



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

MANUEL LOPEZ
County Administrator

TERRENCE R. DERMODY
County Counsel

LOIS M. SAHYOUN
Clerk of the Board

MINUTE SUMMARY

SAN JOAQUIN COUNTY
BOARD OF SUPERVISORS
MINUTES
TUESDAY, MARCH 22, 2005

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

SCHEDULED MORNING ITEMS

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

A) Children and Families Commission - 1 Position. **Continued to April 26, 2005.**

B) Community Action Board - 1 Position. **(Continued from 2/15/05) Clerk of the Board to Readvertise.**

C) Drug & Alcohol Programs Advisory Board - 6 Positions. **(Continued from 2/15/05) Clerk of the Board to Readvertise.**

D) Economic Development Association 2 Positions. **(Continued from 2/15/05) Appointed Cal Parker. Sieglock/Marenco/5 B-05-310 Clerk of the Board to Readvertise Remaining Position.**

E) Emergency Medical Care Committee - 1 Position. **Appointed Larry Mendoza. Sieglock/Marenco/5 B-05-311**

Appointments to Boards and Commissions (continued)

F) Equal Employment Opportunity Advisory Committee - 3 Positions. **Continued from 2/15/05) Appointed Irwin Staller, Rolando Magdamo and Katherine Williams.** Sieglock/Marenco/5 B-05-312

G) French Camp Municipal Advisory Council - 3 Positions. **(Continued from 2/15/05) Clerk of the Board to Readvertise.**

H) Garden Acres Community Center Advisory Board - 1 Position. **(Continued from 2/15/05) Clerk of the Board to Readvertise.**

I) Juvenile Justice-Delinquency Prevention Commission - 3 Positions. **Appointed Jessica Browning, Malina Nickolson and Telka Walser.** Sieglock/Marenco/5 B-05-313 & B-05-339

J) Larch Clover Community Center Advisory Board - 1 Position. **(Continued from 2/15/05) Clerk of the Board to Readvertise.**

K) Local Child Care Planning Council - 3 Positions. **Appointed Bonnie Mayer and Melissa Mora.** Sieglock/Marenco/5 B-05-314 & B-05-338 **Clerk of the Board to Readvertise Remaining Position.**

L) Revolving Loan Fund Board of Directors - 1 Position. **(Continued from 2/8/05) Clerk of the Board to Readvertise.**

M) Woodbridge Municipal Advisory Council - 1 Position. **Appointed Tad Platt.** Sieglock/Marenco/5 B-05-315

N) Workforce Investment Board - 2 Positions. **(Continued from 2/15/05) Appointed Terry Givens.** Sieglock/Marenco/5 B-05-316 **Clerk of the Board to Readvertise.**

Georgianna Reichelt addressed the Board regarding Boards and Commissions and questioned why members of the Boards and Commissions were not aware of the Brown Act.

County Counsel Terry Dermody stated that it is not correct to say the Brown Act applies to all Boards and Commissions. In response to Supervisor Mow, County Counsel explained that his office is available to anyone requests training regarding the Brown Act.

9:00 a.m. - Continuation of Public Hearing and Adoption of an Ordinance Establishing an Assembly Bill 939 Fee at Landfills. **(Continued from February 8, 2005)** Public Works Director Tom Flinn, Annette Borges, Jim Stone, Deputy Director of Public Works, City of Manteca and ToCan Nguyen addressed the Board on this matter. Sieglock/Marenco/5 B-05-309 & Ordinance #4248

APPROVE CONSENT ITEMS # 1-26

- Consent Item: #1, 3, 17 and 19 pulled for discussion.
- Consent Item: **Approved Consent Items #2, 4, 5-16, 18, and 20-26.**
Sieglock/Marenco/5
- Consent Item: #1 – Human Services Agency Director Joe Chelli responded to questions from Supervisors Mow and Gutierrez regarding the increase of revenue in the contract and if there was anything that could be done in the future to avoid coming back to the Board for such a small amount. County Administrator Manuel Lopez and County Counsel Terry Dermody stated that once it is an appropriation item, it has to come back to the Board.
- Consent Item: #3 – Human Services Agency Director Joe Chelli and Human Services Agency Deputy Director Dave Erb responded to Supervisor Mow regarding the number of families that are referred on a weekly and monthly basis.
- Consent Item: #17 – County Administrator Manuel Lopez responded to Board Members regarding the structure of the organization and the timeframe for the Board to make five appointments to the Policy Committee.
- Consent Item: #1, 3 and 17. **Approved.** Mow/Sieglock/5
- Consent Item: #19 – The Board recommended that the letter to the Federal Legislators be rewritten to suggest a more positive tone. **Approved.**
Mow/Sieglock/5
- Consent Item: #22 – County Administrator Manuel Lopez updated the Board in a recent meeting with the Department of Veterans Affairs. He stated that he plans to come back to the Board in a few weeks with a proposal.

CONSENT - HEALTH & HUMAN SERVICES

1. hsa - Contract Amendment Increasing Funding for the Title-V - Senior Community Services Employment Program. **(4/5th's Vote Required)** B-05-317 & B-05-318 & A-05-141
2. hsa - Agreement Between San Joaquin County Human Services Agency and National Eligibility Workers Association San Joaquin Chapter for a Cooperative Working Relationship. B-05-319 & A-05-142

3. hsa - Amendment to Memorandum of Understanding with the Women's Center of San Joaquin County for Service Referrals. B-05-320 & A-05-143
4. mhs - Approval of Tentative Agreement for Activity Center Wage Pass Through. B-05-321
5. mhs - Approval of First Modification of Lease Agreement for Tracy Mental Health Clinic. A-05-144

CONSENT - PUBLIC WORKS

6. pw - Approval and Adoption of Plans and Specifications for the Bethany Road Bridge Replacement Across West Side Irrigation District Intake Canal, and **Setting a Bid Opening Date of April 21, 2005, at 1:30 p.m.** (5th District) R-05-148
7. pw - Introduced and Waive Reading of an Ordinance Providing for No Parking Zones on a Portion of Both Sides of Garden Avenue and on a Portion of Both Sides of Two Rivers Road. (5th District) B-05-322
8. pw - Approval and Adoption of Plans and Specifications for the Berm/Ditch Construction at the North County Sanitary Landfill and **Setting a Bid Opening Date of April 21, 2005, at 1:30 p.m.** R-05-149
9. pw - Award of contract for the Sonoma Avenue Improvements. (1st District) R-05-150
10. pw - Approval of a San Joaquin County-San Joaquin Council of Governments Measure K Cooperative Agreement for the Design and Construction of the Armstrong Road Segment 1 Bicycle Route. (4th District) R-05-151 & A-05-145
11. pw - Approval of Final Map Entitled "Oakwood Lake, Unit No. 1", Located on the North Side of Woodward Avenue, West of Manteca. (5th District) R-05-152
12. pw - Property Acquisition and Relocation Assistance Agreement for the Lower Sacramento Road - Harney Curve Project. (4th District) B-05-323 & A-05-146

CONSENT - LAW & JUSTICE

13. cao - Set Public Hearing Date to Consider Submitting a Joint Application with the City of Stockton & Adopt a Memorandum of Understanding Between the County and the City of Stockton for Justice Assistance Grant Program Funding. B-05-324 & A-05-147
14. da - Resolution to Contract for a Grant with the California Department of Insurance for the Automobile Insurance Fraud Prosecution and Investigation Program. R-05-153 B-05-325 & B-05-326

15. da - Approval to Purchase Two Vehicles for the District Attorney's Rural Crimes Prevention Program. B-05-327 & B-05-328

CONSENT - GENERAL GOVERNMENT

16. airport - Approval of Plans & Specifications for Northeast Air Cargo Apron Expansion and General Aviation Apron and Tee Hanger Taxiway Reconstruction and **Setting of Bid Opening Date of April 19, 2005, at 2:00 p.m.** R-05-154
17. cao - Accept and File Head Start Policy Council Report and Approve Agreement with the Child Development Council, as Head Start Delegate Agency. B-05-329 & A-05-148
18. cc - Settlement of Legal Action Entitled George DeLeon v. San Joaquin County Animal Control, et al., San Joaquin County Superior Court Case No. CV021607. B-05-330
19. cdd - Letter Opposing the Elimination of the Community Development Block Grant Program. B-05-331
20. cdd - Agreement for Preparation of Environmental Impact Report No. PA-0400174 for Quarry Excavation No. PA-0300550 of DeSilva Gates Construction, LLP. (5th District) **(4/5th's Vote Required)** B-05-332 & A-05-149
21. cob - Approve Announcement of 1 Position on the Kennedy Community Center Advisory Board. B-05-333
22. fac/mgmt - Award Contract for the San Joaquin County VA/Hospital Dialysis Clinic Site Package. R-05-155
23. fac/mgmt - Approve Plans and Specifications for the San Joaquin General Hospital Chiller #2 Replacement Project, and **Set a Bid Opening Date of April 20, 2005 at 2:00 p.m.** R-05-156
24. fac/mgmt - Estoppel Certificate and Subordination Agreement for Office Space Leased for Public Health. B-05-334 & A-05-150
25. treas/tax/colltr - Resolution Replenishing the Cash Difference Fund of the County Tax Collector. R-05-157

Consent – General Government (continued)

26. treas/tax/colltr - Authorization to Increase the Purchase Order for Property Tax Billings Services. B-05-335

COMMUNICATIONS

- bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Sieglock/Marenco/5 B-05-336

PUBLIC COMMENT

ToCan Nguyen addressed the Board on various matters.

Georgianna Reichelt addressed the Board regarding her concerns with the Juvenile Justice Delinquency Prevention Commission.

Lila Baylor addressed the Board and thanked San Joaquin County for the mental health services she received for her younger son. She is now moving to Stanislaus County.

Terry Darter, a new member of the Mental Health Board, thanked the Board for their support of Mental Health.

James Young addressed the Board on various matters.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Sieglock wished everyone a Happy Easter.

Supervisor Marengo inquired about the obtaining a copy of the Regional Grant that was awarded to the County and the City of Stockton, and if a date could be set for this matter. County Administrator Manuel Lopez stated that staff has been meeting very regularly with City staff.

Supervisor Mow stated that he would like to receive a follow-up soon regarding policy issues with respect to “county pockets.”

Board Questions and Comments (continued)

In response to Supervisors Mow and Marengo concerns, County Counsel Terry Dermody said that there are documents that exist. The question is not the existence or non-existence of the documents. The question is what is the application and meaning of those documents. The issue is with trying to determine what are the rights and obligations with the respective parties.

Chairman Gutierrez reported that he and the County Administrator recently met with the Stockton City Mayor Chavez and Stockton City Manager Mark Lewis. He also recently met on an informal basis with Lodi Mayor John Beckman and the new Lodi City Manager Blair King. He will share information the information with Board Members in a report. One topic that did come up was the governance issue of COG. Supervisor Sieglock stated that he and Supervisor Mow have already discussed this matter. Additionally, he has invited all Mayors in San Joaquin County to meet and and identify issues of importance to them.

CLOSED SESSION

CCONFERENCE 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

NO SCHEDULED AFTERNOON ITEMS

ADJOURN TO TUESDAY, MARCH 29, 2005 AT 9:00 A.M.

Sieglock/Marenco/5 B-05-337

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).