



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
MINUTE SUMMARY
Tuesday, September 06, 2005**

A Moment of Silence

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

Minutes of the Board of Supervisors' Meeting of August 9, 2005. Mow/Marenco/4; Sieglock/
Abstained **Approved.** B-05-930

Chairman Gutierrez announced the following minor changes in the wording of the following consent items on the agenda: Page 2, Consent – Health & Human Services #4 – hcs – Approval of Applications for Appointment to San Joaquin General Hospital Allied Health Professional Staff and Page 3 – Consent – Health & Human Services #5 – hcs – Approval of Applications for Reappointment to San Joaquin General Hospital Medical Staff.

SCHEDULED MORNING ITEMS

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.**

Appointments to Boards and Commissions (continued)

- B) Assessment Appeals Board - 2 Positions. **Appointed Larry Solari.** Sieglock/Mow/5 B-05-931
- C) Building Board of Appeals - 1 Position. **Clerk of the Board to Readvertise.**
- D) Camanche Regional Park Advisory Board - 1 Position. **Clerk of the Board to Readvertise.**
- E) Children's Services Coordinating Commission - 3 Positions. **Clerk of the Board to Readvertise.**
- F) Collegetown Fire Protection District - 1 Position. **Clerk of the Board to Readvertise.**
- G) Community Action Board - 5 Positions. **Clerk of the Board to Readvertise.**
- H) Drug & Alcohol Program Advisory Board - 4 Positions. **Clerk of the Board to Readvertise.**
- I) Economic Development Association - 1 Position. **Clerk of the Board to Readvertise.**
- J) Emergency Medical Care Committee - 3 Positions. **Appointed Jim Pickens.** Sieglock/Mow/5 B-05-932
- K) French Camp Municipal Advisory Council - 3 Positions. **Clerk of the Board to Readvertise.**
- L) Garden Acres Community Center Advisory Board - 2 Positions. **Appointed Fauna Brewer** Sieglock/Mow/5 B-05-933
- M) In-Home Supportive Services Advisory Committee - 2 Positions. **Appointed Emma L. Todd.** Sieglock/Mow/5 B-05-934 **Clerk of the Board to Readvertise Remaining Position.**
- N) Larch Clover Community Center Advisory Board - 1 Position. **Clerk of the Board to Readvertise.**
- O) Local Child Care Planning Council - 4 Positions. **Reappointed Jane Frederick and Eric Washburn.** Sieglock/Mow/5 B-05-935
- P) Mental Health Board - 2 Positions. **Appointed Jeffrey Giampetro.** Sieglock/Mow/5 B-05-936 **Clerk of the Board to Readvertise Remaining Position.**
- Q) Parks & Recreation Commission - 1 Position. **Appointed Gersh Rosen.** Sieglock/Mow/5 B-05-937

Appointments to Boards and Commissions (continued)

- R) Public Health Advisory Board - 2 Positions. **Clerk of the Board to Readvertise.**
- S) Revolving Loan Fund Board of Directors - 1 Position. **Clerk of the Board to Readvertise.**
- T) Solid Waste Management Independent Hearing Panel - 1 Position. **Clerk of the Board to Readvertise.**
- U) Tracy Public Cemetery District Board of Trustees - 1 Position. **Appointed Brenda Alves.** Sieglock/Mow/5 B-05-938
- V) Workforce Investment Board - 4 Positions. **Reappointed Cal Thomas Parker, Frederick Wentworth and Augustin Beltran.** Sieglock/Mow/5 B-05-939 **Clerk of the Board to Readvertise Remaining Positions.**

Due to the many vacancies on the various Boards and Commissions, Supervisor Sieglock requested that each of them be reviewed in order to determine as to whether or not they were necessary and/or mandated.

ToCan Nguyen addressed the Board on Consent Items.

Consent Item: #42 – In response to Supervisor Mow, Registrar of Voters Deborah Hensch stated that the cost of the upcoming Special Statewide Election on November 8, 2005 is estimated to cost San Joaquin County \$1.2 million.

APPROVE CONSENT ITEMS # 1-43

Consent Item: #1-43 – **Approved.** Ornellas/Marenco/5

CONSENT - HEALTH & HUMAN SERVICES

1. bhs - Approval of Agreements with Managed Care Network Providers. A-05-679 thru A-05-692
2. hcs - Approval of Physician Employment Agreement for the Department of Surgery - Orthopedic Services. A-05-693
3. hcs - Approval of Applications for Appointment to San Joaquin General Hospital Medical Staff. B-05-940
4. hcs - Approval of Applications for Appointment to San Joaquin General Hospital Medical Staff. B-05-941

5. hcs - Approval of Applications for Appointment to San Joaquin General Hospital Medical Staff. B-05-942

Consent – Health & Human Services (continued)

6. hcs - Approval of Physician Employment Agreement for the Department of Family Medicine. A-05-694

7. hcs - Approval of Physician Employment Agreement for San Joaquin General Hospital - Chief Medical Officer. A-05-695

8. hcs - Approval of Employment Contract for San Joaquin General Hospital. A-05-696

9. hsa - Approval of Agreement with Family Resource and Referral Center for CalWORKs Stage 1 Child Care Services. B-05-943 & A-05-697

10. hsa - Food for Families Agreement with Lodi Community Center and Commodity Program. B-05-944 & A-05-698 & A-05-699

11. hsa - Authorization to Submit the Area Agency on Aging Fiscal Year 2004/2005 Year End Report to the California Department of Aging. B-05-945

12. hsa - Amendment of California State Association of Counties Contract for the ISAW Consortium Manager. A-05-700

13. hsa - Approval of Petroleum Violation Escrow Account Weatherization Program Contract 2005-2006 **(4/5ths Vote Required)**. B-05-946 & B-05-947 & A-05-701

14. phs - Approval of Contract with the California Department of Health Services for the Automated Immunization Information and Reminder System. B-05-948 & A-05-702

15. phs - Approval of Contract Amendment with the California Department of Health Services for Housing Opportunities for Persons with AIDS Funds and a Memorandum of Understanding with Stockton Shelter for the Homeless. B-05-949 & A-05-703 & A-05-704

16. phs - Approval of Lease Agreement for Office Space. A-05-705 & B-05-950

CONSENT - PUBLIC WORKS

17. pw - Approval of Two Final Maps Entitled "Mountain House Cambridge Place East Condominiums" and "Mountain House Cambridge Place West Condominiums" Located West of Tracy. (5th District) R-05-468

18. pw - Award of Contract for the Jahant Road Resurfacing. (4th District) R-05-469

19. pw - Award of Contract for the Morrison Gardens Phase 7 (Ninth Street) Resurfacing. (1st District) R-05-470
20. pw - Approve the Eleventh Amendment to Agreement Concerning Operation of Foothill Sanitary Landfill. A-05-706

CONSENT - LAW & JUSTICE

21. da - Resolution to Contract for a Grant with the California Department of Insurance of Workers' Compensation Fraud Prosecution and Investigation Program. B-05-951 & R-05-471
22. da - Approval of a Lease Agreement Between the County and San Joaquin Real Estate Co. Inc. B-05-952 & A-05-707
23. s/o - Renewal of Aircraft Hangar Lease. A-05-708
24. s/o - Authorize Sale of Helicopter and Establish Interest-Bearing Trust Fund for Proceeds. B-05-953
25. s/o - Funding of Community Liaison Deputy Sheriff's Position. **(4/5ths Vote Required)** B-05-954

CONSENT - GENERAL GOVERNMENT

26. ag/comm - Approval of Federally Funded Out-of-State Travel to Attend the USDA Phytosanitary Certificate of Issuance and Tracking System Advisory Committee Meeting in Riverdale, Maryland. B-05-955 & B-05-956
27. aud - Resolution Setting Tax Rates in San Joaquin County for the 2005/2006 Fiscal Year. R-05-472
28. cao - Response to 2004/2005 Grand Jury Reports: Case Number 1604 In-Home Supportive Services, Case Number 0703 - Conservator's Office, and Case Number 0504 - Registrar of Voters. B-05-957
29. cao - Acceptance of Audit of Financial Statements of San Joaquin County for the Period Ended June 30, 2004. B-05-958
30. cao - Children's and Families Commission (First 5 San Joaquin) Recommendation for Extension of Funding Agreements for 2005/2006. B-05-959 & A-05-709 through A-05-716
31. cao - Children & Families Commission (First 5 San Joaquin) Recommendation to Fund 13 Mini-Grants. B-05-960 & A-05-717 thru A-05-741
32. cc - Settlement of Legal Action Entitled Lawrence Gray, etc vs. Waterfront Marina

Management, Inc., et al; San Joaquin County Superior Court Case #CV022448.

B-05-961

33. cob - Approve Announcement of 1 Position on the Equal Employment Opportunity Advisory Committee. B-05-962

Consent – General Government (continued)

34. cob - Approve Announcement of 1 Position on the Lodi Community Center Advisory Board. B-05-963

35. cob - Approve Announcement of 1 Position on the Northeast Community Center Advisory Board. B-05-964

36. fac/mgmt - Approve Escrow Agreement for Security Deposits in Lieu of Retention for the VA/Hospital Dialysis Clinic Construction Project. A-05-742

37. fac/mgmt - Approve Agreement with Micke Grove Zoological Society to Develop the Micke Grove Zoo's East End Exhibit. A-05-743

38. neigh/pres - Execute Agreement with San Joaquin New Directions to Provide Services in Fulfillment of the County's 2004 Supportive Housing Grant. B-05-965 & A-05-744

39. neigh/pres - Allocation of Community Development Block Grant Program Income and the Resulting Agreement #12 to the 2005-2010 Consolidated Plan. B-05-966

40. purchasing - Approval of Amendment #1 to the Delta Hawkeye Security Services Agreement. B-05-967 & A-05-745

41. rov - Resolution Urging the State of California to Fully Reimburse all California Counties for the Associated Costs of the Special Statewide Election in November 8, 2005. R-05-473

42. rov - Resolution Authorizing the Registrar of Voters Office to Conduct a General Obligation Bond Election for the Stockton Unified School District and to Consolidate the District's Election with the Special Consolidated Statewide Election to Be Held on Tuesday, November 8, 2005. R-05-474

CONSENT - MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

43. mhcsd - Adopt a Resolution Accepting Offers of Dedication of Public Utility Easements and Emergency Vehicle Access Easements for Tract #3503 also known as "Mountain House Cambridge Place East Condominiums" and Tract #3508 also known as "Mountain House Cambridge Place West Condominiums". R-05-475

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. **Approved.** Mow/Sieglock/5 B-05-968

ADDED AGENDA ITEM

Chairman Gutierrez stated that he requested Director of Emergency Operations Ron Baldwin and Human Services Agency Director Joe Chelli to report to the Board on the possibility of victims of hurricane Katrina being located to San Joaquin County.

On the advice of County Counsel Terrence Dermody, the Board voted to place this matter on the agenda for discussion. **Approved.** Sieglock/Mow/5

Director of Emergency Operations Ron Baldwin, Jean Gleason, Executive Director of the Red Cross, and Andy Prokop, President/CEO of United Way, addressed the Board on this matter.

PUBLIC COMMENT

Richard Reyes Gallegos addressed the Board.

Angel Picon commented on the children that are affected by the Katrina hurricane and the In-Home Supportive Services negotiations.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Mow requested that today's Board Meeting be adjourned in honor of Leon Ross who was a long-time county employee and the former San Joaquin County Affirmative Action Officer.

Supervisor Sieglock requested that the resolution in support of I-205 be rescheduled. Supervisor Sieglock also requested that the parties involved with the Islamic Center (scheduled before the Board on September 27, 2005 at 1:30 p.m.) be contacted to determine as to whether or not a postponement of the matter will be requested.

Chairman Gutierrez asked if the Board could obtain a letter from the San Joaquin Regional Transit District regarding their reduction of services.

As a point of information, Chairman Gutierrez stated that he is working with the County Administrator in having that the Board Meetings televised live over the internet.

ADDED CLOSED SESSION ITEMS

County Counsel announced that several matters for Closed Session had come up after the agenda had been printed and distributed. Therefore, a 4/5's vote would be needed to add these items to the agenda under Closed Session.

The Board voted to add the following items under Closed Session. **Approved.** Sieglock/Mow/5

HEALTH PLAN OF SAN JOAQUIN vs. COUNTY OF SAN JOAQUIN, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, et al; Marin County Superior Court Case No. CIV 042766

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA vs. HEALTH PLAN OF SAN JOAQUIN vs. HEALTH PLAN OF SAN JOAQUIN; Sacramento Superior Court Case No. 04AS04395

MARIA JIMINEZ vs. JASON T. BASS, M.D., COUNTY OF SAN JOAQUIN, DOING BUSINESS AS SAN JOAQUIN GENERAL HOSPITAL; San Joaquin County Superior Court Case No. CV 026548

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR

California Government Code Section 54957.6

Agency Negotiator: Manuel Lopez; Wayne Heine; Don Turko; 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 - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to California Government Code Section 54956 (b); 1 case.

NO SCHEDULED AFTERNOON ITEMS

ADJOURNED TO TUESDAY, SEPTEMBER 13, 2005 AT 9:00 A.M.

Sieglock/Ornellas/5 B-05-969

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).