



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, September 13, 2005

A moment of silence was held.

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

Minutes of the Board of Supervisors' Meeting of September 6, 2005. **Approved.** Sieglock/Marenco/5
B-05-979

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

A) Agricultural Advisory Board - 4 Positions. **Appointed Richard Marchini, Reappointed Michael Robinson and Terryann Paoletti. Clerk of the Board to Readvertise Remaining Position.** Sieglock/Marenco/5 B-05-980 B-05-981

B) Local Child Care Planning Council - 1 Position. **Clerk of the Board to Readvertise Remaining Position.**

C) Workforce Investment Board - 8 Positions. **Reappointed Ernest Williams, Sandra Johnson, and Mark Martinez. Clerk of the Board to Readvertise Remaining Positions.** Sieglock/Marenco/5 B-05-982

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PRESENTATIONS

9:00 a.m. - bos - Proclamation Proclaiming September 19-23, 2005 as “Employ the Older Worker Week” in San Joaquin County. Chairman Gutierrez presented the proclamation to Ed Salazar, Field Operations Coordinator, Experience Works, State of California, and Winona Ellwein, Field Operations Assistant, Experience Works of San Joaquin County. Mr. Salazar and Ms. Ellwein addressed the Board.

9:00 a.m. - bos - Proclamation Proclaiming September 17-25, 2005 as “San Joaquin A+ Reads Week” in San Joaquin County. Chairman Gutierrez presented the proclamation to Helen Ripkin, Tutor Bank Coordinator for San Joaquin A+. Ms. Ripkin addressed the Board.

9:00 a.m. - bos - Proclamation Proclaiming September 17, 2005 as “California Coastal Clean-Up Day” and September 19-25, 2005 as “Pollution Prevention Week” in San Joaquin County. Chairman Gutierrez presented the proclamation to Cameron Pavlicek, a student from Lodi High School. Cameron addressed the Board. Additionally, Public Work Director Tom Flinn addressed the Board and presented Cameron with (4) \$20 bills from the California Coastal Commission.

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SCHEDULED MORNING ITEMS

9:00 a.m. - mhcsd - Public Hearing Approving “Resolution of Necessity of The Mountain House Community Services District Board of Directors and Directing that an Action in Eminent Domain be Instituted for the Acquisition of Real Property for Improvement to an Construction of a Roadway” (Viacom Billboard Lease). **(4/5th's Vote Required)** Paul Sensibaugh, Mountain House General Manager, Paul Balestracci, Special Counsel, and ToCan Nguyen addressed the Board regarding this matter. **Approved.** Sieglock/Mow/4; Gutierrez – No. R-05-485

mhcsd - Public Hearing Approving “Resolution of Necessity of The Mountain House Community Services District Board of Directors and Directing that an Action in Eminent Domain be Instituted for the Acquisition of Real Property for Improvement to and Construction of a Roadway” (PG&E). **(4/5th's Vote Required)** ToCan Nguyen addressed the Board regarding this matter. **Approved.** Sieglock/Mow/5 R-05-486

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APPROVE CONSENT ITEMS # 1-24

Consent Item: #6, #12 and #19 pulled for discussion.

Consent Item: #1-5, 7-11, 13-18, 20-24. **Approved.** Sieglock/Mow/5

Consent Item: #12 – **Approved.** Marenco & Gutierrez – No.

Consent Item: #6 – **Approved.** Sieglock – No.

Consent Item: #19 – Facilities Manager Craig Ogata clarified this item in response to Supervisor Mow and Chairman Gutierrez. **Approved.** Sieglock/Mow/5

CONSENT - HEALTH & HUMAN SERVICES

1. bhs - Approval of Parking Agreement Between Mental Health Services and Grupe Commercial Inc. A-05-775
2. bhs - Approval of 2005/2006 Mental Health and Substance Abuse Services Contracts. A-05-776 thru A-05-787 (12)
3. cao - Children and Families Commission (First 5 San Joaquin) Recommendation to Fund Manteca and Lincoln Unified School Districts Preschool for All Demonstration Project. B-05-983, A-05-788 & A-05-789
4. cob - Approve Announcement of 3 Positions on the Emergency Medical Care Committee. B-05-984
5. hsa -Approval of Sublease Agreement with Family Resource and Referral Center. B-05-985 & A-05-790
6. hsa - Approval of Promoting Safe and Stable Families Contract Amendments. B-05-996 & A-05-791 thru A-05-796 (6)
7. phs - Approval of Tobacco Free Families Project Subcontracts for Smoking Cessation and Smoking Harm Reduction Services. B-05-986, A-05-797, A-05-798, & A-05-799

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CONSENT - PUBLIC WORKS

8. pw - Approval of Final Map Entitled "Mountain House Corporate Center," Located West of Tracy. (5th District) R-05-487
9. pw - Acceptance of the Armstrong Road Improvements Contract and Execution of a Notice of Completion. (4th District) R-05-488
10. pw - Acceptance of Certain Subdivision Improvements; Amended Security; Offer of Dedication; and Declaring a Certain Roadway to be a Public Highway Related to Minor Subdivision Application No. 01-07, Blossom Court. (4th District) R-05-489 & R-05-490
11. pw - Award of Contract for the Safe Routes to School - Eleventh Street. (1st District) R-05-491
12. pw - Resolution Providing for the Support of the California Transportation Commission's Funding for the Widening of Interstate-205. R-05-492

CONSENT - LAW & JUSTICE

13. da - Request for Out-of-State Travel to Attend Special Prosecutions Course in Chicago, Illinois. B-05-987
14. s/o - Agreement with Our Lady of Guadalupe for Law Enforcement Services for the Annual Our Lady of Guadalupe Harvest Festival on September 24, 2005. A-05-800
15. s/o - Purchase of Civil Division Equipment from Automated Trust Fund and Related Budget Adjustments. **(4/5th's Vote Required)** B-05-988
16. s/o - Equipment and Operation Contract with the Department of Boating and Waterways for Purchase of a Patrol Boat and Trailer and Related Budget Adjustments. **(4/5th's Vote Required)** B-05-989, B-05-990 & A-05-801

CONSENT - GENERAL GOVERNMENT

17. cao - Authorization to Issue Request for Proposal for Financial Advisory Services. B-05-991
18. cob - Approve Announcement of 1 Position on the Assessment Appeals Board. B-05-992
19. fac/mgmt - Approve Additive Change Order for the San Joaquin County VA/Hospital Dialysis Clinic Project. B-05-993
20. fac/mgmt - Approve Plans and Specifications for the Larch Clover Community Center Expansion Project, and **Set a Bid Opening Date of October 27, 2005 at 2:00 p.m.** (5th District) R-05-493

Consent – General Government (continued)

21. fac/mgmt - Approve Lease Agreement With Cosmo Rentals, Inc. for Worknet Office Space. A-05-802
22. oes - Authorize the Director of Emergency Operations to Transfer on Behalf of the County of San Joaquin Ownership of Homeland Security Grant Equipment to Local Jurisdictions. **(4/5ths Vote Required)** B-05-994 & A-05-803
23. purch - Award of Contract for Conversion of Recorder's Official Records and Vital Records from Microfilm to Digital Records. B-05-995 & A-05-804

CONSENT - MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

24. mhcsd - Adopt a Resolution Accepting Offers of Dedications of All Public Utility Easements and Emergency Vehicle Access Easements for Final Map "Tract 3259", also Known as "Mountain House Corporate Center". R-05-494

COMMUNICATIONS

There were no Board Communications.

PUBLIC COMMENT

ToCan Nguyen addressed the Board on various matters.

Richard Reyes Gallegos addressed the Board.

Betty Sconyers and Angel Picon addressed the Board regarding In-Home Supportive Services Program.

Larry Baker addressed the Board regarding the Beyond Incarceration Program at the San Joaquin County Honor Farm.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Marengo referred to two newspaper articles that raised concerns in the Delta. He requested that the Board receive a report from Ron Baldwin, Director of Emergency Operations, addressing these concerns.

Board of Supervisors Questions and Comments (continued)

County Administrator Manuel Lopez confirmed that he will have a report back to the Board that will include all types of disasters that could strike the county and will also focus on the levees.

County Administrator Manuel Lopez responded to Supervisor Mow's questions regarding how do we deal with employees and overtime pay, and have we reviewed our overtime policy.

Supervisor Sieglock said that aside from the levees, he would also like to know what are we doing for an emergency in California and how are we getting the message out.

Supervisor Ornellas stated that he was not sure who has jurisdiction over Reclamation Districts. Public Works Director responded to Supervisor Ornellas regarding the Carbona Station River Oaks Ranch residents receiving their first water bill.

Supervisor Mow informed the Board that he was recently appointed to the California Partnership for San Joaquin Valley. This is a group of individuals appointed by the Governor to look at the future of the San Joaquin Valley.

Chairman Gutierrez informed the Board that as of Monday 9/12/05 the parties involved regarding the Islamic Center (scheduled before the Board on 9/27/05) had no intention of requesting a continuance.

Chairman Gutierrez referred to the memorandum dated 9/13/05 updating the Board Members on the Katrina Evacuees.

CLOSED SESSION

There was no 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

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SCHEDULED AFTERNOON ITEMS

1:30 p.m. - cdd - Public Hearing Regarding Zone Reclassification Application No. PA-0500244 of ASOC. Campesina Lazaro Cardenas (ACLC), Inc. (2nd District) Kerry Sullivan, Director of Community Development Department, ToCan Nguyen, addressed the Board on this matter. **Approved.** Sieglock/Marenco/5 B-05-997 & Ordinance #4265

1:30 p.m. - cdd - Public Hearing Regarding General Plan Amendment PA-0500138; Master Plan Amendment PA-0500140; Specific Plan Amendment PA-0500142; Mountain

House Development Title Amendment PA-0500141; Major Subdivision PA-0500+143 (Mathew Land, Inc.); Major Subdivision PA-0500144 (GNK); Major Subdivision PA-0500145 (GNK); Two Development Agreements: PA-0500147 (GNK) and PA-0500148 (Mathews); Use Permit PA-0500149 (Water Tanks); Use Permit PA-0500150 (Wastewater Storage Ponds); Williamson Act Contract Cancellation PA-0500151; Concerning the Mountain House New Community. (5th District) Terry Dermody, County Counsel, addressed the Board and made the recommendation that this matter be continued. Howard L. Seligman, Counsel for PCCP and also speaking for Mathews Land, and Jose Alva, Counsel for Joseph Rivani, Mark Ornellas, General Counsel for Delta College, Steve Herum, Counsel for Trimark Communities, LLC, addressed the Board on this matter. **Continued to November 8, 2004 at 1:30 p.m.** Mow/Marenco/5 B-05-998

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ADJOURNED TO TUESDAY, SEPTEMBER 20, 2005 AT 9:00 A.M.

Sieglock/Mow/5 B-05-999

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).