



Board of Supervisors
San Joaquin County

MANUEL LOPEZ
County Administrator

TERRENCE R. DERMODY
County Counsel

LOIS M. SAHYOUN
Clerk of the Board

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

**SAN JOAQUIN COUNTY
BOARD OF SUPERVISORS
MINUTES
TUESDAY, MARCH 08, 2005**

PRESENT: SUPERVISORS ORNELLAS, MOW, MARENCO, GUTIERREZ

ABSENT: SUPERVISOR SIEGLOCK

Minutes of the Board of Supervisors' Meeting of March 1, 2005. **Approved.**
Ornellas/Marenco/4; Sieglock Absent B-05-275

SCHEDULED MORNING ITEMS

9:00 a.m. - pw - Public Hearing to Certify the Proposition 218 Balloting Results for Street Lighting and to Transfer Griffith Gate Ranchettes to County Service Area #49, Zone "L-1". (4th District) Tom Flinn, Director of Public Works Department, addressed the Board on this matter. **Approved Staff Recommendation.**
Mow/Marenco/4; Sieglock/Absent R-05-134

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

- A) Advisory Water Commission - 1 Position. **(Continued from 1/25/05) Clerk of the Board to Readvertise.**
- B) Children & Families Commission - 3 Positions. **(Continued from 1/25/05) Reappointed John Fujii, Kwabena Adubofour, & Mary Flenoy-Kelley.**
Marenco/Mow/4; Sieglock/Absent B-05-276

Appointments to Boards and Commissions (continued)

- C) Children's Services Coordinating Commission - 2 Positions. **(Continued from 1/25/05) Clerk of the Board to Readvertise.**
- D) Children's Services Coordinating Commission - 1 Position. **(Continued from 2/1/05) Clerk of the Board to Readvertise**
- E) Collegetown Fire Protection District - 1 Position. **(Continued from 2/1/05) Clerk of the Board to Readvertise.**
- F) Community Action Board - 1 Position. **(Continued from 2/1/05) Clerk of the Board to Readvertise**
- G) Emergency Medical Care Committee - 1 Position. **(Continued from 2/1/05) Clerk of the Board to Readvertise**
- H) Emergency Medical Care Committee - 1 Position. **(Continued from 1/25/05) Clerk of the Board to Readvertise**
- I) In-Home Supportive Services Advisory Committee - 2 Positions. **Clerk of the Board to Readvertise. (Continued from 1/25/05)**
- J) Mental Health Board - 3 Positions. **(Contd from 1/25/05) Appointed Terry Darter. Marenco/Mow/4 Sieglock/Absent B-05-277 Clerk of the Board to Readvertise Remaining Vacancies.**

PRESENTATIONS

9:00 a.m. - bos - Presentation to Nicky Stanke, Retiring Director of Library Services, Stockton-San Joaquin County Public Library. Chairman Gutierrez presented a plaque on behalf of the Board to Nicky Stanke.

APPROVE CONSENT ITEMS # 1-17.

- Consent Item: #12 – Chairman Gutierrez stated that that he had received a couple of phone calls regarding the possibility of constructing a new terminal at the Stockton Metropolitan Airport. He asked the Board to consider the formation of an Ad Hoc Committee, consisting of two members of the Board, to garnish this information and come back to the Board with a report.
- Consent Item: #12 (continued) - Supervisor Mow expressed that prior to receiving any input from the community, the county needs to have

its own house in order. County Administrator Manuel Lopez emphasized that the current airport plans do not include plans of a new terminal. He also said that the selection of a master developer in conformance with the current plan will probably be in late May.

Supervisor Ornellas stated that he had also heard rumors regarding a new terminal. He understood that individuals from the City of Stockton and business people from Stockton had a conference call with Congressman Pombo on this subject. Subsequently, Supervisor Ornellas received a telephone call from Congressman Pombo inquiring about a new terminal. Supervisor Ornellas informed the Congressman that the County had not been contacted by anyone.

Supervisor Marengo stated that he had not been contacted by anyone. He felt that all inquiries should be referred to the Airport Director or the County Administrator.

After further discussion, the Board stated that all inquires of building new terminals be referred to the County Administrator and the Airport Director, and that the Board be kept informed.

Consent Items: #1--17. **Approved.** Mow/Ornellas/4; Sieglock/Absent

CONSENT - HEALTH & HUMAN SERVICES

1. cob - Approve Announcement of 1 Position on the Emergency Medical Care Committee. B-05-278
2. hcs - Approval of Physician Employment Agreements for the Department of Internal Medicine and the Department of Obstetrics and Gynecology. A-05-130 & A-05-131
3. hcs - Approval of Grant Funded Out-of-State Travel to Attend the 2005 National Disaster Medical System Conference at Orlando, Florida. B-05-279
4. hsa - Accept Emergency Food Assistance Program Funds for Federal Fiscal Year 2004-2005 for the Commodity Program from the State of California Department of Social Services. B-05-280
5. hsa - Approval of the In-Home Supportive Services Public Authority Revised State Rate Application for Fiscal Year 2004-2005. B-05-281

Consent – Health & Human Services (continued)

6. hsa - Amend the Federal Legislative Platform to Include a Community Services Block Grant (CDBG) Funding Issue and Authorize Submission of Letters in Support of CSBG Funding. B-05-282 & R-05-135

CONSENT - PUBLIC WORKS

7. pw - Approval and Adoption of Plans and Specifications for the Patterson Pass Road Resurfacing and **Setting a Bid Opening Date of March 31, 2005 at 1:30 p.m.** (5th District) R-05-136
8. pw - Acceptance of the Hansen Road Embankment Repair Contract and Execution of a Notice of Completion. (5th District) R-05-137
9. pw - Award of Contract for the Oleander Avenue and Nile Avenue Resurfacing. (5th District) R-05-138

CONSENT - LAW & JUSTICE

10. s/o - Recommendation to Increase Uniform Allowance for Part-Time Deputies and Correctional Officers. B-05-283
11. prob - Authorization to Apply for Title V Community Prevention Grant. B-05-284

CONSENT - GENERAL GOVERNMENT

12. air - Approval to Submit Federal Aviation Administration Application for Federal Assistance for the 2005 Airport Improvement Program at Stockton Metropolitan Airport. B-05-285
13. cc - Settlement of Legal Action Entitled 1) Rose Renfrow, San Joaquin County Claim #C0403008, and 2) Marcell E. Denmon vs. County of San Joaquin, et al., Federal District Court, Eastern District, Case #CIV S-04 1720 GEB DAD. B-05-286
14. cob - Approve Announcement of 1 Position on the Agricultural Advisory Board. (1st District) B-05-287
15. cob - Approve Announcement of 1 Position on the Taft Community Center Advisory Board. (Agency Representative - 1st District) B-05-288
16. eedd - Recommendation to Declare in Default the Note and Loan Agreement of Mika Telecom, Inc., a California Corporation, Borrower, and Barry M. DaCruz, Guarantor B-05-289

Consent – General Government (continued)

17. h/r - Renew Retiree Health and Dental Plans and Establish and Adopt Premium Rates for Medical and Dental Insurance Plans for Retirees. B-05-290

DISCUSSION - GENERAL GOVERNMENT

1. cao - Establishment of Structure, Adoption of By-Laws and Designation of County Elections Officer for San Joaquin County Head Start Policy Board and Approval of Agreement with Child Development Council, Inc. as Head Start Delegate Agency. Phil Brown, Senior Deputy County Administrator, addressed the Board on this matter. **Approved Staff Recommendations #1 through #3:** Mow/Marenco/4; Sieglock/Absent B-05-291

#1 – Established the San Joaquin County Head Start Policy Council to provide input and guidance to the Board of Supervisors in relation to the San Joaquin County Head Start Program.

#2 - Approved the organizational structure and by-laws for the San Joaquin County Head Start Policy Council.

#3 – Appointed the County Administrator, or designee, as the elections officer to oversee and approve the election of Head Start parent members to the County Head Start Policy Council.

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Ornellas/Mow/4; Sieglock/Absent. B-05-292

PUBLIC COMMENT

James Young addressed the Board regarding traffic on Jamestown and Kentfield Streets in Stockton. Chairman Gutierrez stated that this matter was referred to City of Stockton staff.

ToCan Nguyen addressed the Board on various matters.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Ornellas reported to the Board that he had a recent conversation with Elizabeth Freeman, Director of the Palo Alto Veterans Health Care System. The site selection for the Regional Health Care Facility will be made by the Veterans Administration. Additionally,

Supervisor Ornellas learned that the Regional Facility will include a 60-120 bed veterans convalescent home on the same property. Twelve to twenty acres are needed for the two facilities. The nursing home will be built before the Regional Facility. Ms. Freeman suggested that the county submit a letter of the county's interest to the contractor Pricewaterhouse Coopers. The Board directed the County Administrator to do so.

In response to Supervisor Mow and Chairman Gutierrez, County Administrator Manuel Lopez stated that staff would look into the interpretation of policy issues regarding “county pockets” and current projects that are occurring.

Supervisor Mow updated the Board regarding the Baby Safe Haven Program.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Wayne Heine; John Bertke; Jeff Sloan; Bruce Heid.

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)

MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT vs. JOSE A. SOUZA

et al; San Joaquin Superior Court Case No. CV024102

MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT vs. RICARDO

ESQUIVEL et al; San Joaquin Superior Court Case No. CV023103

MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT vs. JOE J. MACHADO

et al; San Joaquin County Superior Court Case No. CV024108

Initiation of Litigation Pursuant to California Government Code Section

54956.9(c); 6 cases.

SCHEDULED AFTERNOON ITEMS

- 1:30 p.m. - cdd - Public Hearing Regarding a Yearly Report on VFW Post 1051 Status as Required by Site Approval #PA-02-625 of Old German Baptist Church (c/o VFW Post 1051). (5th District) Kerry Sullivan, Director of Community Development Department, Mr. Spkysma, Attorney Mark Connolly, representing VFW Post 1051; ToCan Nguyen, and Tom Beck addressed the Board on this matter. **Continued to 5/10/05 at 1:30 p.m. with the Hearing Open.** Mow/Marenco/4; Sieglock/Absent B-05-293
- 1:30 p.m. - cdd - Public Hearing Regarding Development Title Text Amendment Application #PA-0400671 of the San Joaquin County Community Development Department Regarding Camping in the Public Facilities Zone. (All Districts) Kerry Sullivan, Director of Community Development Department addressed the Board on this matter. **Approved Staff Recommendations.** Mow/Marenco/4; Sieglock/Absent Ordinance #4246 & B-05-294

Scheduled Afternoon Items (continued)

- 1:30 p.m. - cdd - Public Hearing Regarding Development Title Text Amendment Application #PA-0400698 of Progressive Missionary Baptist Church Regarding Use Type: Religious Assembly-Regional in all Residential Zones. (All Districts) Kerry Sullivan, Director of Community Development Department; Attorney Mike Hakeem, representing Progressive Missionary Baptist Church; Pastor Glenn Shields, of Progressive Missionary Baptist Church, Jerome Burns, and ToCan Nguyen, addressed the Board on this matter. **Approved Staff Recommendations.** Mow/Marenco/4; Sieglock/Absent Ordinance #4247 & B-05-295
- 1:30 p.m. - neigh/pres - Public Hearing for Emergency Shelter Grant Program Entitlement Statement for Fiscal Year 2005/2006. Jon Moore, Chief Deputy Director, Community Development Department and Karen Stevens, Management Analysts III, of Community Development Department, Tim Viall, Executive Director, Emergency Food Bank; and Edward Figuerora of St. Mary's Interfaith Dining Hall

addressed the Board on this matter. **Approved Staff Recommendations.**
Mow/Marenco/4; Sieglock/Absent B-05-296

1:30 p.m. - neigh/pres - Public Hearing for Home Investment Partnership Program Entitlement Statement for Fiscal Year 2005/2006. Jon Moore, Chief Deputy Director, Community Development Department, addressed the Board on this matter. **Approved Staff Recommendations.** Mow/Marenco/4; Sieglock/Absent B-05-297

1:30 p.m. - neigh/pres - Public Hearing on Community Development Block Grant Program Entitlement Statement for Fiscal Year 2005/2006. Jon Moore, Chief Deputy Director, Community Development Department, addressed the Board on this matter. **Approved Staff Recommendations.** Mow/Marenco/4; Sieglock/Absent B-05-298

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

Marenco/Ornellas/4; Sieglock/Absent B-05-299

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).