

**BOARD CHAMBERS, COURTHOUSE, 7TH FLOOR
222 E. WEBER AVENUE STOCKTON, CA
TUESDAY, DECEMBER 09, 2003
9:00 AM**

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

Minutes of the Board of Supervisors' Meetings of November 25, 2003 & December 2, 2003.

Approved. Gutierrez/Marenco/5 B-03-1391

Consent Items: #8, 9, 23, 48, 49, & 50 pulled for discussion

Consent Item: #8 – Kenneth Cohen, Interim Health Care Services Director, responded to questions from Supervisors Mow, Gutierrez and Ornellas. Supervisor Marenco also commented on this item.

Consent Items: #8 & #9 – The Public Hearing to review the draft of the Trauma Plan for San Joaquin County was continued to January 20, 2004 at 1:30 p.m.

Consent Item: #23 – Supervisor Ornellas, in referring to the Resolution in Support of San Joaquin County Water Agency Positions Regarding the Napa Protection, requested that the word “adequate” be added in paragraph 2, third sentence to read “Delta through the concurrent implementation and operation of an **adequate** South Delta Improvement. . . .”

Consent Item: #48, 49, & 50 – Human Services Agency Director Don Turko responded to questions from Supervisor Marenco regarding the classification studies and the impact of these positions on the budget.

Consent Item: #26 – The Honorable George Abdallah, Presiding Judge of the Superior Court, addressed the

Board on this matter.

He announced the retirement of Jeannie Millsaps, Executive Officer of the Superior Court, and he also stated that she was recently recognized by the State of California as Court Executive Officer of the Year. Judge Abdallah informed the Board that the new Court Executive Officer will be Rosa Juniquero.

Consent Item: #50 – Michelle Blau; Katherine Lambeth; Diana Shields; and Annette DePauli addressed the Board on this matter.

Consent Items: #1--7, 10--22, 24--25, 27, 28--49, & 51--55. **Approved.** Gutierrez/Marenco/5

Consent Item: #8 – Approved by a separate motion - Sieglock/Gutierrez/5

Consent Item: #23 – Approved by a separate motion -Ornellas/Gutierrez/5

Consent Item: #26 – Approved by a separate motion - Mow/Marenco/5

Consent Item: #50 – Supervisor Gutierrez requested that a copy of the Board Meeting tape regarding this matter be sent to the Human Resources Director for review, and that the matter be brought back to the Board in January of 2004. Approved by a separate motion - Gutierrez/Mow/4 Gutierrez/
No

SCHEDULED MORNING ITEMS

9:00 a.m. - pw - Public Hearing to Transfer M.C. Silva Estates Properties to County Service Area #49, Zone"L-1", and Levy an Assessment for Street Lighting Service (4th District) Tom Gau, Deputy Director, Public Works Department and Francis Lau, Senior Civil Engineer, addressed the Board on this matter. **Approved**

Resolution. Gutierrez/Marenco/5 R-03-686

Scheduled Morning Items (continued)

9:00 a.m. - bos - Oral Presentation by Supervisors Mow and Ornellas Regarding Safe Haven for Newborns. **No Action Taken - Oral Report only.**

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

A) Garden Acres Community Center Advisory Board - 1 Position. **Continued to February, 2004.**

B) Drug & Alcohol Programs Advisory Board - 3 Positions. **Clerk of the Board to Readvertise Positions - January 2004.**

C) Local Child Care Planning Council - 2 Positions. **Reappointed Tammy Hamilton-Williams & Cathy Jepson.** Marenco/Gutierrez/5 B-03-1392

D) Advisory Water Commission - 7 Positions. **Reappointed Fred Weybert, Thomas Hoffman, Dante John Nomellini, & Thomas McGurk.** Marenco/Gutierrez/5 B-03-1393. Clerk of the Board to contact agency on the remaining 3 positions.

9:30 a.m. - osa - Presentation of School Spirit Awards for Red Ribbon Celebration. Daniel Torres, Substance Abuse Director, Office of Substance Abuse, presented awards to El Dorado, Commodore, Bear Creek High, and Inner City Christian Academy Schools for the 2002 Year and Valenzuela, Commodore, Lodi High, and Inner City Christian Academy Schools for the 2003 Year.

DISCUSSION - HEALTH & HUMAN SERVICES

1. hsa - Request to Name the Child Advocacy Center in Memory of Pediatrician Dr. J. D. Kortzeborn. Joe Chelli, Director of Human Services Agency, briefed the Board on this matter. Terry Mack, of Health Plan of San Joaquin, and Helen Crane, addressed the Board on this matter. Elaine Kortzeborn, widow of Dr. Kortzeborn was present in the audience. **Approved.** Marenco/Gutierrez/5 B-03-1394

DISCUSSION - PUBLIC WORKS

1. pw - Oral Report on Projects and Activities of the Water Resources Division. Tom Flinn Director, Public Works Department, and Mel Lytle, Water Resource Coordinator of Public Works Department , addressed the Board on this matter. **No Action Taken - Oral Presentation only.**

DISCUSSION - GENERAL GOVERNMENT

1. air - Department of Aviation Business Plan. Barry Rondinella, Airport Director, addressed the Board on this matter. **Accepted Report.** Gutierrez/Mow/5 B-03-1395
2. cao - 2004 Proposed State & Federal Legislative Platforms. Elena Reyes, Management Analyst III, of County Administrator's Office, addressed the Board on this matter. **Approved Staff Recommendations.** Gutierrez/Marenco/5 B-03-1396
3. cao - 2003-04 First Quarter Budget Report. Manuel Lopez, County Administrator, addressed the Board on this matter. **Accepted Staff Recommendations.** Gutierrez/Marenco/5 B-03-1397

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Gutierrez/Mow/5 B-03-1398

PUBLIC COMMENT

Emily Emory addressed the Board on various matters.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Chairman Sieglock wished everyone a Merry Christmas.

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)

RANDY L. EDMONDS et al. vs. SAN JOAQUIN COUNTY et al.; San Joaquin Superior Court Case No. CV 015999

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to California Government Code Section 54956.9(b); 1 case

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.

SCHEDULED AFTERNOON ITEMS

1:30 p.m. - cdd - Public Hearing on Second Cycle General Plan Text Amendment Application #PA-0300491 Housing Element Update 2003-2008. (All Districts) Jon Moore, Deputy Director, Community Development Department, addressed the Board on this matter. **Approved Staff Recommendations.** Gutierrez/Marenco/5 B-03-1436

1:30 p.m. - cdd - Public Hearing Regarding Mountain House Development Title Text Amendment #PA-03576 of Trimark Communities. (5th District) Michael Hitchcock, Mountain House Project Manager, and Attorney Steve Herum addressed the Board on this matter. **Approved Staff Recommendations.** Mow/Gutierrez/5 R-03-703 & Ordinance #4204

CONSENT - HEALTH & HUMAN SERVICES

1. age/cs - Approval of Federal Fiscal Year 2003 Refugee Employment Social Services Discretionary Grant-Funded Subcontract with Cambodian Community of Stockton, Inc. for Refugee Elderly Services. B-03-1399 & A-03-1034

2. age/cs - Approval of Federal Fiscal Year 2003 Targeted Assistance Discretionary Grant-Funded Subcontract with World Relief Corporation. B-03-1400 & A-03-1035
3. age/cs - Approval of Modification to the Senior Service Agency Congregate and Home Delivered Meals Contract. B-03-1401 & A-03-1036
4. age/cs - Approval of Fiscal Year 2003/04 Contract Amendment Restoring Full Funding for the Multipurpose Senior Services Program. B-03-1402 & A-03-1037
5. cao - Approval of Children and Families Commission (First 5 San Joaquin) Recommendation for Funding for Centralized Eligibility List and Management System. B-03-1403 & A-03-1038
6. cob - Approve Announcement of 3 Positions on the Health Commission of San Joaquin County. B-03-1404
7. hcs - Standard Agreements for California Healthcare for Indigents Program and Emergency Medical Services Appropriation for Program Funding Fiscal Year 2003/04. B-03-1405 & A-03-1039 & A-03-1040
8. hcs - Approval of Contract Extension for the Trauma Planning Grant and Set Public Hearing of January 20, 2004 at 1:30 p.m. for Consideration of a Draft Trauma Plan. B-03-1406 & A-03-1041
9. hcs - Emergency Medical Services Specialist Contract Extension. **Continued to January 20, 2004.**

Consent - Health & Human Services (continued)

10. hcs - San Joaquin General Hospital Physician Employment Contract Department of Obstetrics and Gynecology. A-03-1042
11. hcs - Approval to Submit Proof of Claim Form for the Federal Portion of Medi-Cal Outpatient Settlement. B-03-1407
12. mhs - Approval of Day Treatment Placement at Willow Creek Treatment Center. B-03-1408
13. mhs - Agreements with Heritage Oaks Hospital and Sierra Vista Hospital for Inpatient Services. A-03-1043 & A-03-1044
14. phs - Partnership for the Public's Health Amendment No. 4 to Grant Agreement

Number 1000042. B-03- 1409 & A-03-1045

15. phs - Out-of-State Travel to Attend National Symposium of Biosafety at Atlanta, Georgia. (Grant Funded). B-03-1410

16. phs - Out-of-State Travel to Attend National Laboratory Training Network Laboratory Methods for Detecting Rabies Virus at San Antonio, Texas. (Grant Funded). B-03-1411

17. phs - Tobacco Free Families Project Subcontracts for Smoking Cessation and Smoking Harm Reduction. A-03-1046 & A-03-1047 & A-03-1048 & B-03-1412

CONSENT - PUBLIC WORKS

18. cob - Approve Announcement of 6 Positions on the Advisory Water Commission. B-03-1413

19. pw - Filing of a Grade Separation Funding Nomination to the California Public Utilities Commission for the West Lane Grade Separation at the Union Pacific Railroad Crossing. R-03-687

20. pw - Acceptance of the Corral Hollow Road Resurfacing Contract and Execution of a Notice of Completion. (5th District) R-03-688

21. pw - Declare the Intersection of French Camp Road and Austin Road to be a Four-Way Stop Intersection (2nd & 5th Districts) R-03-689

22. pw - Approval and Adoption of Plans and Specifications for the Sidewalk Accessibility Program, Phase 2, **and Setting a Bid Opening Date of January 8, 2004 at 1:30 p.m.** (1st, 2nd, & 3rd Districts) R-03-690

CONSENT - FLOOD CONTROL

23. pw/fc - Support of San Joaquin County Water Positions Regarding the Napa Proposition. R-03-691

CONSENT - LAW & JUSTICE

24. da - Accepting the Responses to the Audit Reports for the Auto and Workers

Compensation Insurance Fraud Programs for Grant Year Ending June 30, 2003.
1414

B-03-

CONSENT - GENERAL GOVERNMENT

25. assessor/rec/co/clerk - Adopt a Board Order Electing to Participate in the 2004 State-County Property Tax Administration Grant Program & Appropriate Unspent Funding Allocation from the 2003 Program **(4/5ths Vote Required)**. B-03-1415 & B-03-1416 & A-03-1049
26. cao - Amended Allocations for Projects Funded by the Courthouse Construction Fund. **(4/5ths Vote Required)** B-03-1417 & B-03-1435
27. cao - Adopting a Resolution Joining the Coalition of Counties Working to Achieve Mental Health & Health Realignment Equity. R-03-692
28. cc - Legal Action Entitled Boisa, Chantel, et al. vs. County of San Joaquin, et al., Superior Court Case #CV018741. B-03-1418
29. cdd - Report on Status of Text Amendment PA-0200351 of VFW Post 1051 (c/o Moyer Consulting) as Required by Board of Supervisors. (All Districts) B-03-1419
30. cdd - Williamson Act Farmland Security Contract Applications. (4th District) R-03-693 & A-03-1050
31. cdd - Williamson Act Contract Applications. (2nd & 4th Districts) R-03-694 & A-03-1051, A-03-1052
32. cdd - Williamson Act Contract Applications. (4th & 5th Districts) R-03-695 & A-03-1053--A-03-1057
33. cdd - Williamson Act Contract Applications. (4th & 5th Districts) R-03-696 & A-03-1058--A-03-1060
34. cdd - Williamson Act Contract Application. (2nd & 4th Districts) R-03-697 & A-03-1061
35. cdd - Foreclosure on Defaulted Housing Loans. B-03-1420
36. cob - Approve Announcement of 3 Positions on the Agricultural Advisory Board. B-03-1421

Consent – General Government (continued)

37. cob - Approve Announcement of 2 Positions on the Aviation Advisory Committee. B-03-1422
38. cob - Approve Announcement of 1 Position on the Boggs Tract Community Center Advisory Board. B-03-1423
39. cob - Approve Announcement of 1 Position on the Civil Service Commission. B-03-1424
40. cob - Approve Announcement of 2 Positions on the Larch Clover Community Center Advisory Board. B-03-1425
41. cob - Approve Announcement of 1 Position on the Mosquito and Vector Control District. B-03-1427
42. cob - Approve Announcement of 1 Position on the New Mariposa Drainage District. B-03-1428
43. cob - Approve Announcement of 1 Position on the Stockton Port District. B-03-1428
44. eedd - Renewal of Sublease Agreement for Office Space at San Joaquin Delta College Facility in Stockton, CA. B-03-1429 & A-03-1062
45. eedd - Approval of Required Partner Memorandum of Understanding with California State Department of Rehabilitation. B-03-1430 & A-03-1063
46. eedd - Authorization to Release Request for Proposals for Child Care Referral Services. B-03-1431
47. eedd - Authorization to Release Request for Proposals for Youth Programs. B-03-1432
48. h/r - Implement Classification Project #03-014; Maintain 29 Positions of Public Health Nurse I/II; Reclassify Four Senior Public Health Nurses to Supervising Public Health Nurse; Allocate Four Positions of Supervising Public Health Nurse, and Delete Four Allocations of Senior Public Health Nurse in Public Health Services. R-03-698
49. h/r - Implement Classification Project #03-020; Create the Class of Sheriff's Security Officer; Assign and Allocate Four Positions of Sheriff's Security Officer, and

Delete and Recall Four Placeholder Positions of Security Worker in the Sheriff's Department Court Services. R-03-699

Consent – General Government (continued)

50. h/r - Implement Classification Study #02-30 Create, Assign and Allocate the Classes of Social Worker I-V, Social Worker Supervisor I & II; Delete and Recall the Classes of Social Worker, Senior Social Worker, Linkages Case Manager, MSSP Counselor, Protective Services Social Worker I-III, Social Services Practitioner I & II, Social Services Unit Chief, Adult Services Unit Chief, Child Welfare Unit Chief and MSSP/ Linkages Unit Chief in the Human Services Agency. R-03-703
51. rov - Status Report on the Implementation of the Electronic Voting System. B-03-1433
52. rov - Resolution Authorizing the Registrar of Voters Office to Conduct a School Bond Election for the San Joaquin Delta Community College, and to Consolidate Said Election with the Statewide Direct Primary Election to be Held on Tuesday, March 2, 2004. R-03-700
53. rov - Resolution Authorizing the Registrar of Voters Office to Conduct a School Bond Election for the Valley Home Joint Elementary School District, and to Consolidate Said Election with the Statewide Direct Primary Election to be Held on Tuesday, March 2, 2004. R-03-701
54. rov - Resolution Authorizing Execution of Agreement with the City of Stockton and Requesting Consolidation of the City's Primary Municipal Election with the Statewide Direct Primary Election to be Held on March 2, 2004 and General Municipal Election with the Statewide General Election to be Held on November 2, 2004. R-03-702 & A-03-1064
55. treas/tax/colltr - Approve the Renewal of the Employment Contract. A-03-1065

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ADJOURNED TO MONDAY, JANUARY 5, 2004 AT 11:00 A.M. FOR A

REORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

Gutierrez/Marenco/5 B-03-1434

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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).