

**SAN JOAQUIN COUNTY
BOARD OF SUPERVISORS
TUESDAY, OCTOBER 21, 2003**

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A moment of silence was held.

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

SCHEDULED MORNING ITEMS

9:00 a.m. - bos – Presented Proclamation Proclaiming October 20-24, 2003 as "Eligibility Worker Recognition Week" to Lynette Marston, Chapter President, National Eligibility Workers Association, San Joaquin County Chapter; Connie Welch, Vice-President, and Donna Cobb, Treasurer.

Minutes of the Board of Supervisors' Meeting of October 14, 2003. **Approved.** Ornellas/Marenco/5 B-03-1203

Consent Items: #5, 16 & 18 – Pulled for discussion.

Consent Item: #5 – Bill Mitchell, Director of Public Health and Steve Ebert, Hospital Director clarified questions from Supervisor Ornellas and Supervisor Mow.

Consent Items Pulled for Discussion (continued)

Consent Item: #16 – Manuel Lopez, County Administrator, and John Solis, EEDD Director responded to questions from Supervisors Gutierrez, Marenco and Ornellas.

Consent Item: #18 - Clark Bennett, ISD Director, responded to questions from Supervisor Gutierrez and Chairman Sieglock

regarding the recent payroll completed. Supervisor Gutierrez stated that he had requested a report from the County Administrator regarding the expenditures of the personnel hired for CAPS and the comparison to ISD employees. Manuel Lopez stated that he thought the report had been sent to the Board but would again furnish the Board with copies.

Consent Item: #1—19 **Approved with Supervisor Marenco Voting “No” on Consent #16.** Mow/Gutierrez/5; Marenco No on Item #16

SCHEDULED MORNING ITEMS (continued)

9:00 a.m. - fac/mgmt - Bid Opening on 1540 Roosevelt Avenue, Escalon, CA. (5th District) Craig Ogata, Facilities Management Director, and Nick Isaak, County Property Manager, addressed the Board and explained the process. Lois M. Sahyoun, Clerk of the Board, announced the submitted written bids. They were as follows: Larry & Frances Mason - \$35,500; Evert Achterberg - \$40,000; Harold Peterson - \$36,000; Kevin Wentworth - \$45,000. Frank Bavaro of Bavaro Ranch was present to bid and submitted a \$1,000 check. The highest bidder was Kevin Wentworth at \$76,000. The Resolution Accepting Bids for Sale of County Property located at 1540 Roosevelt Avenue, Escalon, California will be scheduled for the Board of Supervisors agenda of November 18, 2003. Craig Ogata, in response to questions from the Board, stated that the money will go into the Public Improvement Fund for the Ag Center.

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

A) Children's Services Coordinating Commission - 1 Position. (**Contd from 9/23/03) Continued 1 month.**

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Gutierrez/Marenco/5 B-03-1204

PUBLIC COMMENT

Reverend Bob Hailey, Elaine Dunbar, Marcel Denmon, Reverend Ernest Williams, and Ralph White, addressed the Board regarding the District Attorney investigation report concerning the death of Mondez Denmon who died at the San Joaquin County Jail on September 5, 2003.

ToCan Nguyen addressed the Board regarding various matters.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Mow requested that the County Administrator provide the Board with information regarding the Safe Haven Abandoned Baby issue.

Supervisors Mow and Marengo expressed their concerns and interests in maintaining the hospital and health care system. Supervisor Marengo stated that a meeting of the Hospital Committee needed to be scheduled to discuss these areas.

Supervisors Marengo and Mow also commented on the Mondez Demon case and expressed their concern that to date a report, that the Board requested at a previous Board Meeting, had not been received. They emphasized that this matter needs to be addressed and a time scheduled to hear the matter.

Supervisor Marengo stated that to date he has not received a report that he had previously requested regarding the Office of Substance Abuse employee who had been recently terminated from employment. The County Administrator stated that with respect to the general request as to what is going on, there has been action taken and action is continuing.

In response to Supervisor Gutierrez, County Counsel Terry Dermody stated that the Board can request that the personnel on paid leave be taken off paid leave, however, the Sheriff is not required to act on that request. County Counsel cautioned that because the matter was not on the Board agenda, there should not be any further discussion. Chairman Sieglock assured the family of Mondez Demon that the Board is aware of their concerns and that there will be further discussion regarding many of the questions raised at the meeting.

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)

CHANTEL BOISA vs. SAN JOAQUIN COUNTY; San Joaquin County Superior Court No. CV018741

PUBLIC EMPLOYEE APPOINTMENT

California Government Code Section 54957

Title: Health Care Services Agency Director

PUBLIC EMPLOYEE APPOINTMENT

California Government Code Section 54957

Title: Human Services Agency Director

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

California Government Code Section 54956.8

Property: 222 East Weber Avenue, Stockton, California and Related Court Facilities.

Agency Negotiator: Manuel Lopez, County Administrator

Negotiating Parties: County of San Joaquin, State of California

Under Negotiation: Price and Terms of Payment.

12:40 p.m. - The Board returned from Closed Session to announce the appointment of Joseph Chelli as the Director of Human Services Agency. County Administrator, Manuel Lopez announced the terms of the position of Director and the salary step range. Chairman Sieglock announced the vote on this appointment was 4 to 1; Supervisor Ornellas, Gutierrez, Marengo, and Sieglock Voting "Aye", and Supervisor Mow – Voting "No".

NO SCHEDULED AFTERNOON ITEMS

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CONSENT - HEALTH & HUMAN SERVICES

1. age/cs - Declaration of the Twenty-Sixth Annual Senior Awareness Day. B-03-1205
2. age/cs - Authorization to Submit the Federal Fiscal Year 2003/04 Emergency Food and Shelter Program Phase 22 Grant Application. B-03-1206 & A-03-875
3. age/cs - Authorization to Submit the Area Agency on Aging Fiscal Year 2003/04 Title III-E Area Plan Addendum. B-03-1207
4. hcs - Approval of Grant Agreement with Health Plan of San Joaquin for Community Health Coverage Project. A-03-876
5. phs - Allocate One Case Manager Position for the Transitional Case Management

Program. R-03-582

CONSENT - PUBLIC WORKS

6. pw - Acceptance of the Pre-Module Excavation Schedule 1 - North County Landfill Contract and Execution of a Notice of Completion. R-03-583
7. pw - Approval and Adoption of Plans and Specifications for the El Dorado Street Resurfacing and **Setting a Bid Opening Date of November 20, 2003 at 1:30 p.m.** (1st District) R-03-584

CONSENT - LAW & JUSTICE

8. s/o - Sheriff-Lathrop Police Services: Resolution Amending Salary Assignment and Departmental Allocation Listing and Appropriate Adjustments. **(4/5ths Vote Required)** B-03-1208 & B-03-1209 & R-03-585

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CONSENT - GENERAL GOVERNMENT

9. ag/comm - Approval of Federally-Funded Out-of-State Travel to Riverdale, Maryland, to Attend the USDA Phytosanitary Certificate Issuance and Tracking System Advisory Committee Meeting. B-03-1210
10. ag/comm - Approval of Agreement with the State of California for Performance of Red Imported Fire Ant Activities, and Related Budget Adjustments. **(4/5ths Vote Required)** B-03-1211 & B-03-1212 & A-03-877
11. cdd - Request for Refund of Planning Fees (PA-0200477) for Continental Auto Repair. (2nd District) B-03-1213
12. cdd - Request for Refund of Planning Fees (PA-030442) for CRV Enterprises. (4th District) B-03-1214
13. fac/mgmt - Accept Contract as Complete for the San Joaquin County Mental Health Expansion Phase II Exterior Signage Project. R-03-586
14. fac/mgmt - Accept Contract as Complete for the San Joaquin County Mental Health Expansion Phase II Project. R-03-587
15. fac/mgmt - Accept Contract as Complete for the San Joaquin County Mental Health Expansion Phase II Data/Communications Project. R-03-588

16. fac/mgmt - Approve Office Building Lease Agreement With Regent Weber LLC for the Employment and Economic Development Department. (**Contd from 10/14/03**). A-03-878 & B-03-1215
17. h/r - Authorize the Director of Human Resources to Proceed to Complete the Classification Studies Suspended January 28, 2003 and to Proceed on the Classification Studies Requested in the 2003/2004 Budget Process. B-03-1216
18. isd - Status Report on the County Accounting and Personnel System (CAPS) Project. B-03-1217
19. rov - Approval of Conflict of Interest Code Amendments for Reclamation District #2095 and the West Side Irrigation District. B-03-1218

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ADJOURNED TO TUESDAY, OCTOBER 28, 2003 AT 9:00 A.M.

Gutierrez/Mow/5 B-03-1219

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