

**BOARD CHAMBERS, COURTHOUSE, 7TH FLOOR  
222 E. WEBER AVENUE STOCKTON, CA  
TUESDAY, FEBRUARY 10, 2004  
9:00 AM**

Supervisor Sieglock said a prayer prior to Roll Call.

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

Minutes of the Board of Supervisors' Meeting of February 3, 2004. **Approved.** Sieglock/Mow/5  
B-04-146

Consent Items: #5 - Bruce Hopperstead, Director of  
Mental Health Services, responded to Supervisor Mow's questions  
regarding how the program is operated.

ToCan Nguyen addressed the Board regarding consent items.

**CONSENT – HEALTH & HUMAN SERVICES**

1. age/cs - Contract Amendment with California Department of Aging Increasing Funding for Title V-Senior Community Services Employment Program. **(4/5ths Vote Required)** B-04-147 & B-04-148 & A-04-92
2. hcs - Revision to San Joaquin County General Hospital Medical Staff Bylaws. B-04-149

**Consent – Health & Human Services** (continued)

3. hcs - Approval of Extension to Letter of Intent for Site Acquisition between the County and Health Plan of San Joaquin. B-04-150
4. hsa - Authorization to Sponsor the League of United Latin American Citizens Youth Leadership Conference - 2004. B-04-151

5. mhs - Approval of Agreement with California Department of Mental Health for the Conditional Release Program. A-04-93
6. mhs - Approval of Sixth Modification of Agreement with University of the Pacific for the Community Re-Entry Program. A-04-94
7. phs - Approval of Contract with the State of California for Regional Public Health Laboratory Services. B-04-152 & A-04-95

### **CONSENT - PUBLIC WORKS**

8. pw - Introduce and Waive Reading of an Ordinance Providing for a Speed Limit of 45 Miles Per Hour on a Portion of Kettleman Lane, from State Highway Route 88 to Jack Tone Road. (4th District) (**Said Ordinance to be Adopted on February 17, 2004**) B-04-153
9. pw - Acceptance of Certain Subdivision Improvements for Tract #318, Heather Moor Estates, Unit #2, and Establishing Budget Units for Revenue and Expenditure Classifications for County Service Area #46 - Morada North. (**4/5ths Vote Required**) (4th District) R-04-78 & B-04-154
10. pw - Approval of New Public Road Crossing Agreement for the Reconstruction and Widening of an Existing Union Pacific Railroad Company Crossing at Armstrong Road. (4th District). R-04-79 & A-04-96
11. pw - Issuance of Refuse Collection License to Roos Disposal, Inc. B-04-156

### **CONSENT - LAW & JUSTICE**

12. cob - Approve Announcement of 5 Positions on the Juvenile Justice Delinquency Prevention Commission. B-04-157

### **CONSENT - GENERAL GOVERNMENT**

13. cob - Approve Announcement of 1 Position on the Boggs Tract Community Center Advisory Board. B-04-158
14. cao - Participation in San Joaquin Council of Governments' 2004 Legislative Advocacy Trip to Washington, D.C. B-04-159 & 160 & B-04-168 & B-04-169

## **CONSENT – IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY**

15. ihss - Adoption of Resolution to Allow the Public Authority to Participate in Social Security. B-04-161 & R-04-80

**CONSENT ITEMS #1-15:** **Approved.** Sieglock/Marenco/5

### **SCHEDULED MORNING ITEMS**

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#### **9:00 a.m. - bos – APPOINTMENTS TO BOARDS & COMMISSIONS:**

A) Garden Acres Community Center Advisory Board - 1 Position. **Clerk of the Board to Readvertise Position.**

B) Equal Employment Opportunity Advisory Board - 1 Position.  
**Reappointed Ed Martin.** Sieglock/Mow/5 B-04-162

C) Kennedy Community Center Advisory - 1 Position. **Reappointed Sadie Taylor.** Gutierrez/Mow/5 B-04-163

D) Larch Clover Community Center Advisory Board - 1 Position. **Clerk of the Board to Readvertise Position .**

E) Taft Community Center Advisory Board - 1 Position. **Reappointed Rachel Carbajal.** Gutierrez/Marenco/5 B-04-164

F) Workforce Investment Board - 1 Position. **Reappointed Kimball Derailing.** Mow/Gutierrez/5 B-04-165

### **PRESENTATIONS**

9:00 a.m. - bos - Presented Proclamation Proclaiming the Month of February 2004 as the Month of the Heart "Su Corozon, Su Vida" - Your Heart, Your Life." to John Solis, Director of Employment and Economic Development Department. Sandra Gomez-Varela of the San Joaquin General Hospital who addressed the Board on this matter.

9:00 am - bos - Presented Proclamation Proclaiming February 9--13, 2004 as

"Child Passenger Safety Week." to Charles Hughes, Child Passenger Safety Technician and Instructor, Public Health Services. Charles Hughes, Child Passenger Safety Technician & Instructor, Public Health Services, presented a flyer to the Board regarding free Car Seat Installation Inspections for the public that will be held at various locations in San Joaquin County from February 9--13, 2004.

### **DISCUSSION - HEALTH & HUMAN SERVICES**

1. hsa - Authorization of Contract with Council for the Spanish Speaking for Vendor Payment Service. **(Coned from 2/3/04)**. Joseph Celli, Director of the Human Services Agency, requested that item be continued one week. Jose Rodriguez, Executive Director of Council for the Spanish Speaking requested that this meeting be continued to two weeks, as he would be out of town on February 17, 2004. **Chairman Ornellas continued the matter to February 24, 2004.**

### **DISCUSSION - LAW & JUSTICE**

1. s/o - Status Report on the Sheriff's Patrol Division Overtime Reduction Strategies. Captain Stephan Moore, Sheriff's Office, addressed the Board on this matter and distributed a handout titled Review of Patrol Division Overtime FY 03-04. **Accepted Status Report.** Sieglock/Gutierrez/5 B-04-166

### **COMMUNICATIONS**

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Sieglock/Gutierrez/5 B-04-167

### **PUBLIC COMMENT**

ToCan Nguyen addressed the Board on various matters.

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Bobbie Bivens, on behalf of the San Joaquin NAACP, addressed the Board regarding the NAACP Youth Council Summit recently held at San Joaquin Delta College. He thanked Supervisor Gutierrez for his participation at the summit.

ToCan Nguyen again addressed the Board under Public Comment.

### **BOARD OF SUPERVISORS QUESTIONS AND COMMENTS**

There were no Board Questions and Comments.

Assistant County Counsel David Wooten announced before the Board went into closed session that there would be an additional closed session item concerning possible initiation of litigation. He indicated that this matter came to the County's attention after the agenda was prepared and that there was a need to take immediate action regarding the matter. **A motion was made by Supervisor Sieglock and seconded by Supervisor Mow to add this item to Closed Session. Mow, Sieglock, Gutierrez, Marengo, Ornellas - Unanimous B-04-173**

Assistant County Counsel David Wooten also announced that the Board will be in recess until 1:30 p.m. for the scheduled planning afternoon items.

### **CLOSED SESSION**

#### **CONFERENCE WITH LABOR NEGOTIATOR**

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Don Turko; John Bertke; Jeff Sloan; Donna Williamson.

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 - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to California Government Code Section 54956.9(b); 1 case.

### SCHEDULED AFTERNOON ITEMS

1:30 p.m - cdd - Public Hearing Development Title Text Amendment Application #PA-03-409 of the San Joaquin County Community Development Department Allowing the Director to Waive the Requirement for Secondary Access in Areas Designated General Agriculture in the General Plan if the Director Finds that Physical Conditions Make the Provision of Secondary Access Impractical. (All Districts) Kerry Sullivan, Deputy Director, Community Development Department, addressed the Board on this matter. **Approved Negative Declaration and Development Title Text Amendment #PA-03-409.** Sieglock/Mow/5 Ordinance #4206 & B-04-170

1:30 p.m - cdd - Public Hearing Regarding the Appeal by Jeff Wright and Michael Tenente of the Planning Commission's Approval of Site Approval #PA-03-14 of Good Earth Farms. (4th District) Kerry Sullivan, Deputy Director, Community Development Department, Mike Huggins, Supervisor, Registered Environmental Health Specialist of Environmental Health Department, Michael Tenente, Trueman Phillips, Engineer IV, of Public Works Department, Jeff Wright, Georgiana Reichelt, and Attorney Jose Alva, representing Good Earth Farms, addressed the Board on this matter. **Appeal Denied and Site Approval #PA-03-14 Approved with the Condition that the San Joaquin County Development Department Prepare a Report to the Board of Supervisors within 18 months of the Denial of the Appeal. A Second and Third Report Shall be Prepared Annually, Thereafter.** Mow/Sieglock/5 R-04-81 & B-04-171

**ADJOURNED TO TUESDAY, FEBRUARY 17, 2004 AT 9: 00 A.M.**

Sieglock/Gutierrez/5 B-04-172

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).