

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

July 14, 2020

*Supervisor Berryhill attended via teleconference pursuant to Governor Newsom's Executive Order N-25-20.

Invocation was given by Reverend Lonnie Skiles with Big Valley Community Church.

A moment of silence was held for former Stanislaus County Fire Warden Chief Russell Richards.

CEO Hayes and Public Health Officer Dr. Vaishampayan provided an update related to the 2019 Novel Coronavirus (COVID-19) emergency and essential services in Stanislaus County.

John Mataka voiced concerns regarding telephone public comments no longer being available during Board meetings. He also spoke regarding COVID-19 as a crisis in the Latino community, and the need for increased outreach to this community.

Mary Jackson shared concerns regarding the delay in opening schools.

Chiesa/Withdraw unan. Adopted the consent calendar after removing from consent Item **6.B.13** Approval to Execute a Public Works of Improvement Agreement to Division 5-15, Inc. of Gold River, California for the Stanislaus Building HVAC Replacement Project – GSA

- 6.A.1** Approved the minutes of 06/23/2020, Regular Meeting
- 6.A.2** Approved the minutes for 07/07/2020, Special Meeting
- 6.A.3** Proclaimed August 2020 as Child Support Awareness Month in Stanislaus County 2020-0326
- 6.A.4** Proclaimed July 2020 as Parks and Recreation Month in Stanislaus County 2020-0327
- 6.A.5** Approved request to consolidate the Municipal Election and a Measure Related to Sales Tax for the City of Turlock with the Presidential General Election to be held on 11/03/2020 2020-0328
- 6.A.6** Approved request to consolidate the Stanislaus Union School District's Bond Measure with the Presidential General Election to be held on 11/03/2020 2020-0329
- 6.A.7** Approved request to consolidate the Newman-Crows Landing Unified School District's Bond Measure with the Presidential General Election to be held on 11/03/2020 2020-0330
- 6.A.8** Approved request to consolidate the Salida Union School District's Bond Measure with the Presidential General Election to be held on 11/03/2020 2020-0331
- 6.A.9** Approved request to consolidate the City of Hughson's Measure Related to the Term of Office for Mayor with the Presidential General Election to be held on 11/03/2020 2020-0332
- 6.A.10** Approved request to consolidate the Hughson Fire Protection District's Measure Relating to a Special Tax with the Presidential General Election to be held on 11/03/2020 2020-0333
- 6.A.11** Approved request to consolidate the Burbank Paradise Fire Protection District's Measure Relating to a Special Tax with the Presidential General Election to be held on 11/03/2020 2020-0334

- 6.B.1** Approved two agreements between the County of Stanislaus and the California Department of Health Care Services for participation in the Medi-Cal County Inmate Program and related Administrative Services for the period 07/01/2020-06/30/2023; and, authorized the Sheriff to sign the Medi-Cal County Inmate Program and Administrative Services agreements and any future amendments to these agreements – Sheriff 2020-0335
- 6.B.2** Accepted the Report of Donations Received by the County of Stanislaus for the third quarter of FY 2019-2020 – Auditor-Controller 2020-0336
- 6.B.3** Approved the Second Amendment to extend the agreement with UMR, Inc. to provide third party administrator services for the County’s self-insured employee health insurance program, for a three-year term from 01/01/2021 through 12/31/2023, and add a new service component; and, authorized the County Purchasing Agent to sign the approved amendment and any subsequent amendments not to exceed the amended maximum agreement amount of \$6,500,000 – CEO 2020-0337
- 6.B.4** Authorized the Treasurer-Tax Collector to sign an agreement with the State of California Employment Development Department for the period of 07/01/2020 through 06/30/2023 – T/TC 2020-0338
- 6.B.5** Accepted the Accountant’s Report on the Stanislaus County Treasurer’s Statement of Assets as of 03/31/2020 – Auditor-Controller 2020-0339
- 6.B.6** Approved the MOU between Stanislaus County, the City of Modesto and the City of Turlock to implement the Stanislaus Regional Transit Authority; appointed Supervisor Chiesa and Supervisor Withrow to serve on the Stanislaus Regional Transit Authority Advisory Committee per the MOU to implement and guide the transit consolidation effort; and, authorized the CEO to sign the MOU between Stanislaus County, the City of Modesto and the City of Turlock – PW C-6-P-2, C-5-F-10 2020-0340
- 6.B.7** Approved the Internal Audit Division’s Audit Schedule for FY 2020-2021 – Auditor-Controller 2020-0341
- 6.B.8** Awarded an agreement with Sierra Vista Child and Family Services for the provision of Perinatal Substance Use Disorder (SUD) Treatment Services, as a result of a Request for Proposal (RFP) process issued by BHRS; authorized the BHRS Director, or designee, to sign the agreement for Perinatal SUD Treatment Services in the amount of \$848,087, for the term of 07/01/2020 through 06/30/2021; and, authorized the BHRS Director, or designee, to sign amendments for additional services and payments for services up to \$200,000, budget permitting, throughout the term of the agreement – BHRS 2020-0342
- 6.B.9** Accepted the May 2020 Investment Report for the Stanislaus County Treasury Pool; and, authorized the Chairwoman of the Board to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2020-0343
- 6.B.10** Approved a three-year agreement between the County of Stanislaus and Guardian RFID for an Inmate Management System for use in the Sheriff’s Detention Facilities; and, authorized the Purchasing Agent to sign the agreement, including any amendments or extensions, effective 07/15/2020 through the 3rd anniversary of the system activation date with an option to extend for one two-year term – Sheriff 2020-0344
- 6.B.11** Approved the resolution authorizing the Director of the Department of Aging and Veterans Services to sign the agreement for the Multipurpose Senior Services Program with the California Department of Aging and all subsequent amendments; and, approved the agreement with the California Department of Aging for the Multipurpose Senior Services Program for the FY 2020-2021 – Aging and Veterans Services 2020-0345
- 6.B.12** Approved the Area Agency on Aging’s Four-Year 2020–2024 Area Plan; and, authorized the Chairwoman of the Board to sign the Transmittal Letter to the California Department of Aging – Aging and Veterans Services 2020-0346
- 6.B.14** Authorized the Director of the Department of Aging and Veterans Services and the County Purchasing Agent to sign agreements and any subsequent amendments for services to older

adults as follows: (a) Catholic Charities, Diocese of Stockton for Elder Abuse Prevention and Long-Term Care Ombudsman Programs; (b) Valley Services, LLC, dba TRIO Community Meals for Emergency Meals; (c) G.A. Foods, Inc. for the Home-Delivered Meals Programs – Aging and Veterans Services 2020-0348

- 6.B.15** Ratified the construction agreement with D.A. Wood Construction, Inc. of Oakdale, CA for the Phase 2 Frank Raines Regional Park Water System Improvement Project, entered into by the Director of Parks and Recreation; authorized the Director of Parks and Recreation, or designee, to sign amendments to the agreement for an overall total not-to-exceed amount of \$461,330, which includes a contingency of \$41,939; approved to release the General Fund committed fund balance by \$476,830; and, authorized the Auditor-Controller to increase appropriations in the fixed assets category in the Parks capital project fund by \$476,830 and record operating transfers between the General Fund and the Parks capital project fund, per the budget journal, attached to the agenda item – Parks and Recreation 2020-0349
- 6.B.16** Approved Amendment No. 2 to the Master Agreement for Independent Contractor Services agreement with Pride Industries for Contract Janitorial Services at County-occupied buildings to adjust the total spending limit amount from \$5,913,659 to \$6,940,200 to cover the agreement term through 12/31/2020; and, authorized the Purchasing Agent to sign the Amendment identified above, and any subsequent amendments to the agreement on behalf of the County – GSA 2020-0350
- 6.B.17** 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 2020-0351
- 6.B.18** 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-P-3 2020-0352
- 6.B.19** Approved an update on emergency repairs to the Public Safety Center West, Minimum Housing Unit 1, 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 chases at the Public Safety Center West – CEO 2020-0353
- 6.C.1** Approved Amendment No. 4 to the Professional Design Services Agreement for construction support services to NV5, Inc. in the amount of \$146,890 for the Crows Landing Road over San Joaquin River Bridge Replacement project, with a new Not to Exceed amount of \$2,239,358; authorized the Director of Public Works to execute the amendment with NV5, Inc. in the amount of \$146,890 and to sign necessary documents; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2020-0354
- 6.C.2** Adopted the Plans and Specifications for the Turlock-Denair Bus Loop Improvement Project; awarded a contract for Construction Services to Ross F. Carroll, Inc. of Oakdale, CA for the Turlock-Denair Bus Loop Improvement Project; authorized the Director of Public Works to execute a contract with Ross F. Carroll, Inc. in the amount of \$221,303 and to sign necessary documents, including any amendments to the agreement not to exceed 10%, in accordance with Public Contract Code Section 20137 and 20142; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2020-0355
- 6.C.3** Approved the purchase of chip aggregate rock material from F.T.G. Construction Materials, Inc., of Lodi, CA for the 2020 Chip Seal Project; authorized the Director of Public Works to execute a contract with F.T.G. Construction Materials, Inc., in the amount of \$315,488.85 and to sign the necessary documents; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2020-0356

- 6.D.1** Set a public hearing on 07/28/2020, at the 9:00 a.m. meeting, to consider the Planning Commission's Recommendation of Use Permit and Development Agreement Application No. PLN2019-0092, Pacific Botanical Laboratories, LLC, a request to operate a commercial cannabis and hemp testing laboratory within an existing two-story building on a 2.28-acre parcel in the P-D 180 (Planned Development) zoning district, located at 4100 Bangs Avenue, east of Sisk Road, between Pelandale and Kiernan Avenue, in the community of Salida; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-56-W-1 2020-0357
- 6.D.2** Authorized the Director of Planning and Community Development, or designee, to negotiate and sign an agreement with CSG Consultants, of Newman, CA, to provide on-call inspection and plan check services through 06/30/2025 at an amount not to exceed \$1,000,000 – Planning 2020-0358
- 6.D.3** Adopted a resolution to authorize the Director of Planning and Community Development to participate in the State of California Department of Housing and Community Development (HCD) State Emergency Solutions Grant Coronavirus Aid, Relief, and Economic Security Act (ESG-CV) Stimulus Program; authorized the Director of Planning and Community Development to submit an Administrative Entity (AE) Award Recommendation Package to HCD for the State ESG-CV Stimulus Program; authorized the County to accept, if awarded, the State ESG-CV Stimulus Program funding and authorized the Director of Planning and Community Development to execute an Administrative Entity Standard Agreement with HCD; and, authorized the Director of Planning and Community Development to execute any related program agreements, contracts, certifications or other documentation required for implementation of the State ESG-CV Stimulus Program funding awarded to Stanislaus County by HCD, this authorization includes the use of any program income in accordance with applicable program guidelines – Planning 2020-0359
- 6.D.4** Set a public hearing for 07/28/2020, at the 9:00 a.m. meeting to consider approval of a Substantial Amendment to the FY 2015-2020 Stanislaus Urban County Consolidated Plan (Con Plan); the FY 2019-2020 Annual Action Plan (AAP); and, the Citizen Participation Plan (CPP) – Planning 2020-0360

DeMartini/Berryhill unan. **6.B.13** Approved the award of a Public Works of Improvement Agreement with Division 5-15, Inc. of Gold River, CA for the Stanislaus Building HVAC Replacement Project at the Stanislaus County Agricultural Center for a not to exceed amount of \$1,808,950; authorized the Purchasing Agent to execute the agreement, and to sign any necessary documents on behalf of the County; authorized the Purchasing Agent to sign change orders up to \$25,000, consistent with the County's Change Order Policy; and, directed the Auditor-Controller to transfer appropriations from the GSA Deferred Maintenance budget unit into the GSA Stanislaus Building HVAC Project capital project fund as outlined in the budget journal form, attached to the agenda item – GSA 2020-0347

Chiesa/Withrow (3-2)(Olsen and Berryhill opposed) **7.1** Conducted a public hearing to introduce and waive the first reading of an ordinance to establish new fees and amend or eliminate existing fees for the Department of Environmental Resources – DER ORD-56-V-2 2020-0361

Withrow/DeMartini unan. **7.2** Conducted a public hearing to introduce and waive the first reading of an ordinance to establish new fees and amend existing fees for building services – Planning ORD-56-V-4 2020-0362

Chiesa/Olsen unan. **7.3** Conducted a public hearing to introduce and waive the first reading of an ordinance to establish a new fee and amend existing fees for planning services – Planning ORD-56-V-3 2020-0363

Berryhill/DeMartini unan. **7.4** Conducted a public hearing to introduce and waive the first reading of an ordinance to amend existing fees and establish new fees for the Stanislaus Animal Services Agency
– Animal Services ORD-56-V-5 2020-0364

Withrow/Chiesa unan. **8.1** Approved the establishment of a Business Grant Program to provide financial assistance to Stanislaus County businesses impacted by the public health emergency response to COVID-19, through the allocation of \$10 Million of Coronavirus Aid, Relief, and Economic Security (CARES) Act Coronavirus Relief Funds (CRF); authorized the CEO, or designee, to initiate the application process for the Business Grant Program; directed the CEO, or designee, to return to the Board of Supervisors with grant application scoring criteria for the Business Grant Program; and, directed the CEO, or designee, to return to the Board of Supervisors with plans to initiate a non-profit support program and/or community match fund – CEO 2020-0365

Berryhill/Withrow unan. **8.2** Accepted an update on Emergency Non-Congregate Sheltering and Support provided during the COVID-19 Public Health Emergency; authorized the Director of the CSA, or her designee, to negotiate and enter into any agreements through 09/30/2020, in an amount up to \$1.2 million, to secure sites and services to reduce the transmission of COVID-19; and, authorized the Auditor-Controller to make the necessary budget adjustments, increasing appropriations in the CSA Housing and Homeless Services budget by \$1.2 million, as detailed in the budget journal, attached to the agenda item – CSA 2020-0366

Corr 1 Referred to the Department of Workforce Development, Worker Adjustment and Retraining Notification letters regarding the furlough or temporary layoff of employees from the San Francisco Opera, and the Golden Valley Health Centers.

Corr 2 Referred to the CEO, a copy of the Gallo Center for the Arts Budget for FY 2020-2021 including Leases, Prices, Concessions, Fees and the Schedule for the 2020-2021 Season.

Corr 3 Acknowledged receipt of notice from El Solyo Water District regarding the appointment of Kevin Donlon to their Board of Directors

Corr 4 Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Ceres Fire Protection District regarding the resignation of Jerry Hancock from their Board of Directors.

Corr 5 Referred to the Department of Public Works, a notice from the State Department of Transportation regarding the Notice of Availability of the Draft Initial Study/Mitigated Negative Declaration for the Metal Beam Guardrail Upgrade Project.

Corr 6 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: David Bruce Schlegel; Law Office of William Most on behalf of David McDaniel; Travelers Ins. on behalf of Nelson & Sons Electric, Inc.; Modesto Irrigation District; Law offices of John L. Burris on behalf of Cathy Cepeda; Joshua Mahaney; Angela D Mayfield; Central San Joaquin Valley Risk Management Authority on behalf of City of Oakdale; Danielle Johnson; Farmers Insurance Exchange a/s/o David Bruce Schlegel; and, Merissah Lopez.

Supervisor DeMartini shared that the Ag Commissioner's Office has provided 235,000 masks to farmworkers. He also mentioned that July was proclaimed Parks and Recreation Month on today's agenda and hopes that everyone can enjoy them.

Supervisor Chiesa reminded everyone that although COVID-19 has dominated the time of the CEO, Chairwoman and Department Heads, County services are still continuing. He thanked all the essential workers for doing their jobs.

Supervisor Withrow mentioned that he did his first COVID-19 Q&A Facebook Live event. He voiced concerns regarding Wood Colony's Urban Limit Line going before the City Council this evening.

CEO Hayes thanked Supervisor DeMartini for recognizing agricultural workers and importance of our Parks.

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

Adjourned to closed session at 12:07 p.m.

13.1 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. No reportable action was taken.

13.2 Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(d)(1): One Case: In re Purdue Pharma, L.P., et al., United States Bankruptcy Court - Southern District of New York, Case No. 19-23649. No reportable action was taken.

13.3 Conference with Legal Counsel - Anticipated Litigation pursuant to Government Code Section 54956.9 (d)(4). Three Matters.

13.3a Closed Session Announcement: Chiesa/Olsen unan. The Board approved a Settlement Agreement with the City of Waterford regarding recovery of overpayment of the Documentary Transfer Tax and authorized the Chairwoman of the Board to execute the settlement agreement. 2020-0367

13.3b Closed Session Announcement: Withrow/Chiesa unan. The Board authorized County Counsel to take all actions necessary to abate the nuisance of the property located at 5th Street, in unincorporated area near the City of Turlock, including the initiation of litigation and to seek the appointment of a receiver pursuant to Health and Safety Code § 17980 et seq. 2020-0368

13.3c Closed Session Announcement: Chiesa/DeMartini unan. The Board authorized County Counsel to initiate litigation regarding outstanding contract claims. The defendant(s) and the other particulars will, once the action is formally commenced, be disclosed to any person upon inquiry. 2020-0369

Adjourned at 1:25 p.m.

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

BY: KELLY RODRIGUEZ, 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.)