



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

SAN JOAQUIN COUNTY BOARD OF SUPERVISORS Tuesday, August 31, 2004

A moment of silence was held

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

Minutes of the Board of Supervisors' Meeting of August 24, 2004. **Approved.** Mow/Marenco/5 B-04-891

PRESENTATIONS

9:00 a.m. bos - Presentation by Delta Island Boys & Girls Club. Kelly Wilson, Chief Professional Officer, Lisa Frymer, Delta Island Unit Director, and five students thanked the Board for their support. Ms. Wilson presented a plaque to the Board.

9:00 a.m. bos - Presentation to Public Works Director, Tom Flinn. Manuel Lopez, County Administrator, made a presentation to Mr. Flinn and presented him a plaque on behalf of the Board.

9:00 a.m. hsa - Resolution to Approve the Expansion of Safely Surrendered Baby Program Sites. At the request of Chairman Ornellas, Supervisor Mow updated the Board on this matter. Ms. Jean Shippman of the Tracy Women's Club and Stockton Fire Chief Vic Solari also addressed the Board on this matter. Supervisor Mow presented a check to Ms. Shippman from Waste Management Inc. in the amount of \$500.00, including a personal contribution from him. Chairman Ornellas thanked Supervisor Mow and his Legislative Assistant Margaret Sanderson for their hard work. Supervisors Sieglock and Gutierrez, congratulated Chairman Ornellas and Supervisor Mow for their leadership and efforts in this

endeavor. **Approved Resolution.** Gutierrez/Marenco/5 R-04-484

Consent Items: #5 & #6 – Pulled by Supervisor Gutierrez. Supervisor Gutierrez requested this matter be continued to October 19, 2004. He indicated that one of the reasons for his request was that Supervisor Mow will be on vacation in September, and he will be out of the office the latter part of September into the early part of October. Supervisor Gutierrez stated that these two items are significant to District 1. Therefore, he would like to have time to convene a committee of his own that would be open to anyone, who is interested in health care, to review the proposed recommendations. The committee would draft a list of questions and comments that would be referred to Interim Health Care Services Director Ken Cohen, Dr. Flores and any other specialists at the hospital for response. The Board would have an opportunity to review the concerns and responses prior to the Board Meeting of October 19, 2004.

Supervisor Mow confirmed that he would be away a good part of September. He said that this item is of significance and importance to our county with the clear understanding that something needs to be done. Supervisor Mow further commented that the county is “bleeding” at the rate of over \$1.2 million a month in how we deal with providing health care within our county. He hoped that continuing these items would not cause any problems.

Interim Health Care Services

Director Ken Cohen stated that the delay of these items would not be a problem. His only concern was that if there was anyone in the audience that could not be in attendance on October 19 that they be given the opportunity to address the Board on this date.

In response to Supervisor Marenco, Mr. Cohen said that he would coordinate with Board Members to meet with any interested community groups from any of the supervisorial districts.

Supervisor Sieglock stated his

concern that we make sure we are not continuing to lose millions of dollars. Therefore, if we are going to change the policy document, it should not be done unilaterally by one member. Instead, the matter should be brought back to the full board if there are going to be changes made. Mr. Cohen explained that the Board Members currently had the best recommendations. If there are

Consent Items – (continued)

Consent: #5 & 6 (continued) reasonable comments that warrant changes, the Board Members would be provided the best information and be fully informed.

Ann Cerney addressed the Board on
Consent Items #5 & #6.

Supervisor Gutierrez wanted to clarify that his proposed committee of reviewers is open to the public. His office would be happy to facilitate by mailing the documents to individuals who would like to review them and put together a list of questions and comments in regards to the proposed amendments to county policy in terms of health care services.

In response to Supervisor Mow, Mr. Cohen stated that they are trying to balance the county's obligation and the county's requirement under Section 17000 of the Welfare & Institutions Code. He stated that it was appropriate to talk with community groups that may be impacted. Although many of the concerns may be alleviated by discussions, there will be other issues that may not be solvable. Mr. Cohen again stated that he would appreciate the opportunity to meet with any individuals and or groups that Board Members referred to him.

Supervisor Marengo stated that he was in favor postponing this matter in order to receive input from individuals and groups.

Supervisor Gutierrez asked if the entire document could be placed on the county website for easy access to the public.

ToCan Nguyen addressed the Board.

Continued to 10/19/04. Mow/Gutierrez/5

Consent Items: #1, 23, 28, & 31 - Pulled for discussion by Supervisor Marengo.

Consent Items: #2, 3, 4, 7 thru 22, 25 through 30, 32 & 33 **Approved.**
Gutierrez/Ornellas/5

Consent Items (continued)

Consent Item: #1 – Supervisor Marengo stated that there was not sufficient

backup material on item #10 listed in the staff letter regarding the contract with Community Partnership for Families building a comprehensive service system for \$664, 415.00. He requested more information on this item. Supervisor Marengo also requested the backup material on contract items #5, 7, & 10. Lani Schiff-Ross, of Childrens & Families Commission (First 5 San Joaquin), addressed the Board on this matter and stated that the contracts on this item were on file with the Clerk of the Board Office. County Administrator Manuel Lopez also pointed out that it was noted in the staff letter that the contracts were on file with the Clerk of the Board Office for review. He said that he has instructed department heads to state in their Board letters that contracts are on file with the Clerk of the Board should Board Members want to review them.

Consent Item: #23 – Michael Locke, President/CEO of the San Joaquin Partnership, responded to Supervisor Marengo’s questions.

Consent Item: #24 – Pulled for discussion by Supervisor Sieglock. Attorney Mike Hakeem, and Florence Low, Program Manager III with the City of Stockton Manager’s Office, addressed the Board on this matter.

Consent Item: #28 – Craig Ogata, Director of Facilities Management, and Augie Beltran, on behalf of the Carpenters Local 25 in San Joaquin County Building Trades, addressed the Board on this matter.

Consent Items: #1, 23, 24, 28, & 31 - **Approved.** Sieglock/
Mow/5 Supervisor Gutierrez reflected a “No” vote on Consent Item #24.

Dr. Guillermo Vicuna, DDS, addressed the Board on Consent Item #5.

CONSENT - HEALTH & HUMAN SERVICES

1. cao - Children and Families Commission (First 5 San Joaquin) Recommendation for Extension of Funding for Round 1 and Community Partnership for Families Agreements. B-04-892 & A-04-767 thur A-04-773 (7)
2. cob - Approve Announcement of 1 Position on the Commission on Aging. B-04-893

Consent – Health & Human Services (continued)

3. hcs - Applications for Appointment to San Joaquin General Hospital Medical Staff. B-04-894

4. hcs - Applications for Reappointment to San Joaquin General Hospital Medical Staff. B-04-895
5. hcs - San Joaquin General Hospital Patient Financial Responsibility Policy. **Continued to October 19, 2004.**
6. hcs - San Joaquin General Hospital Indigent Program Scope of Medical Services Policy. **Continued to October 19, 2004.**
7. hcs - Application for California Healthcare for Indigents Program Funding for Fiscal Year 2004-2005. B-04-896
8. mhs - Approval of Mental Health Services Program Contracts for Fiscal Year 2004-2005. A-04-774 thur A-04-781
9. phs - Approval of STD Community Interventions Program Contract with the California Department of Health Services. B-04-897& A-04-782
10. phs - Contracts with Child Abuse Prevention Council to Provide Public Nurse Home Visiting. B-04-898 & A-04-783 & A-04-784
11. phs - Response to Audit of Contracts with Children and Families Commission (First 5 San Joaquin). B-04-899
12. phs - Authorization for Out-of-State Travel to Attend American Public Health Association Annual Meeting at Washington, D.C. B-04-900

CONSENT - PUBLIC WORKS

13. pw - Installation of Additional Streetlights in the Woodbridge Street Lighting District. (4th District) R-04-485
14. pw - Acceptance of Certain Subdivision Improvements and Revised Securities, and Approve Release of Certain Securities Related to Tract #3012, Ashton Place. (4th District) R-04-486 & B-04-901
15. pw - Approval and Adoption of Plans and Specifications for the River Road Bridge Replacement Project Across South San Joaquin Irrigation District Canal and **Setting a Bid Opening Date of September 30, 2004 at 1:30 p.m.** (4th District) R-04-487
16. pw - Measure K Cooperative Agreement for Right-of-Way for the Lower Sacramento (Segment 3A, Phase II) Project. (4th District) B-04-902 & A-04-785

Consent – Public Works (continued)

17. pw - Amendment #1 to Lower Sacramento Road (Segment 3A) Environmental and

Design Measure K Cooperative Agreement. B-04-903 & A-04-786

18. pw - Vacation and Abandonment of a Portion of Princeton Avenue Located at 2020 Princeton Avenue. (1st District) R-04-488

19. pw - Acceptance of Securities, Offers of Dedication, Declaring a Roadway to be a Public Highway, Approval of Subdivision Agreement and Final Map and Subdivision Improvements for the Subdivision Entitled "M.C. Silva Estates," Located on the North Side of Spiess Road and West of North 99 Frontage Road. (4th District) R-04-489 & R-04-490 & A-04-787

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CONSENT - FLOOD CONTROL

20. pw/fc - Amendments to the Northeastern San Joaquin County Groundwater Banking Authority Joint Exercise of Powers Agreement. B-04-904 & A-04-788

CONSENT - LAW & JUSTICE

21. s/o - Sheriff-Lathrop Police Services: Resolution Amending Salary Assignment and Departmental Allocation Listing and Appropriation Adjustments. **(4/5ths Vote Required)** R-04-491 & B-04-905

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CONSENT - GENERAL GOVERNMENT

22. cao/bos - Approve Use of Supervisorial District Funds for Water to Irrigate Playground at Larch Clover Community Center (5th District). B-04-906

23. cao - Designation of the San Joaquin Partnership as the Single Local Base Retention Entity and Approval of Funding for Base Retention Activities. **(4/5ths Vote Required)** R-04-492 & A-04-789

24. cao - Approval of Annexation Agreement with the City of Stockton for the Cannery Park Annexation. (4th District) Sieglock/Mow/4 Gutierrez - No A-04- 790

25. cao - Resolution Supporting Proposition 1A - A Constitutional Amendment Protecting Local Government Revenues. R-04-493

26. cob - Approve Announcement of 1 Position on the Children's Services Coordinating Commission. B-04-907

Consent – General Government (continued)

27. cob - Approve Announcement of 1 Position on the Community Action Board. B-04-908

28. fac/mgmt - Award Contract for the San Joaquin County Community Center Expansion Phase 2 Project. R-04-494
29. oes - Approval of Emergency Ordinance Waiving Fees and Debris Removal Plan at Jones Tract and Related Budget Adjustments. **(4/5ths Vote Required)** B-04-909 & B-04-910 & Ordinance #4224
30. rov - Resolution Calling for a Special Municipal Election for the City of Manteca and to Consolidate Said Election with the November 2, 2004 General Election. R-04-495
31. rov - Approval of First Amendment to the Voting System and Support Services Agreement with Diebold. B-04-911 & A-04-791

CONSENT - MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

32. mhcsd - Approval of a Modification to the Cost for the Professional Services Contract with HDR Engineering Inc., for Preparation of Plans, Specifications and Estimate to Modify the I-205/Mountain House Parkway Interchange. B-04-912 & A-04-792
33. mhcsd - Authorize General Manager to Sign a Letter from Shell Oil by which Shell Oil Agrees to Remediate Soil Contamination and Indemnify the Mountain House Community Services District and Trimark Communities, Inc. B-04-913 & A-04-793

SCHEDULED MORNING ITEMS

9:00 a.m. - cdd - Public Hearing to Consider Manteca-Lathrop Rural Fire Districts Fire Facility Fee Increase. (3rd & 5th Districts) Kerry Sullivan, Director of Community Development Department, and Jon Moore, Deputy Director, of Community Development Department briefed the Board on this matter. To Can Nguyen addressed the Board on this matter. **Approved Staff Recommendation.** Sieglock/Gutierrez/5 R-04-496

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

A) Collegeville Fire Protection District - 1 Position. **Clerk of the Board to Readvertise Position.**

Appointments to Boards & Commissions (continued)

B) Economic Development Association - 1 Position. **Clerk of the Board to Readvertise**

Position.

C) Emergency Medical Care Committee - 1 Position. **(Contd from 7/13/04) Clerk of the Board to Readvertise Position.**

D) Equal Employment Opportunity Advisory Board - 1 Position. **(Contd from 7/13/04) Clerk of the Board to Readvertise Position.**

E) Larch Clover Community Center Advisory Board - 2 Positions. **(Contd from 7/13/04) Appointed Benedine Okafor. Clerk of the Board to Readvertise Remaining Position.**
Ornellas/Gutierrez/5 B-04-914

F) Parks & Recreation Commission - 1 Position.. **(Contd from 7/13/04) Continued 2 weeks.**

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

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Sieglock/Gutierrez/5 B-04-915

PUBLIC COMMENT

ToCan Nguyen addressed the Board on various matters.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Gutierrez commented on a copy of a memorandum he received that was from Wayne Heine, Director of Labor Relations, addressed to County Administrator Manuel Lopez regarding information he had requested at the August 24, 2004 Board Meeting. Supervisor Gutierrez requested further clarification on this matter.

Supervisor Gutierrez thanked the County Administrator's Office and the Community Development Department staff for resolving the matter of Mr. Rubino (Consent General Government #18).

Board of Supervisors Questions and Comments (continued)

Chairman Ornellas commented on Consent General Government #22 and thanked the Board for approving this item.

Supervisor Marengo commented on the San Joaquin Area Flood Control Agency (SJAFC) and Funds that were to be returned to the constituents.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Don Turko; Wayne Heine; 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 - EXISTING LITIGATION California

Government Code Section 54956.9(a)

San Joaquin County Claim of Marcell Denmon No. C0402037

San Joaquin County Claim of Rose M. Renfrow No. C0403008

CONFERENCE WITH REAL PROPERTIES NEGOTIATOR

California Government Code Section 54956.8

Property: County Hospital Site by Interstate 5 and Mathews Road

Negotiating parties: Joseph Saqueton, Contracting Officer Department of Veteran's Affairs

Craig Ogata, Director of Facilities Management.

Under Negotiation: Price and Terms of Payment

SCHEDULED AFTERNOON ITEM

1:30 p.m. - h/r - Service & Retiree Award Presentation for April, May, & June 2004 Service & Retirement.

ADJOURNED TO TUESDAY, SEPTEMBER 14, 2004 AT 9:00 A.M.

Sieglock/Gutierrez/5 B-04-916

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).