

THE BOARD OF SUPERVISORS  
OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Special and Regular Session  
Supervisor Olsen and Chairman Withrow Absent  
Pledge of Allegiance to the Flag

Tuesday

November 19, 2019

**Convened at 5:30 p.m. for Special Session**

Prior to adjourning into Closed Session an opportunity was given to the public to address matters listed under Closed Session.

**1.1** Conference with Legal Counsel – Anticipated Litigation: Pursuant to Government Code Section 54956.9 (d)(2). One case. No reportable action was taken in closed session.

**Adjourned Closed Session at 6:10 p.m.**

Chairman Withrow arrived at 6:15 p.m.

**Reconvened at 6:30 p.m. for Regular Session**

Invocation was given by Jeremiah Williams with The Revival Center.

Margaret Countryman spoke regarding the appeal of her neighbors second structure permit.

Diane Tafoya spoke in support of In-Home Supportive Services (IHSS) providers wage increase.

Debra Harper spoke regarding the need for everyone to co-exist.

John Mataka spoke in support of a wage increase for IHSS providers.

Kevin McClarty spoke in support of preserving the “Lion Bridge” in Modesto as a walking bridge.

Sebastian Jones spoke in support of fair pay for IHSS providers.

Dianne Kroeze voiced support for increased wages for IHSS providers.

John Adams spoke in support of a wage increase for IHSS providers.

Astrid Zuniga also spoke in support of IHSS providers wage increase.

Berryhill/Chiesa (4-0)(Olsen absent) Adopted the consent calendar after removing from consent item  
**5.B.1** Acceptance of the Stanislaus County Treasury Pool September 2019 Monthly Investment Report – Treasurer/Tax Collector

**5.A.1** Approved the minutes of November 5, 2019

**5.A.2** Approved a commendation for the Honorable Judge Beauchesne upon his retirement from the Stanislaus County Superior Court

2019-0686

- 5.A.3** Approved a commendation for the United Samaritans Foundation upon their 25<sup>th</sup> Anniversary  
2019-0687
- 5.A.4** Appointed in lieu of landowner election Joan Lopes to the El Solyo Water District Board of  
Directors  
2019-0688
- 5.A.5** Adopted and waived the second reading of Ordinance C.S. 1260 amending Chapter 6.78 of the  
County Code regarding enforcement procedures for unlawful Cannabis activities within  
the unincorporated areas of Stanislaus County  
ORD-56-Q-3 2019-0689
- 5.B.2** Approved the final contract with Haggerty Construction Inc., of Stockton, California, and  
accepted the tenant improvements at 1010 10th Street, Modesto, California, for the CEO,  
Human Resources Division; Original Contract Sum: \$270,000; Approved Change Orders;  
\$17,021; Contractor Delay Assessment \$(41,250); Final Contract Amount: \$245,771; and  
authorized the Project Manager, on behalf of the Board of Supervisors, to complete  
contract closeout details, including the assessment of liquidated damages, release of  
retention funds, less any withholdings deemed appropriate, and process all remaining  
closeout activities related to the project – CEO  
2019-0691
- 5.B.3** Approved 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,  
and Video Surveillance Systems along with the abatement of water damage found in the  
mechanical chassis at the Public Safety Center West – CEO  
2019-0692
- 5.B.4** Approved 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 – CEO  
C-6-N-11 2019-0693
- 5.B.5** Accepted 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 – CEO  
2019-0694
- 5.B.6** Approved the Memorandum of Understanding with the City of Patterson for the  
Communications Tower Project at the Patterson Fire Station #2 in Patterson; and  
authorized the Sheriff, or designee, to sign the Memorandum of Understanding with the  
City of Patterson for the Communications Tower Project – Sheriff  
C-4-B-11 2019-0695
- 5.C.1** Approved the Agreement for Acquisition of Property for the McHenry Avenue Widening  
Project, Grantor: Michael Hess and Lorette Hess Akers, and John C. Bettencourt,  
Assessor's Parcel Number (APN) 074-001-015 (partial); and authorized the Chairman of  
the Board to execute the Agreement for Acquisition of Property; authorized the Director of  
Public Works to take any appropriate action necessary to carry out the purpose and intent  
of these recommendations – PW  
2019-0696
- 5.C.2** Approved the use of up to \$35,000 of Community Development Funds to purchase concrete  
barrier rails to place along Zeff and River Roads to prevent Tuolumne River pollution  
– PW  
2019-0697
- 5.D.1** Set a public hearing on December 10, 2019, at the 9:00 a.m. meeting, to consider the Planning  
Commission's recommendation for denial of Use Permit and Development Agreement  
Application No. PLN2018-0103, The People's Remedy, request to establish a commercial  
cannabis retail storefront and distribution operation, located at 1350 Lone Palm Avenue,  
north of Woodland Avenue, in the Modesto area; and authorized the Clerk of the Board to  
publish a notice of public hearing as required by law – Planning  
ORD-56-R-1 2019-0698

Chiesa/DeMartini (4-0)(Olsen absent) **5.B.1** Accepted the September 2019 Investment Report for the Stanislaus County Treasury Pool. The report was prepared by the Stanislaus County Treasurer-Tax Collector's Office, reviewed for conformity with the Stanislaus County Treasury Pool Investment Policy by the Treasurer-Tax Collector, and has been distributed to the Stanislaus County Treasury Pool

Oversight Committee; authorized the Chairman of the Board of Supervisors to sign on behalf of the Board that the report has been reviewed and accepted – Treasurer/Tax Collector 2019-0690

Chiesa/Berryhill (4-0)(Olsen absent) **7.1** Approved the award of a Design-Build Construction Contract to Roebbelen Contracting Inc., of El Dorado Hills, California, for \$8,990,269 to complete the Turlock Library Expansion and Renovation Project; authorized the Chief Operations Officer, acting as Project Manager, to execute the contract; authorized the Project Manager to sign contracts and work authorizations for professional services needed for this project, so long as they are within the approved project budget; approved the final project budget of \$12,795,302, which is within the original project funding plan and direct the Auditor-Controller to increase revenue and appropriations by \$10,511,904 in the Turlock Library Expansion and Renovation Budget, as detailed in the budget journal attached to the agenda item; and approved an internal borrowing of \$6.3 million from the 2006 Tobacco Endowment Fund, to be repaid by the Library budget unit. 2019-0700

DeMartini/Berryhill (4-0)(Olsen absent) **6.1** Accepted the Sheriff Department's 2018 Report on immigration and Customs Enforcement Access pursuant to Government Code Section 7283.1(d); and conducted a Community Forum pursuant to Government Code Section 7283.1(d) 2019-0699

**Corr 1** Acknowledged receipt of resignation of Jeffrey Lambaren as the Executive Director of the Public Authority of Stanislaus County effective January 3, 2020.

**Corr 2** Referred to the Department of Workforce Development a Worker Adjustment and Retraining Notification letter from TitleMax of California, Inc. regarding the permanent closure of all locations in California between April 1, 2020 through May 1, 2020, including two locations in Modesto located at 1440 E. Hatch Road, Suite 101 and 1021 Oakdale Road.

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Alma Ayala; J. Guadalupe Gonzalez-Acevez, Rosa Gonzalez Paura on behalf of Edgar Gonzalez, Deceased, and Martiza Guadelup Nuno-Ruiz; Amended Claim from 10/15/2019 Claudia Marin; Carlos Luis Perez; Travyon James; and, Minnie Bruce.

Supervisor DeMartini noted that he was on the Election Observer Panel for the election Tuesday, 11/05/2019. He stated that it was very well organized and ran very smoothly. He also noted that McClatchy stock has declined in value.

CEO Hayes noted that he, along with Supervisor Chiesa and Supervisor Olsen, attended the 2019 California Economic Summit on November 7<sup>th</sup> and 8<sup>th</sup> in Fresno.

Adjourned at 10:00 p.m.

ATTESTED: ELIZABETH A. KING, Clerk  
of the Board of Supervisors  
of the County of Stanislaus  
State of California

BY: PAM VILLARREAL, Assistant Clerk of the Board of Supervisors  
(The above is a summary of the minutes of the Board of Supervisors. Complete minutes are available from the Clerk of the Board's Office.)