



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, December 13, 2005

A moment of silence was held.

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

Minutes of the Board of Supervisors' Meeting of November 22 & December 6, 2005. **Approved.**
Sieglock/Mow/5 B-05-1384

SCHEDULED MORNING ITEMS

APPOINTMENTS TO BOARDS AND COMMISSIONS

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

A) Garden Acres Community Center Advisory Board - 1 position. **Reappointed James Dosh.** Sieglock/Mow/5 B-05-1381

APPROVE CONSENT ITEMS # 1-48

Consent Item: #24 & #27 – Chairman Gutierrez announced that #24 was being removed from the agenda and that there was a correction in the title of #27.

Consent Items (continued)

Consent Item: #48 – Supervisor Marengo stated that he would be voting “No” on this item.

Consent Items: #1-23 & 25-47 – **Approved.** Mow/Sieglock/5

Consent Item: #32 – Supervisor Sieglock commented on the support of this item.

Consent Item: #48 – Paul Sensibaugh, Mountain House Community Services District General Manager, and Attorney Michael McGrew responded to questions and comments from Board Members. **Approved.** Ornellas/Sieglock/4-1; Marengo-No.

CONSENT - HEALTH & HUMAN SERVICES

1. bhs - Approval of Modification of Agreement with LeadershipOne. A-05-1039
2. bhs - Acceptance of Substance Abuse and Crime Prevention Act Proposition 36 - Fourth Year Report - FY2004-05. B-05-1349
3. bhs - Approval of Abstention Letter for the Fifth Street Medical Clinic and Healthy Connections. B-05-1350
4. bhs - Approval of 2005-06 Mental Health Contract Programs. A-05-1040, A-05-1041 & A-05-1042
5. hcs - Pathology Services Agreement Between County of San Joaquin and Yosemite Pathology Medical Group, Inc. A-05-1043
6. hcs - Approval of Physician Employment Agreement for the Department of Medicine. A-05-1044
7. hcs - Approval to Purchase One Angiographic/Heart Catherization Suite and One Multi-Slice CT Scanner for the Diagnostic Imaging Department. B-05-1351 & A-05-1045
8. hcs - Request for Additional Allocated Positions for the Nursing Services Department. R-05-696
9. hsa - Authorization to Submit a Vendor Application for Human Services Agency - Aging and Adult Services Division to Deliver Care Management Services through the Assisted Living Waiver Program. B-05-1352
10. hsa - Amendment of Agreement with Northern California Construction and Training for Construction Training Services for CalWORKs Participants. B-05-1353 & A-05-1046

Consent – Health & Human Services (continued)

11. hsa - Amendment of Agreement with Council for the Spanish Speaking for CalWORKs Vendor Payment Services. B-05-1354 & A-05-1047
12. hsa - Amendment of Agreement with Greater Stockton Chamber of Commerce for CalWORKs Apprenticeship Program. B-05-1355 & A-05-1048
13. hsa - Approval of Contract with the Community Partnership for Families for the Expansion of Differential Response and Team Decision Making. B-05-1356 & A-05-1049
14. hsa - Approval of Memorandum of Understanding for Use of the Lodi Boys and Girls Club, Inc. Gymnasium for an Intramural Basketball League. B-05-1357 & A-05-1050
15. hsa - Approval of a Low-Income Energy Efficient Contract with Pacific Gas & Electric Company. **(4/5th's Vote Required)** B-05-1358, A-05-1051 & B-05-1359
16. hsa - Approval of State Department of Community Services and Development Energy Program Calendar Year 2006. B-05-1360 & A-05-1052
17. phs - Approval of Response to Audit of Contracts with First 5 San Joaquin. B-05-1361
18. phs - Approval of Subcontracts with Stanislaus, Tuolumne, Amador, Calaveras and Mariposa Counties for the Immunization Registry Program. B-05-1362, A-05-1053, A-05-1054, A-05-1055, A-05-1056 & A-05-1057

CONSENT - PUBLIC WORKS

19. pw - Approval of Cooperative Agreement Amendment for the State Highway Route 88 Bypass Project Study Report. (4th District) B-05-1363 & A-05-1058
20. pw - Adopt 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) **(Introduced and Waived December 6, 2005)** Ordinance #4283
21. pw - Approval and Adoption of Plans and Specifications for the Louise Avenue Resurfacing and **Setting a Bid Opening Date of January 5, 2006, at 1:30 p.m.** (5th District) R-05-697
22. pw - Acceptance of the Safe Routes to School - Eleventh Street Contract and Execution of a Notice of Completion. (1st District) R-05-698
23. pw - Approval and Adoption of Plans and Specifications for the Sidewalk Accessibility Program, Phase 3 and **Setting a Bid Opening Date of January 5, 2006, at 1:30 p.m.** (1st, 2nd, and 4th Districts) R-05-699

Consent – Public Works (continued)

24. pw - Approval of Out-of-State Travel to Salem, Oregon for Delivery and Subsequent Retrieval of a County-Owned Thermoplastic Legend Truck. **Removed from the Agenda by department.**
25. pw - Approval of a Formal Request for Sewer Service from the City of Lodi on Behalf of County Service Area No. 31- Flag City. (4th District) B-05-1365
26. pw - Approval and Adoption of Plans and Specifications for the Cardinal Avenue Improvements and **Setting a Bid Opening Date of January 12, 2006, at 1:30 p.m.** (2nd District) R-05-700

CONSENT - LAW & JUSTICE

27. css - Resolution Restoring Four Accounting Technician I Positions and Deleting Five Senior Office Assistant Positions in the Department of Child Support Services. R-05-701
28. da - Request for Out-of-State Travel to Participate in the FBI National Academy in Quantico, Virginia. B-05-1366
29. da - Request for Out-of-State Travel to Attend the Multidisciplinary Investigation and Prosecution of Computer Facilitated Child Sexual Exploitation Course in Dulles, Virginia. B-05-1367 & B-05-1386
30. da - Acceptance of Community Giving Grant Award from Target Stores, Inc. to Purchase Equipment and Supplies for the Family Violence Prevention Outreach Program. **(4/5th's Vote Required)** B-05-1368 & B-05-1369
31. prob - Approval of Juvenile Probation and Camps Funding. R-05-702, R-05-703 & B-05-1370

CONSENT - GENERAL GOVERNMENT

32. bos - Consideration of Approval of Discretionary Funding and Joint Use Agreement with the Woodbridge Grange. A-05-1059
33. cao - Approval of Head Start Budget Modification, Policy Council Appointments and Bylaw Amendments. B-05-1371
34. cdd - Authorize the Purchasing Agent to Increase the "Not to Exceed" Value of Purchase Order #4562 for Contract Building Inspection Services to \$275,000. B-05-1372

35. cdd - San Joaquin County Fire Facility Fee Program Annual Reports for 2003-2004 and 2004-2005. B-05-1373

Consent – General Government (continued)

36. cdd/neigh/pres/div - Execute Agreements with Central Valley Low Income Housing Corporation and San Joaquin New Directions to Provide Services in Fulfillment of the County's 2004 Supportive Housing Grants. B-05-1374, A-05-1060 & A-05-1061

37. cdd/neigh/pres/div - Execute Agreement with Central Valley Low Income Housing Corporation to Provide Services in Fulfillment of the County's 2004 Shelter Plus Care Grant. B-05-1375 & A-05-1062

38. cob - Approve Announcement of 1 Position on the Agricultural Advisory Board. B-05-1376

39. cob - Approve Announcement of 1 Position on the Mosquito and Vector Control District. B-05-1377

40. cob - Approve Announcement of 1 Position on the San Joaquin Regional Transit District Board. B-05-1378

41. eedd - Approval of the Business Incubator Loan Program Request of Michael Ryan DBA A-List Staffing. B-05-1379

42. hr - Adopt the Amendment and Retitled Exempt Class Director Employment and Training Division and Private Industry Council to Director Employment and Economic Development, Assign and Allocate the Exempt Position to Employment and Economic Development Department, and Delete the Class of Director Employment and Training Division and Private Industry Council from the Ordinance Code. **(Said Ordinance Introduced and Waived on December 6, 2005)** Ordinance #4284

43. hr - Approval of an Amendment Extending the Deferred Compensation Vendor Agreement with Bank of the West (Union Safe Deposit Bank) through June 30, 2006. A-05-1063

44. lab/rel - Approve Amendments to the Memoranda of Understanding for the Office and Office Technical (A-05-477), Professional (A-03-845), Paraprofessional and Technical (A-03-846), Supervisors (A-03-848), Safety, Investigative Peace Officers Miscellaneous (A-03-568), Correctional Officers (A-04-874), Sheriff's Management (A-02-1173), Sheriff's Non-Management (A-05-455), Middle Management (A-02-999), and Registered Nurses (A-04-983) Representation Units, as well as the Resolutions for the Confidential (R-02-566), Senior Management (R-02-565), Exempt (R-02-563), and Executive (R-02-564) Representation Units. A-05-1064 thru A-05-1073 (10), B-05-1382 & R-05-709

45. lab/rel - Adoption of the Resolution of the County of San Joaquin Providing for

Additional Temporary Partially Paid Military Leave of Absence Benefits. R-05-704

46. rov - Resolution Accepting Statement and Result of Votes Cast for the Special Statewide Consolidated Election Held on Tuesday, November 8, 2005. R-05-705

Consent – General Government (continued)

47. rov - Approve Out-of-State Travel Request to Attend Joint Election Officials Liaison Committee Meeting in Washington, D.C. B-05-1380 & B-05-1383

CONSENT - MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT

48. mhcsd - Resolution Authorizing the Enforcement of Master Restrictions Setting Forth Covenants, Conditions, and Restrictions within the Mountain House Community Services District Sphere-of-Influence and Resolution Approving the "Rules and Regulations for the Mountain House Community" for the Master Restrictions Setting Forth Covenants, Conditions and Restrictions and Resolution Amending Mountain House Community Services Fee Schedule, by Adding New Fees and Penalties. **Approved.** Ornellas/Sieglock/4-1; Marenco-No R-05-706, R-05-707 & R-05-708

COMMUNICATIONS

bos - Received and Referred all Board Communications this date as Outlined on the Communications Distribution Listing. **Approved.** Sieglock/Mow/5 B-05-1364

ToCan Nguyen addressed the Board.

PRESENTATIONS

9:00 a.m. - bos – Chairman Gutierrez presented a Commendation to Mrs. Bell for her husband James Bell. Mrs. Bell addressed the Board.

PUBLIC COMMENT

Woody Alspaugh addressed the Board requesting penalties be waived on taxes owed to the County. He also stated commented on Little John Creek, water quality and the landfill situation in San Joaquin County.

ToCan Nguyen and James Young addressed the Board.

BOARD OF SUPERVISORS QUESTIONS AND COMMENTS

Supervisor Ornellas commented on matters regarding the airport.

Supervisor Sieglock thanked County Counsel and staff for their work on the Joint Use Agreement with

the Woodbridge Grange. He wished everyone a wonderful holiday season and a Happy New Year.

Board of Supervisors Questions and Comments (continued)

Supervisor Mow thanked staff for their work over the year. He pointed out the grant received from Target Stores and asked if there was a process the county followed to thank these folks. County Administrator Manuel Lopez stated that generally the individuals or agency are invited to the Board. If they choose not to come before the Board, the respective department sends a thank you.

Chairman Gutierrez wished everyone a happy holiday and thanked staff for all of their hard work. In addition, Chairman Gutierrez suggested that travel be mentioned at the next Department Heads Meeting. He also informed the Board that he received a telephone call from Tino Adame requesting lowering the American Flag for the loss of a soldier from our county. Chairman Gutierrez stated that he told Mr. Adame that the County does not lower the American flag unless it is an order of the President.

Supervisor Ornellas asked if this matter was brought up previously. County Counsel Terrence Dermody stated that a memorandum was sent to the Board regarding the protocol of raising and lowering the flag. He said that he could re-circulate the memorandum.

Supervisor Marengo commented on this matter and Chairman Gutierrez said that the Chair could place this item on the agenda for Board consideration. Supervisor Marengo stated that he will bring the matter up next year.

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 - EXISTING LITIGATION

California Government Code Section 54956.9(a)

RICHARD CASTEEL vs. COUNTY OF SAN JOAQUIN; San Joaquin county Superior

Court Case No. CV 022417

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

California Government Code Section 54956.9

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

SCHEDULED AFTERNOON ITEMS

Chairman Gutierrez announced that the last two 1:30 p.m. items were removed from the agenda.

1:30 p.m. - cdd - Public Hearing Regarding the Appeal by Verizon Wireless of the Planning Commission's Denial of Use Permit No. PA-0500578 of John Bagakis & Harriet Ormsbee. (C/O Verizon Wireless) (5th District) Community Development Director Kerry Sullivan briefed the Board on this matter. Steven Smith, Robert Navarro and Scott Clair addressed the Board on this matter. **The Board denied the appeal by Verizon Wireless and upheld the Planning Commission's denial of the Use Permit No. PA-0500578. The matter was continued to January 24, 2006, as a public hearing with the hearing closed, to issue written findings regarding the denial of the appeal by Verizon Wireless.**
Ornellas/Sieglock/5 B-05-1389

1:30 p.m. - cdd - Public Hearing Regarding Special Purpose Plan Application No. PA-0400464 (Woodbridge Design Guidelines) and Development Title Text Amendment Application No. PA-0500670 of San Joaquin. (4th District) Community Development Director Kerry Sullivan briefed the Board on this matter. **Approved Staff Recommendation.** Sieglock/Mow/5 B-05-1388, R-05-710 & Ordinance #4285

1:30 p.m. - cao - Consideration of Adopting the Statement of Intent Regarding Annexation of Stockton Metropolitan Airport to the City of Stockton. **Removed from the Agenda.**

1:30 p.m. - cao - Consideration of Approving Draft Memorandum of Understanding for Facilities at Airport East Site. **Removed from the agenda.**

**ADJOURNED TO TUESDAY, JANUARY 3, 2006 AT 11:00 A.M. FOR A
REORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS**

Sieglock/Marenco/5 B-05-1387

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).