

SAN JOAQUIN COUNTY

BOARD OF SUPERVISORS

TUESDAY, MAY 16, 2000

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

Minutes of the Board of Supervisors' Meeting of May 9, 2000. APPROVED. Gutierrez/Sieglock - 5 B-00-575

Approve Consent Items 1-28: APPROVED - CONSENT ITEM #11 WAS CONSIDERED SEPARATELY AND APPROVED. Gutierrez/Sieglock - 5

SCHEDULED MORNING ITEMS

10:00 a.m. - Supervisor Gutierrez Presented a Certificate of Appreciation to County Employee Bianca Barrett Sperry, Legal Process Clerk I, Superior Court. Mr. Kinser also addressed the Board on this matter.

10:00 a.m. - bos - Presented Proclamation Designating May 21-27, 2000 as National Public Works Week to Michael Watson, President of the American Public Works Association (APWA), Sacramento Chapter; and Manuel Lopez, San Joaquin County Public Works Director. Manuel Lopez also presented an award to the Public Works Employee of the Year to Wes Johnson, Solid Waste Division.

10:00 a.m. - bos - Presented Proclamation Designating May 15-21, 2000 as "Peace Officers Memorial Week" to Sgt. Daniel L. Lane, Sheriff's Office.

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

A) Colleeville Fire Protection District - 2 Positions. REAPPOINTED JOHN DEMICHELIS & KURT PETTITT. Cabral/Sieglock - 5 B-00-577

B) Drug & Alcohol Programs Advisory Board - 1 Position. APPOINTED

MARK GANTT. Gutierrez/Cabral - 5 B-00-578

C) French Camp Municipal Advisory Council - 1 Position (**UNDER SUBMISSION FROM 10/5/99**) APPOINTED JAMES NORMAN. Gutierrez/Sieglock - 5 B-00-579

D) Lodi Community Center Advisory Board - 1 Position. **UNDER SUBMISSION.**

E) SJC Resource Conservation District. APPOINTED RICHARD RODRIGUEZ. Sieglock/Cabral - 5 B-00-580

F) SJ Valley Unified Air Pollution Control District Citizen's Advisory Committee - 1 Position. (**UNDER SUBMISSION FROM 2/9/99**) APPOINTED MATTHEW TERRA. Sieglock/Cabral - 5 B-00-581

10:00 a.m. - ag/comm - Presentation of the 1999 Annual Crop Report by Scott Hudson, Agricultural Commissioner. Scott Hudson, Agricultural Commissioner, briefed the Board on this matter. ORAL PRESENTATION. NO ACTION TAKEN.

DISCUSSION – MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

1. mths/csd - Mountain House Community Services District Committee Report of May 2, 2000 Meeting - Recommended Action on 3 Items: James Leonard, General Manager, Mountain House CSD, briefed the Board on this matter. ACCEPTED REPORT, A COPY OF WHICH IS ON FILE IN THE CLERK OF THE BOARD'S OFFICE. Marengo/Cabral - 5 B-00-582

A) Mountain House Community Services District Proposed Fiscal Year 2000/2001 Budget & Annual Report. ACCEPTED REPORT. Marengo/Cabral - 5 B-00-583

B. B) Mountain House Community Services District Status Report. ACCEPTED REPORT. Marengo/Cabral - 5 B-00-584

C. C) Mountain House Community Services District Roadway Improvement Plan. ACCEPTED REPORT ON ROADWAY IMPROVEMENT PLAN. Marengo/Cabral - 5 B-00-585

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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/Cabral - 5 B-00-576

PUBLIC COMMENT

Jeff Rivera addressed the Board regarding bid practices; a problem on Pock Lane; and a vote by the Board on 6/17/97 regarding a particular bid award.

To Can Nguyen addressed the Board on various matters.

Charice McCullough, Mental Health Services, addressed the Board regarding the Civil Rights of County Employees in regard to privacy laws in the workplace; and the hiring process for the Equal Employment Opportunity Officer and the Human Resources Director.

Angel Picone, SEIU Local 790, introduced himself to the Board as a new employee of SEIU.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Robert Cabral presented Chairman Edward Simas with a 10-Year Pin and Certificate of Appreciation for his years of service to San Joaquin County.

Supervisor Jack Sieglock requested the Board Agendize placing Department Heads which are currently under the purview of the Board of Supervisors under the County Administrator for purposes of annual review and firing.

Moreover, Supervisor Sieglock recommended that provisions include Board participation with the County Administrator in the hiring of Department Heads which are currently under their purview and that direct access to Department Heads be maintained. (Exceptions would include County Counsel, Clerk of the Board, County Administrator, and the Agricultural Commissioner, for which the Board would maintain responsibility).

Supervisor Steven Gutierrez requested that in addition to this future Agenda item, discussions include the feasibility of splitting up some of the County's larger agencies.

Supervisor Dario Marengo concurred with this request, stating that one example is Health Care Services.

Chairman Simas stated that he and the County Administrator would meet to determine how the Board will proceed on this matter as there are several subjects involved.

Supervisor Marengo suggested that this matter wait to be scheduled for Board discussion after the Budget process and Supervisor Sieglock concurred.

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(a): San Joaquin County Deputy Sheriff's Association vs. San Joaquin County Employees Retirement Association, San Joaquin County Superior Court Case #CV004803; Coordination Proceeding Special Title (Rule 1550(b) RETIREMENT CASES, City and County of San Francisco Superior Court – Judicial Council Coordination Proceeding #4049.

THE BOARD OF SUPERVISORS RECESSED TO THE FOX THEATRE FOR THE FOLLOWING ITEM:

SCHEDULED AFTERNOON ITEM

1:30 p.m. hr - Presentation of Certificates of Appreciation to Retirees & County Employees for 35, 30, 25 & 20 Years of Service, Including Department Heads who have Served 10, 15, and More Years.

CONSENT - HEALTH & HUMAN SERVICES

1. age/cs - Approval of State Department of Community Services & Development - Department of Energy Weatherization Program Contract #OOC-1334. B-00-586 & A-00-355
2. hcs - Out-Of-State Trip: 32nd Annual Workshop of Family Practice Residencies. B-00-587
3. hr - Civil Service Commission Action - Classification Study #00-4 - Human Services Agency - Adult & Community Services. R-00-240
4. hr - Amendment to Agreement Between County and Health Plan of San Joaquin Covering Provision of Human Resources Services. A-00-356
5. phs - Public Health Services Acceptance of Grant From Junior Aid of Stockton. B-00-588
6. phs - Public Health Services Pubic Health Preparedness & Response to Bioterrorism Grant and Contract #99-86604 for Bioterrorism Preparedness & Response. R-00-241 & A-00-357

CONSENT - PUBLIC WORKS

7. pw - Resolution Providing for Award of Contract for the Lammers Road Resurfacing. (5th District) R-00-242
8. pw - Resolution Providing for Approval and Adoption of Plans & Specifications for the North Ripon Road Resurfacing and **Setting a Bid Opening Date of June 8, 2000 at 1:30 p.m. (5th District)** R-00-243
9. pw - Amendment of Salary Assignment & Allocation Listing for the Department of Public works - Road Fund. R-00-244
10. pw - Board Order Approving Acceptance of a 2000/2002 State of California Household Hazardous Waste Right Cycle Grant. B-00-589

CONSENT - FLOOD CONTROL

11. pw/fc - Resolution of Support of the Extension of the Water Protection & Development Assessment Within Water Investigation Zone #2. Terrence Dermody, County Counsel, addressed the Board on this matter. APPROVED. Gutierrez/Sieglock - 5 R-00-245

CONSENT - LAW & JUSTICE

12. facil/mgmt - Approve Partial Release of Retention Funds for the San Joaquin County Juvenile Hall Expansion Project. B-00-590
13. so - Budget Adjustment: Sheriff-Detective Budget Increase Appropriation/Revenue Estimates - \$150,000. **(4/5TH'S VOTE REQUIRED)** B-00-591 & 592
14. so - Purchase of Equipment and Maintenance from the "Sheriff-Automated Fingerprint ID" Budget for \$256,677. **(4/5TH'S VOTE REQUIRED)** B-00-593 & 594

CONSENT - GENERAL GOVERNMENT

15. cao - Report on the 1999/2000 Actuarial Review of the Casualty Self-Insurance Program. B-00-595
16. cao - Selection of United Way Campaign Chairman & Loaned Executive. B-00-596
17. cao - Audit Report on Cash Receipts of the Recorder-County Clerk's Office for the Period July 1, 1996 Through January 31, 2000. B-00-597

18. cao - Audit Report on Investments, Investment Income & Distribution for Fiscal Year Ended June 30, 1999. B-00-598
19. cc - Legal Action Entitled Donald P. Gareis, Dennis Ray Jackson vs. Deputy Sheriff Vince Parren; San Joaquin County Sheriff's Office; County of San Joaquin. B-00-599
20. cc - Decline to Authorize the Issuance of Tax & Revenue Anticipation Notes on Behalf of San Joaquin Delta Community College District. B-00-600
21. cc - Settlement of Legal Action Entitled Tearesa Ramsey vs. County of San Joaquin, Superior Court Case #SV217678. B-00-601
22. cc - Decline to Authorize the Issuance of Tax & Revenue Anticipation Notes on Behalf of San Joaquin County Board of Education; Escalon Unified School District; Jefferson Elementary School District; Lammersville Elementary School District; Lincoln Unified School District; Linden Unified School District; Manteca Unified School District; New Hope Elementary School District; Oak View Union Elementary School District; Ripon Unified School District; & Tracy Joint Union High School District. B-00-602
23. cdd - Use Permit Application #UP-98-15 of Kirpal Singh Dhaliwal. (5th District) B-00-603
24. cdd/bldg - Request for Refund of Planning Fees (#UP-00-0006) for Boom Boom Productions. (4th District) B-00-604
25. hr - Civil Service Commission Action - Creation of New Class of Park Maintenance Supervisor - Parks & Recreation. R-00-246
26. labor/rel - Approve Amendments to the Memoranda of Understanding for the Professional and Para-Professional & Technical Bargaining Units. B-00-605 & A-00-358-359
27. regis - Resolution Appointing Tony Jacques to the Board of Trustees of Stark Reclamation District #2089. R-00-247

ADJOURN TO TUESDAY, MAY 23, 2000 AT 10:00 A.M.

Gutierrez/Cabral - 5 B-00-577