

SAN JOAQUIN COUNTY

**BOARD OF SUPERVISORS
TUESDAY, APRIL 8, 2003**

A moment of silence was held.

8:50 a.m. - Meeting of the Mokelumne River and Power Authority.

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

Approve Consent Items 3.1, 3.2, 3.3, and 3.4 – **Approved.** Mow/Ornellas/5

3.1 Approve Minutes of the October 22, 2002 Regular Meeting – **Approved**

3.2 Accept the Status Report – **Approved.** B-03-423

3.3 Accept the Financial Report – **Approved.** B-03-424

3.4 Agreement for Consulting Engineering Services for the Feasibility Analysis and Preparation of Environmental Documentation for the Mokelumne River Regional Water Storage and Conjunctive Use Project. **Approved.** A-03-238 & B-03-437

Public Comment (any item over which the Authority has jurisdiction) – There were no Public

Comments.

Adjournment of the Authority to the next quarterly meeting in July 2003.

Reconvened as Board of Supervisors

Approve Minutes of the Board of Supervisors' Meeting of April 1, 2003. **Approved.** Gutierrez/Marenco/5 B-03-425

Consent Items: #13 - Pulled for discussion – Jim Campos of Walker Communications in Rocklin, California , Craig Ogata, Director of Facilities Management, and Micky Pollack, SJC Communications Officer addressed the Board on this matter.

Consent Items: #1 – 3, 7 – 8 & 10 – 18 – **Approved.** Marenco/Gutierrez/5

Consent Items: #4, 5 & 6 – Removed from the Agenda by County Administrator's Office.

Consent Item: #9 – Remove from Agenda – To be Rescheduled on April 15, 2003.

9:00 a.m. - bos - Presented Proclamation Proclaiming April 7 - 11, 2003 as "Public Health Week" in San Joaquin County. William Mitchell, Director of Public Health, Robin Morrow, Director of Health Plan of San Joaquin, and Sally Macauley, Lodi Unified School District, addressed the Board on this matter.

9:00 a.m. - bos - Presented Proclamation Proclaiming the Month of April and May 2003 as "One Book, One San Joaquin" in San Joaquin County. Nicky Stanke, Director of Library Services and Diane Freggiaro, Administrative Services Manager, addressed the Board on this matter.

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DISCUSSION - GENERAL GOVERNMENT

1. rov - Electronic Voting System Report - Addressing Board Concerns. Deborah Hench, Registrar of Voters, and Stephen Knecht of Diebold Voting System, addressed the Board on this matter. **Status Report Only – No Action Taken.**

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DISCUSSION -MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

1. mhcsd - Public Hearing to Consider Written Protests of Storm Water Drainage Rates, Adopt a Resolution Establishing Storm Water Drainage Rates, Adopt a Resolution Calling for a Special Mailed Ballot Election to be Held on May 27, 2003.

Discussion – Mountain House Community Services District (continued)

Paul Sensibaugh, General Manager of Mountain House Community Services District, addressed the Board on this matter. Mow/Gutierrez/5 R-03-208, R-03-209 & B-03-434

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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-03-435

PUBLIC COMMENT

ToCan Nguyen, addressed the Board on various matters.

Sal Roselli, President of Health Care Workers, SEIU 250, Oakland, California (Headquarters); Reverend Bob Haley, and June Robustelli addressed the Board regarding wages and benefits for In-Home Supportive Services workers.

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BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Steve Gutierrez inquired as to when the Board would receive an official response from the County Administrator regarding the PH Construction-Capital Outlay Trust Fund. He also stated that he would furnish the CAO and Board Members with additional questions. The County Administrator indicated that he should have a response to the Board by the end of the following week.

Supervisor Gutierrez asked how can he request that the Board mandate an audit by the Auditor-

Controller going back three years. He emphasized that he would like to have the matter agendaized. The County Administrator stated that the anticipated report to the Board specifically involves a review by the Auditor-Controller that will cover the past three years. Lastly, Supervisor Gutierrez stated that there should be Board discussion regarding the County's policy regarding the revenue generated, internally or externally, by departments and whether these revenues go to the department automatically or back to the General Fund where it is reallocated by the Board.

Chairman Sieglock said that if the Board is to look at this policy, the Board should look at all departments at the same time. County Counsel stated that this matter should appropriately be placed on a future agenda for discussion.

Supervisor Leroy Ornellas, conveyed his condolences to the family of Mr. Charles Giles, President of Mt. Valley Express based in Manteca, California. Mr. Giles was devoted to his family, his business, and to the community of Manteca.

Board of Supervisors Questions and Comments (continued)

Supervisor Victor Mow commented on issues raised by Supervisor Gutierrez regarding the Public Health Construction-capital Outlay Trust Fund.

The County Administrator informed the Board that the process has been initiated for the installation of a new PA system in the Board Chambers.

Chairman Sieglock wished his son Chris a Happy Birthday, who would be 16-years-old on April 11, and a Happy Birthday to his daughter Amanda, who would be seven-years old on April 12.

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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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

California Government Code Section 54956.9(a)

JESSICA CHAVEZ et., vs. SAN JOAQUIN COUNTY et al.; San Joaquin County Superior Court Case No. CV 013566

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SCHEDULED AFTERNOON ITEMS

1:30 p.m. - cdd - Public Hearing Regarding Appeals by San Joaquin Farm Bureau Federal and the Sierra Club of the Planning Commission's Certification of Environmental Impact Report No. ER-00-2 and Approval of Use Permit No. UP-00-7 of Forward Inc. (2nd District) (**Continued from March 11, 2003**) Kerry Sullivan, Deputy Director, Community Development Department; Ed Sieckert, Ad Consultant; David Phippen; Kevin Basso, General Manager, Forward Inc.; Robert McClellon, Chairman, Environmental Health; Sangeeta Lewis, Sangeeta Engineers; Curt Fujii, Forward Inc.; Mike Hakeem, Attorney at Law; Tom Bruen, Attorney for Forward Inc., and Joe Peterson, San Joaquin Farm Bureau Federation, David Tam, San Francisco Chapter of Sierra Club, and Mike Huggins, Environmental Health, addressed the Board on this matter. **Approved Staff Recommendation and Denied the Appeal.** Mow/Ornellas/3 Gutierrez/Marenco/No R-03-210

1:30 p.m. - cdd - Public Hearing Regarding Special Purpose Plan Application No. PA-03-33 of San Joaquin County Department of Public Works. (5th District) Kerry Sullivan, Deputy Director, Community Development Department, Tom Gau, Deputy Director of Public Works, Dave Olmstead, Jose Alva, Attorney at Law, Dana Taylor, Business Manager for Jefferson School District, Harold Wineinger, and Jeff Ratto, Beck Homes, addressed the Board on this matter. **Approved Staff Recommendation.** Gutierrez/Ornellas/5 B-03-438 & R-03-211

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CONSENT - HEALTH & HUMAN SERVICES

1. age/cs - Contract Amendment for Low-Income Energy Assistance Program. B-03-426 & A-03-239
2. age/cs - Long Term Care Integration Pilot Project Planning Grant Application. B-03-427
3. age/cs - Contract Amendment for Community Services Block Grant (CSBG). B-03-428 & A-03-240
4. hcs - Purchase of Replacement Vehicle San Joaquin General Hospital Laundry Delivery Truck. **Removed from the Agenda by County Administrator's Office.**
5. hcs - Purchase of Replacement Vehicle San Joaquin General Hospital Housekeeping Truck. **Removed from the Agenda by County Administrator's Office.**
6. hcs - Purchase of Replacement Vehicle San Joaquin General Hospital Food Services Delivery Van. **Removed from the Agenda by County Administrator's Office.**

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CONSENT - PUBLIC WORKS

7. pw - Award of Contract for the North 99 Frontage Roads (West and East) Resurfacing. (3rd District) R-03-201
8. pw - Approval and Adoption of Plans and Specifications for the Corral Hollow Road Resurfacing and **Setting a Bid Opening Date of May 1, 2003, at 1:30 p.m.** (5th District) R-03-202
9. pw - Approval and Adoption of Plans and Specifications for the Kennefick Road

**Resurfacing and Setting a Bid Opening Date of May 8, 2003, at 1:30 p.m. (4th District)
Removed from Agenda – To be Rescheduled for April 15, 2003.**

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CONSENT - LAW & JUSTICE

10. prob - Application for Third Year Funding -- Juvenile Justice Crime Prevention Act. B-03-429 & R-03-203

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CONSENT - GENERAL GOVERNMENT

11. ag/comm - Increase Appropriations and Revenue for Agricultural Commissioner Budget #24700 to Reflect Unanticipated Revenue from State Unclaimed Gas Tax Subvention. **(4/5th's Vote Required)** B-03-430

12. cc - Vickie Davis, et al., vs. County of San Joaquin, Superior Court Case No. CV014884. B-03-431

13. fac/mgmt - Award Contract for the San Joaquin County Mental Health Expansion Phase II Data/Communications Project. R-03-204

14. fac/mgmt - Approve Plans and Specifications for the Mary Graham Shelter Data/Communications Project, and **Set a Bid Opening Date of May 1, 2003 at 2:00 p.m.** R-03-205

15. h/r - Create the New Classes of Deputy Animal Control Officer I and Deputy Animal Control Officer II, Assign and Multi-Allocate Seven Positions to Deputy Animal Control Officer II, and Delete Seven Positions of Deputy Animal Control Officer, Recall and Abolish the Class of Deputy Animal Control Officer in the Agricultural Commissioner-Animal Control Division. R-03-206

16. h/r - Approve Change in Administrators to Hartford Life for the 401(a) Retirement Plan for Physicians. B-03-432

17. rev/rec - Compromise of San Joaquin General Hospital Account of Audrey Ewick. B-03-433

18. rov - Resolution Appointing Donnine Carey to the Board of Directors of Lathrop Irrigation District. R-03-207

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ADJOURNED TO TUESDAY, APRIL 15, 2003 AT 9:00 A.M.

Sieglock/Gutierrez/5 B-03-436

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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).