

Board of Supervisors
San Joaquin County

STEVEN GUTIERREZ
Chairman
First District

DARIO L. MARENCO
Vice Chairman
Second District

VICTOR MOW
Third District

JACK A. SIEGLOCK
Fourth District

LEROY ORNELLAS
Fifth 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, February 15, 2005**

A moment of silence was held.

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

Minutes of the Board of Supervisors' Meeting of February 8, 2005. **Approved.** Mow/Marenco/5 B-05-202

SCHEDULED MORNING ITEMS

PRESENTATIONS

9:00 a.m. - bos - Certificate of Recognition of "Give Kids A Smile Day" Held at the University of the Pacific on January 29, 2005 and Proclamation Proclaiming February 2005 as "National Children's Dental Health Month." Kathy White, Executive Director of the San Joaquin Dental Society and Dr. Janice Moreno addressed the Board and accepted the proclamation and Certificates of Recognition for Shanda Wallace, RDH, Bruce Toy, DDS, and Lynn Parker, DDS.

9:00 a.m. - bos - Proclamation Proclaiming February 2005 as "Prevent a Litter Month" and February 22, 2005 as "Spay Day USA" in San Joaquin County. No one was present from the Animal Friends Connection Humane Society to receive the proclamation. Clerk of the Board to mail proclamation.

Scheduled Morning Items (continued)

9:00 a.m. - bos - Proclamation Proclaiming February 13-19, 2005 as "Child Passenger Safety Week" in San Joaquin County. Charles Hughes, NHTSA Certified Child Passenger Safety Technician & Instructor from San Joaquin Public Health, addressed the Board and received the proclamation.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- A) Advisory Water Commission - 1 Position. **Appointed Leroy Griffith.** Sieglock/Marenco/5 B-05-203
- B) Aviation Advisory Committee - 2 Positions. **Reappointed Edward Reinhard and Jonathon Garzoli.** Sieglock/Marenco/5 B-05-204
- C) Community Action Board - 1 Position. **Clerk of the Board to Readvertise.**
- D) Drug & Alcohol Programs Advisory Board - 8 Positions. **Reappointed Randall Schantin and Larry Ashlock.** Sieglock/Marenco/5 B-05-205 **Clerk of the Board to Readvertise Remaining 6 positions.**
- E) Equal Employment Opportunity Advisory Committee - 3 Positions. **Clerk of the Board to Readvertise.**
- F) Economic Development Association - 2 Positions. **Clerk of the Board to Readvertise.**
- G) French Camp Municipal Advisory Council - 3 Positions. **Clerk of the Board to Readvertise.**
- H) Garden Acres Community Center Advisory Board - 2 Positions. **Appointed Lowa Seals.** Sieglock/Marenco/5 B-05-206 **Clerk of the Board to Readvertise Remaining Position.**
- I) Housing Appeals Board - 1 Position. Appointed Tom Weldon or Marian Norris. **Continued to February 22, 2005**
- J) Juvenile Justice-Delinquency Prevention Commission - 2 Positions. **Reappointed Ted Yoneda.** Sieglock/Marenco/5 B-05-207 **Clerk of the Board to Readvertise.**
- K) Larch Clover Community Center Advisory Board - 1 Position. **Clerk of the Board to Readvertise.**

Appointments to Boards and Commissions (continued)

- L) Parks and Recreation Commission - 1 Position. **Appointed Gersh Rosen.** Sieglock/Marenco/5 B-05-208
- M) Workforce Investment Board - 1 Position. **Clerk of the Board to Readvertise.**

APPROVE CONSENT ITEMS # 1-19

Consent Items: #5, 13 & 15 - Pulled for discussion.

Consent Items: #1- 4, 6-12, 14 & 16- 19. **Approved.** Sieglock/Marenco/5

Consent Item: #5 - **Approved.** Sieglock/Marenco/5

Consent Item: #13 - The Board voted to have this matter come back to the Board contingent on the City of Lathrop approving documents related to the County Facilities Fee Program. Mow/Sieglock/4-1; Gutierrez/No

Consent Item: #15 - Kerry Sullivan addressed the Board on this matter. **Approved Staff Recommendations.** Marenco/Sieglock/5

ToCan Nguyen addressed the Board on Consent Items.

CONSENT - HEALTH & HUMAN SERVICES

1. cob - Approve Announcement of 1 Position on the Children & Families Commission. B-05-189
2. hcs - Approval of Physician Employment Agreement for the Department of Family Medicine. A-05-87
3. hcs - Approval of Physician Employment Agreements for the Department of Internal Medicine - Gastroenterology Services and the Department of Surgery - Anesthesiology Services. A-05-88 & A-05-89

4. hcs - Approval to Release Request for Proposal to Purchase and Install CT Scanner and Cardiac Catheterization/Angiography Equipment. B-05-190
5. hsa - Implementation of Mandated Quality Assurance Program for In-Home Supportive Services. **(4/5th's Vote Required)** B-05-191, B-05-192 & R-05-94

Consent – Health & Human Services (continued)

6. hsa - Approval of the Community Services Block Grant Calendar Year 2005 Contract for Community Centers. B-05-193 & A-05-90
7. phs - Approval of Grant Funded Out-of-State Travel to Attend Public Health Preparedness Conference in Atlanta, Georgia. B-05-194
8. phs - Approval of Plan for Child Health and Disability Prevention and California Child Services for Fiscal Year 2004-05 and Allocation for Additional Positions. B-05-195 & R-05-95

CONSENT - PUBLIC WORKS

9. pw - Measure K Congestion Relief Project Delivery Plans for San Joaquin County Sponsored Projects. R-05-96
10. pw - Vacation and Abandonment of a Portion of 3rd, 4th, D, and Walnut Streets in Clements. (4th District) R-05-97
11. pw - Mokelumne River Water Right Application 29855 Annual Fee Payment to the State Board of Equalization. B-05-196

CONSENT - LAW & JUSTICE

12. so - Approval of Fully Funded Out-of-State Travel to Attend Hazardous Devices Training School in Huntsville, Alabama. B-05-197

CONSENT - GENERAL GOVERNMENT

13. cao - Approval of Annexation Agreement with the City of Lathrop for the Central Lathrop Specific Plan Annexation. A-05-91 & B-05-211
14. cao - Joint Use Facility Agreement - Linden Unified School District. R-05-98 & A-05-92
15. cdd - Mountain House Housing Advisory Board. (5th District) B-05-198
16. h/r - Designate County Representatives to California State Association of Counties-Excess Insurance Authority. B-05-199
17. retirement - Approval of Modification of Bylaws for San Joaquin County Employees' Retirement Association to Amend Physicians Reports. B-05-200

Consent – General Government (continued)

18. rov - Appointment of Christopher J. Locke to the Board of Trustees of Lockeford Protection District No. 1. R-05-99

19. treas/tax/colltr - Authorization for the County of San Joaquin to Apply Five-Year Time Period for Tax-Defaulted Nonresidential Commercial Property. R-05-100

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DISCUSSION - HEALTH & HUMAN SERVICES

1. hcs - Approval of the Independent Auditor's Report and Financial Statements of the San Joaquin General Hospital Enterprise Fund, a Component Unit of the County of San Joaquin for the Period Ended June 30, 2004. Kenneth Cohen, Director of Health Care Services, Brian Conner, Senior Manager of Moss Adams LLP, and ToCan Nguyen addressed the Board on this matter. **Approved Staff Recommendation.** Sieglock/Marenco/5 B-05-201

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Sieglock/Mow/5 B-05-209

PUBLIC COMMENT

Reverend Bob Hailey addressed the Board regarding the Mondez Denmon case and the Sheriff's Department.

ToCan Nguyen addressed the Board on various matters.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Assistant County Counsel David Wooten responded to questions from Supervisor Mow and Chairman Gutierrez regarding the process of filling the vacancies for the Public Defender and the District Attorney positions. The Board agreed to place the matter for discussion at the February 22, 2005 Board Meeting.

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 54956.9(a)

GEORGE DELEON v. SAN JOAQUIN COUNTY et al; San Joaquin Superior Court Case No. CV021607

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

California Government Code Section 54956.8

Property: 435 South Sacramento Street, Lodi (APN 045-201-35)

Agency Negotiator: Craig Ogata, Director of Facilities Management

Negotiating Parties: Phillip H. Muller, co-trustee of the Phillip and Carol Muller Trust

Under Negotiation: Price and terms of payment

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to California Government Code Section 54956.9(b): 1 Case

NO SCHEDULED AFTERNOON ITEMS

Sieglock/Marenco/5 B-05-210

ADJOURNED TO TUESDAY, FEBRUARY 22, 2005 AT 9:00 A.M.

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).