONS FOR FINANCING THE WATER RESOURCES COORDINATION AND INVESTIGATION ACTIVITIES; AND APPROVED INITIATION OF A PUBLIC

INFORMATION PROGRAM REGARDING WATER MATTERS.

Simas/Gutierrez – 5 B-99-429

(c) pw/fc - Board Order on the Board of Supervisors’ Position Regarding the San

Joaquin River Agreement. Attorney Tom Shephard; Special Water Counsel,

briefed the Board on this matter. Attorney Tim O'Laughlin; Walt Ward, Assistant Manager,

of Modesto Irrigation District; Attorney Howard Seligman, on behalf of

Assemblyman Michael Machado; John Herrick, attorney for South Delta

Water Agency; Attorney Dante Nomellini; Jean Zolezzi, of Stockton East Water District; and Virginia Cahill, Attorney City of Stockton, addressed the Board on this matter. THE BOARD DIRECTED THAT A LETTER BE SENT TO BOTH

THE SECRETARY OF THE INTERIOR, BRUCE BABBITT AND LESTER

SNOW, EXECUTIVE DIRECTOR OF CALFED, REQUESTING THAT

IMPLEMENTATION OF THE SAN JOAQUIN RIVER AGREEMENT BE

DELAYED UNTIL: (a) A PLAN TO IMPROVE WATER QUALITY IN THE

SAN JOAQUIN RIVER IS DEVELOPED, AND INITIATED

SIMULTANEOUSLY, WITH PLANS THAT ADDRESS FISH FLOWS; AND

(b) CALFED INCORPORATES INTO THE PHASE II DRAFT AND THE

RECORD OF DECISION, A PLAN TO ADDRESS WATER QUALITY AND

THE DISSOLVED OXYGEN PROBLEMS IN THE SAN JOAQUIN RIVER.

Marenco/Gutierrez – 5 B-99-430

(d) pw /fc - Board Order on the Development of a Groundwater Management Plan.

John Pulver, Water Resources Coordinator, briefed the Board. APPROVED STAFF

RECOMMENDATION (ACTION B) WHICH DIRECTS PUBLIC WORKS

STAFF TO PROCEED WITH THE DEVELOPMENT OF A COUNTYWIDE

GROUNDWATER MANAGEMENT PLAN. Simas/Sieglock – 5 B-99-431

(e) pw/fc – Board Order Directing a Review of the Groundwater Export Ordinance.

APPROVED STAFF RECOMMENDATION TO DIRECT THE ADVISORY
WATER COMMISSION TO REVIEW AND DEVELOP ALL NECESSARY
MODIFICATIONS TO THE GROUNDWATER EXPORT ORDINANCE.

Simas/Sieglock – 5 B-99-432

(f) pw/fc – Board Order Approving the Payment of Annual Dues to the American River

Authority. APPROVED STAFF RECOMMENDATION TO AUTHORIZE THE
PAYMENT OF THE 1999-2000 ANNUAL DUES TO THE AMERICAN RIVER
AUTHORITY. Simas/Sieglock – 5 B-99-433

CONSENT - HEALTH & HUMAN SERVICES

1. a/cs - Approval of Employment Contract with Bonnie Beckham. A-99-221
2. a/cs – Approval of Subgrant Award #FF-9899-11, Amendment #2. B-99-414 & A-99-222
3. hcs – San Joaquin General Hospital – Health Care Professional Physical Therapist I - Employee Contract for Jody Bittner. A-99-223
4. hcs – Classification Study #99-7 – Department of Health Care Services – San Joaquin General Hospital – Hospital Attendant, Sandra Mann. R-99-213
5. hcs – Classification Study #99-2 – Department of Health Care Services: Public Health Services – Accounting Technician II – Laurie Brown. R-99-214
6. hcs – Create, Assign, & Allocate Position – Department of Health Care Services – San Joaquin General Hospital – Laboratory Operations Manager. R-99-215
7. hcs – Classification Study #98-21 – San Joaquin General Hospital – Lillieanna Carmona, Hospital Attendant. R-99-216
8. mhs – Mental Health Residential Placement. B-99-415

9. phs – Public Health Services Authorization to Submit an Application for an Enforcement Assistance Grant Solid Waste Management Program. R-99-217
10. phs – Public Health Services Contract Employment Agreements with Bruce Allen Cosby, Jr., & Gloria Armendariz. A-99-224 & 225
11. phs – Public Health Services Authorization to Submit an Application for the Dental Disease Prevention Program Grant. R-99-218
12. hsa – Approval of the Revised Memorandum of Understanding for the San Joaquin County Child Advocacy Center. **REMOVED FROM THE AGENDA .**
13. mhs – Appointment of Public Conservator/Guardian – Mr. Glade Gessell. B-99-416

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CONSENT – PUBLIC WORKS

14. pw – Resolution Providing for Approval and Adoption of Plans & Specifications for the Lower Sacramento Road Resurfacing & **Setting a Bid Opening Date of May 6, 1999 at 1:30 p.m.** (4th District) R-99-219
15. pw – Introduce & Waive Reading of 2 Ordinances Providing for Speed Limits of 35 MPH & 45 MPH on Portions of Lower Sacramento Road, From 500 Feet South of Jahant Road to 1,350 Feet North of Forest Lake Road. (4th District) (Said Ordinances to be Adopted 4/20/99) B-99-417 & 418

CONSENT – LAW & JUSTICE

16. da – Resolution of Intent to Contract for a Grant with the Office of Criminal Justice Planning for the Anti-Drug Abuse Enforcement Program. R-99-220
17. pub/def – Amendment of Approved Public Defender Personnel Contract A-98-715 Executed 9/22/98 for Georgia McElroy. A-99-226
18. sup/crt – Grant Employee Contract for Ferdinand L. Lumbab – Superior Court. A-99-227

19. da – Renewal of Employment Contracts for 4 Deputy District Attorney II’s; 2 Deputy District Attorney III’s; 2 Office Assistant II’s; 1 Office Assistant I; & 1 Victim Claims Technician II (Gus Barrera, Michael Rasmussen, Angelo Edralin, Janet Smith, Grant Brooks, Richard Price, Joni Ferrari, Angela Henderson, Cynthia Irwin, & Julie Horton). A-99-228--237

CONSENT – GENERAL GOVERNMENT

20. cao – Response to the 1998/1999 Grand Jury Report Regarding County Courthouse Security.

B-99-419

21. cc – Settlement of Legal Action Entitled Petra Hoagland vs. Mark Harris, County of San Joaquin, et al., San Joaquin County Superior Court Case #CV002179. B-99-420
22. cob – Approve Announcement of 2 Positions on the Boggs Tract Community Center Advisory Board. B-99-421
23. cob – Approve Announcement of 1 Position on the Larch Clover Community Center Advisory Board. B-99-422
24. isd – Upgrade Unisys Mainframe Computer System in Information Systems Division. B-99-425 & A-99-238--239
25. regis – Resolution Authorizing Consolidation of Tracy Unified School District Board Member Elections with the General Elections Held in November of the Even-Numbered Years. R-99-221

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ADJOURNED TO TUESDAY, APRIL 20, 1999 AT 10:00 A.M.

Simas/Sieglock – 5 B-99-413

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