



Board of Supervisors
San Joaquin County

MIGUEL VILLAPUDUA
Chair
First District

TOM PATTI
Vice-Chair
Third District

KATHERINE M. MILLER
Second District

CHUCK WINN
Fourth District

BOB ELLIOTT
Fifth District

MONICA NINO
County Administrator

J. MARK MYLES
County Counsel

MIMI DUZENSKI
Clerk of the Board

Minutes

**SAN JOAQUIN COUNTY BOARD OF SUPERVISORS
MINUTES OF
TUESDAY, APRIL 23, 2019
9:00 AM**

9:07 a.m. - Chairman Villapudua commenced the meeting and asked for a moment of silence, silent reflection, or silent prayer.

Pledge of Allegiance

Supervisor Patti 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
Miguel Villapudua	Chair - District 1

In recognition of this being Clerk of the Board Mimi Duzenski's last meeting, Chairman Villapudua, Board Members, County Administrator Monica Nino and County Counsel Mark Myles commended Ms. Duzenski for her 22 years of outstanding and dedicated public service, noting her professionalism, tremendous support to the Board, and the positive improvements made to the Clerk's office under her direction over the past six years.

Chairman Villapudua announced that the Service and Retiree Awards presentation in the afternoon would be postponed due to the power outage in the building.

RECOGNITIONS/PRESENTATIONS

1. BOS - Proclamation of May 2019 as "Mental Health Awareness Month" in San Joaquin County.

On behalf of the Board, Chairman Villapudua presented a proclamation to Edna Ealey, President of NAMI San Joaquin County; Gertie Kandris, Board Member, NAMI San Joaquin County; Tasso Kandris, Chairman of the San Joaquin County Behavioral Health Board; and Francis Hutchins, Assistant Behavioral Health Director.

PUBLIC COMMENT/CONSENT ITEMS

Matt Balzarini commented on the need for candidates for the Juvenile Justice Commission.

Victoria Spivey and Julie Briano expressed concerns with staffing at the Juvenile Justice Center.

Shawn Martinez expressed concerns with staffing at San Joaquin General Hospital.

Michael O'Conner expressed opposition to Discussion Item #5.

Carolyn Cooper extended an invitation to the Board to an event in support of Mental Health Awareness Month.

Michael Fields of the Wellness Center of San Joaquin County extended an invitation to the Board to a Mental Health Awareness Fair.

Christina Cervantes expressed concerns regarding a fire near her home, attributed to homeless encampments.

MINUTES

Motion to approve the Minutes of April 9, 2019. Approved. B-19-236

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Bob Elliott, District 5

SECONDER: Katherine M. Miller, District 2

AYES: Miller, Winn, Elliott, Patti, Villapudua

1. Board of Supervisors - Regular Meeting - Apr 9, 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 Aviation Advisory Committee: (1) Member, Position No. 1402.4, for the Terms of March 8, 2019 Through March 8, 2022.

Motion to appoint Michael Ammann to the Aviation Advisory Committee as Member, Position No. 1402.4, for the Terms of March 8, 2019 Through March 8, 2022. Approved. B-19-237

2. BOS - Approve the Appointment of One Position to the Boggs Tract Community Center Advisory Board: (1) Low-Income Representative, Position No. 1503.4, for the Term of October 27, 2019 Through October 27, 2021.

Motion to appoint Felisa Galindo to the Boggs Tract Community Center Advisory Board as Low-Income Representative, Position No. 1503.4, for the Term of October 27, 2018 Through October 27, 2021. Approved. B-19-238

3. BOS - Approve the Appointment of One Position to the Commission on Aging: (1) At-Large Representative of the Disabled, Position No. 2307, for the Unexpired Term of July 1, 2017 Through July 1, 2020.

Motion to appoint Alexandra Queen to the Commission on Aging as At-Large Representative of the Disabled, Position No. 2307, for the Unexpired Term of July 1, 2017 Through July 1, 2020. Approved. B-19-239

4. BOS - Approve the Appointment of One Position to the Economic Development Association: (1) Second Supervisorial District Representative, Position No. 2602, for the Unexpired Term of January 1, 2019 Through January 1, 2023.

Motion to appoint Chris Kay to the Economic Development Association as Second Supervisorial District Representative, Position No. 2602, for the Unexpired Term of January 1, 2019 Through January 1, 2023. Approved. B-19-240

CONSENT ITEMS # 1 - 25

Consent Item #4 was pulled by Supervisor Elliott to commend the department for completing the plan and moving forward with the implementation. General Services Director Marcia Cunningham and Office of Emergency Services Director Shellie Lima responded to comments by the Board with regard to providing emergency information and resources to the public.

Motion to approve Consent Items #1-25. Approved.**RESULT:** ADOPTED [UNANIMOUS]**MOVER:** Tom Patti, District 3**SECONDER:** Katherine M. Miller, District 2**AYES:** Miller, Winn, Elliott, Patti, Villapudua**CONSENT - GENERAL GOVERNMENT**

1. 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-19-241

2. BOS - Receive and Refer all Board Communications as Outlined on the Communications Distribution Listing.

B-19-242

3. CC - Approve Settlement of Legal Action Entitled Jeffrey Sutherland, et al. v. City of Manteca, et al.: San Joaquin Superior Court Case No. STK-CV-UPI-2016-290 in the Amount of \$300,000.

B-19-243

4. GEN/SER - Approve and Adopt by Resolution the Basic San Joaquin County Emergency Operations Plan.

R-19-52

5. HR - Renew and Adopt Rates for the Retiree Health Plans Effective July 1, 2019; Renew the Active Employee Health Plans and Section 125 Flexible Spending Account Administration and Adopt Rates Effective July 8, 2019; and Add New Health Maintenance Organization Medical Plan Option with Sutter Health Plus for Retirees and Specific Employee Groups Effective July 1, 2019.

B-19-244

6. HR - Amend the Exempt Class Specification for Clerk of the Board (EB1220), Authorize the Chair to Sign the Amended Class Specification, and Adjust the Salary Range for the Amended Class From Grade 788 to Grade 798 Effective April 29, 2019.

B-19-245

CONSENT - HEALTH AND HUMAN SERVICES

7. BHS - Approval of Amendments to the 2018-2019 Community Service Agreements With CompHealth, Merced Behavioral Center, Central Valley Low Income Housing Corporation, and Universal Protection Services for a Total Cost Increase of \$1,088,045.

B-19-246; A-19-77; A-19-78; A-19-79; A-19-80
8. EMS - Authorize the Treasurer-Tax Collector to Close a Bank Account No Longer Needed by Emergency Medical Services.

B-19-247
9. HSA - Approval of Agreement With San Joaquin County Office of Education for \$223,496 to Provide Child Abuse Prevention, Intervention and Treatment Program Services From July 1, 2019 Through June 30, 2020.

B-19-248; A-19-81
10. HSA - Approval of Agreement With San Joaquin Community Data Cooperative for \$16,097 to Sublease Space at the CalWORKs Employment Center From July 1, 2019 Through June 30, 2020.

B-19-249; A-19-82
11. HSA - Approval of Disaster CalFresh Program Mutual Aid Plan Memorandum of Understanding Through October 31, 2021.

B-19-250; A-19-83
12. HSA - Approval of Agreement With San Joaquin Regional Transit District for a Total of \$700,000 to Provide Bus Passes for CalWORKs, Child Welfare, and General Assistance Clients From July 1, 2019 Through June 30, 2021.

B-19-251; A-19-84
13. HSA - Approval of Area Agency on Aging 2019-2020 Area Plan Update.

B-19-252
14. SJGH - Approve Letter of Agreement With MOE Medical Corporation for Internal Medicine Services, Effective May 1, 2019 Through December 31, 2020, at an Amount Not to Exceed \$600,000.

B-19-253; A-19-85

15. SJGH - Approve an Increase to the Purchase Order With PAS HealthCare for Patient Financial Services Consulting and Administrative Services, Increasing the Amount by \$133,750 to a Total Amount Not to Exceed \$397,750 and Extending the Term by Six Months Through November 30, 2019.

B-19-254

16. SJGH - Approval of Addendum I to the Master Service Agreement With Trifecta Group, Inc., for Revenue Cycle Conversion Assistance Services Extending the Term From May 1, 2019 Through October 31, 2019, and Increasing the Amount by \$660,000, for an Overall Total Not to Exceed \$4,095,000.

B-19-255; A-19-86

17. SJGH - Approve a Letter of Understanding With Healthcare Resource Group, Inc., for Accounts Receivable Collection Services at an Amount Not to Exceed \$500,000, for the Period of May 1, 2019 Through April 30, 2020.

B-19-256; A-19-87

CONSENT - LAW & JUSTICE

18. DCSS - Approve Increase in Appropriations in the Amount of \$877,061 to the Child Support Services Budget for Fiscal Year 2018-2019, Based on the Budget Reallocation Funds Received From the California Department of Child Support Services. (4/5ths Vote Required)

B-19-257; Budget Appropriations B-19-257a

19. SO - Approve Agreement to Provide Lincoln Center Property Management Law Enforcement Services for Various Events June Through November 2019. (2nd District)

B-19-258; A-19-88

20. SO - Approve 2019-2020 Boating Safety and Enforcement Financial Aid Program Renewal for \$686,596 From the State Department of Parks and Recreation, Division of Boating and Waterways.

B-19-259; A-19-89

CONSENT - PUBLIC WORKS

21. PW - Certify Ballot Results and Final Recommendations 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)

B-19-260

22. PW - Approval and Adoption of Plans and Specifications for the Fernwood Road Resurfacing and Setting a Bid Opening Date of May 16, 2019, at 1:30 P.M. (4th District)

R-19-53

23. PW - Approval and Adoption of Plans and Specifications for the Middle Road Resurfacing and Setting a Bid Opening Date of May 16, 2019, at 1:30 P. M. (5th District)

R-19-54

24. PW - Approval and Adoption of Plans and Specifications for the North County Landfill Entrance Road Widening and Setting a Bid Opening Date of May 16, 2019, at 1:30 P.M. (4th District)

R-19-55

25. PW - Approval of a Professional Services Agreement With the Gordian Group, Inc., in the Not-To-Exceed Amount of \$100,000, Through June 30, 2020, to Provide Job Order Contracting Development, Implementation and Management Services, and Approval and Adoption of Bid, Contract Documents, and Specifications for Job Order Contracts (General Engineering Contractors) JOC-011, JOC-012, and JOC-013, and Set a Bid Opening Date of May 23, 2019, at 1:30 P.M. (All Districts)

R-19-56; A-19-90

SCHEDULED MORNING ITEMS/PUBLIC HEARINGS

1. PW - Conduct Stormwater Capture Workshop and Receive Information From Local Stakeholders. (All Districts)

Public Works Director Kris Balaji and Water Resources Coordinator Brandon Nakagawa introduced the following panel of speakers who addressed the questions outlined in the staff report: Scot Moody, General Manager, Stockton East Water District; Jennifer Spaletta, General Counsel, North San Joaquin Water Conservation District; John Herrick, General Counsel and Manager, South Delta Water Agency; Barbara Barrigan-Parrilla, Executive Director, Restore the Delta; Mike Miller, Partner, The Ferguson Group; and Jolena Voorhis, Deputy County Administrator.

There was a consensus amongst the Board and the panel that existing state legislation is sufficient to promote groundwater recharge projects. The Board thanked the presenters for the information and no action was required for this item.

2. PW - 9:00 a.m. - Conduct a Public Hearing and Adopt a Resolution Making a Finding of Significant Public Benefit for the Smith Canal Area Gate Project and Approving the Issuance of Bonds by the San Joaquin Area Flood Control Agency. (1st, 2nd, and 3rd Districts)

Public Works Director Kris Balaji and San Joaquin Area Flood Control Agency Executive Director Chris Elias presented this item and responded to questions from the Board.

11:34 a.m. - Chairman Villapudua opened and closed the public hearing. There were no public comments at this time.

Motion to adopt a Resolution finding significant public benefits for the Smith Canal Area Gate Project and approve the issuance of bonds by the San Joaquin Area Flood Control Agency for the Project. Approved. R-19-57

RESULT: ADOPTED [UNANIMOUS]

MOVER: Katherine M. Miller, District 2

SECONDER: Bob Elliott, District 5

AYES: Miller, Winn, Elliott, Patti, Villapudua

DISCUSSION

DISCUSSION - GENERAL GOVERNMENT

1. BOS - Discuss Violation of Code of Ethics.

County Counsel Mark Myles opened this item and provided an overview of the Code of Ethics as it pertains to violations. Mr. Myles updated the Board on the results of the interviews he conducted in response to the Board's direction at the January 29, 2019 meeting.

George Bianchini commented on this item.

Motion to censure Supervisor Patti for initiating comments to the press in violation of the Board of Supervisors Code of Ethics. Defeated. No further action taken.

RESULT: DEFEATED [2 TO 3]

MOVER: Chuck Winn, District 4

SECONDER: Katherine M. Miller, District 2

AYES: Miller, Winn

NAYS: Elliott, Patti, Villapudua

2. BOS - Discuss Cleanup Options for Homeless Encampments.

Supervisor Winn presented his report to the Board.

Amanda Lee, Roger Kelly and Christina Cervantes commented on this item.

Motion to direct staff to explore options outlined in the report and to return to the Board with estimated costs and feasibility. Approved. B-19-261

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tom Patti, District 3

SECONDER: Chuck Winn, District 4

AYES: Miller, Winn, Elliott, Patti, Villapudua

3. CC - Adopt the San Joaquin County Encampment Management and Resolution Policy.

County Counsel Mark Myles opened item and introduced Deputy County Counsel Erin Sakata, and Deputy County Counsel Bob O'Rourke, who presented the staff report.

Amanda Lee commented on this item.

Motion to adopt the San Joaquin County Encampment Management and Resolution Policy. Approved. B-19-262

RESULT: ADOPTED [UNANIMOUS]

MOVER: Tom Patti, District 3

SECONDER: Chuck Winn, District 4

AYES: Miller, Winn, Elliott, Patti, Villapudua

1:40 p.m. - 2:00 p.m. - The Board was in recess.

4. CC - Introduce and Waive Reading of an Ordinance Amending the San Joaquin County Code of Ordinance Title 4, Division 10, Chapter 1 Commercial Cannabis Activity to Allow Development Agreements. (Said Ordinance to be Adopted on May 21, 2019)

County Counsel Mark Myles opened this item and introduced Zoey Merrill, Deputy County Counsel - Interim Director, Community Development Department, who presented the staff report.

Zack Drivon, an unidentified member of the public, and George Bianchini commented in support of this item.

Motion to approve staff recommendations as outlined in the Board Letter. Approved.
R-19-58

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

5. CC - Approve an Extension of the Interim Urgency Ordinance Declaring a Temporary Moratorium on the Cultivation of Industrial Hemp Within the Unincorporated Areas of San Joaquin County (Ordinance No. 4528) and Accept and Issue the Status Report on the Actions Taken to Alleviate the Conditions Necessitating Interim Urgency Ordinance No. 4528. (4/5ths Vote Required)

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

2:44 p.m. - Chairman Villapudua opened the public hearing.

Zack Drivon commented on the potential conflict between the commercial cannabis and industrial hemp industries and expressed support for this item.

George Bianchini commented in opposition of this item.

2:49 p.m. - Chairman Villapudua closed the public hearing.

Motion to approve staff recommendations as outlined in the Board Letter. Approved.
R-19-59

RESULT: ADOPTED [UNANIMOUS]
MOVER: Chuck Winn, District 4
SECONDER: Bob Elliott, District 5
AYES: Miller, Winn, Elliott, Patti, Villapudua

Motion to issue the written report on the measures taken to alleviate the conditions necessitating Interim Urgency Ordinance No. 4528. Approved. B-19-263

RESULT: ADOPTED [UNANIMOUS]
MOVER: Tom Patti, District 3
SECONDER: Bob Elliott, District 5
AYES: Miller, Winn, Elliott, Patti, Villapudua

BOARD OF SUPERVISORS COMMENTS AND COMMITTEE REPORTS

Supervisor Patti requested information to support statements made during Discussion Item #1.

Chairman Villapudua reported on the success of a recent clean-up effort in the First District and thanked the various departments that provided services during the event.

CLOSED SESSION

There is no closed session scheduled for this date.

SCHEDULED AFTERNOON ITEMS

1. HR - 1:30 P.M. - Service and Retiree Award Presentation.

This item was postponed due to the power outage in the building.

ADJOURN TO TUESDAY, MAY 14, 2019 AT 9:00 A.M.

3:07 p.m. - Chairman Villapudua adjourned to Tuesday, May 14, 2019 at 9:00 a.m.