

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

MANUEL LOPEZ
County Administrator

TERRENCE R. DERMODY
County Counsel

LOIS M. SAHYOUN
Clerk of the Board

**SAN JOAQUIN COUNTY
BOARD OF SUPERVISORS
Tuesday, August 24, 2004**

A moment of silence was held.

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

Chairman Ornellas recognized Carol Aguirre and Mark Almanzo of Blue Cross of California. Ms. Aguirre and Mr. Almanzo presented a check in the amount of \$750.00 to be used toward the county's Equal Employment Opportunity Diversity luncheon scheduled for September 23, 2004.

Minutes of the Board of Supervisors' Meeting of August 10, 2004. **Approved.** Sieglock/Mow/5 B-04-853

APPROVE CONSENT ITEMS # 1-30

ToCan Nguyen addressed the Board on consent items.

Consent Item: #26 – Supervisor Gutierrez expressed his appreciation of Blue Cross's support as well as to other individuals for their contributions for a successful EEO Diversity luncheon. Supervisor Mow thanked Blue Cross and stated that the county needs to work harder so that the county workforce reflects the diversity of our community.

Consent Items (Continued)

Consent Items: #1, 2 & 4 – 30 – **Approved.** Mow/Sieglock/5

Consent Item: #3 – Lani Schiff-Ross, First Five San Joaquin Program Coordinator, clarified questions from Supervisors Marenco and Mow regarding how the donation from the Emergency Food Bank of Greater Stockton is used for children and if grants provided to daycare providers have any direct bearing on the costs that parents are charged. In response to Supervisor Gutierrez, County Administrator Manuel Lopez stated that the applications were on file with the Clerk of the Board Office. ToCan Nguyen addressed the Board on this matter. **Approved.** Marenco/Gutierrez/5

CONSENT - HEALTH & HUMAN SERVICES

1. aging/cs - Approval of Commodity Program Memorandum of Understanding with the California Department of Social Services. B-04-854 & A-04-744
2. cao - Children and Families Commission (First 5 San Joaquin) Recommendation to Fund Family Resource and Referral Center for the Child Care Accreditation Assistance Program. A-04-745 & B-04-855
3. cao - Children and Families Commission (First 5 San Joaquin) Recommendation to Fund Round 10 Mini-Grants. B-04-856, A-04-666 thru A-04-675 (10)
4. hcs - Approval of Physician Employment Contracts for Department of Surgery - Anesthesia Division and Department of Internal Medicine – Gastroenterology Division. A-04-746 & A-04-747
5. hcs - Implementation of Agreement with Union of American Physicians and Dentists. B-04-857, A-04-689 thru A-04-743 (55)
6. hsa - Authorization to Submit the Area Agency on Aging Fiscal Year 2003-2004 Year-End Report to the California Department of Aging. B-04-858
7. mhs - Warehouse Lease Agreement for Mental Health Services. A-04-748
8. mhs - Approval of Mental Health Services Contracts for Fiscal Year 2004-05. A-04-676 thru A-04-688 (13)
9. phs - Approval of Automated Immunization Information and Reminder System Contract with the State Department of Health Services. B-04-859 A-04-749
10. phs - Extension of the Male Involvement Program Contract with the State Department of Health Services. A-04-750 & B-04-860

CONSENT - PUBLIC WORKS

11. pw - Adopt an Ordinance Establishing a 35 Miles Per Hour Speed Zone on a Portion of Armstrong Road. (4th District) (**Said Ordinance Introduced and Waived August 10, 2004**) Ordinance #4223
12. pw - Declare the Intersection of Peltier Road and Bruella Road to be a Four-Way Stop Intersection. (4th District) R-04-468
13. pw - Water Impact Mitigation Fee Program Annual Report for Fiscal Year 2003-04. B-04-861
14. pw - Approval and Adoption of Plans and Specifications for the Hansen Road Overpass Embankment Repair and **Setting a Bid Opening Date of September 16, 2004, at 1:30 p.m.** (5th District) R-04-469
15. pw - Traffic Impact Mitigation Fee Program Annual Report for Fiscal Year 2003-04. B-04-862
16. pw - Agreement for Joint Use of Funds Among the City of Stockton, Stockton East Water District, California Water Service Company, Lincoln Village Maintenance District, and the Colonial Heights Maintenance District for the Peters Pipeline Project. A-04-751

CONSENT - LAW & JUSTICE

17. s/o - Agreement with Tower Park Resort for Law Enforcement Services for the Boardstock Special Event. A-04-752
18. s/o - Authorization to Submit the Fourth Year CalMETT Grant Application and Establish 2004-05 CalMETT Budget. (**4/5th's Vote Required**) B-04-863 & B-04-864

CONSENT - GENERAL GOVERNMENT

19. ag/comm - Approval of Second Amendment to the Agreement for the Operation of a Pet Adoption Center Between the County, the City of Stockton and Stockton Animal Shelter Friends. B-04-865 & A-04-753
20. ag/comm - Approval of Agreement with California Department of Food and Agriculture for Glassy - Winged Sharpshooter/Pierce's Disease Program Activities. B-04-866 & A-04-754
21. air - Out-of-State Travel Request to Attend American Association of Airport Executives 13th Annual Non-Hub/General Aviation Airports Conference at Las Vegas, Nevada. B-04-867 & B-04-868
22. cdd - Modifications to County Housing Programs. B-04-869

Consent – General Government (continued)

23. cdd - Approval of Consultant Agreement to Prepare the Initial Study/Mitigated Negative Declaration for the Mountain House Business Park and Related Budget Adjustments. **(4/5th's Vote Required)** B-04-870, B-04-871 & A-04-755
24. cob - Approve Announcement of 1 Position on the Equal Employment Opportunity Advisory Committee. B-04-872
25. fac/mgmt - Approve Purchase Agreement with City of Stockton for Old County Motorpool Located at 130 N. Hunter Street in Stockton, California. **(4/5th's Vote Required)** A-04-756
26. eeo - Request to Establish a Trust Account for Diversity Luncheon Funds. B-04-873
27. oes - Continuance of Local Emergency. B-04-874
28. rov - Resolution Calling for a Special Municipal Election for the City of Tracy and to Consolidate Said Election with the November 2, 2004 General Election. R-04-470
29. rov - Resolution Calling for a Special Municipal Election for the City of Stockton and to Consolidate Said Election with the November 2, 2004 General Election. R-04-471

CONSENT - MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

30. mhcsd - Adopt a Resolution of the Board of Directors of the Mountain House Community Services District Establishing the Annexation Fee for the Pegasus-MH Ventures, I, LLC Annexation to the Mountain House Community Services District; and Approve the Annexation Agreement by and Between the Mountain House Services District and Pegasus-MH Ventures, I, LLC Property, and Authorize the General Manager to Sign Said Agreement. R-04-472 & A-04-757

SCHEDULED MORNING ITEMS

9:00 a.m. - cdd - Public Hearing on Mokelumne Rural Fire Protection Districts Technical Report on Findings for Fire Facility Improvements Fee and Adopt a Resolution Establishing Fire Facilities Fees for New Development Within the Mokelumne Rural Fire Protection District. (4th District) Jon Moore, Deputy Director of Community Development Department, and Kerri Sullivan, Director of Community Development, addressed the Board on this matter. ToCan Nguyen addressed the Board on this matter. **Approved Staff Recommendation.** Sieglock/Gutierrez/5 R-04-473

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

A) Agricultural Advisory Board - 1- Position. **Reappointed Henry Long.** Sieglock/Gutierrez/5 B-04-875

B) Children's Services Coordinating Commission - 1 Position. **Clerk of the Board to Readvertise.**

C) Emergency Medical Services Committee - 2 Positions. **Reappointed Andrew Shapiro and Ron Baldwin.** Sieglock/Gutierrez/5 B-04-876

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

E) Parks & Recreation Commission - 2 Positions. **Reappointed Lois M. Sahyoun.**
Readvertise remaining position. Sieglock/Marenco/5 B-04-877

F) Solid Waste Management Independent Hearing Panel - 1 Position. **Reappointed Steven Fulkerson.**
Sieglock/Gutierrez/5 B-04-878

G) Taft Community Center Advisory Board - 1 Position. **Appointed Joe C. Warren.** Guterrez/Mow/5
B-04-879

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Sieglock/Gutierrez/5 B-04-880

PUBLIC COMMENT

Dave Johnson, Virginia Buck, Henry Flores, Aaron Gray, (employees of the Information Systems Division), and Lily Cervantes, Field Representative and Organizer for SEIU, addressed the Board regarding the implementation of new work schedules by the Information Systems Division.

Reverend Bob Haley, President of NAACP, expressed his concerns regarding the issues of the Information System Division employees who spoke before him. Reverend Haley also commented on the appeal of Mondez Denmon.

Shane Neilson, representing the homeowners of Mountain House, distributed a letter to the Board that outlined a number of proposals for the Board's consideration.

ToCan Nguyen addressed the Board on various matters.

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BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Gutierrez thanked the County Administrator and Board Members for their support on Consent Item #25. For the record, Supervisor Gutierrez expressed his disappointment of county employees being told that they would not receive their paychecks. Supervisor Gutierrez requested that the County Administrator provide the Board with more information regarding the previous work schedules and the new work schedules of the Information System Division employees.

Chairman Ornellas requested that Mr. Shane Neilson provide copies of the petition that Mountain House homeowners signed.

Supervisor Marenco introduced his granddaughter who was in the audience.

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

SCHEDULED AFTERNOON ITEMS

1:30 p.m. - cdd - Public Hearing Regarding the Appeal by Robert & Judy Kent of the Planning Commission's Denial of Variance Application #PA-0400192. (4th District) **(Continued from July 27, 2004 With the Hearing Open)** Kerri Sullivan, Director of Community Development, Attorney Michael Hakeem, Representing the Kent Family, Dirk Filagard, addressed the Board on this matter. **Approved Staff Recommendation.** Motion to grant the appeal and make the findings that there are special circumstances. Sieglock/Gutierrez/5 R-04-474

ADJOURNED TO TUESDAY, AUGUST 31, 2004 AT 9:00 A.M.

Sieglock/Gutierrez/ B-04-881

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).