

SAN JOAQUIN COUNTY

BOARD OF SUPERVISORS

TUESDAY, APRIL 11, 2000

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

Approved Minutes of the Board of Supervisors' Meeting of April 4, 2000. Marenco/Sieglock – 5

B-00-410

Approved Consent Items (1-21): APPROVED WITH THE EXCEPTION OF ITEMS #6 & #13 WHICH WERE REMOVED FROM THE AGENDA BY THE DEPARTMENTS. ITEM #11 WAS CONSIDERED SEPARATELY. Cabral/Sieglock – 5

Chairman Simas acknowledged Supervisor-elect Victor Mow who was present in the audience.

SCHEDULED MORNING ITEMS

10:00 a.m. - bos - Presented Proclamation Designating the Month of April as "Sexual Assault Awareness Month" in San Joaquin County to Melanie Hart, Coordinator of Rape Prevention Education Sexual Assault Services, of the Women's Center.

10:00 a.m. – Presented Proclamation for Boys & Girls Club Week to Lodi, Manteca, Tracy, & Stockton Boys & Girls Clubs to Steve Ratto, of Tracy Boys & Girls Club; David Cole, President, Stockton Boys & Girls Club; Richard Jones, President, of Lodi Boys & Girls Club; and Chuck Crutchfield, Executive Director, of Manteca Boys & Girls Club.

10:00 a.m. - cabral - Request for Waiver of Fees for Kellie & Steve Atkins and Paul Coit as a Result of the 1997 Flood. The Board of Supervisors directed Community Development Director:

1) To meet with Kellie and Steve Atkins and Paul Coit, and obtain information regarding the damage to their property as a result of the 1997 flood;

1. To determine as to whether or not the fees can be waived under the existing ordinance and to what extent; and

2. To report back to the Board with a recommendation on May 9 or May 16, 2000.

10:00 a.m. - cabral - Paving Materials Used in Storage Yards, Parking Lots in the Ag Zones for Temporary Seasonal Uses and Winery Tasting Rooms. The Board of Supervisors directed the Community Development Director to report back to the Board:

1. With a proposed ordinance that would provide for alternatives to asphalt and/or concrete pavings used in private storage yards such as for vehicle and boat storage, truck parking lots in the Ag Zones for Temporary Seasonal Uses and Winery Tasting;
2. With a report as to what current regulations and practices are in place and the proposed changes.

10:15 a.m. – cao - Legislative Update from State Legislative Advocates, Wagerman & Peterson. **(Oral Report)** Dale Wagerman briefed the Board of Supervisors on legislative updates. NO ACTION TAKEN – ORAL PRESENTATION ONLY.

10:30 a.m. - hr - Recommended Selection of Hartford Life Insurance Company as the Provider for the San Joaquin County Deferred Compensation Program. Roger Gombert, Deputy Director, of Human Resources Department, briefed the Board on this matter. Wendy Young, of Wm. M. Mercer, Inc, addressed the Board on this matter. APPROVED STAFF RECOMMENDATIONS, A COPY OF WHICH IS ON FILE IN THE CLERK OF THE BOARD'S OFFICE. Gutierrez/Cabral-5 B-00-431

DISCUSSION - PUBLIC WORKS

pw - Board Order Authorizing & Directing the Chairman of the Board of Supervisors to Receive a Report on the Governor's Proposed Transportation Budget for Fiscal Year 2000/2001 and to Sign Letters in Support of Current Legislation Designed to Increase Appropriations for Local Roads. Tom Flynn, Deputy Director, of Public Works Department addressed the Board on this matter. APPROVED LETTERS OF SUPPORT FOR ASSEMBLY BILLS 1303 & 1612 Sieglock/Marenco – 5 B-00-432

APPROVED LETTERS OF SUPPORT FOR SENATE CONSTITUTIONAL AMENDMENT (SCA-3). Cabral/Gutierrez – 3 Sieglock & Simas – No B-00-433

DISCUSSION - FLOOD CONTROL

1. pw - Approval of an Engineering Services Agreement Between the San Joaquin County Flood Control & Water Conservation District and Camp Dresser & McKee, Inc.; and Board Order Approving the Formation of a Steering Committee for the Preparation of a Countywide Groundwater/Surface Water Management Plan. John Pulver, Water Resources Coordinator, briefed the Board on this matter. Ken Payne, Consultant, of Camp Dresser & McKee, Inc, addressed the Board on this matter. APPROVED STAFF RECOMMENDATION AS AMENDED THIS DATE. Cabral/Sieglock – 5 B-00-434 & A-00-253.

DISCUSSION - LAW & JUSTICE

1. cao - Report on Sheriff's Patrol Staffing Plan. David Baker, County Administrator ,briefed the Board on this matter. Baxter Dunn, Sheriff-Coroner, addressed the Board on this matter. APPROVED STAFF RECOMMENDATIONS, A COPY OF WHICH IS ON FILE IN THE CLERK OF THE BOARD'S OFFICE. Sieglock/Cabral – 5 B-00-435

DISCUSSION - GENERAL GOVERNMENT

1. cc - Report to the Board Regarding the Processing of Claim #C200003013 on Behalf of Jeffrey & Johnna Martin. Terrence Dermody, County Counsel, briefed the Board on this matter. ACCEPTED REPORT. Sieglock/Cabral – 5 B-00-436
2. cdd - San Joaquin County General Plan 2010 Review. Ben Hulse, Director, Community Development Department, briefed the Board on this matter. APPROVED STAFF RECOMMENDATIONS, A COPY OF WHICH IS ON FILE IN THE CLERK OF THE BOARD'S OFFICE. Marengo/Gutierrez – 5 B-00-437

DISCUSSION – MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

1. pw - Board Order Approving the County Traffic Impact Mitigation Fee Revision Technical Report Related to Mountain House. Jim Leonard, Director, of Mountain House Community Services District, and Manuel Lopez, Director of Public Works Department, briefed the Board on this matter. Georgianna Reichelt, and Attorney Steve Herum, representing Trimark Communities, addressed the Board on this matter. APPROVED TECHNICAL REPORT, A COPY OF WHICH IS ON FILE IN THE CLERK OF THE BOARD'S OFFICE. Cabral/Sieglock – 5 B-00-438
2. mths/csd - Mountain House Traffic Impact Fee Technical Report. James Leonard, Director, Mountain House Community Services District, briefed the Board on this matter. APPROVED TECHNICAL REPORT, A COPY OF WHICH IS ON FILE IN THE CLERK OF THE BOARD'S OFFICE. Cabral/Sieglock – 5 B-00-439

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. Sieglock/Gutierrez – 5 B-00-411

PUBLIC COMMENT

Georgianna Reichelt addressed the Board regarding Glassy-Winged Sharp Shooter destroying agricultural farmland.

Tim Viall, of Downtown Stockton Alliance, addressed the Board regarding "Downtown Celebration Week" events on April 17—21, 2000.

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 Negotiator: County Administrator/Labor Relations; Employee Organization: SEIU; Conference with Legal Counsel Pursuant to Government Code Section 54956.9(c) Regarding Initiation of Litigation: 1 Case; Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a): H. D. Arnaiz, LTD., vs. San Joaquin County, San Joaquin County Superior Court Case #CV004318.

The Board of Supervisors returned from Closed Session with an announcement that the Board of Supervisors decided to initiate litigation known as the County of San Joaquin et. al, vs. the State Water Resources Control Board, regarding the Bay Delta Water Rights Decision 1641 of the State Water Resources Control Board.

SCHEDULED AFTERNOON ITEM

1:30 p.m. cdd - Public Hearing Regarding the Appeal by **RICHARD M. ARCHBOLD** of the Planning Commission's Approval of Variance **#VR-99-5 of KEN & STACEY CODY**. (5th District) Kerry Sullivan, Senior Planner, Community Development Department, and Ben Hulse, Director, Community Development Department, briefed the Board on this matter. Richard Archbold; Lawrence Piepmeir; Eileen Young; Gilbert Boyne; Joe Pugilese; Robert Young; Boyd Thompson, Steve Bellumori; Jim Byrd; Attorney Steve Herum, representing Ken & Stacey Cody; Dale Kilberg; James Lyberger; and Jim Haggerty, addressed the Board on this matter.

DENIED THE APPEAL AND UPHELD THE PLANNING COMMISSION'S DECISION OF APPROVAL OF VARIANCE #VR-99-5 OF KEN & STACEY CODY AS RECOMMENDED BY STAFF. Sieglock/Cabral – 3 Gutierrez & Marengo – No B-00-430 & R-00-173

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CONSENT - HEALTH & HUMAN SERVICES

1. a/cs - Request for Approval to Purchase Utility Truck for County Weatherization Program. B-00-413
2. a/cs - Approval of Subgrant Award #FF-9900-11, Amendment #3. **(4/5'S VOTE REQUIRED)** B-00-414 & A-00-250
3. cao - Increase in Appropriation and Estimated Revenue for San Joaquin Children & Families Program. **(REQUIRES 4/5'S VOTE)** B-00-415 & 416
4. cao - Authorize Board Chairman to Sign Facility Use Applications and Authorize the Risk Manager to Issue Insurance Documentation for Children & Families Commission Community Meetings. B-00-417
5. hsa - Request to Reimburse the Huebner Group for Y2K Services. B-00-418
6. hsa - Request for Contract for Construction Management Services with Northern California Construction & Training. ITEM REMOVED FROM THE AGENDA PER DEPARTMENT'S REQUEST.
7. hcs - Insurance Refund - Nylcare Health Plans Account #1000036676. B-00-419
8. rev/rec - Compromise of San Joaquin General Hospital Account of Circey & Maggie Huff. B-00-420

CONSENT - PUBLIC WORKS

9. pw - Adopt an Ordinance Providing for No Parking Zones on Portions of Waterloo Road, from Myran Avenue to Broadway. (1st District) **(Introduced & Waived 4/4/2000)**. ORDINANCE #4057

CONSENT - LAW & JUSTICE

10. hr - Approve Amendments to the Class Specification for Court Family & Children's Services Director. B-00-421
11. lab/rel - Approve the Modification of the Middle Management Unit by Moving District Attorney Investigator III Classification into Sheriff's Sergeant Unit. John Phillips, District Attorney, and Tony Coultriss, Supervisor Investigator, for District Attorney's Office Investigations Division, addressed the Board on this matter. APPROVED STAFF RECOMMENDATION. Cabral/Sieglock – 5 B-00-422
12. prob - Allocation of Two Deputy Probation Officer Positions for Human Services Agency/ Probation Department CalWorks Program. B-00-423 & R-00-170
13. s/o - Sheriff-Coroner/Morgue Budget: Agreements with the Northern California Transplant Bank and the University of California, San Francisco, Tissue Bank. REMOVED FROM THE AGENDA PER DEPARTMENT'S REQUEST.

CONSENT - GENERAL GOVERNMENT

14. hr - County Administrator's Office - Children & Families Program. R-00-171
15. cob - Approve Announcement of 2 Positions on the Collegeville Fire Protection District. B-00-424
16. cob - Approve Announcement of 1 Position on the Lodi Community Center Advisory Board. B-00-425
17. cc - Settlement of Legal Action Entitled Vargas vs. County, et al., Case #SV214774. B-B-00-426
18. cc - Initiation of Proceedings to Annex Unincorporated Territory to the Stockton Port District by **Setting May 9, 2000 at 10:00 a.m.** as the Date for the Board of Supervisors to Consider a Resolution of Application to the Local Agency Formation Commission. R—00-172
19. eedd - Out-Of-State Travel for Economic Development Director to Attend the U.S. Department of Commerce Economic Development Administration Western Regional Conference. B-00-427 & 428
20. facil/mgmt - Approval of Permit Agreement to Conduct the Stockton Asparagus Festival at Oak Grove Regional Park. A-00-251
21. treas - Approval of Investment Authority & Investment Policy-Treasurer/Tax Collector's Office. B-00-429

ADJOURNED TUESDAY, APRIL 18, 2000 AT 10:00 A.M.

Gutierrez/Marenco – 5 B-00-412