



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 30, 2019

9:00 AM

Chambers - Basement Level

1010 10th Street

Modesto, CA 95354

www.stancounty.com/board/index.shtm

The Board of Supervisors welcomes you to its meetings which are regularly held each Tuesday, and your interest is encouraged and appreciated.

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. Please complete a Public Comment Form and give it to the Clerk of the Board.

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. If you wish to discuss a consent item, please notify the Clerk of the Board prior to the beginning of the meeting or you may speak about the item during Public Comment Period.

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: Please raise your hand or step to the podium at the time the item is announced by the Board Chairperson. 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 grants a longer period of time.

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.

Materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Clerk's office at 1010 10th Street, Suite 6700, Modesto, CA during normal business hours. Such documents are also 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.

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. In addition, a live audio/video broadcast of this meeting can be heard/seen via the World Wide Web at: 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.

1. Pledge Allegiance to the Flag
2. Invocation
3. Presentation: Valley Children's Healthcare "Stanislaus County's Children: Futures Worth Fighting For"
4. Public Comment Period
5. Consent Calendar
 - A. Miscellaneous
 1. Approval of the Minutes for April 16, 2019 ([View Item](#))
 2. Approval of a Commendation for David A. Olson, M.D., Upon Receiving the John Darroch Memorial Award, as the Outstanding Physician for 2019, from the Stanislaus Medical Society ([View Item](#))
 3. Approval of Appointment of Edward L. Ford to the Hills Ferry Cemetery District Board of Directors ([View Item](#))
 4. Approval to Proclaim May 2019 as Mental Health Awareness Month in Stanislaus County ([View Item](#))
 - B. Chief Executive Office
 1. Approval to Adopt the Recommended Decision of the Nuisance Abatement Hearing Board Regarding the Property at 1112 Manor Drive, Modesto, California – Environmental Resources ([View Item](#))
 2. Approval of the Area Plan Update for the Area Agency on Aging for Fiscal Year 2019-2020 – Aging and Veteran Services ([View Item](#))
 3. Approval to Apply for and Accept, if Awarded, Grant Funding from the California State Library for the Zip Books Project – Library ([View Item](#))
 4. Approval to Renew a Resolution Authorizing the Treasurer-Tax Collector to Utilize the California State Local Area Investment Fund (LAIF) as a Short-Term Investment Vehicle – Treasurer / Tax Collector ([View Item](#))
 5. Approval to Disburse Excess Proceeds of \$443,638.19 from the November 9, 2017 Sale of Tax-Defaulted Properties – Treasurer / Tax Collector ([View Item](#))
 6. Approval of the Fourth 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 and Related Matters – Chief Executive Office ([View Item](#))
 7. Approval to Adopt the Mental Health Services Act Plan Update for Fiscal Year 2018-2019 to allow expenditure of MHSA funds for Short-Term Residential Treatment Agreements – Behavioral Health & Recovery Services ([View Item](#))
 8. Approval to Award a Contract for Emergency Flood Response Planning to Kjeldsen, Sinnock, and Neudeck, for the Department of Water Resources Grant Flood Fight Projects – Office of Emergency Services/Fire Warden ([View Item](#))
 9. Acceptance of the Nineteenth 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](#))

10. Approval to Enter into an Agreement with Fidelity National Information Services Government Payment Solutions for the Implementation of an Electronic Payment System in the General Services Agency – General Services Agency ([View Item](#))

C. Department of Public Works

1. Approval to Adopt a Resolution Certifying the 2018 Mileage in Stanislaus County's Maintained Mileage Road System ([View Item](#))
2. Authorize the Public Works Director to Negotiate a Freeway Maintenance Agreement Between Stanislaus County and the State of California, Department of Transportation, for State Route 132 from Clark Road to Carpenter Road ([View Item](#))
3. Authorize the Installation of Four Street Lights at Various Locations in the Denair Lighting District ([View Item](#))

D. Department of Planning and Community Development

1. Approval to Rescind a Portion of Williamson Act Contract No. 2017-11, Located on Victory Avenue, Between Lon Dale Road (HWY 120) and River Road, in the Oakdale Area; and Approval of a New Contract, Pursuant to Lot Line Adjustment Application No. PLN2018-0040, O'Roark and Magers ([View Item](#))
2. Authorization to Submit a Grant Application and an Administrative Entity Award Recommendation Package for Fiscal Year 2019-2020 to the California Department of Housing and Community Development for the State of California Emergency Solutions Grants Program ([View Item](#))
3. Approval to Set a Public Hearing on May 14, 2019, at the 9:00 A.M. Meeting, to Consider the Planning Commission's Recommendation for Approval of Use Permit and Development Agreement Application No. PLN2018-0162, Phenos Cooperative, Inc., for the Operation of a Commercial Cannabis Cultivation, Processing, and Distribution Located at 304 Motor City Court, between Detroit Lane and McHenry Avenue, in the Modesto Area ([View Item](#))

E. County Counsel

6. Public Hearings

1. Conduct a Public Hearing to Consider the Planning Commission's Recommendation for Approval of Use Permit and Development Agreement Application No. PLN2018-0159, Stockton Business Strategies, to Establish a Commercial Cannabis Mixed-Light Cultivation Operation Located at 1837 Welty Road, between Spencer and West Blewett Roads, in the Vernalis Area – Planning and Community Development ([View Item](#))
2. Public Hearing to Consider Revising the Load Carrying Capacities of the Schell Road Bridge over the South San Joaquin Irrigation District (SSJID) Main Canal and the Pleasant Valley Road Bridge over SSJID Main Canal, per Section 35751 of the California Vehicle Code – Public Works ([View Item](#))
3. Public Hearing to Consider Approval to Enter into a Freeway Agreement Between Stanislaus County and the State of California Department of Transportation for State Route 132 From Clark Road to Carpenter Road – Public Works ([View Item](#))

7. Discussion Items
 1. Approval to Accept Updates on the Homeless Community System of Care Restructure Project, Homelessness Funding, and Development of a New Governance Body, the Stanislaus Homeless Alliance (SHA) and Appoint a Board of Supervisors' Member to Serve as the County's Representative on the SHA – Chief Executive Office ([View Item](#))
8. Correspondence
 1. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding the 2019 Fiscal Year allocations for the Community Planning and Development's formula programs which provide funding for housing, community and economic development activities, and assistance for low and moderate-income persons and special need populations.
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))
 2. This Board has received a letter from the West Stanislaus Irrigation District regarding the appointment of James Cox to their Board of Directors.
(Recommendation: Refer to the Clerk-Recorder and Registrar of Voters.) ([View Item](#))
 3. This Board has received a copy of the 2018 Annual Report on Toxic Emissions from Valley Facilities from the San Joaquin Valley Air Pollution Control District.
(Recommendation: Refer to the Department of Environmental Resources.) ([View Item](#))
 4. This Board has received a letter from the Stanislaus County Employees Retirement Association regarding Fiscal Year 2019-2020 retirement contribution rates and funded status as of June 30, 2018.
(Recommendation: Refer to the Chief Executive Office.) ([View Item](#))
 5. This Board has received a letter from Oakdale Fire Protection District requesting dry-period funding for Fiscal Year 2019-2020 per Government Code Section 23010.
(Recommendation: Refer to the Auditor-Controller.) ([View Item](#))
 6. This Board has received the following claims: Victoria Vera; Jacinta Groves; Soila Rodriguez; and, John Goold.
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office – Risk Management Division.)
9. Board of Supervisors' Reports
10. Legislative, Fiscal and Management Report - Chief Executive Officer
11. Adjournment

12. Closed Session: Conference with Legal Counsel – Existing Litigation pursuant to Government Code §54956.9 (d)(1): Three Cases: In re PG&E, US Bankruptcy Court-Northern District of California, Case No. 19-3008; State of California, Regents of the University of California, etc. vs. Cellco Partnership dba Verizon Wireless, et al., Sacramento County Superior Court Case No. 34-2012-00127517; Angelina Nunes, et al. v. County of Stanislaus, et al., United States District Court, Eastern District of California Case No. 1:17-CV00633-DAD-SAB. Conference with Legal Counsel -- Significant Exposure to Litigation pursuant to Government Code Section 54956.9 (d)(2): One Matter: Related to a claim filed by AT&T, Sprint, T-Mobile and Pac-Bell, requesting property tax refunds for taxes levied for the 2014-2015 fiscal year. Conference with Legal Counsel -- Initiation of Litigation pursuant to Government Code §54956.9 (d)(4): One Case.