

Board of Supervisors  
San Joaquin County

LEROY ORNELLAS  
Chairman  
Fifth District

STEVEN GUTIERREZ  
Vice Chairman  
First District

DARIO L. MARENCO  
Second District

VICTOR MOW  
Third District

JACK A. SIEGLOCK  
Fourth District

MINUTE SUMMARY

SAN JOAQUIN COUNTY

BOARD OF SUPERVISORS

TUESDAY, APRIL 27, 2004

MANUEL LOPEZ  
County Administrator

TERRENCE R. DERMODY  
County Counsel

LOIS M. SAHYOUN  
Clerk of the Board

A moment of silence was held.

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

Minutes of the Board of Supervisors' Meeting of April 20, 2004. **Approved.** Sieglock/Gutierrez/5 B-04-436

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**CONSENT ITEMS # 1-14:**

Consent Items: #8 & 13 - Pulled for discussion

Consent Items: #1 – 7 & 9, 10, 11, 12, & 14. **Approved.** Sieglock/Gutierrez/5

Consent Item: #8 – County Administrator Manuel Lopez clarified AB723 in response to questions and comments from Supervisors Marenco, Gutierrez and Mow. Sieglock/Gutierrez/5

Consent Item: #13 – Supervisor Mow requested that at some point in time the Board be updated regarding the present voting system in our county and what the options may be. Gutierrez/Marenco/5

**CONSENT - HEALTH & HUMAN SERVICES**

1. age/cs - Authorization to Submit Retired Senior Volunteer Program Grant Application. B-04-437
2. env/health - Approval of State Water Resources Control Board Agreement for Fiscal Year 2003-04 Local Oversight Program. B-04-438 A-04-296
3. mhs - Approval of Employment Agreement for an Accounting Officer. A-04-297
4. mhs - Approval of Amended Medi-Cal Managed Care Agreement with California Department of Mental Health for Fiscal Year 2003-04. A-04-298
5. osa - Approval of the Substance Abuse and Crime Prevention Plan for Fiscal year 2004-05 (Proposition 36). R-04-213

**CONSENT - PUBLIC WORKS**

6. pw - Acceptance of Grant Deed and Agreement for the Purchase of Real Property, Lower Sacramento Road Corridor Improvement Program, Harney Curve Segment 2D Project. (4th District) R-04-214 A-04-299

### **CONSENT - GENERAL GOVERNMENT**

7. ag/comm - Approval of Agreement for Fruit and Vegetable Inspection Services Between the County and the State of California. B-04-439 A-04-300
8. cao - Resolution Supporting AB 723 (Mathews) Authorizing Tax Increment Financing for Opportunity Zones. R-04-215
9. cob - Approve Announcement of 1 Position on the Agricultural Advisory Board. B-04-440
10. cob - Approve Announcement of 1 Position on the Workforce Investment Board. B-04-441
11. eedd - Recommendation to Approve the Loan Request of Pacific Car Wash, a California Limited Liability Company. B-04-442
12. purch - Award of Contract for Construction of Baseball Fields at Boggs Tract and Raymus Village Community Parks. B-04-443 A-04-301
13. rov - Board Order Amending the Results of the Votes Cast for the Write-In Representative in Congress, 11th District Race. B-04-444
14. fac/mgmt - Approval of Agreement and Lease With Head Start Child Development Council for Use of Land at Kennedy Community Park. A-04-302

### **SCHEDULED MORNING ITEMS**

9:00 a.m. - pw - Public Hearing to Establish Zone "K" (Woodbridge Main Street Area Landscape Maintenance District) Within County Service Area No. 48 - Woodbridge Including Levying an Assessment for Streetlight, Streetscape, and Landscape Maintenance Service. Tom Flinn, Director of Public Works, ToCan Nguyen, and Ben Angove, Business Administrator for Public Works, addressed the Board on this matter. (4th District) Sieglock/Gutierrez/5 R-04-216

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### **COMMUNICATIONS**

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Sieglock/Mow/5 B-04-445

### **PUBLIC COMMENT**

ToCan Nguyen, addressed the Board on various matters.

Reverend Bob Haley addressed the Board regarding the Mondez Denmon case and various matters.

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

Supervisor Mow, congratulated the City of Stockton for a successful Asparagus Festival. In addition, Supervisor stated that a few years ago there was a request to rename the Stockton Airport. He suggested that the Board might reconsider renaming the airport that would tie in with the business park and show the regional aspects of it. County Administrator Manuel Lopez explained the process recently adopted by the Board in naming a facility and that a 4/5's vote by the Board would be required. Mr. Lopez did know if the airport was originally named by the Board. Chairman Ornellas requested that this item come back to the Board with a report.

Supervisor Gutierrez asked if the Board was going to receive a full report with respect to the issue that took place in Sacramento with the Secretary of State regarding the voting touch screen systems. County Administrator Manuel Lopez stated that there was a brief communication sent

Board of Supervisors Questions and Comments (continued)

to the Board by the Registrar of Voters and that a further report from her would be sent to the Board at a later date. County Counsel Terry Dermody also commented on this matter along with Supervisors Mow, Sieglock and Marengo.

**CLOSED SESSION**

CONFERENCE WITH LABOR NEGOTIATOR

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Don Turko; Wayne Heine; John Bertke; Jeff Sloan; Geoff Rothman; 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 - EXISTING LITIGATION

California Government Code Section 54956.9(a)

*CITY OF STOCKTON and COUNTY OF SAN JOAQUIN vs. STATE WATER RESOURCES CONTROL BOARD et al.*, Sacramento County Superior Court Case No. 03CS01746

*STOCKTON EAST WATER DISTRICT, et al. v. UNITED STATES*, Federal District Court Eastern District Case No. 93-5896

CONFERENCE WITH LEGAL COUNSEL - Initiation of litigation pursuant to California

Government Code Section 54956.9(c): 1 case

PUBLIC EMPLOYEE APPOINTMENT

California Government Code Section 54957

Title: Director of Community Development

11:13 a.m. The Board returned from Closed Session with an announcement concerning the appointment of Kerry Sullivan as the Community Development Director. The terms and conditions of employment were stated by County Administrator Manuel Lopez. The terms and conditions of employment were accepted by Kerry Sullivan. A motion was made to formally appoint Kerry Sullivan as the Director of Community Development Sieglock/Gutierrez/5 B-04-447

**SCHEDULED AFTERNOON ITEMS**

1:30 p.m. - cdd - Public Hearing Regarding the Appeal by Roger Towers of the Planning Commission's Denial of Appeal of Staff's Determination No. PA-04-92 of Roger Towers. (5th District) Jon Moore, Chief Deputy Director, Community Development Department, Chandler Martin, Principal Planner, Roger Towers, and Jose Alva, Attorney at Law Representing DSS, and Geoff Entnire, RMC Pacific Materials, Inc., addressed the Board on this matter. **Approved Staff Recommendation.** Marenco/Gutierrez/5 R-04-217

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**ADJOURNED TO TUESDAY, MAY 4, 2004 AT 9:00 A.M.**

Sieglock/Gutierrez/5 B-04-446

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).