

**SAN JOAQUIN COUNTY  
BOARD OF SUPERVISORS  
TUESDAY, JULY 2, 2002**

A moment of silence was held.

**PRESENT: SUPERVISORS BEDFORD, SIEGLOCK, GUTIERREZ, MARENCO, MOW**

Approve Minutes of the Board of Supervisors' Meeting of June 25, 2002. **Approved.** Sieglock/  
Gutierrez/5 B-02-843

Consent Items: #1 & 4 Pulled for Discussion.

#1: Marci Massei, Executive Director of the Head Start Child Development Council, Inc. addressed the Board regarding this matter.

#4: Chairman Mow expressed his concerns over the creation of additional positions and indicated that he would like to see a report back to the Board in 3-4 months.

Roger Speed, Health Care Services Director, addressed Chairman Mow's concerns and stated that a report will be forthcoming to the Board at their meeting of 9/17/02.

#9 Removed at the request of the Human Services Agency Department and postponed to the Board Meeting of 7/9/02.

Consent Items: #1 – 8 & 10 – 31 - **Approved.**  
Sieglock/Gutierrez/5

**SCHEDULED MORNING ITEMS**

9:00 a.m. - bos - Appointments to Boards & Commissions:

A) Commission on Aging - 1 Position. Appointed Donna Gale. Sieglock/Gutierrez/5  
B-02-868

B) Local Child Care Planning Council - 1 Position. Appointed Cathy R. Jepson.  
Sieglock/Gutierrez/5 B-02-867

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### **COMMUNICATIONS**

bos - Received and Referred all Board Communications this date as Outlined on the  
Communications Distribution Listing. Sieglock/Gutierrez/5 B-02-869

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### **PUBLIC COMMENT**

ToCan Nguyen addressed the Board on various matters.

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

Supervisor Gutierrez asked staff several questions regarding a draft to change the airport ordinance. Specifically, he wanted to know what is the document for and what purpose does it serve? Secondly, can it include the parameters by which the Airport Director has authority for entering into contract and lease arrangements, and how specific can the document be, and is there any reason to have it extremely liberal or flexible?

County Counsel indicated the ordinance is derived from State law which calls operations to be reflected in part by way of an ordinance. He further explained as to its specificity, it can be as specific as the Board would like it or as general as the Board would like it, so long as there are certain elements that are contained therein, in terms of operation of the airport generally and who has the authority for contracting. County Counsel pointed out that the major issue is changing the ordinance to make it clear that any contracting had to be done only with the expressed approval of the Board of Supervisors, and to change the ordinance so that there isn't the delegation that presently exists.

Supervisor Gutierrez said that he is interested in seeing some basic principles that he is concerned with in the document. He indicated that it is missing the component which talks specifically about who will contract with agreements and rental agreements. Supervisor Gutierrez stated that the Airport Director indicated he would like to maintain authority to do month-to-month agreements. Supervisor Gutierrez stated he has a problem with this arrangement. Although he does not want to impede on the Airport Director's ability regarding best business practices and what the Airport Director believes to be in the best interest of the County and the airport, the

Board should have some mechanism by which to review some of these contracts. Supervisor Gutierrez emphasized his concern of the Board of Supervisors not having full knowledge of the specificity of the contracts and agreements. He stated that he has some recommendations and changes to the document and requested direction of who he should submit these to for review.

Chairman Mow suggested that any recommendations and or changes should be directed to County Counsel for legal review prior to the document coming back to the Board for ratification.

Chairman Mow inquired as to whether or not the ordinance could include that the Airport Director report to the Board on a regular basis. County Counsel said that it can but it doesn't take an ordinance to direct staff to report back to the Board; it is an order and it is to be carried out by staff.

Supervisor Gutierrez asked if the Ordinance can include that the Airport Director shall work with the County Administrator on all lease and rental agreements, including month-to-month agreements so that a check and balance process is established. County Counsel answered "yes" and further clarified that the rules and regulations presently in the County's Administrative Manual indicate that all contracts are to pass through County Counsel for legal review, and by the fact that it has gone to the Board for approval also means that it has been reviewed by the County Administrator in Agenda Review.

Supervisor Gutierrez informed the Board that he is serving on a city committee for the Martin Luther King Way addition to Charter Way.

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### **CLOSED SESSION**

#### **CONFERENCE WITH LABOR NEGOTIATOR**

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez, Don Turko, Edward Takach,  
Geoff Rothman, Jeff Sloan, Harry Lewis

Employee Organizations: SEIU, San Joaquin Deputy Sheriff's Association, San Joaquin  
County Correctional Officers Association, San Joaquin County Law Enforcement  
Management Association, Sheriff Deputy Sergeant Association, California Nurses

Association, San Joaquin County Management Association, San Joaquin County District Attorney Investigator's Association, Union of American Physicians and Dentists, and Unrepresented

## PUBLIC EMPLOYEE PERFORMANCE EVALUATION

California Government Code Section 54957

Title: Human Services Agency Director

## PUBLIC EMPLOYEE PERFORMANCE EVALUATION

California Government Code Section 54957

Title: Revenue and Recovery Director

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### **NO SCHEDULED AFTERNOON ITEMS**

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### **CONSENT - HEALTH & HUMAN SERVICES**

1. age/cs - Approval to Terminate Agreement to Lease Facilities at the Garden Acres Community Center Building to Head Start Children Development Council, Agreement Number A-93-1231. B-02-844
2. age/cs - Approval of the State Department of Community Services and Development (CSD) CAL-LIHEAP Energy Program Contract NO. 01X-6035, Amendment No. 6. **(4/5th's Vote Required)** B-02-845, B-02-846 & A-02-599
3. cob - Approve Announcement of 1 Position on the Emergency Medical Care Committee. B-02-847
4. hcs - Health Care Services - Office of Substance Abuse Request for an Additional Allocated Position Deputy Director II. R-02-423
5. hcs - Insurance Refund - Department of Health Services. B-02-848

6. hcs - Insurance Refund - Department of Health Services. B-02-849
7. hcs - Application for Appointment to San Joaquin General Hospital Allied Health Professional Staff. B-02-850
8. hcs - Application for Reappointment to San Joaquin General Hospital Allied Health Professional Staff. B-02-851
9. hsa - Request for Approval of the Greater Stockton Chamber of Commerce Agreement. **Removed by Department.**
10. mhs - Mental Health Services: Memorandum of Understanding: Stockton Center Site Authority, City of Stockton, Grupe Commercial Company, County of San Joaquin. A-02-600
11. mhs - Mental Health Services Agreement. A-02-601
12. mhs - 2002-03 Mental Health Contract Program Approvals. A-02-602 thru A-02-609
13. phs - Childhood Lead Poisoning Prevention Program Contract Number 02-25071. B-02-852 & A-02-610
14. phs - HIV/AIDS Community Action Group of San Joaquin County Contract Amendment Number 00-91688A01. B-02-853 & A-02-611

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### **CONSENT - PUBLIC WORKS**

15. pw - Acceptance of the Fine Road Resurfacing Contract and Execution of a Notice of Completion. (4th District) R-02-424
16. pw - Agreement for Consulting Engineering Services for the Eleventh Street Special Purpose Plan Project. (5th District) B-02-854 & A-02-612
17. pw - Approve Payment of the \$40,430 Annual Fee to State Water Resources Control Board for American River Water Right Application 29657. B-02-855
18. pw - Approval and Adoption of Plans and Specifications for the Marine Avenue Improvements and **Setting a Bid Opening Date of July 25, 2002 at 1:30 p.m.** (1st District) R-02-425

19. pw - Agreement for Electronic Waste Recycling Services. A-02-613

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### **CONSENT - LAW & JUSTICE**

20. css - Final Revisions of the San Joaquin County Child Support Services Transition Plan. R-02-426
21. css - Replenishment of Cash Difference Fund for the Department of Child Support Services. B-02-856
22. prob - Approve Second Modification and Extension of Lease Agreement with the Gregerson Family Trust and David Simas for the Crossroads Program. B-02-857 & A-02-614
23. prob - Renewal of Part-Time Employment Contract with Dr. Robert O. Norris for Management Training and Consulting Services. B-02-858 & A-02-615
24. s/o - Sheriff-Detectives & CAL MMET: Approval of Out-of-State Travel to Attend the Airborne Law Enforcement Association Conference and Unit Managers Course in Tucson, AZ. B-02-859

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### **CONSENT - GENERAL GOVERNMENT**

25. cc - Settlement of Legal Action Entitled Desmond Li, individually and dba A-1 Market, v. County of San Joaquin, et al., San Joaquin Superior Court Case No. 005319 Consolidated with Case No. 005281. B-02-860
26. cc - Settlement of Legal Action Entitled Lucia Maya, et al., v. Donna Heran, et al.; San Joaquin County Superior Court Case No. CV002327. B-02-861
27. eedd - Extension of Employment Contract for Hope Arechar. B-02-862 & A-02-616
28. fac/mgmt - Approve the Use of Standardized Materials for County Renovation Projects. B-02-863
29. h/r - Adopt an Ordinance to Exempt the Position of Assistant Director of Child Support Services from Civil Service. **(Said Ordinance Introduced and Waived June 25, 2002)** Ordinance #4158 & B-02-864

30. rev/rec - Compromise of San Joaquin General Hospital Account of Victor Alejandro. B-02-865

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**CONSENT - MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT**

31. mhcsd - Approval of a Modification to Extend the Time Period for the Professional Services Contract (A-01-83) with West Yost & Associates to Provide Construction Management Services for the Water Treatment Plant and the Wastewater Treatment Plant for Mountain House Community Services District. B-02-866 & A-02-617

**ADJOURN TO TUESDAY, JULY 9, 2002 AT 9:00 A.M.**

Sieglock/Marenco/5 B-02-870