



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, APRIL 09, 2019
9:00 AM**

9:05 a.m. - Chairman Villapudua commenced the meeting and asked for a moment of silence, silent reflection, or silent prayer.

Pledge of Allegiance

Supervisor Elliott led in the Pledge of Allegiance.

Roll Call

Katherine M. Miller District 2
Chuck Winn District 4
Bob Elliott District 5
Tom Patti District 3, Supervisor Patti arrived at 9:07 a.m.
Miguel Villapudua Chair - District 1

RECOGNITIONS/PRESENTATIONS

1. BOS - Proclamation of April 2019 as "Child Abuse Prevention Month" in San Joaquin County.

On behalf of the Board, Chairman Villapudua presented a proclamation to Child Abuse Prevention Council Executive Director Lindy Turner-Hardin. There was a brief performance by local children and comments by the Human Services Agency Director Michael Miller, Cathy Long of the Children's Services Coordinating Commission, and Ms. Turner-Hardin.

2. BOS - Proclamation of April 2019 as "Sexual Assault Awareness Month" in San Joaquin County.

On behalf of the Board, Chairman Villapudua presented the proclamation to Women's Center-Youth and Family Services Chief of Programs Lorri Wick. Ms. Wick provided information in support of the proclamation and thanked the Board for the recognition.

PUBLIC COMMENT/CONSENT ITEMS

Matt Schaefer, Marisa Lozano, Fazia Richmond, Vicki Hoge, Kelly Mertz, Donnie Elam representing the California Nurses Association, expressed concerns with County salaries and staffing.

Andrea Bradford, Stefone White, and Maria Alegria (through an interpreter) expressed concerns with salaries for IHSS workers.

Christina Yanez and Tami Marrow requested assistance with a relative's unsolved homicide.

MINUTES

Motion to approve the minutes of March 26, 2019. Approved. B-19-210

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 26, 2019 9:00 AM

APPOINTMENTS TO BOARDS AND COMMISSIONS

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tom Patti, District 3

SECONDER: Bob Elliott, District 5

AYES: Miller, Winn, Elliott, Patti, Villapudua

1. BOS - Approve the Appointment of One Position to the Agricultural Advisory Board: (1) Fifth Supervisorial District Representative, Position No. 1105.2, for the Term of April 17, 2019 Through April 17, 2022.

Motion to appoint Ernest Pombo, Jr. to the Agricultural Advisory Board as Fifth Supervisorial District Representative, Position No. 1105.2, for the term of April 17, 2019 through April 17, 2022. Approved. B-19-211

2. BOS - Approve the Appointment of One Position to the Housing Appeals Board: (1) First Supervisorial District Representative, Position No. 3501, for the Unexpired Term of December 31, 2017 Through December 31, 2021.

Clerk of the Board to readvertise.

3. BOS - Approve the Appointment of One Position to the Northeast Community Center Advisory Board: (1) Low-Income Representative, Position No. 5003.4, for the Unexpired Term of October 28, 2017 Through October 28, 2020.

Motion to appoint Teresa Crow to the Northeast Community Center Advisory Board as Low-Income Representative, Position No. 5003.4, for the unexpired term of October 28, 2017 through October 28, 2020. Approved. B-19-212

CONSENT ITEMS # 1 - 23

Consent Item #17 was pulled by Chairman Villapudua. The District Attorney thanked the Board for the Proclamation and introduced victims of unsolved crimes to speak regarding their cases.

Consent Item #1 was pulled by Supervisor Patti. Agricultural Commissioner Tim Pelican and Wes Rhea, Chief Executive Officer of Visit Stockton responded to questions.

Consent Item #5 was pulled by Supervisor Winn. Supervisor Patti provided a brief summary of the qualifications and expectations for the Legislative Assistant position for the Third District..

Consent Item #7 was pulled by Supervisor Elliott. Assistant County Administrator Jerry Becker responded to questions. Board discussion resulted in modification of Priority 5a to be: "Support and advocate for sustainable water solutions that protect the Delta, improve the existing water delivery system, upgrade water-related infrastructure, and oppose proposals involving isolated water conveyance by tunnels or canals that would adversely impact delta water quality, water users, ecosystems, and communities."

Consent Item #10 was pulled by Supervisor Patti and Sheriff Pat Withrow responded to questions. County Administrator Monica Nino provided follow-up information.

Motion to approved consent items #1 - 23, with modifications as stated to consent item #7. Approved.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Bob Elliott, District 5

SECONDER: Katherine M. Miller, District 2

AYES: Miller, Winn, Elliott, Patti, Villapudua

CONSENT - GENERAL GOVERNMENT

1. AGCOMM - Designation of Visit Stockton as the Official County Representative at the 2019 California State Fair and Authorization of a \$5,000 Contribution to the Visit Stockton Organization.

B-19-213

2. AGCOMM - Retroactively Approve and Authorize the Agricultural Commissioner to Execute an Agreement With Graviton Consulting Services, Inc., for the Creation of a Mobile Time Entry System for the Period of February 1, 2019 Through May 30, 2019, in an Amount Not to Exceed \$60,000.
B-19-214; A-19-74
3. 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-19-215
4. AIR - Approval of an Authorization of Service Agreement With RS&H, California, Inc., to Provide Engineering Design, Construction Documents and Bid Services to Widen the Cargo Apron and Extend the Access Road to the Cargo Apron at Stockton Metropolitan Airport in the Amount of \$662,485 With Offsetting Revenue and Related Budget Appropriations Increase. (4/5ths Vote Required)
B-19-216; Budget Appropriations B-19-216a
5. BOS - Appointment of Legislative Assistant for the Third Supervisorial District.
B-19-217
6. BOS - Receive and Refer all Board Communications as Outlined on the Communications Distribution Listing.
B-19-218
7. CAO - Adopt Final Version of the Three-Year Board Strategic Priorities Covering Fiscal Years 2019-2020 Through 2021-2022.
B-19-219
8. COB - Approve the Announcement of Three Positions to Various Boards, Commissions, and Committees and Set the Application Deadline for May 3, 2019.
B-19-220
9. ROV - Adopt a Resolution Authorizing the Registrar of Voters' Office to Conduct the San Joaquin County Employees' Retirement Association's Election of the Elected Safety Member of the Board of Retirement to be held on Tuesday, June 18, 2019.
R-19-37
10. HR - Resolution Authorizing Retired Members of the San Joaquin County Employees' Retirement Association to Work a Maximum of 960 Hours in a Fiscal Year for the County.
R-19-38

CONSENT - HEALTH AND HUMAN SERVICES

11. EEDD - Authorize the Employment and Economic Development Department to Receive Funding From the Employment Training Panel; Fulfill Certain Obligations Under the Employment Training Panel's Multiple Employer Contract With the San Joaquin County Economic Development Association and Approve the Training Agreement Template.
B-19-221
12. EEDD - Approval of Small Cap Loan Program and Amendments to San Joaquin County Revolving Loan Fund Administrative Plan.
B-19-222
13. HCS - Authorize Purchase of Office Furniture for Correctional Health Services Medical Administration Area Totaling \$66,000 and Approve Related Budget Adjustments Within Existing Appropriations.
B-19-223; Budget Appropriation B-19-223a
14. PHS - Retroactive Approval of Standard Agreement With the California Department of Public Health for the HIV Prevention Program "Strengthening Our Foundation Through Integration" Project for the Period January 1, 2019 Through December 31, 2022, With a Maximum Amount of \$843,716.
B-19-224; A-19-75
15. SJGH - Approval of Applications for Appointment for a Three-Year Term and Reappointment for a Two-Year Term to San Joaquin General Hospital Medical Staff.
B-19-225
16. SJGH - Approval of Applications for Appointment for a Three-Year Term and Reappointment for a Two-Year Term to San Joaquin General Hospital Allied Health Staff.
B-19-226

CONSENT - LAW & JUSTICE

17. DA - Request to Proclaim the Week of April 7 - 13, 2019 as "National Crime Victims' Rights Week" in San Joaquin County.
18. DCSS - Award of Contract for the Installation of New Data and Voice Cables at the Department of Child Support Services Facility to Red Wave Communications Inc., in the Amount of \$166,450 and Authorization of Change Order Authority.
B-19-227; A-19-76

CONSENT - PUBLIC WORKS

19. PW - Approval and Adoption of Plans and Specifications for the Bradford Street and River Drive Resurfacing and Setting a Bid Opening Date of May 2, 2019, at 1:30 P.M. (1st and 3rd Districts)
R-19-39
20. PW - Certification of the Maintained Mileage of the Roads of San Joaquin County. (All Districts)
R-19-40
21. PW - Award of Contract for the Slurry Seal Local Roads 2018-2019 to American Pavement Systems, Inc., in the Amount of \$1,209,790, and Authorization of Change Order Authority of up to \$120,210. (All Districts) (4/5ths Vote Required)
R-19-41
22. PW - Approval and Adoption of Plans and Specifications for the Sidewalk Accessibility Improvements 2018-2019 and Setting a Bid Opening Date of May 2, 2019, at 1:30 P.M. (1st and 2nd Districts)
R-19-42
23. PW - Adopt a List of Projects for Fiscal Year 2019-2020 Funded by Senate Bill 1: The Road Repair and Accountability Act of 2017. (All Districts)
R-19-43

SCHEDULED MORNING ITEMS/PUBLIC HEARINGS

1. AGCOMM - 9:00 A.M. - Public Hearing to Approve and Adopt New Fees for the Costs Associated With Enforcement of Industrial Hemp Cultivation Pursuant to Division 24 of the California Food and Agricultural Code. (All Districts)
Agricultural Commissioner Tim Pelican presented this item and responded to questions of the Board.

11:17 a.m. - Chairman Villapudua opened and closed the public hearing. There were no public comments at this time.

Motion to Approve and authorize the Chair to sign the Resolution approving and adopting fees for costs associated with the enforcement of industrial hemp cultivation pursuant to Division 24 of the California Food and Agricultural Code effective July 1, 2019. Approved. R-19-44

RESULT: ADOPTED [UNANIMOUS]

MOVER: Katherine M. Miller, District 2

SECONDER: Tom Patti, District 3

AYES: Miller, Winn, Elliott, Patti, Villapudua

2. PW - 9:00 A.M. Public Hearing Regarding Proposed Street Lighting Service Charge Increases in Burkett Garden Acres, Burkett Gardens, North Wilson Way, Northeast Stockton, Rancho Village, and Shasta Avenue Lighting Districts; Walnut Acres and Wilkinson Manor - Zone A Maintenance Districts; and County Service Area 49 - Zone L. (All Districts)

Public Works Director Kris Balaji and Engineering Manager Jayna Rutz presented this item.

- 11:40 am - Chairman Villapudua opened and closed separate public hearings** for each of the following districts: Burkett Garden Acres Lighting District, Burkett Gardens Lighting District, North Wilson Way Lighting District, Northeast Stockton Lighting District, Rancho Village Lighting District, Shasta Avenue Lighting District, Walnut Acres Maintenance District, Wilkinson Manor Maintenance District, County Service Area 49 - Zone L. There were no public comments regarding this item.

Motion to direct Public Works staff to open and tabulate ballots submitted; and, continue further consideration of the proposed charges to April 23, 2019, and direct Public Works staff to return at that time with final ballot results and recommendations related to the proposed increases. Approved. B-19-

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tom Patti, District 3

SECONDER: Bob Elliott, District 5

AYES: Miller, Winn, Elliott, Patti, Villapudua

DISCUSSION

DISCUSSION - GENERAL GOVERNMENT

1. BOS - Presentation and Update on San Joaquin County's Participation in the Sustainable Groundwater Management Act (SGMA).

Supervisor Winn introduced this item and Public Works Director Kris Balaji and Water Resources Coordinator Brandon Nakagawa presented the staff report.

Motion to accept staff recommendations. Approved.**RESULT:** ADOPTED [UNANIMOUS]**MOVER:** Chuck Winn, District 4**SECONDER:** Bob Elliott, District 5**AYES:** Miller, Winn, Elliott, Patti, Villapudua

2. BOS - Request to Adopt Resolutions of Support for BioPharm Holdings, LLC.

Supervisor Patti introduced this item and requested a presentation by representatives of BioPharm Holdings, LLC Randy Fenley and James Higa. Board discussion resulted in modifications to the resolutions.

Motion to adopt modified resolutions of support for BioPharm Holdings, LLC by removing findings that the project will benefit the County and removing express support of the project in concept. Approved. R-19-45; R-19-46

RESULT: ADOPTED [3 TO 2]**MOVER:** Tom Patti, District 3**SECONDER:** Katherine M. Miller, District 2**AYES:** Miller, Patti, Villapudua**NAYS:** Winn, Elliott

DISCUSSION - HEALTH & HUMAN SERVICES

3. PHS - Oral Presentation and Submittal of the San Joaquin County Public Health Services 2018 Annual Report.

Assistant Health Care Services Director Matt Garber introduced Dr. Kismet Baldwin, Public Health Officer, who presented the Public Health Services 2018 Annual Report.

Motion to receive and file the San Joaquin County Public Health Services 2018 Annual Report. Approved. B-19-229

RESULT: ADOPTED [UNANIMOUS]**MOVER:** Katherine M. Miller, District 2**SECONDER:** Chuck Winn, District 4**AYES:** Miller, Winn, Elliott, Patti, Villapudua

1:40 p.m. - Chairman Villapudua recessed the meeting until 2:00 p.m.

BOARD OF SUPERVISORS COMMENTS AND COMMITTEE REPORTS

2:30 p.m. - Supervisors Patti and Winn clarified comments made during Discussion Item #2.

CLOSED SESSION

There was no closed session this date.

SCHEDULED AFTERNOON ITEMS

2:05 p.m. - Chairman Villapudua reconvened the meeting.

1. CDD - 1:30 p.m. - Public Hearing Regarding Major Subdivision Application No. PA-1800152 and Mountain House Development Title Text Amendment No. PA-1800153 of Shea Mountain House, LLC to Amend Section 9-310.5M(a)(6) to Allow for Single-Family Homes With Common Automobile or Pedestrian Access in the R-MH Zone, the Rear Setback for Lots Backing Onto a Public Street may be Reduced to Five Feet, Mountain House Community. (5th District)

Community Development Interim Director Zoey Merrill introduced Principal Planner John Funderburg, who presented the staff report.

2:11 p.m. - Chairman Villapudua opened the public hearing.

David Best of Shea Homes commented in support of this item.

2:12 p.m. - Chairman Villapudua closed the public hearing.

Motion to approve staff recommendations. Approved. R-19-47; B-19-230; Ordinance No. 4529

RESULT: ADOPTED [UNANIMOUS]

MOVER: Bob Elliott, District 5

SECONDER: Katherine M. Miller, District 2

AYES: Miller, Winn, Elliott, Patti, Villapudua

2. CDD - 1:30 p.m. - Public Hearing Regarding Master Plan Amendment Application No. PA-1800157, Specific Plan III Amendment Application No. PA-1800158, Use Permit Application No. PA-1800159 and Minor Subdivision Application No. PA-1800160, Mountain House Community. (5th District)

Interim Community Development Director Zoey Merrill introduced Principal Planner John Funderburg, who presented the staff report.

2:27 p.m. - Chairman Villapudua opened the public hearing.

Developer Gerry Kamilos and Project applicant Veronica Vargas (Turlock Petroleum) commented in support of this item.

2:29 p.m. - Chairman Villapudua closed the public hearing.

Motion to approve staff recommendations. Approved. R-19-48; R-19-49; R-19-50; R-19-51; B-19-231

RESULT: ADOPTED [UNANIMOUS]

MOVER: Bob Elliott, District 5

SECONDER: Katherine M. Miller, District 2

AYES: Miller, Winn, Elliott, Patti, Villapudua

ADJOURN TO TUESDAY, APRIL 23, 2019 AT 9:00 A.M.

2:32 p.m. - Chairman Villapudua adjourned the meeting to April 23, 2019 at 9:00 am.