

SAN JOAQUIN COUNTY

**BOARD OF SUPERVISORS
TUESDAY, OCTOBER 14, 2003**

A moment of silence was held.

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

Minutes of the Board of Supervisors' Meeting of September 23 & 30, 2003. **Approved.**
Gutierrez/Marenco/4 Mow/Absent B-03-1170

Consent Items: #18, 19 & 20 - Pulled for discussion.

Consent Item: #19 – John Solis, Director of EEDD, and Facilities Management Director Craig Ogata responded to questions by Board Members. This item was continued to October 21, 2003.

Consent Item: #20 – Captain Jon Moore, Sheriff's Department, responded to questions from Chairman Sieglock regarding as to whether or not the county had the resources available to operate and maintain the purchased equipment.

Consent Item: #18 – Supervisor Gutierrez asked that the County Administrator look into the security issue at Railroad Square.

Consent Items: #1–18 & 20–26 – **Approved.** Gutierrez/4 Mow/Absent
#19 – Continued to October 21, 2003.

Consent Item: #3 – Chairman Sieglock noted that the travel dates should be

October 25-29, instead of October 25-31.

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SCHEDULED MORNING ITEMS

9:00 a.m. - cdd - Public Hearing Regarding Mountain House Development Title Text Amendment #PA-0300359. (5th District) Ben Hulse, Director of Community Development Department, and Tom Schulz, Pulte Home Corporation, addressed the Board on this matter. **Approved Staff Recommendations.** Gutierrez/Ornellas/4 Mow/Absent B-03-1184, R-03-572 & Ordinance #4199

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

- a) Children's Services Coordinating Commission - 2 Positions. **Appointed Dennis Newlin and Valerie Sims.** Sieglock/Gutierrez/4 Mow/Absent B-03-1185
- b) Drug & Alcohol Programs Advisory Board - 1 Position. **Appointed Randall Schantin.** Marenco/Gutierrez/4 Mow/Absent B-03-1186
- c) Emergency Medical Care Committee - 1 Position. **Reappointed Gene Vander Plaats.** Marenco/Gutierrez/4 Mow/Absent B-03-1187
- d) Garden Acres Community Center Advisory Board - 1 Position. **Continued to October 28, 2003.**
- e) In-Home Supportive Services - 4 Positions. **Appointed Katherine Williams and Nancy Phelps. Remaining 2 Positions Under Submission.** Gutierrez/Marenco/4 Mow/Absent B-03-1188
- f) Larch Clover Community Center Advisory Board - 1 Position. **Continued to November 18, 2003.**
- g) Public Health Advisory Board - 1 Position. **Appointed Lawrence R. Frank.** Marenco/Gutierrez/4 Mow/Absent B-03-1189

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COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the

Communications Distribution Listing. Gutierrez/Marenco/4 Mow/Absent B-03-1190

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PUBLIC COMMENT

Irene Killian de Ojeda, Member of the San Joaquin County Juvenile/Delinquency Prevention Commission and Chairperson of the Child Advocacy Committee, addressed the Board regarding her concerns of garbage bags used as luggage when children are leaving the at Mary Graham Children's Shelter.

Reverend Bob Hailey, Brian Muhammad, and Marcell Denmon, addressed the Board regarding Mondez Denmon who died at the San Joaquin County Jail on September 5, 2003.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisors Marenco and Gutierrez requested a report or a time when a report will be ready, regarding the death of Mondez Denmon in order that the father does not have to fly back to California each week from Kansas City, Missouri.

Supervisor Gutierrez, requested that the matter of \$1,000 for luggage for children leaving the Mary Graham Children's Shelter be agendaized as an informational item. County Administrator Manuel Lopez indicated that he would have information for the Board. Board Members also commented on this matter.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Don Turko; John Bertke; 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 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)

NADINE CIMOLI vs. SAN JOAQUIN COUNTY; San Joaquin County Superior Court No. CV01441

SCHEDULED AFTERNOON ITEMS

1:30 p.m. - cdd - Public Hearing Regarding Development Title Text Amendment Application No. PA-03-320 of the San Joaquin County Community Development Department Regarding Temporary Farm Labor Housing in the General Agriculture and Agricultural Resource Management Zones. (All Districts) Kerry Sullivan, Deputy Director, Community Development Department, Al Olson, Program Manager, of Environmental Health Department, Ben Hulse, Director, Community Development Department, and Joe Peterson of Agricultural Advisory Board, addressed the Board on this matter. **Approved Resolution Denying Development Title Text Amendment Application #PA-03-320 of the San Joaquin County Community Development Department Regarding Temporary Farm Labor Housing in the General Agriculture and Agricultural Resource Management Zones.** R-03-573 Sieglock/Ornellas/2 Gutierrez/Marenco/No Mow/Absent

1:30 p.m. - cdd - Public Hearing Report on VFW Post 1051 - Status and Complaint Activity as Required by Site Approval Application #PA-02-625 of Old German Baptist Church (C/O VFW Post 1051). (5th District) **Continued to**

November 25, 2003 at 1:30 p.m. Gutierrez/Ornellas/4 Mow/Absent. B-03-1192

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CONSENT - HEALTH & HUMAN SERVICES

1. mhs - Approval of State Mental Health Performance Agreement for Fiscal Year 2003-04. A-03-859
2. mhs - Approval of Second Modification of Agreement with California Institute for Mental Health. A-03-860
3. phs - Authorization for Out-of-State Travel to Attend Immunization Registry Conference at Atlanta, Georgia. (Grant Funded) B-03-1171

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CONSENT - PUBLIC WORKS

4. pw - Acceptance of the Compressed Natural Gas Refueling Station Contract at the Motor Pool Parking Garage and Execution of a Notice of Completion. R-03-558
5. pw - Acceptance of the Waterloo Road Landscape Improvements Contract and Execution of a Notice of Completion. (1st District) R-03-559

Consent – Public Works (continued)

6. pw - Rejection of Bids for the Sidewalk Accessibility Program, Phase 2. (1st, 2nd, and 3rd Districts) R-03-560
7. pw - Acceptance of Certain Subdivision Improvements, Revised Securities, Offer of Dedication, Declaring a Certain Roadway to be a Public Highway, Declaring Certain Portions of Public Highways to be Through Highways, and Approving Release of Certain Securities Related to Minor Subdivision MS-96-29 Mondy Lane. (4th District) R-03-561, R-03-562 & B-03-1172
8. pw - Intent to Transfer M. C. Silva Estates Properties to County Service Area No. 49, Zone "L-1"; Conduct the Proposition 218 Balloting Process; and Set the Public Hearing Date of December 9, 2003, at 9:00 a.m. (4th District) R-03-563

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CONSENT - LAW & JUSTICE

9. da - Conversion of Contract Deputy District Attorney Positions to Civil Service. B-03-1173 & R-03-564
10. s/o - Approval of Sponsored Out-of-State Travel to Defensive Handgun Training in Pahrump, NV. B-03-1174

CONSENT - GENERAL GOVERNMENT

11. ag/comm - Renewal of Employment Contract for a Geographic Information Systems Developer in the Agricultural Commissioner's Office. B-03-1175 & A-03-861
12. cao - Acceptance of State COPS Program: Financial Reports for FY 2002-03. B-03-1176
13. cob - Approve Announcement of 1 Position on the Equal Employment Opportunity Advisory Committee. B-03-1177
14. cob - Approve Announcement of 1 Position on the Taft Community Center Advisory Board. B-03-1178
15. eedd - Authorization to Submit Fourth-Year Modification to the Strategic 5-Year Local Plan for the Workforce Investment Act of 1998. B-03-1179 & A-03-865
16. fac/mgmt - Accept Contract as Complete for the Mary Graham Children's Shelter Expansion Project. R-03-565
17. fac/mgmt - Accept Contract as Complete for the San Joaquin County Public Works HVAC Project. R-03-566

Consent – General Government (continued)

18. fac/mgmt - Approve Second Extension of Railroad Square Lease Agreement A-98-194. A-03-862
19. fac/mgmt - Approve Office Building Lease Agreement With Regent Weber LLC for the Employment and Economic Development Department. **Continued to October 21, 2003.**

20. oes - Approve Appropriation and Revenue Adjustments for Federal Fiscal Year 2003 Homeland Security Supplemental Grant. **(4/5th's Vote Required)** B-03-1180
21. oes - Acceptance of Department of Fish and Game Grant for Oil Spill Contingency Planning in the Delta. B-03-1181, R-03-567 & A-03-863
22. rov - Resolution Appointing Directors to Boggs Tract Fire Protection District, Country Club Sanitary District, New Jerusalem Drainage District, Banta Carbona Irrigation District, Naglee Burk Irrigation District, South Delta Water Agency, Plain View Water District, Central Delta Water Agency, NYJO Water District, and Dos Reis Storm Water District. R-03-568
23. rov - Approval of Conflict of Interest Code Amendment for Reclamation District No. 2085. B-03-1182
24. rov - Resolution Calling for a Landowner Voting District Election for Brack Tract Reclamation District #2033 to be Held on Tuesday, November 4, 2003, to Elect 3 Members to the Board of Trustees. R-03-569
25. rov - Resolution Appointing Trustees to Reclamation Districts: 17, 348, 524, 548, 684, 773, 828, 1007, 1608, 2029, 2030, 2033, 2037, 2038, 2039, 2040, 2041, 2042, 2044, 2058, 2062, 2072, 2074, 2075, 2085, 2086, 2095, 2107, 2113, 2115, 2116, and 2119. R-03-570

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CONSENT - IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

26. ihss - Adoption of Contract, Final Resolution, and Certification to Allow the Public Authority to Contract with CalPERS. B-03-1183, R-03-571 & A-03-864

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ADJOURN TO TUESDAY, OCTOBER 21, 2003 AT 9:00 A.M.

Gutierrez/Marenco/5 B-03-1191

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).

