



Board of Supervisors
San Joaquin County

MONICA NINO
County Administrator

J. MARK MYLES
County Counsel

MIMI DUZENSKI
Clerk of the Board

MIGUEL VILLAPUDUA
Chair
First District

TOM PATTI
Vice-Chair
Third District

KATHERINE M. MILLER
Second District

CHUCK WINN
Fourth District

BOB ELLIOTT
Fifth District

Minutes

**SAN JOAQUIN COUNTY BOARD OF SUPERVISORS
MINUTES OF
TUESDAY, MARCH 26, 2019
9:00 AM**

9:02 a.m. - Chairman Villapudua commenced the meeting of the Board of Supervisors and the Governing Board of the San Joaquin County Flood Control & Water Conservation District and asked for a moment of silence, silent reflection, or silent prayer.

Pledge of Allegiance

Supervisor Elliott led the Pledge of Allegiance.

Roll Call

Katherine M. Miller District 2
Chuck Winn District 4
Bob Elliott District 5
Tom Patti District 3
Miguel Villapudua Chair - District 1

PUBLIC COMMENT/CONSENT ITEMS

Roger Kelly, Frank Ravi, Roland Bod, and Arle Hope expressed concerns with the effects of homeless encampments on local waterways.

George Bianchini commented on the topic of Hemp.

SAN JOAQUIN COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

CONSENT ITEMS

1. PW - Approve a Local Cooperation Agreement With the Central Valley Flood Protection Board of the State of California for PL84-99 Rehabilitation Assistance Program Work. (3rd and 4th Districts)

Chairman Villapudua pulled this item and Public Works Director Kris Balaji responded to questions. County Counsel provided an update on the progress of the illegal camping policy, which will be presented to the Board in April 2019.

Motion to approve a local Cooperation Agreement with the Central Valley Flood Protection Board of the State of California for PL84-99 Rehabilitation Assistance Program work and authorize the Director of Public Works to sign the Agreement on behalf of the District. Approved. B-19-180; A-19-56

RESULT: ADOPTED [UNANIMOUS]

MOVER: Bob Elliott, District 5

SECONDER: Tom Patti, District 3

AYES: Miller, Winn, Elliott, Patti, Villapudua

- 9:30 a.m.** - Chairman Villapudua adjourned the meeting of the San Joaquin County Flood Control & Water Conservation District.

MINUTES

Motion to approve the Minutes of March 12, 2019. Approved. B-19-181

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tom Patti, District 3

SECONDER: Katherine M. Miller, District 2

AYES: Miller, Winn, Elliott, Patti, Villapudua

1. Board of Supervisors - Regular Meeting - Mar 12, 2019 9:00 AM

APPOINTMENTS TO BOARDS AND COMMISSIONS

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tom Patti, District 3

SECONDER: Katherine M. Miller, District 2

AYES: Miller, Winn, Elliott, Patti, Villapudua

1. BOS - Approve the Appointment of One Position to the Agricultural Technical Advisory Board: (1) Board Appointee, Position No. 1201.2, for the Unexpired Term of June 26, 2017 Through June 26, 2021.

Motion to appoint Steven Coldani to the Agricultural Technical Advisory Board as Board Appointee, Position No. 1201.2, for the Unexpired Term of June 26, 2017 through June 26, 2021. Approved. B-19-182

2. BOS - Approve the Appointment of One Position to the Children and Families Commission (First 5): (1) Community Member, Position No. 1902.1, for the Term of March 27, 2019 Through March 27, 2023.

Motion to appoint Mario Supnet to the Children and Families Commission (First 5) as Community Member, Position No. 1902.1, for the term of March 27, 2019 through March 27, 2023. Approved. B-19-183

3. BOS - Approve the Appointment of One Position to the Workforce Development Board: (1) At-Large Business Representative for the Term of Two Years From the Date of Appointment.

Clerk of the Board to readvertise.

CONSENT ITEMS # 1 - 28

Consent Item #4 was pulled by Supervisor Winn. County Administrator Monica Nino and Human Resources Director Ted Cwiek responded to questions of the Board.

Consent Item #5 was pulled by Chairman Villapudua. County Administrator Monica Nino noted corrections to the Board letter and the proposed letter to be signed by the Chairman.

Greg Gorhing, Tony Amador and Alex Aliferis commented in opposition to this item.

George Bianchini commented on an unrelated topic regarding the Agricultural Commissioner's office.

Motion directing staff to seek further clarification and bring Consent Item #5 back with a revised letter of support. Approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Katherine M. Miller, District 2

SECONDER: Chuck Winn, District 4

AYES: Miller, Winn, Elliott, Patti, Villapudua

Consent Item #17 was pulled by Chairman Villapudua. Assistant Health Care Services Director Matt Garber introduced Assistant Health Officer Dr. Gordon Arakawa and California Department of Public Health Chief of Tuberculosis Outbreak Prevention and Control Tambi Shaw, who briefed the Board on this topic and responded to questions.

Motion to approve consent items #1-4; and #6 - 28. Approved.**RESULT:** ADOPTED [UNANIMOUS]**MOVER:** Katherine M. Miller, District 2**SECONDER:** Chuck Winn, District 4**AYES:** Miller, Winn, Elliott, Patti, Villapudua**CONSENT - GENERAL GOVERNMENT**

1. AGCOMM - Approval of Amendment to the 2018-2019 Agreement With California Department of Food and Agriculture for High Risk Pest Exclusion Program for the Period of July 1, 2018 Through June 30, 2019, for an Amount Not to Exceed \$213,049 and Related Budget Adjustments. (4/5ths Vote Required)
B-19-185; Budget Appropriation B-19-185a; A-19-57
2. AIR - Approval of the Continuance of the San Joaquin County Emergency for the Stockton Metropolitan Airport's Rehabilitation of the Terminal Electrical System. (4/5ths Vote Required)
B-19-186
3. BOS - Receive and Refer all Board Communications as Outlined on the Communications Distribution Listing.
B-19-187
4. CAO - Approve Revisions to Sections in the County Administrative Manual: 300-Manual Overview and Revision Process; 500-Board of Supervisors and Clerk of the Board; 800-Facility Security and Operating Policies; 2500-Human Resources Services; 2700-Purchasing and Support Services; and 3500-Transportation, Travel and Meals.
B-19-188
5. CAO - Approval of Letter to Congress in Support of the United States-Mexico-Canada Free Trade Agreement.
Motion directing staff to seek further clarification and bring Consent Item #5 back with a revised letter of support. Approved. B-19-189
6. COB - Approve the Announcement of Five Positions to Various Boards and Commissions and Set the Application Deadline as April 19, 2019.
B-19-190
7. GEN/SER - Amend the Departmental Allocation Listing for the Parks and Recreation Division of General Services (7070300000) to Delete One Vacant Full-Time Existing Senior Office Assistant (RO6110) Class Specification and Allocate One Additional Full-Time Park Worker (RC0800) Class Specification.
R-19-28

8. ISD - Accept the Federal Fiscal Year 2018 Homeland Security Grant Program Award of \$827,704 and Related Budget Adjustments. (4/5ths Vote Required)
B-19-191; Budget Appropriations B-19-191a
9. ROV - Adopt a Resolution Authorizing the San Joaquin County Registrar of Voters Office to Conduct a Special Mail Ballot Election for the Waterloo Morada Rural County Fire Protection District to be Held on Tuesday, May 7, 2019.
R-19-29

CONSENT - HEALTH AND HUMAN SERVICES

10. BHS - Adoption of Resolution Amending Departmental Allocation Listings for Behavioral Health Services and Health Care Services Administration, Effective April 1, 2019.
R-19-30
11. BHS - Approval of Amendments to the 2018-2019 Community Service Agreements With Child Abuse Prevention Council, Crestwood Behavioral Health, Citizen Medical Response, and Victor Community Support Services for a Total Cost Increase of \$782,553.
B-19-192; A-19-58; A-19-59; A-19-60; A-19-61
12. BHS - Approval of Amendment #A01 to the Three-Year Substance Use Disorder Agreement #17-94156 With the State Department of Health Care Services for Substance Abuse Prevention and Treatment Block Grant Funds Increasing the Amount by \$70,111 for a new Total Amount of \$9,918,346 for 2017-2018 Through 2019-2020.
B-19-193; A-19-62
13. HCS - Approve Amendment to Agreement With Gospel Center Rescue Mission for Recuperative Care Services Under the Whole Person Care Pilot Program for the Term of July 1, 2018 Through June 30, 2019, Increasing the Amount by \$21,000 for Patient Centered Residential Recovery Life Program Services for a Total Amount Not to Exceed \$610,475.
B-19-194; A-19-63
14. HSA - Approve Amended Bylaws of the San Joaquin County Commission on Aging.
B-19-195
15. HSA - Approval of Contract Amendment for Emergency Child Care Bridge Program Services to Foster Children With Family Resource and Referral Center to Increase Total Funding From \$626,944 to \$860,014 Through June 30, 2019.
B-19-196; A-19-64

16. HSA - Retroactive Approval of Agreement With Community Partnership for Families of San Joaquin to Provide Employment and Training Services to CalFresh Recipients for a Total of \$ 436,572 From October 1, 2018 Through September 30, 2019.
B-19-197; A-19-65
17. PHS - Proclamation of March 26, 2019 as "World TB Day" in San Joaquin County.
18. SJGH - Approve an Increase to the Current Purchase Order With Leidos Corporation for Electronic Health Record Applications Consultant Services, Increasing the Amount by \$150,000, to a Total Amount Not to Exceed \$450,000.
B-19-198
19. SJGH - Approval of Agreement With NeoGenomics Laboratories, Inc., for Provision of Clinical Laboratory and Pathology Services for the Period May 1, 2019 Through April 30, 2022, for a Total Amount Not to Exceed \$938,187.
B-19-199; A-19-66

CONSENT - LAW & JUSTICE

20. SO - Approve Agreement to Provide Butler Amusements, Inc., Law Enforcement Services for the Butler Amusements Carnival Event April 12-13, 2019. (3rd District)
B-19-200; A-19-67
21. SO - Approve Agreement to Provide Our Lady of Fatima Society Law Enforcement Services for Various Events April Through October 2019. (4th District)
B-19-201; A-19-68
22. SO - Approve Agreement to Provide Southwinds Church Law Enforcement Services for April 21, 2019 Easter Services. (5th District)
B-19-202; A-19-69
23. SO - Approve Agreement to Provide Wat Dhammararam Buddhist Temple Law Enforcement Services for the Cambodian New Year Festival From April 12 Through April 14, 2019. (1st District)
B-19-203; A-19-70
24. SO - Approve Addition of One Sergeant for Lathrop Police Services and Related Budget Adjustment of \$68,755. (4/5ths Vote Required)
B-19-204; R-19-31; Budget Appropriations: B-19-204a

CONSENT - PUBLIC WORKS

25. PW - Approve Vacation of a Portion of Canepa Road, at its Southeastern End, Near Foppiano Lane, North of Stockton. (4th District)
R-19-32; A-19-71; A-19-72
26. PW - Approval and Adoption of Plans and Specifications for the Murphy Road Resurfacing and Setting a Bid Opening Date of April 18, 2019, at 1:30 P.M. (4th District)
R-19-33
27. PW - Approval of the 2018-2019 Transportation Development Act Claim for Bicycle and Pedestrian Ways and Streets and Roads in the Amount of \$2,059,083. (All Districts)
B-19-205
28. PW - Approval and Adoption of Plans and Specifications for the Chip Seal 2018-2019 and Setting a Bid Opening Date of April 18, 2019, at 1:30 P.M. (All Districts)
R-19-34

SCHEDULED MORNING ITEMS/PUBLIC HEARINGS

1. CDD-NEIGH/PRES - 9:00 a.m. - Public Hearing for the Community Development Block Grant Program Annual Action Plan for Fiscal Year 2019-2020.

Community Development Interim Director Zoey Merrill introduced Deputy Director Ray Hoo and Management Analyst Chris Becerra, who presented this item. Supervisor Elliott announced that he serves on the Give Every Child a Chance Board, a recipient of these funds, therefore, he would recuse himself to avoid the appearance of a conflict.

10:46 a.m. - Chairman Villapudua opened the public hearing.

Gillian Murphy of the Emergency Food Bank commented on this item.

10:50 a.m. - Chairman Villapudua closed the public hearing.

Motion to approve staff recommendations as outlined in the board letter. Approved.

B-19-206

RESULT: **ADOPTED [4 TO 0]**
MOVER: Chuck Winn, District 4
SECONDER: Tom Patti, District 3
AYES: Miller, Winn, Patti, Villapudua
ABSTAIN: Elliott

2. CDD-NEIGH/PRES - 9:00 a.m. - Public Hearing for the Home Investment Partnership Program Annual Action Plan for Fiscal Year 2019-2020.

Management Analyst Chris Becerra presented this item and responded to questions of the Board.

10:51 a.m. - Chairman Villapudua opened and closed the public hearing. There were no public comments at this time.

Motion to approve staff recommendations as outlined in the board letter. Approved.
B-19-207

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tom Patti, District 3

SECONDER: Chuck Winn, District 4

AYES: Miller, Winn, Elliott, Patti, Villapudua

3. CDD-NEIGH/PRES - 9:00 a.m. - Public Hearing for the Emergency Solutions Grant Program Annual Action Plan for Fiscal Year 2019-2020.

Management Analyst Rodney Estrada presented this item.

10:54 a.m. - Chairman Villapudua opened and closed the public hearing. There were no public comments at this time.

Motion to approve staff recommendations as outlined in the board letter. Approved.
B-19-208

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tom Patti, District 3

SECONDER: Bob Elliott, District 5

AYES: Miller, Winn, Elliott, Patti, Villapudua

DISCUSSION

DISCUSSION - GENERAL GOVERNMENT

1. CC - Authorize Payment of \$499,636 to the San Joaquin County Employees' Retirement Association ("SJCERA") for the 2018 Replacement Benefits Plan by Transfer of \$142,148 From Provision for Contingencies Account and \$357,488 From Departmental Budget Savings (4/5ths Vote Required) and Authorize the Chair to Sign the Modified and Restated Memorandum of Understanding With SJCERA for the Replacement Benefits Plan.

County Counsel Mark Myles presented this item and responded to questions of the Board.

Motion to authorize and direct the Auditor-Controller to issue a payment of \$499,636.02 to SJCERA for the 2018 Replacement Benefits Plan contributions by

transferring \$142,148.40 from the Provision for Contingencies and the balance of \$357,487.62 from departmental budget savings; and modify the Memorandum of Understanding between the County and SJCERA regarding the Replacement Benefits Plan to reflect that the County's contributions to SJCERA shall be adjusted as part of the actuarial valuation process when replacement benefits are payable under the Replacement Benefits Plan. Approved. B-19-209; Budget Appropriation: B-19-209a; A-19-73

RESULT: ADOPTED [UNANIMOUS]

MOVER: Katherine M. Miller, District 2

SECONDER: Bob Elliott, District 5

AYES: Miller, Winn, Elliott, Patti, Villapudua

2. ROV - Oral Presentation by the San Joaquin County Registrar of Voters Related to the California Voter's Choice Act.

Registrar of Voter Melinda Dubroff presented this item and responded to questions of the Board.

DISCUSSION - HEALTH & HUMAN SERVICES

3. SJGH - Rejection of All Bids for the Chiller #1 Replacement Project at San Joaquin General Hospital.

San Joaquin General Hospital CEO David Culberson presented this item. Messrs. Culberson, Purchasing Director John Drake, and Capital Projects Administrator Daniel Moore responded to questions of the Board.

Motion to adopt a Resolution to reject all bids for the Chiller #1 Replacement Project at San Joaquin General Hospital and authorize staff to implement the work using Job Order Contracting procedures. Approved. B-19-210; R-19-35

RESULT: ADOPTED [UNANIMOUS]

MOVER: Chuck Winn, District 4

SECONDER: Katherine M. Miller, District 2

AYES: Miller, Winn, Elliott, Patti, Villapudua

DISCUSSION - GENERAL GOVERNMENT - TO BE HEARD

FOLLOWING CLOSED SESSION

1:47 p.m. - Chairman Villapudua reconvened the meeting.

4. CC - Adopt an Interim Urgency Ordinance Declaring a Temporary Moratorium on the Cultivation of Industrial Hemp Within the Unincorporated Areas of San Joaquin County. (4/5ths Approval Required)

County Counsel Mark Myles presented this item. Mr. Myles and Agricultural Commissioner Tim Pelican responded to questions by the Board.

Larry Rowlett and Sheriff Pat Withrow commented on this item.

Motion to accept staff recommendations, including the deletion of Finding "O" in the Proposed Ordinance. Approved. R-19-36; Ordinance No. 4528

RESULT: ADOPTED [UNANIMOUS]

MOVER: Bob Elliott, District 5

SECONDER: Katherine M. Miller, District 2

AYES: Miller, Winn, Elliott, Patti, Villapudua

BOARD OF SUPERVISORS COMMENTS AND COMMITTEE REPORTS

Supervisor Elliott reported he attended a ribbon-cutting event at Doctor's Hospital for Robotics Day and the unveiling of the da Vinci XI Surgery Robot.

Supervisor Miller added that San Joaquin General Hospital also uses the da Vinci XI Surgery Robot.

Supervisor Winn reported his attendance at the Board Chair training provided by Peter Johnson. Supervisor Winn also reported he and Supervisor Miller attended a Fire Chiefs Association meeting to hear the impact of homelessness on fire departments in relation to medical calls.

Supervisor Patti recognized the contributions and attributes of his ailing father and on behalf of the Third District, dedicated the meeting in his honor.

CLOSED SESSION

12:00 p.m. - County Counsel Mark Myles announced that the Board would meet in closed session and there were no announcements expected. The Board would reconvene to continue with Discussion Item #4.

Supervisor Patti recused himself from Closed Session Item #2.

12:03 p.m. - Chairman Villapudua recessed the meeting until 12:30 p.m. for closed session.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
California Government Code Section 54956.9(a)

Terrance Schaeffer, et al. v. County of San Joaquin, et al.
San Joaquin Superior Court Case No. STK-CV-UOE-2014-0005069

Jeffrey Sutherland, et al. v. City of Manteca, County of San Joaquin, et al.
San Joaquin Superior Court Case No. STK-CV-UPI-2016-000290

Shoshoni Winnemucca, MBS, et al. v. San Joaquin County Board of Supervisors, et al.
United States District Court Case No. 2:17-CV-02271-CJM-EFB

2. CONFERENCE WITH LEGAL COUNSEL – LIABILITY CLAIMS

Claimant: T. Patti

Agency Claimed Against: San Joaquin County

SCHEDULED AFTERNOON ITEMS

There are no scheduled afternoon items on this date.

ADJOURN TO TUESDAY, APRIL 9, 2019 AT 9:00 A.M.

2:25 p.m. - Chairman Villapudua adjourned the meeting to April 9, 2019.