



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

**BOARD CHAMBERS, COURTHOUSE, 7TH FLOOR
222 E. WEBER AVENUE, STOCKTON, CA
TUESDAY, JULY 19, 2005
9:00 AM**

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

Minutes of the Board of Supervisors' Meeting of July 12, 2005. **Approved.** Mow/Marenco/5
B-05-821

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

- A) Advisory Water Commission - 1 Position. **Clerk of the Board to Readvertise.**
- B) Commission on Aging - 1 Position. **Appointed Lockey Kjelson.**
Sieglock/Mow/5 B-05-822

PRESENTATIONS

9:00 a.m. - h/r - Service & Retiree Award Presentation for June 2005 Service & Retirement.
Chairman Gutierrez presented retirement awards to Retirees and service awards
to County employees

SCHEDULED MORNING ITEMS

9:15 a.m. - cdd - Public Hearing and Completion of Countywide Weed Abatement Program for 2005. Fire Marshal Steve Dalton and ToCan Nguyen addressed the Board regarding this matter. **Approved.** Mow/Ornellas/5 B-05-823

9:15 a.m. - cdd - Public Hearing on the Adoption of the Ordinance Regarding the California Electrical Code 2004 Edition. Fire Marshal Steve Dalton and ToCan Nguyen addressed the Board regarding this matter. **Approved.** Sieglock/Mow/5 Ordinance #4261

9:15 a.m. - cdd - Public Hearing on Adoption of the Ordinance Regarding the Amendment of the California Fire Code, 2001 Edition. Fire Marshal Steve Dalton addressed the Board regarding this matter. **Approved.** Mow/Ornellas/5 Ordinance #4262

9:15 a.m. - cdd - Public Hearing on the Adoption of the Ordinance Regarding the Amendment of the California Building Code, 2001 Edition. Fire Marshal Steve Dalton addressed the Board regarding this matter. **Approved.** Ornellas/Sieglock/5 Ordinance #4263

APPROVE CONSENT ITEMS # 1-16.

Consent Item: #6 and #16 pulled for discussion.

Consent Item: #1-5 and #7-15 – **Approved.** Sieglock/Marenco/5

Consent Item: #6 – In response to Supervisor Mow, Public Works Director Tom Flinn explained the rejection of the DSS Company Bid and the award of the contract to Granite Construction. **Approved.** Mow/Marenco/5

Consent Item: #16 – County Counsel Terrence Dermody and Special Counsel Mike McGrew responded to questions from Board Members. Attorneys Steve Herum, Mark Ornellas, Howard Seligman, Mike Hakeem, and ToCan Nguyen addressed the Board on this matter. **Approved.** Ornellas/Sieglock/5

CONSENT - HEALTH & HUMAN SERVICES

1. hcs - Approval of Contract with Healthcare Resources Group to Provide Revenue Cycle Management Services. A-05-577
2. h/r - Implement Classification Projects to Amend and Retitle the Classes of Housekeeping Director, Assistant Housekeeping Director, Director of Diagnostic Imaging, and Laundry Director in San Joaquin General Hospital. R-05-402

Consent – Health & Human Services

3. hsa - Approval of Fiscal Year 2005-06 County Community Service Program Contracts. B-05-824 & A-05-578 thur A-05-583
4. hsa - Approval of Memorandum of Agreement with Sacramento County to Administer the Cash Assistance Program for Immigrants. B-05-825 & A-05-584
5. phs - Approval of Physician Employment Agreement. B-05-826 & A-05-585

CONSENT - PUBLIC WORKS

6. pw - Rejection of DSS Company Bid and Award of Contract to Granite Construction Company for the Jack Tone Resurfacing. (2nd & 4th Districts) R-05-403
7. pw - City-County Cooperative Agreement for the Lower Sacramento Road-Harney Curve Project between San Joaquin County and the City of Lodi. B-05-827 & A-05-586
8. pw - Acceptance of a Deed and an Agreement for the Purchase of Real Property and Adoption of an Order Declaring a Public Highway for the Lower Sacramento Road - Harney Curve Project. (4th District) R-05-404 & A-05-587
9. pw - Authorization to Execute Contract Change Order #10 and Approve an Increase in the Contract Allotment for the "B" Street Improvement Project. (1st District) B-05-828
10. pw - Report on Delinquent Mandatory Residential Refuse Collection Charges for Service Year 2004/2005. R-05-405

CONSENT - LAW & JUSTICE

11. s/o - Renewal of Contract with the U.S. Army Corps of Engineer for Law Enforcement Services at Stanislaus River Parks. B-05-829 & A-05-588

CONSENT - GENERAL GOVERNMENT

12. ag/comm - Approval of Agreement with the State of California for Performance of Red Imported Fire Ant Activities, and Related Budget Adjustments. **(4/5ths Vote Required)** B-05-830 & B-05-831 & A-05-589
13. cob - Approve Announcement of 1 Position on the Camanche Regional Park Advisory Board. B-05-832
14. h/r - Change in Fair Labor Standards Act Code for Safety Officer Classification. R-05-406

CONSENT - MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

15. mhcsd - Approval of Mountain House Community Services District Water Supply Assessment for Specific Plan II and III. B-05-833

16. mhcsd - Authorize the General Manager to Sign the "Joint Use Agreement between the San Joaquin Delta Community College District and the Mountain House Community Services District" for Park Property. A-05-590

DISCUSSION - GENERAL GOVERNMENT

1. cao - Audit and Management Report on the Sheriff Inmate Welfare Trust Fund. County Administrator Manuel Lopez briefed the Board on this matter. Kathleen Jennison and Lammert Van Laar of Kemper CPA Group, LLP, Sheriff Robert Heidelberg, ToCan Nguyen, and Auditor-Controller Adrian Van Houten addressed the Board on this matter. **Approved Staff Recommendations and requested that the Sheriff not destroy any documents until the next Sheriff is elected.** Additionally, through Chair Direction, based on Board Member comments that any further source documentation or information that Board Members have request will be given to the County Administrator Office who will the information to Board Members. Mow/Sieglock/5 B-05-834
2. cdd - Reinitiation of the 2x2x2 Committee for the Lodi-Stockton Greenbelt Program. **Accepted the report regarding the Reinitiation of the 2X2X2 Committee for the Lodi-Stockton Greenbelt Program and appointed Supervisors Sieglock and Mow to the Committee.** Sieglock/Mow/5 B-05-835
3. h/r - Discussion Regarding the Creation of a New Exempt Class of Board of Supervisors' Assistant; and Establishment of Supplemental Pay for Board Chairman's Board of Supervisors' Assistant. **The Board voted to leave the current practice in place and not make any changes at this time.** Sieglock/Mow/3-2; Marenco & Gutierrez – No B-05-836

COMMUNICATIONS

- bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. **Approved.** Sieglock/Mow/5 B-05-837

PUBLIC COMMENT

ToCan Nguyen addressed the Board regarding various matters.

Dorothy Guazzo and Vicki Zaragoza addressed the Board regarding cuts in treatment services provided by the Office of Substance Abuse and employee layoffs from the Office of Substance Abuse.

Public Comment (continued)

Vivian Doniego addressed the Board requesting assistance in saving her job with the Office of Substance Abuse.

Ray Baglietto addressed the Board regarding weed abatement.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

There were no Board questions or comments.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Wayne Heine; John Bertke; 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.

12:40 p.m. The Board returned from Closed Session. County Counsel announced that the Board of Supervisors by a 4-1 vote in Closed Session, with Supervisor Mow in the negative, has authorized the filing of California False Claims action against Baxter Dunn and Michael Cappizi. The action will be filed within the next month.

NO SCHEDULED AFTERNOON ITEMS

ADJOURNED TO TUESDAY, JULY 26, 2005 AT 9:00 A.M.

Sieglock/Ornellas/5 B-05-838

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)