



Board of Supervisors
San Joaquin County

MANUEL LOPEZ
Interim County Administrator

J. MARK MYLES
County Counsel

RACHÉL DeBORD
Clerk of the Board

TOM PATTI
Chairman
Third District

CHUCK WINN
Vice-Chair
Fourth District

MIGUEL VILLAPUDUA
First District

KATHERINE M. MILLER
Second District

ROBERT RICKMAN
Fifth District

Draft Minutes

**SAN JOAQUIN COUNTY BOARD OF SUPERVISORS
MINUTES OF
TUESDAY, MARCH 23, 2021
9:00 AM**

Commencement of Meeting

Chairman Patti commenced the regular meeting of March 23, 2021 at 9:03 a.m. and called for a moment of silence, silent prayer, or silent reflection in remembrance of Boulder Police Department Officer Eric Talley, the victims of Boulder Colorado mass shooting, and San Joaquin County Sheriff's Deputies injured in a vehicle accident.

Pledge of Allegiance

General Services Director Marcia Cunningham 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

RECOGNITIONS

Sheriff Patrick Withrow acknowledged the retirement of Assistant Sheriff Greg Williamson on his 25 years of service.

1. BOS - Recognition of the Stockton Host Lions Club.

On behalf of the Board, Chairman Patti presented the Stockton Host Lion's Club with a Certificate of Recognition. President Blair Hake was joined by John Wesley, Carol Richardson, Anthony Wofford, Craig Wafer, Lawrence Borgens, and Ron Cutler to accept the recognition and addressed the Board.

2. BOS - Proclaim March 24, 2021 as "Equal Pay Day" in San Joaquin County.

On behalf of the Board, Chairman Patti proclaimed March 24, 2021 as Equal Pay Day in San Joaquin County. Donna Hammel and Vanha To-Cowell, Co-presidents of the American Association of University Woman accepted the proclamation and addressed the Board.

PUBLIC COMMENT

District Attorney Tori Verber-Salazar requested San Joaquin County acknowledge Cesar Chavez Day as an official holiday of the County.

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

MINUTES

Motion to approve the minutes as listed on the Agenda. Approved. B-21-161

RESULT: ADOPTED [UNANIMOUS]

MOVER: Robert Rickman, District 5

SECONDER: Miguel Villapudua, District 1

AYES: Miller, Winn, Patti, Villapudua, Rickman

1. Board of Supervisors - Regular Meeting - Feb 9, 2021 9:00 AM
2. Board of Supervisors - Special Meeting - Mar 3, 2021 9:00 AM

APPOINTMENTS TO BOARDS AND COMMISSIONS

RESULT: ADOPTED [UNANIMOUS]

MOVER: Chuck Winn, District 4

SECONDER: Robert Rickman, District 5

AYES: Miller, Winn, Patti, Villapudua, Rickman

1. BOS - Approve the Appointment of Three Positions to the Children and Families Commission: (3) Community Members, Position Nos. 1902.4, 1902.5, and 1902.6, for the Terms March 9, 2021 Through March 9, 2025.

Motion to appoint three Community Member positions to the Children and Families Commission: Position No. 1902.4 Lisa Vela; Position No. 1902.5 Tony Anderson; and Position No. 1902.6 Dr. Maggie Park for the terms March 9, 2021 Through March 9, 2025. Approved.

2. BOS - Approve the Appointment of One Position to the Lodi Community Center Advisory Board: (1) At-Large Representative, Position No. 4501.2, for the Term March 10, 2021 Through March 10, 2024.

Motion to appoint one At-Large Representative position to the Lodi Community Center Advisory Board: Position No. 4501.2 Nancy Haberman for the term March 10, 2021 through March 10, 2024. Approved.

3. BOS - Approve the Appointment of One Position to the Morada Municipal Advisory Council: (1) Member, Position No. 4601.7, for the Term December 4, 2020 Through December 4, 2022.

Motion to appoint one Member position to the Morada Municipal Advisory Council: Position No. 4601.7 George Visgilio for the term December 4, 2020 through December 4, 2022. Approved.

4. BOS - Approve the Appointment of Ten Positions to the Redistricting Advisory Committee: (2) First Supervisorial District Representatives, Position Nos. 7301.1 and 7301.2; (2) Second Supervisorial District Representatives, Position Nos. 7302.1 and 7302.2; (2) Third Supervisorial District Representatives, Position Nos. 7303.1 and 7303.2; (2) Fourth Supervisorial District Representatives, Position Nos. 7304.1 and 7304.2; (2) Fifth Supervisorial District Representatives, Position Nos. 7305.1 and 7305.2, Until December 15, 2021.

Motion to appoint ten positions to the Redistricting Advisory Committee: (2) First District Representatives, Position Nos. 7301.1 (Oscar Valdez) and 7301.2 (Robert Mooney); (2) Second District Representatives, Position Nos. 7302.1 (Anne Baird) and 7302.2 (Max Vargas); (2) Third District Representatives, Position Nos. 7303.1 (James Grunsky) and 7303.2 (Mike Morowit); (2) Fourth District Representatives, Position Nos. 7304.1 (Pamela Eibeck) and 7304.2 (Summer Pennino); and (2) Fifth District Representatives, Position Nos. 7305.1 (Alice English) and 7305.2 (Stephen Debrum). Approved.

5. BOS - Approve the Appointment of One Position to the Woodbridge Municipal Advisory Council: (1) Member, Position No. 6601.5, for the Unexpired Term of December 4, 2020 Through December 4, 2024.

Motion to appoint one Member Position to the Woodbridge Municipal Advisory Council, Position No. 6601.5 Tia Fawn Szkodzinski, for the unexpired term of December 4, 2020 through December 4, 2024. Approved.

COVID-19 DISCUSSION

Supervisor Miller requested discussion regarding public comment restrictions reduced to 100 written words. She requested staff come back with a plan and realistic timeline to safely begin reopening chambers.

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 Officer Dr. Maggie Park, Health Care Services Director Greg Diederich, Office of Emergency Services Director Shellie Lima addressed the Board. Dr. Park, Mr. Diederich, Ms. Lima, County Counsel Mark Myles, Interim County Administrator Manuel Lopez, and General Services Director Marcia Cunningham responded to questions of the Board.

2. BOS - Approve the Transfer of \$1.0 Million From the Contingency Provision Budget for the RAD Gift Card Program to Assist San Joaquin County Businesses, and Direct the Director of the Employment and Economic Development Department, or Designee, to Take the Appropriate Actions Required to Implement the Program. (4/5ths Vote Required)

Chairman Patti introduced this item and called on Josh Bridegroom, CEO of Downtown Modesto Partnership, who addressed the Board (telephonically).

Interim County Administrator Manuel Lopez and County Counsel Mark Myles responded to questions of the Board.

On behalf of the public, Clerk of the Board Rachel DeBord read public comments received by the Board of Supervisors regarding this item.

Motion to approve pending the approval of the County Administrators Office on the program details and County Counsel on the legalities. Approved.

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

CONSENT ITEMS #1 - 23

Consent Item #5 was pulled by Supervisor Miller for a separate vote. Interim County Administrator Manuel Lopez provided an oral report on the salary pursuant to Government Code 54953(c)(3).

Auditor-Controller and newly appointed County Administrator Jay Wilverding addressed the Board.

Motion to approve Consent Item #5. Approved.

RESULT: ADOPTED [3 TO 2]
MOVER: Tom Patti, District 3
SECONDER: Miguel Villapudua, District 1
AYES: Patti, Villapudua, Rickman
NAYS: Miller, Winn

Motion to approve Consent Items #1-4, and 6 - 23. Approved.

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

CONSENT - GENERAL GOVERNMENT

1. AGCOMM - Approve the Closure of the Agricultural Commissioner's Satellite Office in Ripon.
B-21-168
2. BOS - Receive and Refer all Board Communications as Outlined on the Communications Distributions Listing.
B-21-169
3. COB - Approve the Announcement of Two Positions to Various Boards and Commissions and Set the Application Deadline for April 16, 2021.
B-21-170
4. GEN/SER - Approval of the Submission of a Grant Application on Behalf of San Joaquin County for the Fiscal Year 2020 Federal Emergency Management Performance Grant (EMPG) for \$280,007.
B-21-171
5. HR - Approve Employment Agreement With Jerome C. Wilverding as the County Administrator of San Joaquin County Effective March 29, 2021.
B-21-172; A-21-62
6. ISD - Approve an Agreement Between San Joaquin County and Karpel Solutions for the Purchase, Implementation, and Maintenance of a Case Management System for the San Joaquin County District Attorney in the Amount of \$2,185,100.
B-21-173; A-21-49

7. ISD - Approve the First Amendment to Land Lease Agreement (A-16-66) With Kenneth C. Moeller, DBA Moeller Mt. Oso Communications in the Amount of \$76,643 for a Radio Communications Tower Site Located on Mt. Oso in Westley, CA for the Period of April 1, 2021 Through March 31, 2026.

B-21-174; A-21-50

8. ROV - Adopt a Resolution Appointing the Nominees to the Board of Trustees for Reclamation Districts No. 2023 and 2027.

R-21-30

CONSENT - HEALTH AND HUMAN SERVICES

9. BHS - Approval of a Psychiatric Employment Agreement with Nia Lozano, M.D., for Medical Director of Behavioral Health Services Effective June 1, 2021 to June 30, 2022, for an Annual Base Salary of \$375,479.

B-21-175; A-21-51

10. EEDD - Approval of Application for Local Area Subsequent Designation and Local Workforce Development Board Recertification Under the Workforce Innovation and Opportunity Act.

B-21-176

11. HCS - Retroactive Approval of Agreement With Gospel Center Rescue Mission for Recuperative Care and Patient Centered Residential Recovery New Life Program Services Under the Whole Person Care Pilot Program for the Term of January 1, 2021 Through June 30, 2021, Not to Exceed a Total Amount of \$223,115.

B-21-177; A-21-52

12. HCS - Report on the Health Commissions Intent to Serve as the Local Initiative Health Plan for Up to Five Regional Counties.

B-21-178

13. HSA - Approval of Second Amendment to Agreement With Community Foundation of San Joaquin for the Housing for the Harvest Program Extending the Term Through June 30, 2021, Total Cost Not to Exceed \$1,148,000 and Related Budget Adjustments. (4/5th Vote Required)

B-21-179; Budget Appropriations B-179a; A-21-53

14. SJGH - Retroactive Approval of Agreement With Medtronic USA Inc., for Radiologic Equipment Maintenance Service Support for the Period February 3, 2021 to February 2, 2024, at an Amount Not to Exceed \$651,300 Over a Three-Year Period.

B-21-180; A-21-54

15. SJGH - Retroactive Approval of the Physician Agreements With Aetna Network Services LLC for a Three-Year Term, Effective January 1, 2021 Through December 31, 2024.

B-21-181; A-21-55; A-21-56; A-21-57

16. SJGH - Retroactive Approval of the Fee-for-Service Hospital Service Agreement With Health Plan of San Joaquin, Effective March 15, 2021.

B-21-182; A-21-58

17. SJGH - Retroactive Approval of the Fee-for-Service Physician Group Medical Service Agreement With Health Plan of San Joaquin, Effective March 15, 2021.

B-21-183; A-21-59

CONSENT - LAW & JUSTICE

18. SO - Approve Purchase of Communications Digital Logger Redundancy System for \$29,500 and Related Budget Adjustments. (4/5ths Vote Required)

B-21-184; Budget Appropriations B-21-184a

CONSENT - PUBLIC WORKS

19. PW - Approval of the 2020-2021 Transportation Development Act Claim for Bicycle and Pedestrian Ways and Streets and Roads in the Amount of \$520, 281. (All Districts)

B-21-185

20. PW - Adoption of the Initial Study/Mitigated Negative Declaration for the Bollea Road Bridge (29C-413) Over Bear Creek Replacement Project. (4th District)

B-21-196

CONSENT - COVID-19 RELATED

21. GEN/SER - Approval of a Third Amendment of an Emergency Master Occupancy Agreement Between San Joaquin County and Eshpal Hospitality Property LLC, DBA Motel 6 Located at 817 Navy Drive, Stockton, California Extending the Term Through June 30, 2021, and Related Budget Adjustments. (4/5ths Vote Required)

B-21-186; Budget Appropriations B-21-186a; A-21-60

22. PHS - Retroactive Approval of Amended Grant Agreement With the California Department of Public Health for Supplemental Immunization Program Funds for the Period of July 1, 2020 Through June 30, 2021, Increasing the Grant Amount by \$255,895 With a Maximum Payable Amount of \$1,382,252 for the Grant Term of July 1, 2017 through June 30, 2022, and Approval of Related Budget Adjustments. (4/5ths Vote Required)

B-21-187; Budget Appropriations B-21-187a; A-21-61

23. SJGH - Approval of Retroactive Increase to the Purchase Order With Arjo Inc., for Rental of the RotoProne Bed and Maintenance Service Support for the Period July 1, 2020 to June 30, 2021, at an Amount Not to Exceed \$850,000.

B-21-288

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-2000004 to Amend the Agricultural Mitigation Chapter (9-1080) of the Development Title. (All Districts)

Community Development Director David Kwong and Senior Planner Megan Aguirre presented this item to the Board. Mr. Kwong, Ms. Aguirre and County Counsel Mark Myles responded to questions of the Board.

12:28 p.m. - Chairman Patti opened the public hearing.

On behalf of the public, Clerk of the Board Rachel DeBord read comments received by the Board regarding this item.

Charlotte Mitchell (telephonically) spoke in opposition of the item as presented.

John Beckman (telephonically) spoke in favor of the item.

12:33 p.m. - Chairman Patti closed the public hearing.

Following discussion and public testimony the Board directed staff to table the item, reevaluate and bring the item back at a later date.

Motion to table the item and bring back to the Board at a later date. Approved.

RESULT: TABLED [UNANIMOUS]

MOVER: Tom Patti, District 3

SECONDER: Robert Rickman, District 5

AYES: Miller, Winn, Patti, Villapudua, Rickman

DISCUSSION

DISCUSSION - GENERAL GOVERNMENT

1. CC - Introduce and Waive Reading of an Ordinance Amending San Joaquin County Code of Ordinance Title 4, Division 3, Chapter 1 - General Regulations. (Said Ordinance to be Adopted April 6, 2021)

Chairman Patti announced this item was withdrawn at the request of County Counsel and will be resubmitted for Board consideration on April 6, 2021.

2. CDD - Ratify Tracy Rural Fire Protection District's Fire Code Amendments and Delegate Enforcement Authority to its Fire Chief or Their Authorized Representative.

Community Development Director David Kwong (Fire Warden) and Eric Merlo presented this item to the Board.

Mr. Kwong, Mr. Merlo and Tracy Rural Fire District Fire Marshall Tim Spears (telephonically) responded to questions of the Board.

Motion to approve staff recommendations. Approved. R-21-64

RESULT: ADOPTED [UNANIMOUS]

MOVER: Robert Rickman, District 5

SECONDER: Miguel Villapudua, District 1

AYES: Miller, Winn, Patti, Villapudua, Rickman

3. CDD - Approve the Revisions to the 2021 Supervisorial Redistricting Timeline and Redistricting Advisory Committee.

Community Development Director David Kwong and GIS Manager Dave Bolinger presented this item and responded to questions of the Board.

Motion to approve the revisions to the 2021 Supervisorial Redistricting Timeline and the addition of 5 alternate supervisorial representatives with the understanding that alternates only be active in meetings when there is an absence in their respective district. Approved. B-21-190

RESULT: ADOPTED [4 TO 1]

MOVER: Katherine M. Miller, District 2

SECONDER: Chuck Winn, District 4

AYES: Miller, Winn, Villapudua, Rickman

NAYS: Patti

DISCUSSION - HEALTH & HUMAN SERVICES

4. HCS - Adopt a Resolution Amending Departmental Position Allocation Listing for the Office of the Medical Examiner to Assign and Allocate Three Medical Examiner Investigators (RP5010) Effective March 29, 2021 and Approve Related Budget Adjustments. (4/5ths Vote Required)

Health Care Services Director Greg Diederich addressed the Board.

Motion to approve staff recommendations. Approved. R-21-32

RESULT: ADOPTED [UNANIMOUS]

MOVER: Robert Rickman, District 5

SECONDER: Chuck Winn, District 4

AYES: Miller, Winn, Patti, Villapudua, Rickman

BOARD OF SUPERVISORS COMMENTS AND COMMITTEE REPORTS

Supervisor Winn requested that an item be agendaized for discussion at the April 6, 2021 Board meeting with regard to public comment word count. Supervisor Patti additionally requested that a plan for when members of the public can resume attending Board meetings in person be added to that presentation.

Supervisor Miller acknowledged the eight Asian woman who were murdered in Atlanta, Georgia and the overall violence against older Asian-Americans. She proposed closing the meeting in solidarity with the Asian American and Pacific Islander members of San Joaquin County as a statement that this Board stands with them and supports that they be free from discrimination and violence.

Supervisor Rickman stated that during the February 9, 2021, meeting, he requested that an economic recovery plan be brought back to the Board. Interim County Administrator Manuel Lopez stated that the item would be ready at the meeting of April 6. Supervisor Rickman additionally thanked General Services Director Marcia Cunningham for her responsiveness to the issues at Larch Clover Park and requested consideration for the development of a south county regional park be explored further. He also wished everyone a Happy Easter.

Chairman Patti and members of the Board acknowledged Interim County Administrator Manuel Lopez. Mr. Lopez thanked the Board. Chairman Patti additionally recommended that the incoming County Administrator work with City Managers on the 2x2x2 strategic planning, utilizing Mr. Lopez as a resource to complete this process. Lastly, he addressed the Board's personal attacks on the Chairman and called for respect.

CLOSED SESSION

County Counsel Mark Myles announced at 1:27 p.m. that the Board would meet in Closed Session on Closed Session 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: Manuel Lopez; 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 – EXISTING LITIGATION
California Government Code Section 54956.9(a)

South San Joaquin County Fire Authority v. SJC EMS Agency
San Joaquin Superior Court Case No. STK-CV-UCC-2020-0004468

SCHEDULED AFTERNOON ITEMS

There were no afternoon items scheduled for this date.

ADJOURN TO TUESDAY, APRIL 6, 2021 AT 9:00 A.M.

Chairman Patti adjourned the meeting at 1:27 p.m. to Tuesday, April 6, 2021 at 9:00 a.m.