

**SAN JOAQUIN COUNTY  
BOARD OF SUPERVISORS  
TUESDAY, JANUARY 28, 2003**

A moment of silence was held.

**PRESENT:** ORNELLAS, MOW, GUTIERREZ, MARENCO, SIEGLOCK

Minutes of the Board of Supervisors' Meeting of January 21, 2003. **Approved.** Mow/Marenco/5  
B-03-140

**Consent Items:** #2, 4, 6, 11 & 13 – Pulled for discussion.

**Consent Item:** #2, 4 and 11 –  
Supervisor Gutierrez commented on all travel requests.  
However, on #2, the Board approved the Travel Request with  
the modification that only one employee, rather than two  
employees, be authorized for travel and that the Department  
Head select the employee to attend the Nursing Career Fair in  
Ontario, Canada. Gutierrez/Marenco/4 Mow – No

**Consent Item:** #6 – Supervisor  
Ornellas stated that he was pleased with this ordinance to  
provide a no parking zone along Byron Road just west of  
Tracy. However, he noted that the current ordinances may  
need to be reviewed and/or modified to address the ongoing  
problem of parking for trucks and trailers.

**Consent Item:** #6 (continued) – Yolanda Salsedo addressed the  
Board regarding this matter.

**Consent Item:** #13 - After  
considerable discussion the Board approved to postpone to  
proceed with the Lodi/Stockton Community Separator Study  
to a future agenda. Supervisor Sieglock stated that he would  
like to afford the opportunity to the City of Stockton and the  
City of Lodi to come before the Board to discuss this matter.

Consent Items: #1, & 3  
through 12; 14 through 17. **Approved.** Mow/Marenco/5

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### **SCHEDULED MORNING ITEMS**

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

A) Water Advisory Commission - 1 Position. **Appointed Rick Gilmore.** Ornellas/  
Gutierrez/5 B-03-141

### **DISCUSSION - GENERAL GOVERNMENT**

1. fac/mgmt - Establish Use Permit Provisions for the 2003 Stockton Asparagus Festival. Craig Ogata, Director of Facilities Management, Alice Hunter, Kate Post, Lt. John Huber, Sheriff's Department, and Martha Mallery, addressed the Board on this matter. **Approved Recommendations with Modifications Presented this Date.** Gutierrez/Marenco/5 B-02-142

2. cao - Adoption of the 2003 Federal Legislative Platform and Policy Guidelines. Rosa Lee, Assistant County Administrator, addressed the Board on this matter. **Accepted Recommendations.** Mow/Ornellas/5 B-03-143

3. cao - Preliminary Review of Proposed 2003/04 State Budget and Recommended 2002/03 Midyear Budgetary Actions. Manuel Lopez, County Administrator, addressed the Board on this matter. **Adopted Staff Recommendations and the County Administrator was Directed to Share the Board's Policy with Department Heads.** Mow/Ornellas/4 Gutierrez/No B-03-144 & B-03-165

### **COMMUNICATIONS**

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Mow/Marenco/5 B-03-145

### **PUBLIC COMMENT**

ToCan Nguyen addressed the Board on various matters.

Carrie Vargas, a Correctional Officer of 14 years for the California Department of Corrections; Carol Pinkins, Retired Warden of the Northern California Women's Center; and LaJuana Bivens, Chairperson of the Northern California Women's Center Citizens Council addressed the Board regarding their concerns of the closure of the Northern California Women's Center.

Frank Martinez, of SEIU Local 250, updated the Board regarding In-Home Care workers negotiations.

Ramiro Reyes, of Stockton, addressed the Board regarding continuing problems with the services of the Human Services Agency.

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

There were no Board of Supervisors Questions and Comments.

### **CLOSED SESSION**

### **CONFERENCE WITH LABOR NEGOTIATOR**

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Don Turko; Edward Takach; John Bertke; Jeff Sloan; Harry Lewis; Robert Muszar

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 District Attorney Investigator's Association, Union of American Physicians and Dentists, and Unrepresented

## CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

California Government Code Section 54956.9(a)

ARNAIZ LTD, vs. SAN JOAQUIN COUNTY et al;

San Joaquin County Superior Court No. CV010728

### SCHEDULED AFTERNOON ITEMS

1:30 p.m. - cdd - Public Hearing Regarding an Appeal by Schulz Bros. Investment of the Planning Commission's Approval of Major Subdivision No. PA-02-27 of Schulz Bros. Investment (c/o Foothill Engineering). (4th District) Kerry Sullivan, Deputy Director, Community Development Department, Erbin Woffburg, representing applicant, Gabriel Karame, Senior Civil Engineer, Public Works Department, and Dean Ruiz, of Hakeem & Marengo, addressed the Board on this matter. **Denied Appeal.** Mow/Marenco/5 R-03-64

1:30 p.m. - cdd - Public Hearing Regarding Mountain House Neighborhood "F" Vested Development Title Text Amendment #PA-02-594 Concerning Corner Lot Streetside Side Setback Requirements. (5th District) Michael Hitchcock, Mountain House Project Manager, and Eric Teed-Bose, Director of Forward Planning, Trimark Communities, LLC addressed the Board on this matter. **Approved Negative Declaration and Text Amendment #TA-02-594.** Gutierrez/Ornellas/5 B-03-146, Ordinance #4187

### CONSENT - HEALTH & HUMAN SERVICES

1. age/cs - Approval of State Department of Community Services and Development Energy Program Calendar Year 2003 Contract No. 03B-5236. B-03-147 & A-03-62
2. hcs - Authorization for Out-of-State Travel - Nursing Career Fair, Personnel Analyst II and Assistant Director of Nursing. B-03-148 & B-03-164
3. mhs - Approval of Mental Health Services Psychiatrist Employment Contract. A-03-63
4. osa - Out-of-State Travel to Attend Women, Co-Occurring Disorders and Violence

Steering Committee. (Grant Funded) B-03-149, B-03-150, & B-03-151

### **CONSENT - PUBLIC WORKS**

5. pw - **Setting March 25, 2003 at 9:00 a.m. for a Public Hearing** Concerning Proposed Gate Fee and Adjustments at County Disposal Sites and Revised Residential Refuse Collection Rates for All County Refuse Service Areas. B-03-152
6. pw - Introduce and Waive Reading of an Ordinance Providing for a No Parking Zone on a Portion of Both Sides of Byron Road, from Tracy City Limits to Grant Line Road. (5th District) (**Said Ordinance to be Adopted on 2/4/03**). B-03-153
7. pw - Approval and Adoption of Plans and Specifications for the Morrison Gardens Resurfacing (Phase 5) and **Setting a Bid Opening Date of February 20, 2003 at 1:30 p.m.** (1st District) R-03-65
8. pw - Acceptance of the College Park/ParkView Sewer Project Phase 2, Contract, Execution of a Notice of Completion and Execution of a Deed of Conveyance. (2nd District) R-03-66
9. pw - Acceptance of the Davis Road Improvements Contract and Execution of a Notice of Completion. (4th District) R-03-67
10. h/r - Create, Assign, and Allocate the New Class of Utility District Laboratory Technician (#4410) in the Public Works Department. R-03-68

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### **CONSENT - GENERAL GOVERNMENT**

11. cao - Participation in San Joaquin Council of Governments' 2003 Legislative Advocacy Trip to Washington, D.C. B-03-154, B-03-155 & B-03-156
12. cdd - Report on the Implementation of Revised Hours of Operation for Quarry Excavation Application QX-96-1 of DSS Company. (5th District) B-03-157
13. cdd - Authorize Proceeding with the Lodi/Stockton Community Separator Study. B-03-158
14. cob - Approve Announcement of 2 Positions on the San Joaquin Valley Air Pollution Control District. B-03-159

15. h/r - Create the New Exempt Class of Mountain House Development Manager, Assign and Allocate the Exempt Position to the Mountain House Community Services District, Adopt an Ordinance Code Amendment Exempting this Class from Civil Service and Delete Obsolete Class. **(Said Ordinance Introduced and Waived on January 21, 2003)** Ordinance #4188 & B-03-160

16. purchasing - Award of Contract for Public Safety Radio Communications & System Support. B-03-161 & A-03-64

17. purchasing - Award of Contract for Furnishing and Installing Two Wellhead Treatment Systems at Micke Grove Park. B-03-162 & A-03-65

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**ADJOURNED TO TUESDAY, FEBRUARY 4, 2003 AT 9:00 A.M.**

Sieglock/Gutierrez/5 B-03-163

Note: If you need disability-related modification or accomodation in order to participate in this meeting, please contact the Clerk of the Board of Supervisors at (209) 468-2350 at least 48 hours prior to the start of the meeting. Government Code Section 54954.2(a).