

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

Regular Session

Tuesday

November 26, 2019

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor Mark Krieger, Modesto Covenant Church.

Chief Matthew Reece, Discovery Challenge Academy, presented the Cal Guard's role in serving the youth of Stanislaus County.

Vicki Bauman, Prevention Program Director, presented an update from the Stanislaus County Office of Education Regarding the Focusing on Children Under Stress Program.

Nick Webb spoke regarding his concerns regarding Verizon Wireless placing a tower on Brady Road.

Steve Webb requested that a halt be placed on the Verizon Wireless Tower project.

Michael Eggener from Operator Engineers Local 3 spoke regarding the labor negotiations for the Stanislaus Emergency Dispatchers Association.

Rachel Ramirez, In-Home Supportive Services (IHSS) provider, spoke in support of a wage increase.

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

John Adams spoke regarding the care he provides for his daughter and in support of a wage increase for IHSS providers.

Theresa Gamboa, Chairman for the Woodland West Neighborhood, voiced concerns regarding the public meeting that was held on 11/19/2019 regarding the State Route 132 (SR132) project.

Katherine Borges spoke in support of a sound wall for the SR132 project.

Elaine Marie Klem spoke in support of a raise for IHSS providers.

Pat Wilhelm, a Woodland West Neighborhood resident, spoke in support of a sound wall for the SR132 project.

Astrid Zuniga spoke in support of a pay increase for IHSS providers.

Olsen/Chiesa unan. Adopted the consent calendar after removing from consent item **5.D.3** Approval of the 2020 Williamson Act Contract Applications

5.A.1 Approved the Special Meeting Minutes for 11/14/2019

5.A.2 Approved the Regular Meeting Minutes for 11/19/2019

5.A.3 Accepted the resignation of Domenica Escatel from the Empire Municipal Advisory Council
2019-0701

5.A.4 Appointed in lieu of election of Randy Doss Sullivan to the Hughson Fire Protection District
Board of Directors
2019-0702

- 5.B.1** Approved closing all 13 Stanislaus County community libraries at 5:00 p.m. on Tuesday, 12/31/2019 – Library 2019-0703
- 5.B.2** Approved the filing of a Notice of Exemption finding that the proposed event is exempt under the provisions of the CEQA pursuant to State guidelines section 15323; approved the Exclusive Use Agreement/Permit with Revolutionary Productions, to hold the “ Sum of Us Festival” at Modesto Reservoir Regional Parks from Friday, 05/15/2020, through Sunday, 05/17/2020; authorized the Director of Parks and Recreation, or designee, to direct Revolutionary Productions to adhere to the requirements set forth as outlined in the Temporary Exclusive Use Event Agreement/Permit, attached to the agenda item; and, authorized the Director of Parks and Recreation, or designee, to negotiate and approve future events with Revolutionary Productions, Corp. – Parks and Recreation 2019-0704
- 5.B.3** Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the property at 1102 Garden Avenue, Modesto, CA, CE No. 19-0028, as set forth in Attachment 1, of the agenda item – DER 2019-0705
- 5.B.4** Accepted the report on the Stanislaus County Replacement Benefits Plan; authorized a repayment of \$1,805,512 to Stanislaus County Employees’ Retirement Association (StanCERA) for past benefits paid through this program; authorized payments for current and future plan benefits to be paid by the Auditor-Controller’s Office and charged to the department from which the former employee retired; authorized the Auditor-Controller to increase appropriations detailed in the budget journal attached to the agenda item to account for the repayment of past benefits, as well as the current Plan benefits due for calendar year 2019 in the amount of \$116,984, funded by department revenue of \$444,593; approved the use of the Retirement Obligation Assignment of General Fund Balance, in the amount of \$1,477,903; and, approved the revised MOU with StanCERA for the Stanislaus County Replacement Benefits Plan and authorized the Chairman to sign the agreement – Auditor/Controller 2019-0706
- 5.B.5** Approved setting a public hearing on 12/10/2019 to consider proposed changes to Ambulance Provider Agreement Standards; authorized the Clerk of the Board to publish a notice of public hearing, as required by law; and accepted the update from Mountain Valley Emergency Medical Services (MVEMS) Agency regarding Cumulative Response Compliance by EMS Providers for April 2019 through August 2019; authorized MVES Agency to expend System Enhancement Funds on behalf of Stanislaus County to purchase equipment and supplies to support the Emergency Medical Technicians’ expanded scope of practice treatments to be performed by Stanislaus County fire agencies; approved contract with MVEMS Agency to Administer Local Emergency Medical Services for Fiscal Year 2020-2021; and, authorized the Managing Director of the HAS, or her designee, to negotiate and execute the agreement with MVEMS Agency – HSA 2019-0707
- 5.C.1** Awarded a contract for Engineering Design Services to Drake Haglan and Associates of Sacramento, CA for the Claribel Road Extension Project; authorized the Director of Public Works to execute a contract with Drake Haglan and Associates in the amount of \$13,507,533 and to sign necessary documents, including any amendments to the agreement not to exceed 10%; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2019-0708
- 5.D.1** Set a public hearing on 12/17/2019, at the 6:30 p.m. meeting, to consider the Planning Commission’s recommendation for General Plan Amendment, Rezone, Use Permit, and Development Agreement Application No. PLN2018-0101, Natural Remedies Consulting, request to amend the General Plan and Zoning Designation to allow an indoor commercial

cannabis cultivation, manufacturing (non-volatile), retail, and distribution activities, located at 5272 Jerusalem Court, north of Kiernan Avenue, in the Modesto area; authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning
ORD-56-R-2 2019-0709

5.D.2 Set a public hearing on 12/17/2019, at the 6:30 p.m. meeting, to consider the Planning Commission’s recommendation for General Plan Amendment, Rezone, Use Permit, and Development Agreement Application No. PLN2018-0112, Jayden’s Journey, request to amend the General Plan and Zoning Designation, to allow an operation of commercial cannabis retail business within an existing 5,525 square-foot suite, located at 5054 Pentecost Drive, at the Southeast corner of Bitritto Court and Pentecost Drive, 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-3 2019-0710

Chiesa/Berryhill (4-0)(Withrow abstained) **5.D.3** Approved the proposed 2020 Williamson Act Contracts as outlined in Attachment 1, of the agenda item; authorized the Chairman of the Board to sign the listed contracts; and, directed the Clerk of the Board to forward the listed contracts to the Clerk-Recorder’s Office prior to 01/01/2020, for recording – Planning
2019-0711

DeMartini/Olsen unan. **6.1** Accepted the County Clerk-Recorder/Registrar of Voters’ Certified Statement of the Vote of the Consolidated District Election held on 11/05/2019; and, declared the results of the election pursuant to the County Clerk-Recorder/Registrar of Voters’ Statement of Vote – Elections
2019-0712

Chiesa/Olsen unan. **6.2** Accepted the 2019 Emergency Communications Grant from the California Governor’s Office of Emergency Services for emergency communications equipment and infrastructure; authorized the Auditor-Controller to establish an interest-bearing fund for the Emergency Communications Grant and establish revenue and appropriations as outlined in the budget journal attached to the agenda item; authorized the Director of Emergency Services/CEO to sign and submit an invoice to the California Governor’s Office of Emergency Services to request the allocation; and, authorized the Director of Emergency Services, or designee, to negotiate and enter into agreements, MOU’s, and subsequent amendments on behalf of the County in support of AB 109, the Emergency Communications Grant Project – OES/Fire Warden
2019-0713

Berryhill/Olsen unan. **6.3** Approved and adopted the Revised Stanislaus County Emergency Operations Plan and Associated Emergency Support Functions – OES/Fire Warden
2019-0714

Chiesa/Berryhill unan. **7.1** Conducted a public hearing; waived the second reading of Ordinance C.S. 1259 amending Chapter 16.55 of the Stanislaus County Code, and adopting by reference the California Fire Code, 2019 Edition with certain changes, additions, and modifications thereto; finds that the proposed changes and modification to the 2019 California Fire Code standards contained in the proposed ordinance are necessary because of local climatic, geographical, and/or topographical conditions, as detailed in the proposed ordinance; adopted the ordinance amending Chapter 16.55 of the Stanislaus County Code, and adopted by reference the California Fire Code, 2019 Edition with certain changes, additions, and modifications thereto; finds that the proposed ordinance is exempt under the provision of CEQA pursuant to State Guidelines section 15061(b)(3); directed the Stanislaus County Fire Warden staff to file the adopted ordinance and the Board's findings with the California Building Standards Commission; and, ordered the Clerk of the Board to publish the ordinance in accordance with Government Code section 25124(b) – OES/Fire Warden
ORD-56-Q-2 2019-0715

Corr 1 Referred to the Department of Workforce Development, a Worker Adjustment and Retraining Notification letter from Forever 21 Retail, Inc., regarding the closure of the store located at 3401 Dale Road, Modesto and the permanent layoff of employees starting on 01/05/2020.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Minnie Bruce; Geico Insurance on behalf of Ryan Alexander Edmonds; Maria T. Marquez, Curtis Legal Group, on behalf of Billy L. Worden; Lawrence Kaler; Debra Harper; Brad W. Miller; and, Tonya Estrada.

CEO Hayes reported that the Stanislaus County Public Health Department was notified yesterday that they received accreditation.

The Board wished everyone a Happy Thanksgiving.

Adjourned at 11:14 a.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.)