



## BOARD OF SUPERVISORS

*Kristin Olsen, District 1*  
*Vito Chiesa, District 2*  
*Terry Withrow, District 3*  
*Tom Berryhill, District 4*  
*Jim DeMartini, District 5*

1010 10th Street  
Modesto, CA 95354  
Phone: 209-525-4494 Fax 209-525-4420

### AGENDA

April 21, 2020

Special Meeting  
5:30 PM

Regular Meeting  
6:30 PM

Chambers - Basement Level  
1010 10th Street  
Modesto, CA 95354

[www.stancounty.com/board/index.shtm](http://www.stancounty.com/board/index.shtm)

**MEMBERS OF THE PUBLIC MAY REMOTELY OBSERVE THE MEETING AND ADDRESS THE BOARD VIA TELEPHONE. THIS MEETING WILL NOT INCLUDE IN PERSON PUBLIC ATTENDANCE.**

This meeting will be held in accordance with the Governor's Stay at Home Executive Order N-33-20 and will not include in person public attendance. Members of the public may observe the meeting and provide comments to the Board via email or telephone as described below.

#### How to observe the Meeting:

- You can observe the live stream of the meeting at <http://www.stancounty.com/sclive/>
- In addition, Board meetings are broadcast live and replayed on local cable television. A list of cable channels and broadcast times are available at the following website: [www.stancounty.com/board/broadcasting-schedule.shtm](http://www.stancounty.com/board/broadcasting-schedule.shtm)

#### How to submit Public Comment:

- If you wish to provide verbal comments via telephone, please call the Clerk of the Board office in advance of the meeting at 209-525-4494 for instructions. Please be prepared to provide the following information: your name, telephone number where you can be reached during the meeting, and whether you wish to speak under the Public Comment Period or regarding a specific agenda item. Members of the public will be telephoned and provided an opportunity to speak during the meeting.
- If you prefer to provide a written comment on a specific agenda item, please submit your comments via email by 5:00 p.m. on the Monday prior to the Board meeting. Please email your comment to the Clerk of the Board at [cobsupport@stancounty.com](mailto:cobsupport@stancounty.com) and include the Agenda Item Number in the subject line of the email. Your written comment will be distributed to the Board of Supervisors and kept on file as part of official record of the Board meeting.

General Information regarding the Board of Supervisors Agenda:

**PUBLIC COMMENT PERIOD:** Matters under the jurisdiction of the Board, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of Supervisors. Any member of the public wishing to address the Board during the "Public Comment" period shall be permitted to be heard once for up to 5 minutes unless the Chairperson of the Board sets a different time limit.

The agenda is divided into two sections:

**CONSENT ITEMS:** These matters include routine financial and administrative actions. All consent items will be voted on as a single action at the beginning of the meeting under the section titled "Consent Items" without discussion.

**DISCUSSION ITEMS:** These items will be individually discussed.

**CLOSED SESSION:** Is the portion of the meeting conducted in private without the attendance of the public or press to discuss certain confidential matters specifically permitted by the Brown Act. The public will be provided an opportunity to comment on any matter to be considered in closed session prior to the Board adjourning into closed session.

**ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA:** In order that interested parties have an opportunity to speak, any person addressing the Board will be limited to a maximum of 5 minutes unless the Chairperson of the Board sets a different time limit.

**BOARD AGENDAS AND MINUTES:** Board agendas, Minutes, and copies of items to be considered by the Board of Supervisors are typically posted on the Internet on Friday afternoons preceding a Tuesday meeting at the following website: [www.stancounty.com/bos/agenda-minutes.shtm](http://www.stancounty.com/bos/agenda-minutes.shtm).

Materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available online, subject to staff's ability to post the documents before the meeting, at the following website [www.stancounty.com/bos/agenda-minutes.shtm](http://www.stancounty.com/bos/agenda-minutes.shtm).

**AUDIO/VIDEO BROADCAST:** All Board meetings are normally broadcast live and replayed on local cable television. A list of cable channels and broadcast times are available at the following website: [www.stancounty.com/board/broadcasting-schedule.shtm](http://www.stancounty.com/board/broadcasting-schedule.shtm). In addition, a live audio/video broadcast of this meeting can be heard/seen online at: [www.stancounty.com/bos/board-video.shtm](http://www.stancounty.com/bos/board-video.shtm).

**NOTICE REGARDING NON-ENGLISH SPEAKERS:** Board of Supervisors meetings are conducted in English. Language assistance request should be made by noon the day before the meeting by contacting the Clerk at 209-525-4494.

**REASONABLE ACCOMMODATIONS:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (209) 525-4494. Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting.

## **Special Meeting 5:30 PM**

1. **Closed Session:**
  1. **Conference with Director of Emergency Services - Threat to Public Services:** Pursuant to Government Code section 54957(a), the Board will confer with the Director of Emergency Services and County Counsel regarding matters posing a threat to essential public services and the public's right of access to public services or facilities.
  2. **Conference with Legal Counsel - Existing Litigation:** Pursuant to Government Code Section 54956.9 (d)(1). Three cases: California Sportfishing Protection Alliance v. All Persons Interested in the Matter of the Validity of the Eastern San Joaquin Groundwater Sub-basin Groundwater Sustainability Plan, et al., County Superior Court Case No. CV-20-001720; California Sportfishing Protection Alliance v. All Persons Interested In The Matter of the Validity of the Northern and Central Delta-Mendota Regions Groundwater Sustainability Plan, et al., Stanislaus Superior Court Case No. CV-20-001748; and BNSF Railway Company v. Alameda County, et al., United States District Court, Northern District of California, Case No. 4:19-CV-07230-HSG.

**Regular Meeting****6:30 PM**

2. Pledge Allegiance to the Flag
3. Invocation
4. Update Related to the 2019 Novel Coronavirus (COVID-19) Emergency  
– Chief Executive Officer
5. Public Comment Period
6. Consent Calendar
  - A. Miscellaneous
    1. Approval of the Minutes for April 7, 2020 ([View Item](#))
    2. Approval of Appointment of Amy Bublak to the Stanislaus County Economic Development Action Committee ([View Item](#))
    3. Approval of Appointment of Jesse Marchant to the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))
    4. Approval of Appointment of Linda Susan Legace to the Stanislaus County Child Abuse Prevention Council ([View Item](#))
  - B. Chief Executive Office
    1. Approval of an Update in Accordance with Public Contract Code Sections 20134 and 22050 for Emergency Remediation/Repairs at 10th Street Place, to Repair Water Damage and Restore Essential Government Operations – Chief Executive Office ([View Item](#))
    2. Approval to Accept Annual Audited Financial Reports for Fiscal Year Ended June 30, 2019 – Auditor-Controller ([View Item](#))
    3. Acceptance of the County Clerk-Recorder & Registrar of Voters' Certified Statement of the Vote of the 2020 Presidential Primary Election Held Tuesday, March 3, 2020, and Declaration of the Results – Elections ([View Item](#))
    4. Approval of an Update on the Homeless Facility Plan and Partnership Between the County, the City of Modesto and the Salvation Army in Accordance with the Provisions of the Public Contract Code – Chief Executive Office ([View Item](#))
    5. Approval of an Update on Emergency Repairs to the Public Safety Center West, Minimum Housing Unit One, and Support Services Facility's Fire-Life Safety, Secure Electronics, Video Surveillance Systems, and Additional Needed Repairs – Chief Executive Office ([View Item](#))
    6. Approval of a Three-Year Lease Extension Between Stanislaus County and Aspiranet Inc., a California Non-Profit Corporation for Private Retail/Commercial Space on the First Floor of 10th Street Place, with a Three-Year Option to Renew – Chief Executive Office ([View Item](#))
  - C. Department of Public Works
    1. Approval to Adopt a Resolution of a Proposed List of Projects for Senate Bill 1, the Road Repair and Accountability Act ([View Item](#))

2. Approval of Amendment No. 4 to the Agreement for Professional Design Services with Dewberry Drake Haglan, for the Hickman Road over Tuolumne River Bridge Replacement Project ([View Item](#))

D. Department of Planning and Community Development

1. Acceptance of the Annual Progress Report for the Stanislaus County Housing Element for the Calendar Year 2019 Covering the Entire Stanislaus County Unincorporated Area ([View Item](#))
2. Approval to Rescind Williamson Act Contract No. 78-3085, Located at 13018 Bradbury Road, Between Crows Landing Road and S Morgan Road, in the Turlock Area; and Approval of a New Contract, Pursuant to Lot Line Adjustment Application No. PLN2019-0076, Bylsma Family Trust ([View Item](#))
3. Approval to Set a Public Hearing for April 28, 2020, at the 9:00 A.M. Meeting, to Consider the Planning Commission's Recommendation of General Plan Amendment and Rezone Application No. PLN2019-0045, Beeler Development, a Request to Amend the General Plan, Community Plan, and Zoning Designations of a 1.08± Acre Parcel from Low Density Residential and A-2-10 (General Agriculture) to Planned Development to Allow for Construction of a 19,652 Square-Foot Warehouse Building to Allow for Low-People Intensive Light Industrial, Office, and Commercial Uses, Located at 4731 Kiernan Court, North of the Highway 99 and Kiernan Avenue Interchange, in the Community of Salida ([View Item](#))
4. Approval to Set a Public Hearing for the May 12, 2020, 9:00 A.M. Meeting to Consider Approval of the Fiscal Year 2020-2025 Stanislaus Urban County Consolidated Plan (Con Plan); the Fiscal Year 2020-2021 Annual Action Plan (AAP); and the Fiscal Year 2020-2025 Regional Analysis of Impediments to Fair Housing Choice (AI) ([View Item](#))
5. Approval to Set a Public Hearing for May 12, 2020, at the 9:00 A.M. Meeting, to Consider the Planning Commission's Recommendation of Rezone Application No. PLN2019-0093, Tenaya Banquet Hall, a Request to Amend the Zoning Designation of a 2.91 Acre Parcel from Industrial (M) to Planned Development (P-D) to Establish a Catering and Event Venue, with Two Separate Event Spaces, in an Existing 34,720 Square-Foot Commercial Building, Located at 2206 Tenaya Drive, on the Southeast Corner of Mitchell Road and Tenaya Drive, in the Modesto Area ([View Item](#))

E. County Counsel

7. Public Hearings
8. Discussion Items
  1. Approval to Increase the Fiscal Year 2019-2020 Legal Budget by Approximately \$2.7 Million to Support the Initial Costs of the COVID-19 Response for the Area Agency on Aging, Health Services Agency, Office of Emergency Services, and the Sheriff's Department – Chief Executive Office ([View Item](#))

2. Acceptance of a Report and Ratification of Actions Related to the 2019 Novel Coronavirus Emergency and Confirmation of Authority to the Chief Executive Officer to Ensure Essential County Operations – Chief Executive Office ([View Item](#))
  3. Accept an Update on the Small Business Relief Program – Chief Executive Office ([View Item](#))
  4. Approval to Ratify the Emergency Occupancy Agreement with Dalijeet Singh Mann, Harinder Singh, DJ Management LLC, and American Traders, Inc., for Emergency Non-Congregate Sheltering at the Modesto Hotel, 1720 Sisk Road, Modesto, in Support of the State of California's Project Roomkey Safe Isolation Projects for Homeless Individuals – Community Services Agency ([View Item](#))
9. Correspondence
1. This Board has received a letter from the Clerk-Recorder and Registrar of Voters inviting a member of the Board of Supervisors to be a participant on the Election Observer Panel for the Oakdale Fire Protection District Special Election on Tuesday, May 5, 2020. ([View Item](#))  
(Recommendation: Designate a Boardmember to be on the panel.)
  2. This Board has received a letter from Reclamation District 2092 regarding the appointment of Lee Scully to their Board of Trustees. ([View Item](#))  
(Recommendation: Acknowledge receipt of letter.)
  3. This Board has received a notice from El Solyo Water District regarding a vacancy on their Board of Directors due to the passing of Joan Lopes. ([View Item](#))  
(Recommendation: Acknowledge receipt of notice.)
  4. This Board has received Worker Adjustment and Retraining Notification letters regarding the furlough or temporary layoff of employees from the following businesses: Lbrands, Inc.; Burlington Coat Factory; Club Demonstration Services; Howard Prep; Carmax Modesto; Guitar Center, Inc.; John's Incredible Pizza Company; Ross Stores, Inc.; H&M LP; Kohl's Department Stores, Inc.; Sleep Number; and, Western Dental Services, Inc. ([View Item](#))  
(Recommendation: Refer to the Department of Workforce Development.)
  5. This Board has received the following claims: Parmpal Singh Johal; Alpine Law Group on behalf of Deborah, April, Karrie and Misty Powell; Alondra Jimenez; Richard Nesslage; Sodhi Law Group on behalf of Amber Nicole Johnsen; Sodhi Law Group on behalf of Dana Alday; Sodhi Law Group on behalf of Aaliyah Johnsen; Sodhi Law Group on behalf of Niyah Johnsen; and, Jessica L. Grant on behalf of Walter W. Wells.  
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office – Risk Management Division.)
10. Board of Supervisors' Reports
11. Legislative, Fiscal and Management Report - Chief Executive Officer
12. Adjournment