



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, May 24, 2005
9:00 AM**

A moment of silence was held.

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

SCHEDULED MORNING ITEMS

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

A) Boggs Tract Community Center Advisory Board - 1 Position. **Appointed Earlee Liggins.** Sieglock/Marenco/5 B-05-573

B) Housing Authority Board - 1 Position. **Reappointed Al Biedermann.** Sieglock/Marenco/5 B-05-574

C) Workforce Investment Board - 1 Position. **Appointed Raul Rodriguez.** Sieglock/Marenco/5 B-05-575

Scheduled Morning Items (continued)

9:00 a.m. - cdd - Public Hearing to Hear All Protests to the Order for Removal of Noxious and Dangerous Weeds and the Board Order Directing the Fire Warden to Abate Noxious and Dangerous Weeds. ToCan Nguyen, Steve Dalton, Fire Warden; Earleen Baldwin, Jeanetta Erdman, Weed Abatement Officer, City of Stockton Fire Prevention, addressed the Board on this matter. **Approved Staff Recommendations.** Sieglock/Marenco/5 B-05-572

Consent Items: 1-2, 4-17, 19-27 & 29 – **Approved.** Sieglock/Marenco/5

Consent Item: #3 - Ken Cohen, Director of Health Care Services, responded to Supervisor Mow and explained the differences between the proposed agreement with a new company and the previous agreement with another company for Nursing Recruitment Staffing Services. There are currently 26 positions vacant. Supervisor Sieglock commented on Community Health Forums held in the community that addressed various issues, including the issue of nursing recruitment. Mr. Cohen also responded to Supervisor Sieglock who asked how long did the staffing ratios in hospitals exist before AB 394, and what were the current ratios. Human Resources Director Don Turko commented on this matter. **Approved Staff Recommendation.** Mow/Marenco/5

Consent Item: #18 – Lt. Steven Moore, of Sheriff's Office responded to Supervisor Ornellas questions regarding seized assets. Lt. Moore indicated that there would be an annual report coming to the Board in August of 2005. Lt. Moore also responded to Supervisor Mow regarding helicopter services. Cary Martin and ToCan Nguyen addressed the Board on this matter. **Approved Staff Recommendation.** Ornellas/Sieglock/5

Consent Item: #28 –Shabbir Khan, Treasurer-Tax Collector explained the policy changes in response to Supervisor Sieglock. Mr. Khan also responded to questions from Supervisor Mow. **Approved Staff Recommendation.** Sieglock/Marenco/5

Choung Hoang addressed the Board regarding weed abatement. Chairman Gutierrez stated that he would have staff contact Mr. Hoang to answer his questions.

CONSENT - HEALTH & HUMAN SERVICES

1. cob - Approve Announcement of 3 Positions on the Commission on Aging. B-05-576
2. cob - Approve Announcement of 3 Positions on the Public Health Authority. B-05-577

Consent – Health & Human Services (continued)

3. hcs - Approval of Agreement for Nursing Recruitment Staffing Services.A-05-339 & A-05-340
4. hcs - Approval of Applications for Reappointment to San Joaquin General Hospital Medical Staff. B-05-578
5. hcs - Approval of Applications for Appointment to San Joaquin General Hospital Medical Staff. B-05-579
6. hcs - Approval of Reinstatement of Appointment to San Joaquin General Hospital Medical Staff. B-05-580
7. hsa - Approval of Second Amendment to Agreement with First Data Government Solutions. B-05-581 & A-05-341
8. hsa - Approval to Sign Stockton Unified School District Use Permits for the Evening Basketball and Aquatots Program. B-05-582 & A-05-342 & A-05-343 & A-05-344
9. hsa - Accept Additional Emergency Food Assistance Program Funds for the Commodity Program from the California Department of Social Services. B-05-583
10. hsa - Approval of an Amendment to the Boys and Girls Club Memorandum of Understanding for the Use of the Sousa Pool for the Summer Aquatics and Aquatots Program. B-05-584 & A-05-345
11. hsa - Authorization to Submit the Two-Year (2006-2007) Community Action Plan for San Joaquin County Community Action Agency. B-05-585

CONSENT - PUBLIC WORKS

12. pw - Approve Announcement of 2 Positions on the Advisory Water Commission. B-05-586
13. pw - Introduce and Waive Reading of an Ordinance Providing for a No Parking Zone on a Portion of West Lane. (**Said Ordinance to be Adopted on 6/7/05**) B-05-587
14. pw - Approve Measure K Cooperative Agreement for Construction and Construction Management for the Lower Sacramento Road - Harney Curve (Segment 2D) Project. (4th District) B-05-588 & A-05-346
15. pw - Acceptance of Grant Deeds and Agreement for the Purchase of Real Property and Adoption of Orders Declaring a Public Highway for the Lower Sacramento Road - Harney Curve Project. (4th District) R-05-280 & A-05-347
16. pw - Award of Contract for the Bethany Road Bridge Replacement Project. (5th District)

R-05-281

Consent – Public Works (continued)

17. pw - Approval and Adoption of Plans and Specifications for the West Country Club Reconstruction (Phase 2) and **Setting a Bid Opening Date of June 16, 2005 at 1:30 p.m.** (3rd District) R-05-282

CONSENT - LAW & JUSTICE

18. s/o - Approval of Sheriff-Narcotics Enforcement Federal Equitable Sharing Agreement with the Department of Justice and the Department of Treasury. A-05-348

CONSENT - GENERAL GOVERNMENT

19. aud - **Set Time and Date of June 14, 2005 at 9:00 a.m.** for a Public Hearing Establishment of Proposition 4 County and Special Districts Appropriation Limits for 2005-2006. B-05-589

20. aud - Adjustments to 2004-2005 Revenue Estimates for Special Districts Under the Board of Supervisors. B-05-590

21. cdd - Authorize the Purchasing Agent to Increase the "Not to Exceed" Value for Contract Building Inspection Services to \$125,000. B-05-591

22. cob - Approve Announcement of 1 Position on the Camanche Regional Park Advisory Board. B-05-592

23. cob - Approve Announcement of 2 Positions on the Planning Commission. B-05-593

24. cob - Approve Announcement of 1 Position on the Retirement Board. B-05-594

25. fac/mgmt - Award of Contract for the San Joaquin VA/Hospital Dialysis Clinic Facility Construction Project. R-05-283

26. h/r - Adopt Resolution of Intent to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the Board of Supervisors County of San Joaquin; Certification of Governing Body's Action; and Certification of Compliance with Government Code Section 7507. B-05-595 & R-05-284

27. neigh/pres - Authorization to Submit Grant Application to the U.S. Department of Housing and Urban Development for 2005 Continuum of Care Homeless Assistance. B-05-596

28. treas/tax/colltr - Approval of Investment Authority and Investment Policy. B-05-597

29. purchasing - Approval of Consultant Services for Restoration of Original Documents and

Maps in the Recorder's Office. B-05-598 & A-05-349

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. Sieglock/Mow/5 B-05-599

PUBLIC COMMENT

ToCan Nguyen addressed the Board on various matters.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisors Ornellas and Sieglock inquired about the status of the ice cream truck/toy gun issue that had come up at a previous Board Meeting. County Administrator Manuel Lopez stated that the Environmental Health Department is preparing a report to the Board. Counsel Counsel Terrence Dermody added his office should have an ordinance prepared for the Board's consideration in mid-June.

Supervisor Sieglock commented on a constituent who somebody anonymously said there was an issue at her property. She cleaned up her property and the county sent her a bill stating she needed to go to Environmental Health, pay the bill, and then Environmental Health would inspect it. County Counsel Terrence Dermody suggested that he and Supervisor Sieglock discuss the matter.

Chairman Gutierrez requested staff to give an update report on Head Start, including the status of an audit and the possibility of utilizing another organization to implement Head Start. The report from staff should also address what topics are being looked at and where we are on those issues. County Administrator Manuel Lopez stated that he would be distributing an outline to the Board Members regarding these areas.

Chairman Gutierrez commented on meetings and discussions that he and Supervisor Sieglock have had regarding Agricultural Land Mitigation Fee. He indicated that Community Development Director Kerry Sullivan will be preparing a brief report that for a future Board Meeting.

Chairman Gutierrez commented on the informal discussion in regards to reviving the 2 x 2 x 2 Green Belt Committee, the Stockton/Lodi committee. He has asked an informal discussion with the City of Stockton, County Administrator, City of Lodi Mayor and Lodi City Manager to give the County a synopsis or fact sheet in order to determine whether or not the Board wants to continue to officially participate in the Green Belt discussions.

Board of Supervisors Questions and Comments (continued)

Supervisor Mow commented on the Ag Conversion fee and Ag Mitigation fee.

Chairman Gutierrez announced that the groundbreaking ceremony of the VA Clinic/San Joaquin General Hospital Dialysis Project was scheduled at 1:00 p.m. on Thursday, June 2, 2005.

The Board went into Closed Session on items listed on the agenda. County Counsel announced that the Board may be making an announcement after returning from Closed Session.

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 - Initiation of Litigation Pursuant to California Government Code Section 54956.9(c); One case

10:55 a.m. – The Board returned from Closed Session. County Counsel Terrence Dermody stated that “The Board would like to announce that by unanimous vote in Closed Session the Board is authorizing the filing of an administrative complaint with the State Water Resources Control Board so as to place the County before the State Water Resources Control Board by in that bodies action against the Federal Government with respect to a Cease and Desist Order involving the release of water in purity standards in South County.”

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NO SCHEDULED AFTERNOON ITEMS

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ADJOURNED TO TUESDAY, JUNE 7, 2005 AT 9:00 A.M

Sieglock/Mow/5 B-05-

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).