

SAN JOAQUIN COUNTY

**BOARD OF SUPERVISORS
TUESDAY, DECEMBER 2, 2003**

A moment of silence was held.

PRESENT: ORNELLLAS, MOW, GUTIERREZ, MARENCO, SIEGLOCK

Minutes of the Board of Supervisors' Meeting of November 18, 2003. **Approved.** Gutierrez/
Marenco/5 B-03-1357

Chairman Sieglock announced that the afternoon session was postponed until January 2004.

There were no Consent Items pulled for discussion by Board Members.

Consent Items: #1 – 28 – **Approved.** Marenco/Gutierrez /5

Note: Chairman Sieglock voted to approve all Consent Items
except for Consent Item #8.

ToCan Nguyen addressed the Board on Consent Items.

SCHEDULED MORNING ITEMS

9:00 a.m. - bos - Oral Presentation by Joe Peterson, Program Director, Program Director for San Joaquin Farm Bureau Federation, Regarding Right to Farm Ordinance. Joe Peterson, Farm Bureau Federation, addressed the Board on this matter. **The Board approved the Revision of the Ordinance in conjunction with the Agriculture Commission and Community Development Department.** Sieglock/Gutierrez/5 B-03-1379

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Marengo/Ornellas/5 B-03-1378

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PUBLIC COMMENT

ToCan Nguyen, addressed the Board on various matters.

Emily Emory, addressed the Board on various matters.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Ornellas, received correspondence from the owner of Stockton Laser Charge. She had favorable comments about county employees. In particular, she stated that as a taxpayer she felt assured that the County Auditor was meticulous in seeing that every dime was properly spent.

Supervisor Ornellas congratulated and thanked all those individuals who worked so hard during the Thanksgiving Holiday to help feed the poor, homeless and seniors. He acknowledged Mr. and Mrs. John Day, who for the past several years have put on a Thanksgiving event to feed hundreds of seniors in Tracy. Supervisor Ornellas also acknowledged the Great Plate Restaurant in Tracy who had an event on Thanksgiving Day, and there was an event in Manteca.

Supervisor Mow, in referring to a communication received regarding the naming of the new child advocacy center at Mary Graham Children's Shelter, asked if there was a standard process or procedure for naming county buildings. Chairman Sieglock stated that there was no current policy and that he requested the County Administrator to look into this matter. Rosa Lee, Assistant County Administrator, stated that staff was in the process of developing the policy and the matter would be brought to the Board at its meeting of December 9, 2003.

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 GENERAL HOSPITAL et al.; San Joaquin Superior Court Case No. CV 014417

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION –

California Government Code Section 54956.9(c); 1 case

The following announcement was made after the Board returned from Closed Session.

Robin Drivon, Assistant County Counsel, announced that the Board of Supervisors elected to participate in that litigation that shall be known as the City of Stockton and the County of San Joaquin vs. the State Water Resources Control Board and Regional Water Control Board. County Counsel Terry Dermody added that the vote was unanimous.

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SCHEDULED AFTERNOON ITEMS

1:30 p.m. - h/r - Service and Retiree Award Presentation for August, September & October 2003 Service and Retirement. **Postponed to January 2004.**

CONSENT - HEALTH & HUMAN SERVICES

1. age/cs - Authorization to Research Options to Address Outdoor Space Needs to Parking at Lodi Community Center. (4th District) B-03-1358
2. age/cs - State Department of Aging Family Caregiver Contract Amendment No. 3 for Fiscal Years 2002-04. **(4/5th's Vote Required)** B-03-1359, B-03-1360 & A-03-981
3. cao - Approval of Children and Families Commission (First 5 San Joaquin) Recommendation to Fund Round 8 Mini-Grants and Lincoln Unified School District's Child Care Initiative Program. B-03-1361, A-03-982 thru A-03-986 (5)
4. hsa - Authorization of Contract Amendment with Service First for Vendor Payment Services. B-03-1362 & A-03-987
5. phs - Laboratory Services Agreements with Calaveras and Tuolumne Counties. B-03-1363, A-03-988, A-03-989
6. phs - WIC Supplemental Food Program Contract Amendment Number 02-25707-A1. B-03-1364 & A-03-990
7. phs - HIV/AIDS Subcontracts with San Joaquin AIDS Foundation, Delta Health Care, Community Works and Community Medical Centers. B-03-1365, A-03-991 thru A-03-994 (4)
8. phs - Approval of Sexually Transmitted Disease Control Program State Contract Amendment Number 02-25820-A1 and Subcontract with the Boys and Girls Club of Stockton and Delta Health Care. B-03-1366, A-03-995, A-03-996 & A-03-997

CONSENT - PUBLIC WORKS

9. pw - Approval and Adoption of Plans and Specifications for the Kettleman Lane Improvements and **Setting a Bid Opening Date of January 8, 2004, at 1:30 p.m.** (4th District) R-03-667
10. pw - Acceptance of a Grant Deed and an Agreement for the Purchase of Real Property and the Adoption of an Order Declaring a Public Highway on Patrick Road, Road No. 1124. (4th District) R-03-668 & A-03-998
11. pw - Acceptance of Grant Deeds and Agreements for the Purchase of Real Property and Adoption of Orders Declaring a Public Highway for the B Street Improvement Project. (1st District) R-03-670, A-03-999 thru A-03-1020 (22)
12. pw - Declare the Intersection of Murphy Road and Milgeo Avenue to be a Three-Way Stop Intersection. (5th District) R-03-671

Consent – Public Works (continued)

13. pw - Acceptance of Used Oil Block Grant Funds from the California Integrated Waste Management Board. B-03-1367 & A-03-1021
14. pw - Acceptance of the Concrete Bridge Deck Seal Program 2003 Contract and Execution of a Notice of Completion. R-03-672
15. pw - Intent to Establish Zone "G" (Linne Estates) Within County Service Area No. 44, Including a Proposed Assessment for Storm Drainage, Sanitary Sewer, Water, and Street Lighting Services; and **Set the Public Hearing Date of January 20, 2004, at 9:00 a.m.** (5th District) R-03-673
16. pw - Intent to Establish Zone "E" (Castello Estates) Within County Service Area No. 44, Including a Proposed Assessment for Storm Drainage, Sanitary Sewer, and Water Services; and **Set the Public Hearing Date of January 20, 2004, at 9:00 a.m.** (5th District) R-03-674
17. pw - Acceptance of Certain Subdivision Improvements, Security, and Grant Deeds; Declaring Certain Roadways to be Public Highways; and Declaring a Portion of Public Highways to be Through Highways Related to the Antiquated Subdivision, Escalon Ranch Colony Road County Service Area No. 49, Zone L-1. **(4/5th's Vote Required)** (4th

District) R-03-675, R-03-676 & B-03-1368

CONSENT - LAW & JUSTICE

18. da - Resolution Authorizing Execution of Grant Award Agreement with the Office of Traffic Safety to Conduct a Driving Under the Influence Prosecutor Training and Education Program. **(4/5th's Vote Required)** A-03-1022, B-03-1369 & B-03-1381

CONSENT - GENERAL GOVERNMENT

19. ag/comm - Approval of Agreement for Enforcement of Pesticide Regulations Between the County and the State of California. B-03-1370 & A-03-1023

20. air - Approval to Transfer Surplus 1985, GMC Truck/Herbicide Sprayer from San Joaquin County Public Works Channel Maintenance to Stockton Metropolitan Airport. B-03-1371

21. cc - Legal Action Entitled Cimoli, Nadine, et al. v. County of San Joaquin, et al.; Superior Case No. CV014471. B-03-1372

22. cob - Approve Announcement of 3 Positions on the Equal Employment Opportunity Advisory Committee. B-03-1373

23. eedd - Approval of the Annual Plan Certification of the San Joaquin County Revolving Loan Fund Administrative Plan Project No. 07-19-1936. B-03-1374

24. eedd - Recommendation to Approve the Revolving Loan Fund Administrative Plan Revised October 2003. B-03-1375

Consent – General Government (continued)

25. hr - Ratification of Election Results to Select a Participant Representative to Serve on the Deferred Compensation Committee. B-03-1376

26. hr - Adopt an Ordinance to Exempt the Positions of Mountain House Operations & Maintenance Manager and Mountain House Neighborhood Administrator. **(Said Ordinance Introduced and Waived November 25, 2003)** Ordinance #4203

27. mhs - Agreement with Stockton Shelter for the Homeless Wintertime Overflow Shelter Supervision. A-03-1024

28. neigh/pres - Allocation of Community Development Block Grant Program Income and the Resulting Amendment #9 to the 2000-05 Consolidated Plan. B-03-1377

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

Gutierrez/Ornellas/5 B-03-1380

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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).