



# 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 Tuesday, May 10, 2005 MINUTES

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

Minutes of the Board of Supervisors' Meeting of May 3, 2005. **Approved.** Sieglock/Mow/5 B-05-519

#### SCHEDULED MORNING ITEMS

9:00 a.m. - ag/comm - Presentation of the 2004 Annual Crop Report by Scott Hudson, Agricultural Commissioner. ToCan Nguyen and Joe Petersen addressed the Board regarding the 2004 Annual Crop Report. **The Board accepted the 2004 Annual Crop Report.** Sieglock/Mow/5 B-05-520

#### APPOINTMENTS TO BOARDS AND COMMISSIONS

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

A) Drug & Alcohol Programs Advisory Board – 1 Position. **Appointed Christina Mesa.** (Board requested that Ms. Mesa complete her application.) Sieglock/Marenco/5 B-05-521

B) Local Child Care Planning Council – 1 Position. **Appointed Billy Wright.** Sieglock/Marenco/5 B-05-522

## **PRESENTATIONS**

9:00 a.m. - bos - Proclamation Proclaiming May 9-14, 2005 as "Jury Appreciation Week" in San Joaquin County. Rosa Junqueiro, Superior Court Administrator, addressed the Board on this matter

9:00 a.m. - bos - Proclamation Proclaiming May 2005 as "Foster Care Month" in San Joaquin County. Dave Erb, Deputy Director of Children Adult Services, Human Services Agency, addressed the Board on this matter. Mr. Erb introduced foster parents Juanita Salas, Patty Lamare and Barbara Patten. Ms. Patten addressed the Board.

9:00 a.m. - bos - Proclamation Proclaiming May 15-21, 2005 as "National Public Works Week" in San Joaquin County. Tom Flinn, Public Works Director, and Theron Roschen, President of the Sacramento Chapter of the American Public Works Association (APWA), addressed the Board on this matter. Mr. Roschen introduced Jackie Ziegler who was the first place winner of APWA Sacramento Chapter Button Design Contest. Ms. Ziegler addressed the Board and buttons were distributed to each Board Member. Mr. Flinn recognized Terry Pugh and Chris Zarate as San Joaquin County Public Works Employees of the Year for 2004. Mr. Pugh was not in attendance. Mr. Flinn presented Chris Zarate with the San Joaquin Valley Regional Employee of the Year Award from the County Engineers Association of California (CEAC).

On behalf of the Courts, Presiding Judge of the Superior Court Robert McNatt addressed the Board

and thanked them for their recognition of "Juror Appreciation Week".

## **APPROVE CONSENT ITEMS # 1-18**

Consent Item: #1-14 and 16-18. **Approved.** Mow/Marenco/5

Consent Item: #15 – Human Resources Director Don Turko addressed the Board on this matter and County Counsel Terry Dermody responded to questions from the Board. The Board approved to correct the step placement from step 4 to step 5 for Carlos Villapudua, Legislative Assistant, retroactive to his appointment date of October 18, 2004. Mow/Ornellas/4-1; Sieglock No

ToCan Nguyen addressed the Board on this matter.

## **CONSENT - HEALTH & HUMAN SERVICES**

1. bhs - Approval of First Modifications of Agreement for Managed Care Network Provider Services. A-05-294 thru A-05-302

Consent – Health & Human Services (continued)

2. hsa - Approval of Department of Energy Weatherization Assistance Program Contract for 2005-06. B-05-523 & A-05-303

### CONSENT - PUBLIC WORKS

3. pw - Approval and Adoption of Plans and Specifications for the Howard Road Resurfacing and **Setting a Bid Opening Date of June 9, 2005, at 1:30 p.m.** (3rd District) R-05-251
4. pw - Acceptance of the Benjamin Holt Drive Repairs Contract and Execution of a Notice of Completion. (2nd District) R-05-252
5. pw - Award of Contract for the Berm/Ditch Construction at the North County Sanitary Landfill. R-05-253
6. pw - Vacate and Abandon a Portion of the Right-of-Way of North Third Street in Clements Located Between State Highway Route 88 and B Street. (4th District) R-05-254

### CONSENT - GENERAL GOVERNMENT

7. cob - Approve Announcement of 1 Position on the Advisory Water Commission. B-05-524
8. cob - Approve Announcement of 1 Position on the Northeast Community Center Advisory Board. B-05-525
9. eedd - Recommendation to Approve the Contract for Financial Services with Bank of Stockton. B-05-526 & A-05-304
10. eedd - Recommendation to Approve the Contract for Loan Documentation Services with Bank of Stockton. B-05-527 & A-05-305
11. fac/mgmt - Award Contract for the San Joaquin General Hospital Chiller #2 Replacement Project. R-05-255
12. fac/mgmt - Approve Lot Line Adjustment of Lodi Superior Court. B-05-528
13. fac/mgmt - Approve Second Modification to Lease Agreement with My Sidewalk Cafe, Inc. A-05-306
14. hr - Recommended Amendments to Deferred Compensation and Physician Retirement Administrative Agreements and Deferred Compensation Plan. B-05-529 & A-05-307 & A-05-308

Consent – General Government (continued)

15. hr - Establish Supplemental Pay for Board Chairman's Senior Legislative Assistant/  
Legislative Assistant and Correct Step Placement on the Salary Grade. B-05-530

### CONSENT - MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

16. mhcsd - Resolution Approving the "Agreement for Sharing Cost of State Highway  
Electrical Facilities with Mountain House Community Services District" Between the State of  
California and the Mountain House Community Services District for the Interstate 205-Mountain  
House Parkway Interchange. R-05-256 & A-05-309
17. mhcsd - Resolution Approving the Freeway Maintenance Agreement Between the State of  
California and the Mountain House Community Services District for the Interstate 205-Mountain  
House Parkway Interchange. R-05-257 & A-05-310
18. mhcsd - Authorize the General Manager to Execute a Grant Deed for Exchange of  
Property for Acquisition of I-205 Interchange Property. R-05-258

### COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the  
Communications Distribution Listing. **Approved.** Sieglock/Mow/5 B-05-531

### PUBLIC COMMENT

Miles Kelly addressed the Board regarding concerns of the owner of Sahara Mobile Home Park on  
Sanguinetti Lane. Mr. Kelly invited Board Members to a meeting on May 11, at 6:30 p.m., at the  
mobile home park where many of these issues would be discussed.

ToCan Nguyen addressed the Board on various matters.

### BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Marengo stated that he has been aware of the issues and has dealt with the owner of the  
Sahara Mobile Home Park. He informed the Board that the park is under the jurisdiction of the State  
and that the county has no jurisdiction.

Supervisor Mow commented on an article in the San Francisco Chronicle newspaper stating that  
California hospitals and health care providers can now seek reimbursements from the Federal  
Government for emergency care provided to illegal immigrants. Supervisor Mow also inquired about  
the Prop. 63 funding for Mental Health/Substance Abuse.

Board of Supervisors Questions and Comments (continued)

Chairman Gutierrez commented on using temporary part-time employees to assist the Conservator's

Office. Chairman Gutierrez also told the Board Members to prepare for a lengthy Board Meeting on Tuesday, May 17, 2005. He informed them that there would be a report on Measure K added to the May 17 agenda and that Public Works Director Tom Flinn and Andrew Chesley of the Council of Governments would be in attendance to answer any questions from Board Members.

### 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)

Patricia Lopez et al vs. San Joaquin County; San Joaquin County Superior Court Case No. CV022583

Andrew Gamboa vs. San Joaquin General Hospital et al; San Joaquin County Superior Court Case No. CV022504

#### CONFERENCE WITH REAL PROPERTY NEGOTIATOR

California Government Code Section 54956.8

Property: 12900 North Lower Sacramento Road

Parcel No: APN 058-070-25

Agency Negotiator: Tom Flinn

Negotiating Parties: County of San Joaquin and O & M Land Company PTP

Under Negotiation: Price and terms of payment

Property: 810 East Harney Lane

Parcel No: APN 058-070-07

Agency Negotiator: Tom Flinn

Negotiating Parties: County of San Joaquin and Brian S. Hayn and

Stacey L. Guthmiller, Attorney-at-Law

Under Negotiation: Price and terms of payment

### **SCHEDULED AFTERNOON ITEMS**

1:30 p.m. - cdd - Public Hearing Regarding Yearly Report on VFW Post 1051 Status as Required by Site Approval No. PA-0200625 of Old German Baptist Church (C/O VFW Post 1051) (5th District) (**Continued from 3/8/05 - Hearing Open**) Community Development Director Kerry Sullivan, Attorney Mark Connolly, Attorney Tom Beck, Janet Spikesma-Pilchard, Tocan Nguyen, Vernetta Thompson, Joyce Van Tell, Dwayne Spikesma, Terry Greenley, and Adrian Fondse addressed the Board on this matter. **Accepted Report.** Mow/Ornellas/5 B-05-532

1:30 p.m. - cdd - Public Hearing on Recommended San Joaquin County 2005-2010 Consolidated Plan and 2005-06 Annual Plan Including Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Emergency Shelter Grant (ESG) Programs. **Approved Staff Recommendation.** Sieglock/Marenco/5 B-05-533

### **ADJOURNED TO TUESDAY, MAY 17, 2005 AT 9:00 A.M.**

Sieglock/Ornellas/5 B-05-534

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).