

SAN JOAQUIN COUNTY

**BOARD OF SUPERVISORS
TUESDAY, MARCH 25, 2003**

A moment of silence was held.

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

Minutes of the Board of Supervisors' Meeting of March 11, 2003. **Approved.** Gutierrez/Mow/5
B-03-352

Consent Items: #1 – 29 – **Approved.** Mow/Gutierrez/5

Georgianna Reichelt addressed the Board regarding her concerns
on

grant monies and stated that she hoped the Board would look closely at where
grant monies are going.

ToCan Nguyen, addressed the Board on the Consent Calendar.

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SCHEDULED MORNING ITEMS

9:00 a.m. - bos – Presented Commendation to Sally Tanaka, Retiring San
Joaquin County Executive Secretary in the County Administrator's Office.

9:00 a.m. - bos – Presented Commendation to John Vera, Retiring San Joaquin
County Human Services Agency Director.

9:00 a.m. - bos – Presented a Proclamation Proclaiming the Month of March 2003 as "Social Worker Appreciation Month" to Dave Erb, Deputy Director of Children Services, and Joe Chelli, Aging and Community Services Director, addressed the Board on this matter.

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

A) Building Board of Appeals - 1 Position. **Reappointed Dean E. Trachiotis.** Marenco/Mow/5 B-03-374

B) Children & Families Commission - 1 Position. **Reappointed Dr. Gary F. Dei Rossi.** Gutierrez/Ornellas/5 B-03-375

C) Children's Services Coordinating Commission - 1 Position. **Continued to April 22, 2003.**

D) Drug and Alcohol Programs Advisory Board - 1 Position. **Reappointed Dianne Timan.** Ornellas/Gutierrez/5 B-03-376

E) Escalon Cemetery District - 1 Position. **Reappointed Loren R. Reid.** Mow/Marenco/5 B-03-377

F) In-Home Supportive Services - 2 Positions. **Clerk of the Board to Readvertise.**

G) Local Child Care Planning Council - 2 Positions. **Clerk of the Board to Readvertise.**

H) Northeast Community Center Advisory Board - 1 Position. **Reappointed Carol Rowan.** Gutierrez/Marenco/5 B-03-378

9:00 a.m. - pw - Public Hearing to Grant a Pipeline Franchise to CalPeak Power - Midway, LLC. **(Said Ordinance Introduced and Waived on March 4, 2003)** (4th District) **Motion to Continue to May 13, 2003.** Gutierrez/Mow/5 B-03-373

9:00 a.m. - pw - Public Hearing Regarding Proposed Gate Fee Adjustments at County Disposal Sites for All County Refuse Service Areas. Tom Flinn, Public Works Director, Tom Horton, Integrated Waste Manager, David Tam, Georgianna

Reichelt, and ToCan Nguyen, addressed the Board on this matter. **Approved Staff Recommendation with the Amendment to the Resolution.** Gutierrez/Marenco/5 R-03-175

DISCUSSION - HEALTH & HUMAN SERVICES

1. hsa - Electronic Benefit Transfer Project for San Joaquin County. John Vera, Human Services Agency Director, and Emily Emory, addressed the Board on this matter. **Approved Staff Recommendation.** Gutierrez/Mow/5 B-03-379

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DISCUSSION - GENERAL GOVERNMENT

1. h/r - Authorize the Non-Renewal of the County's Membership in the CSAC-EIA (Excess Insurance Authority) Primary Workers' Compensation Program and Re-Establish the County's Workers' Compensation Self-Insurance Program. Don Turko, Human Resources Director, and Bruce Coddington, President and CEO, addressed the Board on this matter. **Approved Staff Recommendation.** Gutierrez/Mow/5 B-03-380

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COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Gutierrez/Mow /5 B-03-372

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PUBLIC COMMENT

Jim Doughty, representing the Tracy Congregation of Jehovah Witnesses, addressed the Board about the congregation's difficulty that has arisen with the construction of a church/Kingdom Hall. Chairman Sieglock told Mr. Doughty that he would not receive a response on this date, however, the Board would receive his comments. Mr. Doughty distributed copies of a letter dated March 13, 2003 to the Office of Planning and Research in Sacramento regarding the City of Tracy and County of San Joaquin feud over agreement on water effects land use, along with 44 pages of reference material. Mr. Doughty asked that the county assist in resolving this matter.

Georgianna Riechelt, addressed the Board on various matters.

ToCan Nguyen, addressed the Board on various matters.

Chairman Sieglock pointed out that Supervisor Ornellas had momentarily left the Board Chambers to discuss with his constituency the church and Larch Clover water issue and therefore was not present in the chambers following Mr. Doughty's comments.

Angel Picon, addressed the Board regarding the In-Home Care Workers. He stated that in the previous week some of their members, including some of the representatives within the IHSS were in Sacramento for a presentation. They emphasized the budget and realignment, however, Mr. Picon noted his disappointment that there was no one from San Joaquin County representing the IHSS Public Authority. He stated that there is a lack of communication between the In-Home Care Workers and the leadership of our county.

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BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Marengo, commented on a letter from Richard McClure of Union Planning Mill regarding the issue of San Joaquin Council of Governments using local contractors, and requested a report from the County Administrator.

Supervisor Gutierrez, pointed out that there have been concerns that have been outlined in articles that appeared in the Stockton Record, Sacramento Bee and the San Francisco Chronicle regarding of electronic voting. He has also received concerns from his constituency. Supervisor Gutierrez requested that the Registrar of Voters respond to these concerns and report back to the Board at a Board Meeting.

Supervisor Gutierrez stated that to date he has not received a response to his question regarding a \$1.2 million accounts receivable identified in an audit report of the department from the Auditor-Controller's Office. He also asked the County Administrator to contact the Auditor-Controller to request a report.

Supervisor Marengo said that he had given all the referenced news articles to the Registrar of Voters.

The County Administrator told Chairman Sieglock his office is working with the Auditor's Office and that the matter of electronic would be placed on the agenda of an upcoming Board Meeting.

Supervisor Mow and Supervisor Gutierrez asked for clarification on the Water Advisory Commission appointments made at the 3/11/03 Board Meeting.

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CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Don Turko; 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

PUBLIC EMPLOYEE APPOINTMENT

California Government Code Section 54957

Title: Human Services Agency Director

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SCHEDULED AFTERNOON ITEMS

1:30 p.m. - cdd - Public Hearing Regarding an Appeal by Roger Towers (c/o Brett Jolley) of the Planning Commission's Denial of Site Approval Application #PA-02-306. (5th District) **(Continued from February 25, 2003)** Kerry Sullivan, Deputy Director, Community Development Department, Roger Towers, Jose Alva, Attorney at Law Representing DSS, Geoff Etnire, RMC pacific Materials, Inc., Gerald Costa, addressed the Board on this mater. **Approved Staff Recommendation.** Gutierrez/Marenco/5 R-03-177

1:30 p.m. - cdd - Public Hearing Regarding the Appeal by Janet Spkysma-

Pilchard (c/o Ron Leachman) of the Planning Commission's Approval of Site Approval #PA-02-625 of Old German Baptist Church (c/o VFW Post 1051) (5th District) Kerry Sullivan, Deputy Director, Community Development Department, Attorney Ron Leachman, representing some of the neighbors, David Thompson, James Pilchard, Aaron Overholtzer, Vernetta Thompson, Salena Brown, Janet Spyksma-Pilchard, Don Moyer, Representing VFW Post 1051, Alvin Jenkey, Mike Hakeem, Attorney at Law, and John Serpa, addressed the Board on this matter. **Approved the Staff Recommendation.** Mow/Marenco/5 R-03-178

1:30 p.m. - bos - Information Session -

A) Human Services Agency – John Vera, Human Services Director, addressed the Board on this matter. **Postponed to a Further Date.**

B) Employment and Economic Development Department. **Postponed to a Further Date.**

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CONSENT - HEALTH & HUMAN SERVICES

1. age/cs - Retired and Senior Volunteer Program (RSVP) Grant Application. B-03-353

Consent – Health & Human Services (continued)

2. hcs – Approve San Joaquin General Hospital Physician Employment Contracts: Kristine Kelly Ewing, M.D., Department of Obstetrics & Gynecology: Victoria Formoso, M.D. and Valerie Kidd, M.D. - Employee Health Services. A-03-192, A-03-193 & A-03-194

3. hcs - Emergency Medical Services Agency: Emergency Medical Services Specialist Contract Position - Amy Castelluccio. A-03-195

4. hcs - Application for Appointment to San Joaquin General Hospital Medical Staff. B-03-354

5. hcs - Application for Reappointment to San Joaquin General Hospital Medical

Staff. B-03-355

6. hcs - San Joaquin General Hospital SB 1255 Medical Contract Negotiations: Emergency Services and Supplemental Payment Fund. B-03-356

7. hsa - Recession of Education Stipend Agreement A-00-802 with Laura Spivy. B-03-357 & A-03-196

8. hsa - Request to Approve Interim Statewide Automated Welfare System (ISAWS) Consortium Memorandum of Understanding (MOU) and By Laws. B-03-358 & A-03-197

9. phs – Approve Vendor Agreements with Hands-On Assisted Living and Arcadia Health Services. B-03-359, A-03-198 & A-03-199

10. phs - Amendment to Rules of Procedure for the Public Health Advisory Board. B-03-360

CONSENT - PUBLIC WORKS

11. pw - Award of Contract for the Cometa Road Resurfacing. (4th District) R-03-167

12. pw - Approval and Adoption of Plans and Specifications for the North 99 Frontage Road (West) Resurfacing and **Setting a Bid Opening Date of April 17, 2003 at 1:30 p.m.** (4th District). R-03-168

13. pw - Vacation and Abandonment of a Portion of Banner Street, Located Between Star Street and Republic Way, South of State Highway Route 12. (4th District) R-03-169

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CONSENT - LAW & JUSTICE

14. s/o - Sheriff-Custody: Request Approval for a "Time and Materials" Van for Central Services. B-03-361 B-03-362

15. s/o - Sheriff-Custody: Out-of-State Trip, American Jail Association Training Conference and Jail Expo-Albuquerque, New Mexico, May 3 through May 8, 2003. B-03-363

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CONSENT - GENERAL GOVERNMENT

16. ag/comm - Approval of Amendment to the Agreement for the Operation of a Pet Adoption Center Between the County, the City of Stockton and the Animal Protection League. B-03-364 & A-03-200
17. air - Approval of Change Order #2 to the AGEE Construction Corporation Contract to Construct Extended Safety Area Runway 29R; Rehabilitate MALSR System and Construct Runway 29R East End Blast Wall (AIP Project #3-06-0250-17) at Stockton Metropolitan Airport. B-03-365 & A-03-202
18. cao - Authorization to Fill the Executive Secretary Position in the County Administrator's Office. B-03-366
19. cc - Legal Action Entitled William O. Craft, et al. v. County of San Joaquin, et al., Superior Court Case #CV014156. B-03-367
20. cob - Approve Announcement of 1 Position on the Solid Waste Management Independent Hearing Panel. B-03-368
21. fac/mgmt - Increase Appropriation and Estimated Revenue, Award Construction Contract, and Approve Resolution for the San Joaquin County Jail 132-Bed Expansion Project. **(4/5ths Vote Required)** R-03-170, R-03-171 & B-03-369
22. h/r - Establish and Adopt Rates for Employee Health, Dental and Vision Plans; Extend and Adopt Changes to Existing Agreements for Administration of Health, Dental and Vision Benefit Plans. B-03-370
23. h/r - Adopt Health Plan Amendment to Comply with HIPAA Privacy Standards and Authorize Director of Human Resources to Implement Privacy Requirements for the Employee Benefit Plans. B-03-371
24. rov - Resolution Accepting Statement and Result of Votes Cast for the Special Municipal/District Election Held on Tuesday, March 4, 2003. R-03-172
25. treas/tax/colltr - Resolution Replenishing the Cash Difference Fund of the County Tax Collector. R-03-173
26. treas/tax/colltr - Approve the Employment Contract Between Suesie H. Hoang and the County of San Joaquin. A-03-201
27. treas/tax/colltr - Approve a Resolution to Issue Linden Unified School District General Obligation Bonds in an Amount Not to Exceed \$5,000,000.00. R-03-176

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CONSENT - MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

28. mhcsd - Adopt an Ordinance Entitled "An Ordinance of the Mountain House Community Services District Instituting a Cross Connection Control Program to Protect the Public Water System. **(Said Ordinance Introduced and Waived on March 11, 2003)**
Ordinance #4192

29. mhcsd - Resolution of the Board of Directors of the Mountain House Community Services District Approving the Annexation Letter Agreement Document and Authorizing the General Manager to Enter into Such Agreements. R-03-174

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ADJOURN TO TUESDAY, APRIL 1, 2003 AT 9:00 A.M.

Marenco/Mow/5 B-03-381

Note: If you need disability-related modification or accommodation 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).