



Board of Supervisors
San Joaquin County

STEVE 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
DECEMBER 6, 2005**

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

SCHEDULED MORNING ITEMS

9:00 a.m. - cao - Acceptance of Donation from South Stockton Lions Club. Carlos Villapudua, Legislative Aide to Chairman Gutierrez and Dale Ludwig of the Lodi Community Center presented the Board with a \$16,000 check and addressed the Board.

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

A) Assessment Appeals Board - 1 Position. **Clerk of the Board to Readvertise.**

B) Boggs Tract Community Center Advisory Board - 1 Position. **Reappointed Kathy Langford.** Sieglock/Mow/5 B-05-1300

C) Equal Employment Opportunity Advisory Committee - 1 Position. **Appointed Janice Marengo.** Sieglock/Mow/5 B-05-1301

Appointments to Boards and Commissions (continued)

D) Local Child Care Planning Council - 4 Positions. **Reappointed Tammy Hamilton-Williams, Nancy Leal and Nellie Zavala. Clerk of the Board to readvertise remaining position.** Sieglock/Mow/5 B-05-1302 & B-05-1340

E) Lodi Community Center Advisory Board - 2 Positions. **Appointed Delores Silva. Clerk of the Board to readvertise remaining position.** Sieglock/Mow/5 B-05-1303

F) Tracy Public Cemetery District Board of Trustees - 1 Position. **Appointed Mary Mitracos.** Sieglock/Mow/5 B-05-1304

APPROVE CONSENT ITEMS # 1-31

Consent Item: #11, 13, 16 and 25 – Pulled for discussion.

Consent Item: #13 – Chairman Gutierrez announced that the power point presentation for this item would be presented at the January 17, 2006 Board Meeting.

Consent Item: #1-10, 12-15, 17-24 and 26-31. **Approved.** Ornellas/Mow/5

Supervisor Sieglock announced that Andrew T. Chesley was selected as the new Executive Director of the Council of Governments.

Consent Item: #11 - Chairman Gutierrez gave a report and distributed flyers on the “B” Street Improvements project. He thanked Public Works Deputy Director Manuel Solario for his work on this project and asked Mr. Solario to introduce other Public Works staff members that worked on the project. Mr. Solario introduced Karla Corral, Wayne Miller, Dave Mendoza, and Peter Nuon. Public Works Director Tom Flinn also recognized Chairman Gutierrez for his involvement.

Consent Item: #16 – Mr. Donald Gambelin of Norcal Waste Systems Inc., Public Works Director Tom Flinn and County Counsel Terrence Dermody addressed the Board on this matter. A motion was made by Supervisor Marengo and seconded by Chairman Gutierrez to bring this matter back to the Board on January 10, 2006. The motion failed. Marengo/Gutierrez; 2-3. Sieglock, Mow & Ornellas-No. **Supervisor Sieglock made a motion to approve staff recommendations and it was seconded by Supervisor Ornellas. Approved. Sieglock/Ornellas/3-2. Gutierrez & Marengo-No.**

Consent Items (continued)

Consent Item: #11 – **Approved.** Gutierrez/Marengo/5

Consent Item: #25 – Tammy Hughes of EEDD and Human Resources Director Don Turko addressed the Board on this matter. **Approved Staff Recommendations.** Sieglock/Mow/5

Consent Item: #28 – Supervisor Sieglock commented that he has a concern about the Employer and Employee Retirement Contribution Rates going up.

CONSENT - HEALTH & HUMAN SERVICES

1. bhs - Approval of Agreement with Stockton Shelter for the Homeless for Wintertime Overflow Shelter Supervision. A-05-1014
2. cob - Approve Announcement of 1 Position on the Drug & Alcohol Programs Advisory Board. B-05-1305
3. cob - Approve Announcement of 1 Position on the Health Plan of San Joaquin. B-05-1306
4. env/health - Approval of Agreement with State Water Resources Control Board for 2005/2006 Local Oversight Program. B-05-1307 & A-05-1015
5. hsa - Approval of the "Promoting Safe and Stable Families" Agreements. B-05-1308 & A-05-1016 & A-05-1017 & A-05-1018
6. phs - Approval of Standard Agreement with the California Department of Health Services for the Fatal Child Abuse and Neglect Surveillance Program. B-05-1309 & A-05-1019
7. phs - Approval of Agreement with the California Department of Health Services for Local Public Health Preparedness and Response to Bioterrorism Funding, Non-Supplantation Certification and Program Update. B-05-1320 & A-05-1020

CONSENT - PUBLIC WORKS

8. pw - Acceptance of the East Stockton Street Resurfacing Contract and Execution of a Notice of Completion. (2nd District) R-05-676
9. pw - Acceptance of the Morrison Gardens Phase 7 (Ninth Street) Resurfacing Contract and Execution of a Notice of Completion. (1st District) R-05-677

Consent – Public Works (continued)

10. pw - Acceptance of the Front Street Improvements Contract and Execution of a Notice of Completion. (4th District) R-05-678
11. pw - Acceptance of the "B" Street Improvements Contract and Execution of a Notice of

Completion. (1st District) R-05-679

12. pw - Authorize a Mid-Year Budget Adjustment for County Service Area #16 - Par Country Estates. **(4/5ths Vote Required)** (5th District) B-05-1321

13. pw - **Set a Public Hearing Date of January 17, 2006 at 9:00 a.m.** for the Establishment of a Regional Transportation Impact Fee for all New Development within the Unincorporated Areas of San Joaquin County. B-05-1322

14. pw - Introduce & Waive Reading of an Ordinance Providing for a No Parking Zone on Both Sides of Woodbridge Road, from Lucas Road to 685 Feet to the East. (4th District) **(Said Ordinance to be Adopted on 12/13/05)** B-05-1323

15. pw - Approval of Subdivision Agreement and Final Map Entitled "Flor Ranch, Unit #3", Located on the East Side of Duncan Road in the Town of Linden. (4th District) R-05-680 & A-05-1021

16. pw - Rejection of all Proposals for Operation of the Foothill Landfill and Authorization of Negotiations with Foothill Sanitary Landfill Inc. B-05-1324

CONSENT - GENERAL GOVERNMENT

17. cao - Children and Families Commission (First 5 San Joaquin) Recommendation for Extension of Funding Agreements for 2005/2006. B-05-1325 & A-05-1022 & A-05-1023

18. cc - Settlement of Legal Action Entitled Jeffrey Werblun vs. County of San Joaquin; United States District Court for the Eastern District Case #CIV-04-2567; FCD KJM. B-05-1326

19. cob - Approve Announcement of 1 Position on the Building Board of Appeals. B-05-1327

20. cob - Approve Announcement of 2 Positions on the Civil Service Commission. B-05-1328

21. eedd - Approval of the San Joaquin County Revolving Loan Fund Certification of Plan Compliance for Project #07-19-1936. B-05-1329

22. eedd - Approval of Sublease Agreement with San Joaquin Delta College Small Business Development Center. B-05-1330 & A-05-1024

Consent – General Government (continued)

23. fac/mgmt - Approve Independent Concessionaire Contract for Shoe Shine Services at San Joaquin County Administration/Courthouse Building. A-05-1025

24. h/r - Approve the Amendment to the Exempt Class of EEDD Economic Development Director and Introduce and Waive Reading of an Ordinance Amending and Re-Titling the Exempt Class of Director Employment & Training and Private Industry Council to Director Employment & Economic Development. **(Said Ordinance to be Adopted on 12/13/05)**. R-05-681 & B-05-1331
25. h/r - Implement Classification Project #-01-145 to Create, Assign, & Allocate the Class of EEDD Business & Retention Expansion Specialist, Amend and Retitle the Class of EEDD Marketing Representative, Reclassify 29 Positions of EEDD Client Services Specialist II, Reclassify Three Positions of EEDD Employment Services Specialist II, Abolish the Classes of EEDD Client Services Specialist I/II/ and EEDD Intake and Referral Specialist III - Employment & Economic Development Department. R-05-682
26. h/r - Assign One Allocation of Department Information Systems Analyst II and Delete One Allocation of Communications Dispatcher III in the Sheriff's Office. R-05-683 & B-05-1332
27. labor relations - Adoption of the Memorandum of Understanding for the Attorney Bargaining Unit. B-05-1333 & B-05-1334 & A-05-1026
28. retirement - Adoption of Employer and Employee Retirement Contribution Rates for 2006. B-05-1335
29. rov - Rescind Appointment of Darrell Salles from the Board of Directors of the Naglee Burk Irrigation District, Division 2. R-05-684
30. rov - Resolution Accepting the Election Results for Brack Track Reclamation District #2033. R-05-685
31. rov - Resolution Accepting the Election Results for Reclamation District #1608. R-05-686

DISCUSSION - GENERAL GOVERNMENT

1. air - Authorization of Documents to Secure International Airline Opportunity at Stockton Metropolitan Airport and Increase in Appropriations with Offsetting Revenue. **(4/5ths Vote Required)** Marketing Manager for Aeromexico Juan Garcia, Airport Director Barry Rondinella and County Administrator Manuel Lopez addressed the Board on this matter. **The Board approved to (1) Authorize the Chairman and Airport Director to execute necessary documents, including a letter agreement with an international airline, for the provision of passenger airline service to Mexico; and (2) Approved and authorized the Chairman to execute the Memorandum of**

Discussion – General Government (continued)

Understanding with U.S. Customs and Border Protection Bureau for the provision of

International Inspection Services. Sieglock/Marenco/5 B-05-1336, A-05-1027 & A-05-1028

Wendy Benavides of Manteca, Mark Martinez, CEO of the Mexican San Joaquin County Chamber of Commerce, ToCan Nguyen and Robert Pinedo, Vice President of the Stocktonf Jet Center addressed the Board on General Government #1.

2. cao - Report on Meet-and Confer-Process Regarding City General Plan Update. County Administrator Manuel Lopez, Community Development Director Kerry Sullivan, Local Agency Formation Commission (LAFCO) Executive Director Bruce Baracco and County Counsel Terrence Dermody addressed the Board on this matter. **The Board approved to (1) Establish a Board sub-committee(s) to provide input on the General Plan Update of impacted cities within the County and appointed Supervisors Sieglock and Mow; and (2) Directed staff to work with the impacted cities to establish like sub-committee(s) to discuss issues or concerns regarding the General Plan Update.** Sieglock/Mow/5 B-05-1337

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. **Approved.** Sieglock/Mow/5 B-05-1338

PUBLIC COMMENT

Richard Reyes Gallegos, James Young and ToCan Nguyen addressed the Board.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Ornellas expressed his concern regarding Mountain House Specific Plan III annexation fees, planning reimbursements, and PLEP fees and/or deeds. Supervisor Ornellas stated that he would forward his questions to County Counsel for response.

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 REAL PROPERTY NEGOTIATOR

California Government Code Section 54956.8

Property: East Area of Stockton Metropolitan Airport.

5000 South Airport Way, Stockton, California.

Negotiating Parties: County of San Joaquin, Negotiator, Manuel Lopez

ProLogis Inc., Negotiator, Mike Turner

Blue Shield of California, Negotiator, Gig Codiga

Under Negotiation: Lease price and terms of payment

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

California Government Code Section 54956.9(a)

ANDREA KNIGHT vs. THE GRUPE COMPANY, et al; San Joaquin County

Superior Court Case #CV 027728.

NO SCHEDULED AFTERNOON ITEMS

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

Sieglock/Mow/5 B-05-1339

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).

