

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, November 30, 2004**

A moment of silence was held.

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

Minutes of the Board of Supervisors' Meeting of November 16 & 23, 2004. **Approved.** Sieglock/Mow/5 B-04-1227

APPROVE CONSENT ITEMS # 1-29

Consent Item: #8 – Chairman Ornellas announced that this item was being continued to December 7, 2004.

Consent Items: #1, 5, 6, 7, 9, 28 & 29 - Pulled for discussion

Consent Items: #2-4, & 10-27 - **Approved.** Sieglock/Gutierrez/5

Consent Item: #1 – Joe Chelli, Director of the Human Service Agency, responded to Supervisors Sieglock and Mow with respect to confirming that people are still being put through the steps to make sure they are trying to gain employment and what constitutes a labor surplus area.

Consent Item: #5 – Bruce Hopperstad, Director of Mental Health Services, responded to Supervisor Gutierrez regarding the psychiatrist employment contract.

Consent Items: #6 & 7 – Bill Mitchell, Director of Public Health Services, responded to Supervisor Gutierrez's concerns regarding the reasons for the lateness of these contracts.

Consent Item: #9 – Tom Flinn, Director of Public Works, responded to questions and comments from Supervisors Gutierrez, Ornellas, Sieglock and Mow. Supervisor Gutierrez requested a report of the process that is being used with the four property owners. He added that he wants to make sure that these owners are being treated fairly. Supervisor Sieglock stated that this project is in his Supervisorial District. He added that he has met on numerous occasions with staff regarding the issues raised and that he will continue to monitor this project.

Consent Item: #28 – Supervisor Mow commented that he hopes that the adoption of this resolution also sends a message that the county supports our military personnel that are serving in Iraq.

Consent Item: #29 – County Administrator Manuel Lopez responded to questions from Supervisor Sieglock regarding what is taking place, what additional costs are we looking at in the future, and how are we going to pay for the increases. At the request of Supervisor Mow, Robert Palmer, Retirement Administrator, addressed the Board. He went over the retirement rates and explained the reasons for the adjustments. Mr. Palmer highlighted that the San Joaquin County's Board of Retirement is the best Board in the State of California and in the nation as far as returns and risks taken. Supervisor Sieglock stated that it would be good for the public as well as general and public safety county employees to know of every dollar in salary that an individual earns, how much is paid in benefits.

Consent Items: #1, 5, 6, 7, 9, 28 & 29 – **Approved.** Sieglock/Mow/5

CONSENT - HEALTH & HUMAN SERVICES

1. hsa- Authorization to Request a Federal Waiver of the Able Bodied Adult Without Dependent Work Requirements for Food Stamp Recipients. B-04-1228
2. hsa - Purchase of a Replacement Mini Cargo Van for the Human Services Agency. B-04-1229

Consent – Health & Human Services (continued)

3. hsa - Approval of Federal Fiscal Year 2004 Targeted Assistance Discretionary Grant-Funded Subcontract with World Relief Corporation. B-04-1230 & A-04-1058
4. mhs - Approval for Agreement with Stockton Shelter for the Homeless for Wintertime Overflow Shelter Supervision. A-04-1059
5. mhs - Approval of Psychiatrist Employment Contract. A-04-1060
6. phs - Approval of Contract with the State of California for the Dental Disease Prevention Program. B-04-1231 & A-04-1061
7. phs - Approval of Contract with the California Department of Health Services for Housing Opportunities for Person with AIDS Funds and a Memorandum of Understanding with Stockton Shelter for the Homeless. B-04-1232, A-04-1062 & A-04-1063

CONSENT - PUBLIC WORKS

8. pw - Approval of Subdivision Agreement and Final Map Entitled "Lockeford Bluffs Unit No. 3," Located on the North Side of State Highway Route 88, East of Lockeford. (4th District) **Continued to December 7, 2004.**
9. pw - Authorization to Administer Relocation Assistance for the Lower Sacramento Road-Woodbridge Road to Turner Road (Segment 3A, Phase 2) Project. (4th District) B-04-1233
10. pw - Acceptance of the Sutliff Avenue Improvements Contract and Execution of a Notice of Completion. (4th District) R-04-652
11. pw - Approval and Adoption of Plans and Specifications for the Furry Road and Hogan Lane Resurfacing and **Setting a Bid Opening Date of January 6, 2005, at 1:30 p.m.** (4th District) R-04-653
12. pw - Adopt an Ordinance Amending a Limited Time No Parking Zone on a Portion of the West Side of Balboa Avenue South of Paloma Avenue. **(Said Ordinance Introduced on November 23, 2004)** (3rd District) Ordinance #4235
13. pw - Declare the Intersection of Henry Road and River Road to be a Three-Way Stop Intersection. (4th District) R-04-654
14. pw - Adopt an Ordinance Providing for a No Parking Zone on Portions of Mathews Road West of Howard Road. **(Said Ordinance Introduced on November 23, 2004)** (1st District) Ordinance #4236

CONSENT - LAW & JUSTICE

15. cob - Approve Announcement of 3 Positions on the Juvenile Justice Delinquency Prevention Commission. B-04-1234
16. da - Approval of Employment Contract for Paralegal I. A-04-1064
17. s/o - License, Maintenance, and Sublicense Agreements with Renown Solutions for Custody Information System. B-04-1235, A-04-1065 & A-04-1066

CONSENT - GENERAL GOVERNMENT

18. cao - Rename Woodbridge Regional Park to Woodbridge Wilderness Area. (4th District) B-04-1236
19. cc - Settlement of Legal Action Entitled Terry Heggen v. County of San Joaquin et al.; San Joaquin County Superior Court Case No. CV021172. B-04-1237
20. cob - Approve Announcement of 1 Position on the Garden Acres Community Center Advisory Board. B-04-1238
21. cob - Approve Announcement of 1 Position on the Area VI Board on Development Disabilities. B-04-1239
22. cob - Approve Announcement of 1 Position on the Housing Appeals Board. B-04-1240
23. cob - Approve Announcement of 3 Positions on the Revolving Loan Fund Board of Directors. B-04-1241
24. eedd - Authorization to Modify Welfare-to-Work Fremont Project Competitive Grant Budget. B-04-1242 & A-04-1067
25. h/r - Approve the Amendment to the Exempt Class of Assistant Treasurer-Tax Collector and Introduce and Waive Reading of an Ordinance Amending and Re-Titling the Exempt Class of Assistant Director of Revenue and Recovery to Chief Deputy - Revenue and Recovery. **(Said Ordinance to be Adopted on December 7, 2004)** R-04-655 & B-04-1243
26. h/r - Introduce and Waive Reading of an Amendment to Section 2-5003 of the Salary Ordinance. **(Said Ordinance to be Adopted December 7, 2004)** B-04-1244
27. h/r - Delete and Abolish 28 Obsolete County Classifications. R-04-656
28. lab/rel - Adoption of the Resolution of the County of San Joaquin Providing for Additional Temporary Partially Paid Military Leave of Absence Benefits. R-04-657
29. Retirement - Adoption of Employer and Employee Retirement Contributions Rates for 2005. B-04-1245

SCHEDULED MORNING ITEMS

9:00 a.m. - pw - Public Hearing to Consider an Increase in the Assessment and the Transfer of Responsibilities of the Ripon Lighting District to the City of Ripon. (5th District) Tom Flinn, Director of Public Works, and Ben Angove, Public Works Business Administrator, addressed the Board on this matter. **Chairman Ornellas opened the Public Hearing. There was no public testimony. Therefore, Chairman Ornellas closed the Public Hearing and announced that this matter would be a discussion item at the December 7, 2004 Board Meeting.**

9:00 a.m. - pw - Conduct Public Hearing Concerning the Establishment of Infrastructure Reimbursement Charge to the Valpico Area Waste Water/Water Supply Facilities. (5th District) Tom Flinn, Director of Public Works, Tom Gau, Deputy Director of Public Works, Mike McGrew, Neumiller and Beardslee, Dave Olmstead, Linne Estates LLC., addressed the Board on this matter. Motion to keep 90/10 split policy. **Denied Staff Recommendations.** Marengo/Mow/3 Sieglock/Ornellas/No B-04-1246

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

A) Assessment Appeals Board - 1 Position. **Clerk of the Board to Readvertise.**

B) Emergency Medical Care Committee - 1 Position. **Clerk of the Board to Readvertise.**

C) Mental Health Board - 3 Positions. **Clerk of the Board to Readvertise.**

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DISCUSSION - PUBLIC WORKS

1. pw - Solid Waste Fee Concepts for San Joaquin County. Tom Flinn, Director of Public Works, Annette Borges, Integrated Waste Manager, Victoria Dettloff, Tiffany Fields, Kimberly Hester, Cheyenne Dalrymple from River Oaks Charter School, Attorney Mike Hakeem, Tom Bruen, Special Counsel for Forward Inc., addressed the Board on this matter. **Approved Recommendation.** Gutierrez/Marengo/5 B-04-1247

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Sieglock/Gutierrez/5 B-04-1248

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PUBLIC COMMENT

Chairman Ornellas announced that Gregory Jacobs from the County Office of Education had requested to speak under Public Comment. However, he had to leave the meeting earlier but he left copies for each Board Member with the Clerk of the Board of the San Joaquin County Children's Services Coordinating Commission 2003-2004 Annual Report.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

There were no Board Questions and Comments.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Wayne Heine; John Bertke; Jeff Sloan;
Robert Muszar

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 54957.6

DAVID M. GRAN vs. *SAN JOAQUIN COUNTY et al*; San Joaquin Superior Court Case No. CV018428

H.D. ARNAIZ LTD. vs. *SAN JOAQUIN COUNTY*; San Joaquin Superior Court Case No. C035433 and Case No. CV010728

SCHEDULED AFTERNOON ITEMS

1:30 p.m. - h/r - Service & Retiree Award Presentation for July, August, September, and October 2004 Service & Retirement.

ADJOURNED TO TUESDAY, DECEMBER 7, 2004 AT 9:00 A.M.

Sieglock/Gutierrez/5 B-04-1249

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).