



Board of Supervisors  
San Joaquin County

TOMPATTI  
Chairman  
Third District

CHUCK WINN  
Vice-Chair  
Fourth District

MIGUEL VILLAPUDUA  
First District

KATHERINE M. MILLER  
Second District

ROBERT RICKMAN  
Fifth District

Vacant  
County Administrator

J. MARK MYLES  
County Counsel

RACHÉL DeBORD  
Clerk of the Board

## Minutes

**SAN JOAQUIN COUNTY BOARD OF SUPERVISORS  
MINUTES OF  
TUESDAY, JANUARY 26, 2021  
9:00 AM**

### **Commencement of Meeting**

**9:01 a.m.** - Chairman Patti commenced the meeting of January 26, 2021, and called for a moment of silence, silent reflection, or silent prayer.

### **Pledge of Allegiance**

Sheriff Withrow and staff led in the Pledge of Allegiance.

### **Roll Call**

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

### **PUBLIC COMMENT**

On behalf of the public, Clerk of the Board Rachel DeBord (telephonically) read public comments received by the Board of Supervisors.

### **MINUTES**

There were no minutes for approval this date.

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

1. BOS - Approve the Appointment of One Position to the Advisory Water Commission: (1) Urban Flood Control Reclamation District Representative, Position No. 1018.1, for the Unexpired Term of August 23, 2019 Through August 23, 2023.

**Motion to appoint Michael Panzer to the Advisory Water Commission as Urban Flood Control Reclamation District Representative, Position No. 1018.1, for the unexpired term of August 23, 2019 through August 23, 2023. Approved.**

2. BOS - Approve the Appointment of One Position to the Building Board of Appeals: (1) Licensed Architect, Position No. 1701, for the Term Unexpired Term of March 27, 2019 Through March 27, 2023.

**Motion to appoint Melanie Vieux to the Building Board of Appeals as Licensed Architect, Position No. 1701, for the unexpired term of March 27, 2019 through March 27, 2023. Approved.**

3. BOS - Approve the Appointment of One Position to the Council for Quality Care and Education of Children: (1) Child Care Provider Representative, Position No. 2501.3, for the Term October 30, 2020 Through October 30, 2022.

**Motion to appoint Noel Krogh to the Council for Quality Education and Care of Children as Child Care Provider Representative, Position No. 2501.3, for the term of October 30, 2020 through October 30, 2022. Approved.**

4. BOS - Approve the Appointment of Two Positions to the Health Commission of San Joaquin County: (1) San Joaquin Medical Association Nominee, Position No. 3307.2, for the Term February 16, 2021 Through February 16, 2023 and (1) County Administrator Designee, Position No. 3303, for a Permanent Term.

**Motion to appoint Neeleesh Bangalore to the San Joaquin County Health Commission as San Joaquin Medical Association Nominee, Position No. 3307.2, for the term of February 16, 2021 through February 16, 2023. Approved.**

**Motion to appoint Matt Paulin to the San Joaquin County Health Commission as County Administrator Designee, Position No. 3303, for a permanent term. Approved.**

5. BOS - Approve the Nomination of One Position to the Juvenile Justice-Delinquency Prevention Commission: (1) Fifth Supervisorial District Representative, Position No. 3905, for the Term February 15, 2021 Through February 15, 2025.

**Motion to appoint Linda Silverman to the Juvenile Justice Delinquency Prevention Commission as Fifth Supervisorial District Representative, Position No. 3905, for the term of February 15, 2021 through February 15, 2025. Approved.**

6. BOS - Approve the Appointment of One Position to the Planning Commission: (1) Fifth Supervisorial District Representative, Position No. 5205, for the Term January 1, 2021 Through January 1, 2025.

**Motion to appoint Jass Sangha to the Council for Planning Commission as Fifth Supervisorial District Representative, Position No. 5205, for the term of January 1, 2021 through January 1, 2025. Approved.**

7. BOS - Approve the Appointment of One Position to the San Joaquin Valley Unified Air Pollution Control Citizen's Advisory Committee: (1) Agricultural/Industry Alternate Representative, Position No. 5801A, for the Term December 4, 2020 Through December 4, 2024.

**Motion to appoint David Phippen to the San Joaquin Valley Unified Air Pollution Control Citizen's Advisory Committee as Agricultural Industry Alternate Representative, Position No. 5801A, for the term of December 4, 2020 through December 4, 2024. Approved.**

8. BOS - Approve the Appointment of Two Positions to the Workforce Development Board: (2) At-Large Business Representatives, Position Nos. 7208.3 and 7208.5, for the Terms January 26, 2021 Through January 26, 2023.

**Motion to appoint David Culberson to the Workforce Development Board as At-Large Representative, Position No. 7208.3, for the term of January 26, 2021 through January 26, 2023. Approved.**

**Motion to appoint Mayra Cuevas to the Workforce Development Board as At-Large Representative, Position No. 7208.5, for the term of January 26, 2021 through January 26, 2023. Approved.**

### **COVID-19 DISCUSSION**

1. BOS - Discuss and Receive Update on COVID-19 Pandemic in San Joaquin County and Provide Direction to Staff or Adopt Orders as Necessary.

Public Health Office Dr. Maggie Park presented this item to the Board.

Dr. Park, Health Care Services Director Greg Diederich, General Services Director Marcia Cunningham, Deputy Director General Services - Emergency Operations Shellie Lima, Assistant County Administrator Matt Paulin, Fire Chiefs Association President Chief Neely, and County Counsel Mark Myles responded to questions by the Board.

On behalf of the public, Clerk of the Board, Rachel DeBord (telephonically) read public comments received by the Board.

2. CC - Discussion Regarding Adopting Uncodified Urgency Ordinance to Establish a Temporary Cap on Charges by Third-Party Food Delivery Services for Ordering and Delivery of Food From Restaurants Within San Joaquin County.

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

**Motion to direct staff to complete the required public noticing and bring back the emergency Ordinance for adoption. Approved.**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Robert Rickman, District 5  
**SECONDER:** Chuck Winn, District 4  
**AYES:** Miller, Winn, Patti, Villapudua, Rickman

#### CONSENT ITEMS #1 - 27

Consent Item #4 was pulled by Chairman Patti for discussion. County Counsel Mark Myles and Human Resources Director Brandi Hopkins responded to questions by the Board.

Following discussion, the consensus of the Board was to bring this item to the Board for consideration at the meeting of February 9, 2021 following additional review.

Consent Item #20 was pulled by Chairman Patti. Public Works Director Kris Balaji responded to questions of the Board.

**Motion to approve Consent Items #1-3 and 5-22. Approved.**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Miguel Villapudua, District 1  
**SECONDER:** Chuck Winn, District 4  
**AYES:** Miller, Winn, Patti, Villapudua, Rickman

#### CONSENT - GENERAL GOVERNMENT

1. AIR - Approval of a Hangar Lease Agreement Between the County of San Joaquin and JJET Enterprises.  
B-21-65; A-21-10
2. AUD - Authorization to Increase Purchase Order Amount With Eide Bailly, LLP for Single Audit Services for the 2019-2020 Fiscal Year From \$206,829 to \$348,629.  
B-21-66
3. BOS - Receive and Refer all Board Communications as Outlined on the Communications Distributions Listing.  
B-21-67

4. BOS - Appointment of Legislative Assistant for the Second Supervisorial District.  
Continued
5. CAO - Retroactively Approve the 2021 Proposed Budget for Lodi Grape Festival and National Wine Show, Inc., Totaling \$1,267,001 for the 2021 Calendar Year.  
B-21-68
6. COB - Approve the Announcement of Eleven Positions to Various Boards and Commissions and Set the Application Deadline for February 19, 2021.  
B-21-69
7. ROV - Adopt a Resolution Appointing the Sole Nominee to the Board of Trustees for Reclamation District No. 1614.  
R-21-4

**CONSENT - HEALTH AND HUMAN SERVICES**

8. EEDD - Approval of Workforce Development Board Application to be America's Job Center of California Adult and Dislocated Worker Career Services Provider.  
B-21-70
9. HSA - Retroactive Approval of the 2019-2024 San Joaquin County Child and Family Services Review System Improvement Plan From October 1, 2019 Through October 1, 2024.  
B-21-71
10. PHS - Retroactive Approval of Program Plans and Budgets for Child Health and Disability Prevention and California Children's Services Programs for 2020-2021 Totaling \$6,443,829.  
B-21-72
11. SJGH - Approval of the Per Diem CRNA Employment Contract for Rick Fox, CRNA, Department of Anesthesia, for the Period February 1, 2021 Through June 30, 2022, for an Amount Not to Exceed \$64,000 per Fiscal Year.  
B-21-73; A-21-11
12. SJGH - Approval of the Per Diem CRNA Employment Contract for Levia Sutton, CRNA, Department of Anesthesia, for the Period February 1, 2021 Through June 30, 2022, for an Amount Not to Exceed \$64,000 per Fiscal Year.  
B-21-74; A-21-12

13. SJGH - Approval of the Per Diem CRNA Employment Contract for Julie Facer, CRNA, Department of Anesthesia, for the Period February 1, 2021 Through June 30, 2022, for an Amount Not to Exceed \$64,000 per Fiscal Year.  
B-21-75; A-21-13
14. SJGH - Approval of Salary Adjustment to Employment Contract With Donn Campbell, CRNA, Department of Anesthesia, From \$90,982 to \$101,900 for the Period February 1, 2021 Through June 30, 2021, and From \$222,876 to \$249,620 for the Period July 1, 2021 Through June 30, 2022.  
B-21-76; A-21-14
15. SJGH - Approval of Salary Adjustment to Employment Contract With Paul Shin, CRNA, Department of Anesthesia, From \$80,775 to \$92,891 for the Period February 1, 2021 Through June 30, 2021, and From \$197,872 to \$227,553, for the Period July 1, 2021 Through June 30, 2022.  
B-21-77; A-21-15
16. SJGH - Retroactive Approval for Salary Adjustment to Employment Contract for Dr. Azeem Oladunjoye, Department of Surgery, Increasing the Biweekly Salary From \$20,769 to \$21,538, Effective September 14, 2020.  
B-21-78; A-21-16
17. SJGH - Retroactive Approval of the Master Consulting Services Agreement With Toyon Associates, Inc., for Hospital Reimbursement Consultant Services, Effective January 1, 2021 Through December 31, 2024, at an Amount Not to Exceed \$762,000.  
B-21-79; A-21-17
18. SJGH - Approval of Third Amendment to the Agreement (A-18-20) With Aureus Radiology, LLC for the Provision of Temporary Radiology Technologist Staffing Coverage, Increasing the Not to Exceed Amount by \$1,462,200 and Extending the Term for an Additional Year Through January 31, 2022, for a Total Not to Exceed Amount of \$5,227,027 for the Period February 1, 2018 Through January 31, 2022.  
B-21-80; A-21-18

**CONSENT - LAW & JUSTICE**

19. DCSS - Approve and Authorize the Director of the Department of Child Support Services to Execute an Agreement With Universal Protection Service, LP for Unarmed Security Guard Services for the Department of Child Support Services at 409 E. Market Street, Stockton, CA for the Period February 1, 2021 Through January 31, 2024, for a Total Cost Not to Exceed \$375,000.  
B-21-81; A-21-19

**CONSENT - PUBLIC WORKS**

20. PW - Award of Contract for the Eight Mile Road Bridge No. 29C-219 Rehabilitation Over White Slough (Honker Cut), Federal Aid Project No. BRLS-5929(233) to Golden State Bridge Inc., in the Amount of \$4,614,655 and Authorization of Change Order Authority of up to \$461,345. (4th District) (4/5ths Vote Required)

R-21-5

21. PW - Approve Two Agreements to Purchase Right-of-Way Easements at a Total Cost of \$53,044 for the Sexton Road Bridge Replacement Project. (4th District)

R-21-6; A-21-20; A-21-21

22. PW - Authorize Transfers From the Special District Settlement Fund of \$296,190 to Acampo Maintenance District \$304,966 to Mokelumne Acres Maintenance District, \$514,917 to San Joaquin Water Works No. 2 \$55,000 to Sunnyside Estates Maintenance District and Close the Special District Settlement Fund. (4th District)

B-21-82; Budget Appropriations B-21-82a

**CONSENT - COVID-19 RELATED**

23. CAO - Retroactive Approval of Amendment to Agreement With Community Foundation of San Joaquin for the Housing for the Harvest Program Extending the Term Through February 28, 2021 or up to a Total Cost Not to Exceed \$130,000; Authorize and Direct the Assistant County Administrator to Execute the Amendment; and Decrease Contract Amount From \$750,000 to \$130,000.

B-21-83; A-21-24

24. EEDD - Ratify and Approve First Quarter Revolving Loan Fund Approvals Pursuant to Delegated Authority Granted by the Board of Supervisors; and Approve Certain Changes to the Administrative Plan, Sudden & Severe Economic Dislocation Revolving Loan Fund Narrative, and Business Incubator Loan Program in Response to the On-Going Economic Impact of the COVID-19 Pandemic.

B-21-84

25. HSA - Retroactive Approval of First Amendment to Agreement (A-20-370) With Casella Bros Inc., DBA Brick House to Increase Funding From \$641,280 to \$918,291, and to Extend the Term to July 1, 2020 Through March 31, 2021.

B-21-85; A-21-22

26. HSA - Retroactive Approval of First Amendment to Agreement (A-20-349) With BOLT Staffing Service Inc., to Increase Funding From \$555,000 to \$725,000, and to Extend the Term to July 1, 2020 Through March 31, 2021.

B-21-86; A-21-23

27. PHS - Approve Additional Expenditures and Budget Adjustments for Items Requested to Assist in the Ongoing Response to COVID-19 by Health Care Services Agency Divisions of Public Health Services and Emergency Medical Services as Stated Within the Oral Report to the Board on January 5, 2021. (4/5ths Vote Required)

B-21-87; Budget Appropriations B-21-87a; R-21-7

### **SCHEDULED MORNING ITEMS/PUBLIC HEARINGS**

1. CDD - 9:00 A.M. - Public Hearing to Consider the Planning Commission's Recommendation to Approve Development Title Text Amendment No. PA-2000052 to Amend the Provisions for Second Unit Dwellings, Accessory Dwelling Units, and Junior Accessory Dwelling Units for all Agricultural and Residential Zones. (All Districts)

Community Development Department Director David Kwong, Principal Planner John Funderburg, Michael Dyett with Dyett and Bhatia Urban Regional Planners presented this item to the Board.

Mr. Kwong and Mr. Funderburg responded to questions of the Board.

**12:19 p.m.** - Chairman Patti opened and closed the public hearing. There were no public comments received for this item.

**Motion to approve Development Title Text Amendment No. PA-2000052 to amend provisions for second unity dwellings, accessory dwelling units, junior accessory dwelling units for all agricultural and residential zones. Approved.** Ordinance No, 4568

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Katherine M. Miller, Chair - District 2

**SECONDER:** Chuck Winn, District 4

**AYES:** Miller, Winn, Patti, Villapudua, Rickman

2. CDD - 9:00 A.M. - Public Hearing to Consider the Planning Commission's Recommendation to Adopt a Negative Declaration and Approve Zone Reclassification Application No. PA-2000107 and Minor Subdivision Application No. PA-2000109 of Eugene Stoddart (c/o Dillon and Murphy). (4th District)

Community Development Department Director David Kwong introduced and Principal Planner John Funderburg presented this item to the Board.

**12:30 p.m.** - Chairman Patti opened the public hearing.



Joe Murphy with Dillon and Murphy (telephonically) spoke in favor of the project.

**12:31 p.m.** - Chairman Patti closed the public hearing.

**Motion to accept staff recommendations. Approved.** Ordinance no. 4569; B-21-90

**RESULT:**       **ADOPTED [UNANIMOUS]**

**MOVER:**       Miguel Villapudua, District 1

**SECONDER:** Robert Rickman, District 5

**AYES:**         Miller, Winn, Patti, Villapudua, Rickman

3. PW - 9:00 A.M. Public Hearing for Establishment of Community Facilities District 2020-1 (Lockeford Vistas Maintenance) and Adopt an Ordinance Authorizing Levy of a Special Tax. (4th District)

Chairman Patti announced that this item was continued at the request of the applicant.

### **DISCUSSION**

#### **DISCUSSION - GENERAL GOVERNMENT**

1. CAO - Approval of the 2021 Supervisorial Redistricting Plan.

Mo Hatef, Senior Deputy County Administrator presented this item to the Board.

Ms. Hatef and Community Development Director David Kwong responded to questions of the Board

**Motion to approve the 2021 Supervisorial Redistricting Timeline, establish a Redistricting Advisory Committee and appoint two members from each district to the committee. Approved.** B-21-88

**RESULT:**       **ADOPTED [4 TO 1]**

**MOVER:**       Katherine M. Miller, Chair - District 2

**SECONDER:** Chuck Winn, District 4

**AYES:**         Miller, Winn, Patti, Villapudua

**NAYS:**         Rickman

2. CAO - Seek Approval to Pursue Request for Proposal Regarding Congressional Redistricting and the Formation of a Coalition on Central Valley Interests.

Joleena Voorhis, Deputy County Administrator, presented this item and responded to questions by the Board.

**Motion to approve staff recommendations. Approve. B-21-89****RESULT: ADOPTED [UNANIMOUS]****MOVER:** Chuck Winn, District 4**SECONDER:** Katherine M. Miller, Chair - District 2**AYES:** Miller, Winn, Patti, Villapudua, Rickman

3. CC - Consideration of Proposed Revisions to the San Joaquin County Board of Supervisors Code of Ethics.

County Counsel Mark Myles introduced and Shelline Kay Bennett of Liebert Cassidy Whitmore (telephonically) presented this item to the Board.

Mr. Myles and Ms. Bennett responded to questions of the Board. The Board discussed clarification on what constitutes a conflict related to bias, the composition of an ad hoc committee to review complaints, the process for such review, and additional details regarding possible actions the Board may take in response to a violation. Further, the Board agreed for the need of a super majority when an ethics violation is brought to the Board for action and recommended department level violations could be handled administratively. Ms. Bennett and Mr. Myles also agreed to review and consider whether actions taken by an ad hoc committee should be reported to the Board.

Following discussion, the Board consensus was for County Counsel to apply suggested edits and bring a draft back to a future meeting.

**1:40 p.m.** - Chairman Patti called for a twenty minute recess.

**2:03 p.m.** - Chairman Patti reconvened the meeting.

4. ISD - Discuss the 2020 Presidential Primary and General Elections in San Joaquin County and Review the Challenges, Lessons Learned and Best Practices for the San Joaquin County Registrar of Voters.

Information Systems Director Chris Cruz presented this item to the Board.

Mr. Cruz, Registrar of Voters Melinda Dubroff, Payson Hall of Cataysis Group, and County Counsel Mark Myles responded to questions of the Board.

On behalf of the public, Clerk of the Board Rachel DeBord (telephonically) read public comments received by the Board on this item.

**RESULT: ADOPTED [UNANIMOUS]****MOVER:** Robert Rickman, District 5**SECONDER:** Miguel Villapudua, District 1**AYES:** Miller, Winn, Patti, Villapudua, Rickman

**BOARD OF SUPERVISORS COMMENTS AND COMMITTEE REPORTS**

Supervisor Rickman announced that all persons interested in agricultural burning complete requests as soon as possible. Additionally, if invoices are submitted for 2021 planting season, that will help to be placed on the priority list.

Chairman Patti requested to County Counsel to bring back to the Board a discussion on the Urgency Ordinance as it relates to Emergency Services to review our current protocol and assignment of the role of Director of Emergency Services.

**CLOSED SESSION**

**3:30 p.m.** - County Counsel Mark Myles announced the Board would meet in Closed Session on the items listed on the Agenda. Mr. Myles stated there were no announcements expected coming out of Closed Session.

1. CONFERENCE WITH LABOR NEGOTIATOR  
California Government Code Section 54957.6

Agency Negotiator: Brandi Hopkins

Employee Organizations: SEIU, San Joaquin County Attorneys Association, San Joaquin County Correctional Officers Association, SEIU Local 2015, San Joaquin County Management Association, San Joaquin District Attorney Investigators Association, Union of American Physicians and Dentists, San Joaquin County Probation Officers Association, California Nurses Association, San Joaquin County Law Enforcement Management Association, San Joaquin Deputy Sheriffs Association, Sheriff Deputy Sergeant Association, and Unrepresented.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Initiation of litigation pursuant to California Government Code Section 54956.9(c): One Case
3. PUBLIC EMPLOYMENT APPOINTMENT  
California Government Code Section 54957

Title: County Administrator

Title: Employment & Economic Development Director

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

Best Supplement Guide, LLC, et al. v. Gavin Newsom, et al.  
United States District Court Case No. 2:20-CV-00965-JAM-CKD

Cross Culture Christian Center, et al. v. Gavin Newsom, et al.  
United States District Court Case No. 2:20-at-00402

**SCHEDULED AFTERNOON ITEMS**

There were no afternoon items scheduled for this date.

**ADJOURN TO TUESDAY, FEBRUARY 9, 2021 AT 9:00 A.M.**

**3:30 p.m.** - Chairman Patti adjourned the meeting to Tuesday, February 9, 2021 at 9:00 a.m.