

**THE MINUTES OF THE REGULAR MEETING
OF THE COMMISSIONERS
OF THE HOUSING AUTHORITY
OF THE COUNTY OF SAN JOAQUIN
HELD JULY 16, 2020**

The Commissioners of the Housing Authority of the County of San Joaquin met in an Annual Meeting at 2575 Grand Canal Blvd., Stockton, California, at 4:10 p.m. on July 16, 2020. Certain Commissioners and Auditor of Smith Marion, Co., attended by teleconference as permitted by California Government Code § 54953 and Executive Order N-29-20.

The Chairperson called the meeting to order and upon roll call, those present and absent were as follows:

| | | |
|----------|-------------------|-------------------------|
| Present: | Patricia Barrett, | Second Vice Chairperson |
| | Ryan Gresham, | Chairperson |
| | Lester Patrick, | First Vice Chairperson |
| | Rudy Willey, | Commissioner |
| | Jon Mendelson, | Commissioner |
| Absent: | Martha Moore, | Commissioner |

The Chairperson declared a quorum present and called for the Pledge of Allegiance.

Also present were Peter W. Ragsdale, Executive Director; Gerald "Chip" Jones, Deputy Director; and Alan R. Coon, General Counsel.

APPROVAL OF THE MINUTES:

Following a discussion, Commissioner Patrick moved, Seconded by Commissioner Mendelson that the following Resolution be approved as read:

RESOLUTION NO. 20-25
RESOLUTION APPROVING MINUTES

RESOLVED AND ORDERED by the Board of Commissioners of the Housing Authority of the County of San Joaquin meeting in a Regular Meeting this 16th day of July, 2020, that the Minutes of the Regular Meeting held June 18, 2020, be, and the same hereby are approved and adopted and the Secretary be, and he hereby is authorized and directed to sign said Minutes for and on behalf of the Authority.

ROLL CALL:

AYES: Commissioners Barrett, Gresham,
Mendelson, Patrick, and Willey
NOES: None
ABSTAIN: None
ABSENT: Commissioner Moore

Upon roll call, the Chairperson declared the foregoing Resolution passed and adopted.

The Chairperson announced that the Board of Commissioners' meeting is recessed at this time, 4:12 p.m., so that the Commissioners could conduct the Delta Community Developers Corp. Board meeting.

The Board of Commissioners' meeting reconvened at 4:14 p.m.

The Chairperson called the meeting to order and upon roll call, those present and absent were as follows:

ROLL CALL:

AYES: Commissioners Barrett, Gresham, Mendelson, Patrick, and Willey

NOES: None

ABSTAIN: None

ABSENT: Commissioner Moore

EXECUTIVE DIRECTOR'S REPORT:

Mr. Peter W. Ragsdale, Executive Director, summarized certain properties, with development updates. Additionally, Executive Director advised Board that rents collected remained quite good considering COVID-19 effects.

Mr. Ragsdale, Executive Director, discussed Victory Gardens receipt of an award for low income tax credits during the first week of June 2020. Victory Gardens anticipates filing an application for low income housing tax credit during the fall of 2020 at 56.8% tie breaker which may close at year end.

REPORTS:

Each Commissioner received either paper copy or electronic copy of the Significant Purchases and Contracts Report; Capital Fund Projects Report; Draft Financials Report; Unlawful Detainer Report; Stockton Police Department Activity Report for Conway Homes, Sierra Vista and HCVP Liaison; Vacancy Report; and Cash Balances and Investments Report. Additionally, Executive Director advised Board that rents collected remained quite good considering COVID-19 effects.

PUBLIC COMMENTS:

There were none.

INFORMATION ITEMS:

There were none.

CONSENT ITEMS:

There were none.

ACTION ITEMS:

- 1.) Following a discussion, Commissioner Willey moved, seconded by Commissioner Barrett, that the following Resolution be approved as read:

**RESOLUTION NO. 20-26
RESOLUTION APPROVING 2020-2025 PUBLIC HOUSING
AGENCY (PHA) FIVE-YEAR PLAN; AUTHORIZING
CHAIRPERSON TO EXECUTE
PHA CERTIFICATION OF COMPLIANCE WITH PHA PLANS
AND RELATED REGULATIONS
(FORM HUD-50078-HCV);
AND AUTHORIZING EXECUTIVE DIRECTOR TO SUBMIT
2020-2025 PUBLIC HOUSING AGENCY
(PHA) FIVE-YEAR PLAN TO
U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT**

RESOLVED AND ORDERED by the Commissioners of the Housing Authority of the County of San Joaquin meeting in an Regular Meeting this 16th day of July, 2020 that that certain 2020-2025 Public Housing Agency (PHA) Five-Year Plan be, and the

same hereby is approved and adopted; that the Chairperson be, and he hereby is, authorized and directed to Execute PHA Certification of Compliance with PHA Plans and Related Regulations (Form HUD-50078-HCV); and, that the Executive Director be, and he hereby is, authorized and directed to submit the 2020-2025 Public Housing Agency (PHA) Plan to the U.S. Department of Housing and Urban Development.

ROLL CALL:

AYES: Commissioners Barrett, Gresham,
Mendelson, Patrick, and Willey

NOES: None

ABSTAIN: None

ABSENT: Commissioner Moore

Upon Roll Call, the Chairperson declared the foregoing Resolution passed and adopted.

ACTION ITEM:

- 2.) Following a discussion, Commissioner Mendelson moved, seconded by Commissioner Willey that the following Resolution be approved as read:

RESOLUTION NO. 20-27
RESOLUTION AUTHORIZING EXECUTION OF AN
AGREEMENT WITH STATE OF CALIFORNIA FOR THE DESIGN
AND CONSTRUCTION OF THE THORNTON PROJECT
(SEWER LINE TRANSMISSION); THE APPLICATION AND
AGREEMENT TO ENTER INTO LOAN(S) AND GRANT(S) FOR
ADDITIONAL FUNDING; AND TO CONTRACT FOR THE
CONSTRUCTION OF THE THORNTON PROJECT

WHEREAS, the Housing Authority of the County of San Joaquin ("Authority"), a public body corporate and politic, is the

owner of the legal properties of Mokelumne Manor (APN 001-150-43), Sartini Manor (001-300-01, 02, 03 & 04), and Vacant Parcel (001-150-45) of approximately 3.7 acres located in the community of Thornton, California ("Thornton Parcels"); and

WHEREAS, the Authority is the owner and operator of an aged wastewater treatment facilities ("Existing Facility") servicing the above mentioned properties which includes the infrastructure, real properties (APNs 001-150-49 and 001-150-32), and easements identified on San Joaquin County Tentative Map #S-78-4; and

WHEREAS, the Authority has completed the Thornton Wastewater Planning Project ("Planning Project") paid with grant funds which investigated and determined possible solutions to address deficiencies in the Existing Facility"; and

WHEREAS, the Authority, its engineers and representatives with the State of California's Department of Water Resources (DWR) and State Water Resources Control Board (SWRCB) have determined that the best option currently available is to connect the Existing Facilities with an 8-inch plus sewer force main to the Sacramento Area Sewer District (SASD) connection point ("Thornton Improvement Project"4), located approximately 2.2 miles north of the Thornton community,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Commissioners of the Housing Authority of the County of San Joaquin meeting in a Regular Meeting this 21st day of May 2020 as follows:

1. That the Executive Director, Deputy Director and Director of Finance ("Authorized Representatives") are hereby directed and authorized to execute a "Finalized Agreement" (currently estimated at \$7,470,000.00) to fund the Thornton Improvement

Project, in whole or part, and any and all related agreements with State of California agencies including, but not limited to, DWR and/or State Water Resources Control Board (SWRCB), and any amendments or changes thereto; and

2. That if it is determined that there is the need for additional funding to pay for and complete the Thornton Improvement Project , Authorized Representatives may seek, apply, negotiate and execute any and all applications, agreements, financing documents, and related documents thereto for the purpose of obtaining additional funding including, but not limited to, seeking grants or loans from United States Department of Agriculture – Rural Development (USDA-RD), State of California, San Joaquin County (community and public library use) and potential landowners or current users of the Existing Facilities and facilities completed by the Thornton Improvement Project (“Additional Funding Resources”); and

3. That Authorized Representatives are granted discretion and authority to execute any and all applicants and documents related to the Additional Funding Resources and, in addition, discretion and authority to negotiate all related documents; and

4. That, provided approval is granted by the Department of Housing and Urban Development (“HUD”), Authority may use funds from Capital Fund Program for the Thornton Improvement Project; and

5. That the Authorized Representatives have authorization to do any ancillary and additional actions related to the Finalized Agreement and Additional Funding Resources; and

6. That Authorized Representatives are granted discretion and authority to procure, negotiate and contract with contractor or contractors for the design, construction, and monitoring of the

Thornton Improvement Project ("Construction Agreements");
and

7. That the Authorized Representatives, or his/her designee, are directed and authorized to provide the assurances, certifications, and commitments required for any and all financial assistance applications; and

8. That the Authorized Representative, or his/her designee, are hereby designated to represent the Authority in carrying out the Authority's responsibilities under the Finalized Agreement, Additional Funding Resources documents, Construction Agreements including certifying disbursement requests on behalf of the Authority and compliance with applicable state and federal laws; and

9. That the appropriate officers and agents of the Authority including, without limitation, the Executive Director (to the extent execution is required on all documentation), Deputy Director and Finance Director, and General Counsel be, and hereby are, authorized and directed to take and perform such actions and execute such documents, certificates, opinions, and other instruments as they or any of them deem necessary, advisable, convenient or proper in order to effectuate the full intent of the Resolution set forth herein and that all actions taken by any of the officers and agents prior to the date of this July 16, 2020 meeting that effectuate the full intent of this Resolution are hereby adopted, affirmed and ratified by the Board of Commissioners on behalf of the Authority.

ROLL CALL:

AYES: Commissioners Barrett, Gresham,
Mendelson, Patrick, and Willey

NOES: None

ABSTAIN: None

ABSENT: Commissioner Moore

Upon Roll Call, the Chairperson declared the foregoing Resolution passed and adopted.

RESOLUTION NO. 20-28
RESOLUTION FOLLOWING PUBLIC EMPLOYEE
EVALUATION OF GENERAL COUNSEL;
AMENDMENT NO. 8 TO GENERAL COUNSEL
EMPLOYMENT AGREEMENT

WHEREAS, on July 16, 2020, the Board of Commissioners of the Housing Authority of the County of San Joaquin did conduct its annual evaluation of the performance of its General Counsel, Alan R. Coon, and reviewed the terms and conditions General Counsel's Employment Agreement ("Agreement") last revised in April, 2019; and

WHEREAS, the Commissioners found General Counsel's work to be outstanding and determined that he met or exceeded his duties and responsibilities as defined under the scope of work in his Agreement,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Commissioners of the Housing Authority of the County of San Joaquin in a Regular Meeting and Closed Session Meeting held this 16th day of July, 2020 that the Executive Director prepare and submit to the Chairperson this Resolution containing the following general terms and conditions:

That the General Counsel's Employment Agreement shall be amended so as to permit the General Counsel to work remotely two (2) out of his four (4) day a week work schedule; and

That the Chairperson shall execute this Resolution 20-28 which shall constitute Amendment No. 8 to the Agreement and shall be made effective June 1, 2020,

FURTHERMORE, BE IT RESOLVED AND ORDERED, by the Commissioners of the Housing Authority of the County of San Joaquin in a Regular Meeting and Closed Session Meeting held this 16th day of July, 2020, that the Chairperson submit this Resolution advising the general public of said outstanding evaluation and that General Counsel made no request for additional remuneration to the Agreement.

ROLL CALL:

AYES: Commissioners Barret, Gresham, Mendelson, Patrick, and Wiley

NOES: None

ABSTAIN: None

ABSENT: Commissioners Moore

Upon Roll Call, the Chairperson declared the foregoing Resolution passed and adopted.

WRITTEN COMMUNICATIONS:

There were none.

COMMISSIONERS' QUESTIONS & COMMENTS/AGENDA BUILDING:

There were none.

COMMISSIONERS' QUESTIONS & COMMENTS/AGENDA BUILDING (Continued):

There were none.

CLOSED SESSION:

Conference with Real Property Negotiators. Government Code §54956.8. **Property:** APN No. [TBD] – North Stockton Property, Stockton, CA. **Agency Negotiator:** Peter W. Ragsdale. **Under Negotiation:** Land Use.

Conference with Real Property Negotiators. Government Code §54956.8. **Property:** APN No. 169-050-15 – Victory Gardens/Manthey Road, French Camp, CA. **Agency Negotiator:** Peter W. Ragsdale. **Under Negotiation:** Land Use.

Conference with Real Property Negotiators. Government Code §54956.8. **Property:** Purchase and Financing of Creekside South Apartments, APN No. 060-100-03, Lodi, CA. **Agency Negotiator:** Alan R. Coon. **Negotiating Parties:** Housing Authority of the County of San Joaquin and Jared Taubert.

Conference with Real Property Negotiators. Government Code §54956.8. **Property:** Consider Joint Purchase and Financing of Undisclosed Lodi Property, APN tbd
Agency Negotiator: Peter Ragsdale and Alan R. Coon.
Negotiating Parties: Housing Authority of the County of San Joaquin and DFA Development.

Public Employee Performance Evaluation. Government Code §54957 (b) (1). Executive Director.

Public Employee Performance Evaluation. Government Code §54957 (b) (1). General Counsel.

Commencing Closed Session at 5:04 p.m., the Chairperson called the meeting to order and upon roll call, those present and absent were as follows:

Present: Patricia Barrett, Second Vice Chairperson
Ryan Gresham, Chairperson
Lester Patrick, First Vice Chairperson
Rudy Willey, Commissioner
Jon Mendelson, Commissioner
Absent: Martha Moore, Commissioner

The Chairperson declared a quorum present.

The Chairperson announced that there was no discussion regarding development projects in Tracy, CA, and further announced that Action regarding a TBD North Stockton, California real property for potential development opportunities but not reportable at this time.

The Board returned at 6:45 p.m. announcing that it had completed the evaluations of the Executive Director and General Counsel, and after further discussion and upon unanimous vote, announced that the Executive Director and General Counsel had high marks and met or exceeded their respective duties and, therefore, the Board does grant modifications to their respective contracts of employment as set forth in the attached Resolutions.

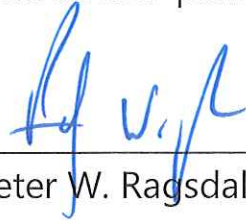
ADJOURNMENT:

There being no further business at hand, there was a unanimous vote, that the meeting be adjourned.

ROLL CALL:

AYES: Commissioners Barrett, Gresham, Patrick, Willey,
Mendelson
NOES: None
ABSTAIN: None
ABSENT: Commissioner Moore

Upon Roll Call the Chairperson declared the meeting adjourned at 5:27 p.m.



Peter W. Ragsdale, Secretary