

**SAN JOAQUIN COUNTY
BOARD OF SUPERVISORS
TUESDAY, APRIL 01, 2003**

A moment of silence was held for reflection.

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

Minutes of the Board of Supervisors' Meeting of March 25, 2003. **Approved.** Mow/Gutierrez/5 B-03-391

9:00 a.m. - bos - Presentation by Supervisor Bob Waterston of the Fresno County Board of Supervisors Regarding Operation Clean Air.

Consent Item: #16 – Pulled for discussion by Supervisor Gutierrez. In response to Supervisor Gutierrez, Robert Palmer, Retirement Administrator, stated that the recommendation of 60 to 65 days to allow more time for retirees to circulate their declarations of candidacy seemed to be a reasonable increase.

Consent Item: #1 – Randall Downey addressed the Board regarding Contract Modifications for Aging Program Services Provider Contracts. Joe Chelli, Deputy Director of Aging & Community Services, responded to Mr. Downey's questions.

Consent Items: #1-19: **Approved.** Mow/Sieglock/5

SCHEDULED MORNING ITEMS

9:00 a.m. - bos - Presentation of Proclamation Proclaiming the Month of April 2003 as "Sexual Assault Awareness Month." to Marla DeSilva of the Women's Center.

9:00 a.m. - bos - Presentation of Certificate of Recognition to Donna Haight, Deputy Director, Retiring from San Joaquin County Health Care Services.

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

A) Assessment Appeals Board - 1 Position. **(Contd from 1/21/03) Appointed Larry Fehlhaber.** Mow/Marenco/5 B-03-392

B) Children's Services Coordinating Commission - 1 Position. **Appointed Carol Davis.** Mow/Ornellas/5 B-03-393

C) Garden Acres Community Center Advisory Board - 1 Position. **Clerk of the Board to Readvertise Position.**

D) Emergency Medical Care Committee - 1 Position. **Appointed Louis Galliazzo.** Marengo/Gutierrez/5 B-03-394

E) San Joaquin Valley Air Pollution Control District -1 Position. **Appointed Roger Hoffdahl.** Mow/Gutierrez/5 B-03-395

F) Water Advisory Commission - 3 Positions. **Appointed Keith Concarroe and Jack Snyder. Clerk of the Board to Readvertise Remaining Position.** Gutierrez/Mow/5 B-03-396 (Contd from 3/11/03)

-

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Gutierrez/Mow/5 B-03-397

PUBLIC COMMENT

ToCan Nguyen addressed Board on various matters.

Sigal Kremer addressed the Board regarding her concerns of a group home for juvenile sex offenders recently being located in her area neighborhood and near an elementary school. Supervisor Marengo explained that this is a State matter and Chairman Sieglock referred Mrs. Kremer to Senator Machado's office. Supervisor Mow stated that the County is limited in what can be done, however, the County can assist if there are code enforcement issues involved. Chairman Sieglock asked County Counsel to look into the matter if there is a law regarding a group home of this type being located near an elementary school. County Counsel indicated he would look into this matter and

PUBLIC COMMENT (continued)

report back to the Board. Mrs. Kremer furnished the Board with information regarding the number of groups homes located in San Joaquin County as well as in other counties throughout the state.

Angel Picon informed the Board that wage and benefit negotiations for In-Home Supportive Services Workers were scheduled for April 2 with the County.

Danny Syverson addressed the Board regarding various matters.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Gutierrez, in reference to the Board Agenda Consent Calendar #6 item, stated that out of 20 treatment providers, 18 of these programs are in the First Supervisorial District. He emphasized that he would like to see some type of mechanism to monitor these programs in order to make sure that they are operating in an efficient manner and are not a burden to the neighborhoods. He felt that this monitoring should be mandated as part of the responsibility of the program the county is funding. Chairman Sieglock stated that the County Administrator will ask the departments managing these programs to look into this issue.

In reference to a recent communication from the Director of Public Health Services regarding the PH Construction-Capital Outlay Trust Fund and the nature of a \$1.2 million accounts receivable identified in an audit report of the department, Supervisor Gutierrez asked several questions. Those included: (1) Why are we billing if we are not going to get paid? (2) How much money in billing that we've processed over the past two fiscal years that we are not being paid for? and (3) Are the other county departments allocating in their budgets for that expense in their programs, knowing that they are not going to pay it because it is all general fund monies. He was told by the Auditor-Controller that the County Administrator monitors the general fund monies. Supervisor Gutierrez stated that these questions need to be answered.

Supervisor Marengo commented on an article "United Way ends San Joaquin Program Contract" in the Stockton Record, Saturday, March 29, 2003 regarding a development program called Success by Six for kids. Supervisor Marengo requested an accountability of the monies for this program and a response from the program coordinator of First 5 San Joaquin Children and Family Commission.

Supervisor Ornellas conveyed his condolences to the family of Joseph Menusa, a young Marine recently killed in Iraq. He stated Joseph was a Marine, a father, a son, and that Joseph's family has lived in Tracy for some time.

Supervisor Mow commented on issues raised by Supervisor Gutierrez regarding the PH Construction-Capital Outlay Trust Fund. He also commented on group homes, services the County provides and the value they are to our community, and state mandates of programs.

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

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

California Government Code Section 54956.9(a)

Vickie Davis, et al., vs San Joaquin County; San Joaquin County Superior Court Case #CV014884

Freddie Serrano, a minor, *Bryan Serrano*, a minor, *Sophia Serrano*, a minor by an through their Guardian ad Litem, *Leticia Tejada*, and *Leticia Tejada*, individually vs. *City of Tracy*, et al.; San Joaquin County Superior Court #CV012817

Sharollette Hinton vs. Stockton Nissan, et al.; United States District

Court, Northern District of California Case #CIV.099-3897 EDL.

-

SCHEDULED AFTERNOON ITEMS

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

A) Facilities Management - Craig Ogata, Director of Facilities Management addressed the Board on this matter.

B) Department of Aviation - Barry Rondinella, Airport Director, addressed the Board on this matter.

5:00 p.m. - cao - Opposition to the Use of the Northern California Women's Facility as a Male Reception Facility. **Removed from Agenda - To Be Rescheduled at a Future Date.**

CONSENT - HEALTH & HUMAN SERVICES

1. age/cs - Contract Modifications for Aging Program Services Provider Contracts. Joe Chelli, Director Department of Aging and Community Services. B-03-398 & A-03-212 thur A-03-225

2. cob - Approve Announcement of 1 Position on the In-Home Supportive Services Advisory Committee. B-03-399

3. hcs - Mental Health Services Fiscal Year 2002/03 State Mental Health Performance Agreement. A-03-226

4. hcs - Request for Position Allocation Changes for San Joaquin General Hospital Pharmacy Department. R-03-188

5. hcs - Request for Position Allocation Changes for San Joaquin General Hospital Medical Social Services Department. R-03-189

6. osa - Approval of Contract with El Dorado House to Provide Proposition 36 Residential Drug Treatment Services. B-03-400 & A-03-227
7. osa - Substance Abuse and Crime Prevention Act Proposition 36 First Year Report. B-03-401

-

CONSENT - PUBLIC WORKS

8. pw - Award of Contract for the Lower Sacramento Road/Lincoln Way Bridge Barrier Rail Replacement (Across Dry Creek). (4th District) R-03-190

-

CONSENT - GENERAL GOVERNMENT

9. cc - Legal Action Entitled Universal Funding Corporation vs. County of San Joaquin Superior Court Case #CV016615. B-03-402
10. cc - Legal Action Entitled Tammie Leveille, etc., v. County of San Joaquin, et al., U.S. District Court Case No. CV-S-00-1729 DFL DAD. B-03-403
11. cc - Legal Action Entitled Anadely Cortez, et al, v. County of San Joaquin, et al. San Joaquin County Claim No. C0209015. B-03-404
12. cc - Legal Action Entitled Jose Chiprez, et al., v. William Hudelson, et al., Superior Court Case No. CV015780 B-03-405
13. cob - Approve Announcement of 1 Position on the Children's Services Coordinating Commission. B-03-406
14. cob - Approve Announcement of 1 Position on the Taft Community Center Advisory Board. B-03-407
15. cob - Approve Announcement of 1 Position on the Water Advisory Commission. B-03-408
16. retirement - Resolution Amending Rules for Election of the Eighth Member of

Board of Retirement. Robert Palmer, of Retirement Office, addressed the Board on this matter. R-03-191

17. rev/rec - Compromise of San Joaquin General Hospital Account of Mario Gomez. B-03-409

18. rev/rec - Compromise of San Joaquin General Hospital Account of Manuel Andrade. B-03-410

19. cao - Appointment of Atticus Lee Williams to Interim Human Services Agency Director. B-03-411

ADJOURNED TO TUESDAY, APRIL 8, 2003 AT 8:50 A.M.

Gutierrez/Ornellas/5 B-03-412

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)