



# 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

MANUEL LOPEZ  
County Administrator

TERRENCE R. DERMODY  
County Counsel

LOIS M. SAHYOUN  
Clerk of the Board

## MINUTE SUMMARY

**BOARD CHAMBERS, COURTHOUSE, 7TH FLOOR  
222 E. WEBER AVENUE, STOCKTON, CA  
Tuesday, June 08, 2004  
9:00 AM**

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A Moment of Silence was held.

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

Minutes of the Board of Supervisors' Meeting of May 25, 2004. **Approved.** Mow/Sieglock/5 B-04-570

### **PRESENTATIONS**

Board Members presented Supervisor Victor Mow with a Commendation for receiving the California State University, Stanislaus, alumni Association "Alumnus of the Year Award" on May 29, 2004.

### **APPROVE CONSENT ITEMS # 1-36.**

Consent Items: #1 & 21 & 33 - Pulled for discussion

Consent Items: #2-20 & 22-32, 34-36. **Approved.** Sieglock/Marenco/5

Consent Item: #1 - Pulled for discussion by Supervisor Sieglock. Supervisor Sieglock expressed his concern about not seeing the structure of the new management prior to voting on the matter.

Consent Items (continued)

Consent Item: #1 (continued) - Supervisor Mow inquired about the Mental Health Advisory Board and the Drug and Alcohol Advisory Board. Interim Health Care Services Director Ken Cohen said that the two advisory boards will continue to function. Supervisor Gutierrez stated that he was in favor of moving forward in the consolidation. He requested that the County Administrator come back to the Board with information on the structure of the new management.

Michelle Blau, Mike Lucca, Claire Dolan, Cary Martin, Stephanie Batey, Tocan Nguyen, Greg Mullaly, Sam Arreaga, and Craig Martinez addressed the Board on this matter.

Consent Item: #1 – The Board adopted this matter with a continuing review and that a report come back to the Board in six months.  
**Approved.** Marengo/Mow/4 Sieglock/No

Consent Item: #21 – Supervisor Sieglock requested a report back to the Board after one year of training as to how much money was saved.  
**Approved.** Sieglock/Mow/5

Consent Item: #33 - Pulled for discussion by Supervisor Mow. Supervisor Mow commented that he was pleased that the County is supporting our troops. **Approved.** Mow/Sieglock/5

**CONSENT - HEALTH & HUMAN SERVICES**

1. cao - Consolidation of the Office of Substance Abuse with Mental Health Services. B-04-571
2. cob - Approve Announcement of 1 Position on the Mental Health Board. B-04-572
3. hcs - Acceptance of the Election of Philip Ross, M.D. as Chairperson for the Department of Obstetrics/Gynecology-San Joaquin General Hospital. B-04-573

4. hcs - Application for Appointment to San Joaquin General Hospital Medical Staff. B-04-574

Consent – Health & Human Services (continued)

5. hcs - Application for Reappointment to San Joaquin General Hospital Medical Staff. B-04-575
6. hcs - Contract with Healthcare Financial Enterprises, Ltd. to Provide Professional Services. A-04-389
7. hsa - Approval of Contract with San Joaquin Delta College for Learning Disability Evaluation Services for CalWORKs Participants. B-04-576 & A-04-390
8. hsa - Approval of Contract Amendment with Council for the Spanish Speaking for CalWORKs Case Management Services. B-04-577 & A-04-391
9. hsa - Approval of Contracts with San Joaquin Delta College and County Office of Education for Assessment Services for CalWORKs Participants. B-04-578 & A-04-392 & A-04-393
10. hsa - Approval of Contract with Greater Stockton Chamber of Commerce for the Stockton Chamber Apprenticeship Program. B-04-579 & A-04-394
11. hsa - Agreement with Victor Community Support Services for Wraparound Services. A-04-395
12. mhs - Corrected Resolution for Position Allocations. R-04-291
13. mhs - Approval of Contract with California Department of Mental Health for State Hospital Bed Purchase and Usage. A-04-396
14. mhs - Approval of Medi-Cal Managed Care Agreement with California Department of Mental Health for Fiscal Year 2004/2005. A-04-397

**CONSENT - PUBLIC WORKS**

15. pw - Acceptance of the Elliott Road Resurfacing Contract and Execution of a Notice of Completion. (4th District) R-04-292
16. pw - Approval of Subdivision Agreement and Final Map Entitled "Carbona Station" Located in the Valpico Area Southeast of Tracy. (5th District) R-04-293 & A-04-398
17. pw - Approval of Subdivision Agreement for Parcel Map for a Minor Subdivision Located

Near the Western Area of Stockton. (3rd District) R-04-294 & A-04-399

18. pw - Acceptance of the Jack Tone Road Grade Separation Contract and Execution of a Notice of Completion. (2nd & 4th Districts) R-04-295

19. pw - Acceptance of the Murphy Road Resurfacing Contract and Execution of a Notice of Completion. (5th District) R-04-296

### **CONSENT - FLOOD CONTROL**

20. pw/fc - Approve Payment of a \$28,230 Fee to the State Water Resources Control Board for American River Water Right Application 29657. B-04-580

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

21. s/o - Out-of-State Travel to St. Louis, Missouri to Attend Training on Repair of Laundry Washers in June 2004. B-04-581

### **CONSENT - GENERAL GOVERNMENT**

22. cao - End of the Year Budget Adjustments and Appropriation Transfers. B-04-582

23. cao - Resolution Supporting State May Budget Revise - Local Government Package. R-04-297

24. bos - Letter of Support - Elimination of Overlap Horse Racing Dates for San Joaquin Fair. B-04-584

25. bos - Letter of Support - Harness Horse Racing Dates for the San Joaquin Fair. B-04-585

26. cob - Approve Announcement of 1 Position on the Colleagueville Fire Protection District. B-04-586

27. cob - Approve Announcement of 1 Position on the Equal Employment Opportunity Advisory Committee. B-04-587

28. cob - Approve Announcement of 1 Position on the Housing Appeals Board. B-04-588

29. cob - Approve Announcement of 1 Position on the Parks & Recreation Commission. B-04-589

30. cdd - Resolution Authorizing the Chairman of the Board of Supervisors to Execute California Land Conservation Contract Application #PA-0300673 of G & R Becker and #PA-0400166 of S. Escover. (4th & 5th Districts) R-04-298 & A-04-400 & A-04-401

31. cdd - Resolution Authorizing the Chairman of the Board of Supervisors to Execute Rescission of California Land Conservation Farmland Security Contract to Facilitate Lot Line Adjustment and the Execution of New California Land Conservation Farmland Security Contract of A & R Dal Porto. (4th District) R-04-299 & A-04-402

Consent – General Government (continued)

32. cdd - Resolution Authorizing the Chairman of the Board of Supervisors to Execute Rescission of California Land Conservation Contracts to Facilitate Lot Line Adjustments and the Execution of New California Land Conservation Contracts of New Williamson Act Contracts. (3rd, 4th, and 5th Districts) R-04-300 & A-04-403, 404, 405, 406, 407, & 408.

33. labor rel - Adoption of Resolution of County of San Joaquin Providing for Additional Temporary Partially Paid Military Leave of Absence Benefits. R-04-301

34. purchasing - Award of Contract for Wide Area Network and Metropolitan Area Network Maintenance. B-04-590 & A-04-409

35. treas/tax/colltr - Authorization for Treasurer-Tax Collector to Establish the Probation Restitution Trust Fund. B-04- 591

**CONSENT - IN HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY**

36. ihss - Schedule **Public Hearing on June 22, 2004 at 9:00 a.m.** to Adopt the In-Home Supportive Services Public Authority Fiscal Year 2004/2005 Budget. B-04-592

**SCHEDULED MORNING ITEMS**

9:00 a.m. - aud - Public Hearing on Proposition 4 Appropriation Limits for the County and Special Districts for 2004/2005. Adrian Van Houten, Auditor-Controller, addressed the Board on this matter. **Approved Staff Recommendations.** Sieglock/Mow/5 B-04-593 & R-04-302

9:00 a.m. - fac/mgmt - Approve the Purchase of Ripon Area Park Property. Craig Ogata, Director of Facilities Management, addressed the Board on this matter. **Approved Staff Recommendation.** Sieglock/Marenco/5 B-04-594

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

A) Agricultural Advisory Board - 1 Position. **Clerk of the Board to Readvertise Position.**

B) Emergency Medical Services Committee - 1 Position. **(Contd from 2/17/04) Clerk of**

**the Board to Readvertise Position.**

C) Equal Employment Opportunity Advisory Board - 1 Position. **Clerk of the Board to Readvertise Position.**

D) Larch Clover Community Center Advisory Board - 2 Positions. **(Contd from 5/4/04) Clerk of the Board to Readvertise Positions.**

### **Appointments to Boards and Commissions (continued)**

E) Workforce Investment Board - 1 Position. **Clerk of the Board to Readvertise Position.**

### **DISCUSSION - GENERAL GOVERNMENT**

1. cao - Federal Advocate Annual Budgetary and Legislative Report. Paul Sweet and John McCamman of Fleishman-Hillard Government Relations addressed the Board on this matter. **Approved Staff Recommendation.** Sieglock/Mow/3 Gutierrez & Marengo/No B-04-595
2. oes - Oral Report Regarding Upper Jones Tract Flooding - Declaration of Emergency. Ron Baldwin, Director of Emergency Operations addressed the Board on this matter. **Approved Resolution.** Mow/Sieglock/5 R-04-303

### **COMMUNICATIONS**

There were no Board Communications.

### **PUBLIC COMMENT**

Tocan Nguyen and Cary Martin addressed the Board on various matters.

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

Supervisor Mow acknowledged Supervisor Gutierrez's for his hard work and contributions in relocating farm workers who were displaced as a result of the recent flooding of the Upper Jones Tract.

Supervisor Gutierrez stated that Supervisor Marengo also worked hard in obtaining housing for farm workers. He thanked other individuals and organizations for their efforts in this matter. Supervisor Gutierrez also reported on his tour of Foothill Landfill and asked several questions, i.e., where does all the trash come from, is San Joaquin County taking trash from other places, and is our county keeping track of it? Supervisor Marengo asked if the Board could receive a report regarding this matter.

Board of Supervisors Questions and Comments (continued)

County Counsel Terry Dermody responded to an inquiry from Supervisor Gutierrez regarding medical marijuana.

Chairman Ornellas acknowledged Mayor Dan Bilbrey of Tracy and Mayor Gary Podesto for their assistance in the recent flooding of Upper Jones Tract.

Chairman Ornellas announced the passing of Lawrence Welch, the oldest living Marine.

Chairman Ornellas welcomed back Clerk of the Board Lois Sahyoun and thanked her staff for a job well done during her absence.

**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)

In the Matter of County of San Joaquin and Foothill Sanitary Landfill, Inc.,

Administrative Civil Liability Complaint No. R5-2003-0159 (California Regional

Water Quality Control Board, Central Valley Region)

**SCHEDULED AFTERNOON ITEM**

1:30 p.m. - cdd - Public Hearing Regarding Revisions of Approved Actions for SU-01-2 and Certification of Environmental Impact Report #PA-03-264 of Raymus Development. (4th District) Kerry Sullivan, Director, Community Development Department, Attorney Mike Hakeem, representing applicant, Raymus Development, Susan Scott, Catherine Brovelli, Monique Boyajian, Louis Brovelli, Frank Viori, Pastor Mark Rendells, Joan Walsh, and Mary Genetti, addressed the Board on this matter. **Approved Staff Recommendations.** Sieglock/Mow/3 Gutierrez & Marengo/No B-04-576 & R-04- 304

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**ADJOURNED TO TUESDAY, JUNE 15, 2004 AT 9:00 A.M.**

Sieglock/Gutierrez/5- B-04-597

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).