

SAN JOAQUIN COUNTY

BOARD OF SUPERVISORS

TUESDAY, JUNE 13, 2000

9:00 A.M.

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

Minutes of the Board of Supervisors' Meeting of June 6, 2000. APPROVED. Marenco/Cabral - 5 B-00-691

SCHEDULED MORNING ITEMS

9:00 a.m. - cao - Presentation of the 2000/01 Proposed County Budget and **Setting the Date of June 28, 2000 at 9:00 a.m.** for Commencement of the Public Hearing for the 2000/01 San Joaquin County Budget Hearing. David Baker, CAO, briefed the Board on this matter. APPROVED STAFF RECOMMENDATIONS. Cabral/Sieglock - 5 B-00-694

Consent Items #1-36: APPROVED WITH THE EXCEPTION OF ITEMS # 15, 18, 26, 27, 28, 29, 30, 34 WHICH WERE CONSIDERED SEPARATELY. Gutierrez/Marenco - 5

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

A) Children's Services Coordinating Commission - 1 Position. APPOINTED DAVID ERB. Sieglock/Gutierrez - 5 B-00-695

B) Garden Acres Community Center Advisory Board - 1 Position. APPOINTED TERESA NICHOLSON & FILLED THE UNDER SUBMISSION VACANCY WITH THE APPOINTMENT OF KATHY GARCIA. Marenco/Gutierrez - 5 B-00-696

A. Solid Waste Management Independent Hearing Panel - 1 Position. **UNDER SUBMISSION.**

10:15 a.m. - mhcsd - Mountain House Community Services District

Committee Report of May 16, 2000 Meeting - Recommended Action on 1 Item: 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/Sieglock - 5 B-00-698

A) Acceptance of a Capital Improvement Program for Development of Community Infrastructure. APPROVED. Marengo/Sieglock - 5 B-00-699

DISCUSSION - HEALTH & HUMAN SERVICES

1. hsa - Masters in Social Work Stipend Program. John Vera, HSA Director, briefed the Board on this matter. Richard Vote, HSA; and To Can Nguyen also addressed the Board. APPROVED STAFF RECOMMENDATIONS. Marengo/Cabral - 5 B-00-700
2. hsa - Human Services Agency Request for Financial Sponsorship Approval. John Vera, HSA Director, briefed the Board on this matter. To Can Nguyen also addressed the Board on this matter. APPROVED AS AMENDED THIS DATE. Cabral/Gutierrez - 5 B-00-701

DISCUSSION - GENERAL GOVERNMENT

1. facil/mgmt - Assessment Ballot Proceeding for San Joaquin County Flood Control & Water Conservation District Zone #2. APPROVED STAFF RECOMMENDATIONS. Sieglock/Gutierrez - 5 B-00-702

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. Gutierrez/Cabral - 5 B-00-692

PUBLIC COMMENT

To Can Nguyen addressed the Board on various matters.

Steve Wilensky, SEIU, addressed the Board regarding a Mental Health Services employee who was hurt in the line of duty and requested financial support. The matter was referred to County Counsel to review and report back to the Board with a recommendation.

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BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Jack Sieglock thanked County Administrator's Staff for their hard work on the Proposed Budget for 2000/2001 presented this date.

Supervisor Steve Gutierrez invited the Board to attend the Church of God in Christ, California Northeast Ecclesiastical Jurisdiction, 15th Annual Holy Convocation from 10 a.m. to 7 p.m., July 8th and 10th--16th, 2000, at Pearly Gates Church of God in Christ, 2171 E. 11th Street, Stockton, CA.

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): Clara Moznott vs. Victor Mow, et al., San Joaquin Superior Court #CV010099; Chet Davisson vs. San Joaquin County, San Joaquin Superior Court #CV006518; Coordination Proceeding Special Title (Rule 1550(b)) Retirement Cases, City and County of San Francisco Superior Court – Judicial Council Coordination Proceeding #4049; Conference with Labor Negotiator Pursuant to Government Code Section 54957.6 - Agency Negotiator: County Administrator/Labor Relations; Employee Organization: SEIU.

SCHEDULED AFTERNOON ITEMS

1:30 p.m. pw - Resumption of the Public Hearing Concerning a Board Order to Provide or the Adoption of a Negative Declaration and Tentative Approval of the Ordinance Regarding the Extraction and Exportation of Groundwater from San Joaquin County. (**Contd from 5/2/00 - Hearing Open**) John Pulver, Water Resources Coordinator, briefed the Board on this matter. Attorney Dante John Nomellini; Anthony Saracino, Executive Director, East San Joaquin Parties; Mark Williamson, East Bay MUD, Oakland; and Henry Rodegerdt, California Farm Bureau Federation, addressed the Board on this matter. APPROVED STAFF RECOMMENDATIONS 1-4 AS PRESENTED THIS DATE, A COPY OF WHICH IS ON FILE IN THE CLERK OF THE BOARD'S OFFICE. Cabral/Marenco - 5 B-00-703

1:30 p.m. - cdd - Public Hearing Regarding Temporary Fee Waiver or Discount for Compliance with TA-00-2 for Conversion of Produce Stands to Markets or Agricultural Stores. (All Districts) (**Contd from 5/9/00 - Hearing Open**). Kerry Sullivan, Community Development Department briefed the Board on this matter. Ben Hulse, Director, Community Development Department, also addressed the Board on this matter. ACCEPTED THE COMMUNITY DEVELOPMENT DEPARTMENT'S

REPORT AND DIRECTS THAT APPLICANTS BE CHARGED FEES ON A TIME AND MATERIALS BASIS, NOT TO EXCEED THE COST FOR A SITE APPROVAL OR USE PERMIT, FOR A PERIOD OF SIX MONTHS. Marenco/Cabral - 5 B-00-705

1:30 p.m. - cdd - Public Hearing Regarding the **Appeal by Don Moyer** of the Planning Commission's Denial of Variance Application **#VR-00-1 of Anthony Dutra Trust** (c/o Moyer Consulting). (5th District) Kerry Sullivan, Community Development Department, briefed the Board on this matter. Don Moyer; Johnny Cardoza; Mary Hildebrand; & Lloyd Haworth also addressed the Board on this matter. **DENIED APPEAL.** Marenco/Gutierrez - 5 R-00-281

1:30 p.m. cdd - Public Hearing Regarding a **One-Year Time Extension** Application for Approved Major Subdivision **#SU-91-1 of Hunter's Point Development.** (4th District) Attorney Steve Herum submitted a letter requesting the matter be withdrawn from the Agenda. Manuel Lopez, Public Works Director; Attorney Ken Meleyco; Assistant County Counsel, Michael McGrew; and Ben Hulse, Community Development Director, also addressed the Board on this matter. **THE BOARD OF SUPERVISORS ACCEPTED THE REQUEST OF HUNTER'S POINT DEVELOPMENT FOR THE WITHDRAWAL OF AN EXTENSION OF THE TENTATIVE MAP FOR MAJOR SUBDIVISION #SU-91-1; AND DIRECTED COMMUNITY DEVELOPMENT DEPARTMENT TO REFUND THE APPEAL FEES TO KENNETH N. MELEYCO.** Gutierrez/Sieglock - 5 B-00-704

1:30 p.m. cdd - Public Hearing Regarding General Plan Amendment Application **#GP-99-11**; Zone Reclassification Application **#ZR-00-4** and Use Permit Application **#UP-00-4** of **Arthur B. Cabral (c/o Antonini Enterprises, Inc.** (1st District) Supervisor Robert Cabral stepped down and left the meeting due to a Conflict of Interest. Kerry Sullivan, Community Development Department, briefed the Board on this matter. Attorney Michael Hakeem, representing Antonini Enterprises, Inc.; Bob Marty, Advanced Geotechnical Consulting; & Evelyn Prouty, addressed the Board on this matter. **FAILED APPROVAL.**

CONSENT - HEALTH & HUMAN SERVICES

1. hcs - San Joaquin General Hospital - Health Care Professional Dietitian Trainee Employment Contract - Erin Andrews. A-00-431

2. hcs - Out-of-State Travel: San Joaquin General Hospital - Helen Anderson, Susan Edwards and Rene Fong. B-00-706
3. hcs - Civil Service Commission Action: Create, Assign, and Allocate - Public Health Services. R-00-282
4. h/r - Extend and Adopt Retiree Health and Dental Plans; and Establish and Adopt Premium Rates for Medical and Dental Insurance for Retirees. B-00-707
5. h/r - Establish and Adopt Premium Rates; Enter Into Agreements and Extend Existing Agreements and Self-Administration Arrangements for the Administration of Health, Dental, Vision, and Related Employee Benefit Plans. B-00-708
6. mhs - Mental Health Services Agreement with San Jose State University for the Provision of an Occupational Therapy Training Program at Mental Health Services. A-00-432
7. mhs - San Joaquin County Mental Health Services State Department of Mental Health Amendment of Medi-Cal Managed Care Agreement for Fiscal Year 1999/2000, and Medi-Cal Managed Care Renewal Agreement for Fiscal Year 2000/01. A-00-433 & 434
8. mhs - Agreement Between San Joaquin County Health Care Services and California State University, Stanislaus: Mental Health Services Wellness Clinic. A-00-435
9. osa - Office Substance Abuse: Employment Agreements (**Grant Funded**). A-00-436--442
10. phs - Public Health Services Teen Pregnancy Prevention Training Project Contract #97-11333-A1. B-00-709 & A-00-443

CONSENT - PUBLIC WORKS

11. pw - Award of Contract for the Chrisman Road Resurfacing. (5th District). R-00-283
12. pw - Approval and Adoption of Plans and Specifications for the Walnut Grove Road Bridge #29C-131 Center Pier Repairs Across Mokelumne River and North Fork, and **Setting a Bid Opening Date of July 13, 2000 at 1:30 p.m.** (4th District) R-00-284
13. pw - Approval and Adoption of Plan and Specifications for the Webster Avenue Reconstruction and **Setting a Bid Opening Date of July 6, 2000 at 1:30 p.m.** (1st District) R-00-285
14. pw - Board Order Accepting Upon Approval of the Black Oak Estates Final Map, an Access Easement to the San Joaquin County Flood Control and Water Conservation District for Flood

Control Purposes Along Mosher Slough (4th District). B-00-710 & A-00-444

15. pw - Approval of Subdivision Agreement and Final Map Entitled "Tract #2338" also known as "Black Oak Estates". (4th District) **CONSIDERED SEPARATELY**. County Counsel, Terrence Dermody & Assistant County Counsel, Michael McGrew, addressed the Board on this matter. **APPROVED**. Gutierrez/Marenco - 5 R-00-711 & A-00-445
16. pw - Transfer of Funds from the Maurland Manor Maintenance District's Designated Fund Balance to the Maurland Manor Operation and Maintenance Budget. **(4/5ths Vote Required)** B-00-712
17. pw - Approval and Adoption of Plans and Specifications for the Interim Traffic Signal at State Highway Route 120 and Austin Road and **Setting a Bid Opening Date of July 6, 2000 at 1:30 p.m.** (5th District) R-00-286

CONSENT - FLOOD CONTROL

18. pw/fc - Board Order Directing the Advisory Water Commission to Draft Legislation to Clarify Water Code Sections 1220 and 1011.5 **MATTER REFERRED BACK TO THE BOARD WATER COMMITTEE FOR REVIEW AND REPORT BACK TO THE BOARD OF SUPERVISORS.**

CONSENT - LAW & JUSTICE

19. prob - Resolutions of Intent to Contract for Two Juvenile Justice Program Grants with the Office of Criminal Justice Planning. R-00-287--288 & B-00-713
20. prob - Employment Contracts - Crossroads Case Managers - Tonya L. Lindsey and Frank Samaniego **(Grant Funded)**. A-00-446 & 447
21. s/o - Budget Adjustments for the 2000/2001 Fiscal Year: Sheriff-Community Liaison Deputy and Sheriff-Meth Task Force Budgets -Increase Appropriation/Revenue Estimates. **(4/5ths Vote Required)** R-00-289 & B-00-714--716
22. s/o - Office Assistant III for Sheriff's Department Employment Contract Renewal - Communications Budget. A-00-448

CONSENT - GENERAL GOVERNMENT

23. aud - Selection of Accounting Firm for Single Audit Service. B-00-717 & A-00-449

24. cdd - Staff Report on Weed Abatement Protests of Mr. Ed Holden and Mr. Maxwell Burton. B-00-718
25. cdd - Staff Report on Weed Abatement of Railroad Properties. B-00-726
26. cdd - Request for Refund of Planning Fees (GP-00-0002) For Antonini Enterprises. CONSIDERED SEPARATELY. Supervisor Cabral stepped down due to a Conflict of Interest. Ben Hulse, Director, Community Development Department addressed the Board on this matter. **NO ACTION TAKEN.**
27. cdd - Great Valley Center Agricultural Transaction Program. CONSIDERED SEPARATELY. APPROVED. Gutierrez/Marenco - 5 B-00-719
28. cdd - Regulation of Leaf Blowers. CONSIDERED SEPARATELY. Kerry Sullivan, Community Development Department; Ben Hulse, Community Development Department Director, addressed the Board on this matter. APPROVED. B-00-720
29. cdd - Peddler Permits and Operational Procedures. CONSIDERED SEPARATELY. Kerry Sullivan, Community Development Department addressed the Board on this matter. ACCEPTED REPORT AND DIRECTED COMMUNITY DEVELOPMENT DEPARTMENT TO REPORT BACK TO THE BOARD WITH THE ISSUES OF WHETHER OR NOT THE TREASURER/ TAX COLLECTOR CAN REVOKE PERMITS AND WHETHER OR NOT EACH FLOWER SELLER NEEDS A LICENSE. Gutierrez/Marenco - 5 B-00-721
30. cdd - Proposed **Pishos** Annexation (LAFC 10-00). CONSIDERED SEPARATELY. Ben Hulse, Community Development Department Director; Ramon Bautista, City of Lathrop Community Development Department Director; Monte McFall, Lathrop, addressed the Board on this matter. DIRECTED COMMUNITY DEVELOPMENT DEPARTMENT TO REQUEST A POSTPONEMENT OF THE PISHOS ANNEXATION (LAFC 10-00) MATTER SCHEDULED BEFORE THE LAFCO COMMISSION ON JUNE 16, 2000 AT 10:00 A.M.; FURTHER REQUESTED A MEETING BE HELD BETWEEN THE BOARD OF SUPERVISORS AND THE CITY OF LATHROP CITY COUNCIL WITHIN THE NEXT 30 DAYS. Cabral/Gutierrez - 5 B-00-697
31. eedd - Authorization to Contract with San Joaquin Family Resource and Referral Center. B-00-722 & A-00-450
32. eedd - Approval of Year Two Funding and Authorization to Sign Subgrant Agreements for the State Welfare-to-Work Discretionary Funds. B-00-723 & A-00-451--452
33. facil/mgmt - Approve an Increase in Value of Gifts and Donations Received by the Facilities Management Division. B-00-724

34. facil/mgmt - Approve Reimbursement of County Expenses Associated with Asparagus Festival 2000. CONSIDERED SEPARATELY. APPROVED. Gutierrez/Marenco - 5 B-00-725
35. facil/mgmt - Approve Design Services Agreement for the Jail 132-Bed Housing Unit. A-00-453
36. p/c - Resolution **Setting Date of July 11, 2000 at 10:15 a.m.** to Hear Objections to Assessments Upon the Lands in the Plain View Water District for the Fiscal Year March 1, 2000 to February 28, 2001, and Specifying Notice of Hearing. R-00-290

ADJOURNED TO TUESDAY, JUNE 20, 2000 AT 10:00 A.M.

Marenco/Gutierrez - 5 B-00-693