

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

May 21, 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 - Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One Case: Hanibal Yadegar, et al. v. County of Stanislaus, San Joaquin County Superior Court Case No. STK-CV-UNPI-2017-11432.

Reconvened at 6:33 p.m. for Regular Session.

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

The 2019 Stanislaus County Recycling Poster Contest winners received their awards.

Debra Harper spoke regarding the need for better communication and that we all need to coexist together. She spoke regarding her experiences at various businesses in Modesto.

Carrie Schaupp voiced concerns regarding the County's family court system. She stated that she is being retaliated against within the system.

Chiesa/Olsen unan. Adopted the consent calendar

6.A.1 Approved the minutes of 05/14/2019

6.A.2 Approved a commendation for MoBand, the Modesto Band of Stanislaus County, upon their 100th Anniversary 2019-0294

6.A.3 Adopted and waived the second reading of ordinance C.S. 1235 to amend Chapters 9.82 and 4.36 of the Stanislaus County Code and associated Department of Agriculture and Weights and Measures Fee Schedule ORD-56-H-1 2019-0295

6.A.4 Adopted and waived the second reading of ordinance C.S. 1236 to establish new fees and amend or eliminate existing fees for DER ORD-56-H-2 2019-0296

6.A.5 Adopted and waived the second reading of ordinance C.S. 1237 to establish a new fee and amend existing fees for Planning Services for the Department of Planning and Community Development ORD-56-H-3 2019-0297

- 6.B.1** Approved the agreements with service providers for CSA effective 07/01/2019 as reflected in the agenda item; authorized the CSA Director, or her designee, to sign the agreements identified in Attachment A and Attachment B, attached to the agenda item; authorized the CSA Director, or her designee, to negotiate and sign amendments to agreements discussed in the agenda item, as Attachment A, to add services and payment for services up to \$100,000 per agreement, budget permitting, throughout the term of the agreement; authorized the CSA Director, or her designee, to negotiate and sign amendments to agreements discussed in the agenda item, as Attachment B, to add services and payment for services up to \$50,000 per agreement, budget permitting, throughout the term of the agreement; and, authorized the County Purchasing Agent, to negotiate and sign amendments to the United Way 2-1-1 Services agreement identified in Attachment A, attached to the agenda item, to add services and payment for services up to \$100,000, budget permitting, throughout the term of the agreement – CSA 2019-0298
- 6.B.2** Set a public hearing on 06/25/2019 at the 9:00 a.m. meeting to consider adjustments to the Stanislaus County Franchise Maximum Rates for solid waste collection services – DER 2019-0299
- 6.B.3** Approved Grant Agreement Number 18-10776, with the California Department of Public Health for Implementing Core HIV Program Management for the period of 01/01/2019 through 12/31/2022; and, authorized the HSA Managing Director, or her designee, to sign and execute the contract and any subsequent amendments – HSA 2019-0300
- 6.B.4** Authorized the Mountain Valley Emergency Medical Services Agency to expend System Enhancement Funds on behalf of the County to purchase First Watch fire first responder On-Line Compliance Utility Module – HAS 2019-0301
- 6.B.5** Declared the list of vehicles and equipment, attached to the agenda item, as surplus and authorized these assets to be auctioned; and, directed the Auditor-Controller to deposit all receipts from the sale of these assets net of General Services Agency – Fleet Services cost, into departmental accounts as appropriate to the fixed asset location of the asset – GSA 2019-0302
- 6.B.6** Introduced and waived the first reading of ordinance C.S. 1239 amending Section 2.24.060 of the Stanislaus County Code to modify the Purchasing Agent’s bidding threshold for individual items and reporting requirements from \$5,000 to \$15,000 – GSA
ORD-56-I-2 2019-0303
- 6.C.1** Approved the Transportation Development Act Claim for FY 2019-2020 in the amount of \$7,470,644; and, authorized the Director of Public Works to execute and submit the claim to StanCOG – PW 2019-0304
- 6.C.2** Approved the Amended and Restated Memorandum of Agreement between the County of Stanislaus and the City of Modesto for the Preliminary Engineering Phase of the 7th Street Bridge Project; and, authorized the Chairman to execute the Amended and Restated Memorandum of Agreement for the Preliminary Engineering Phase of the 7th Street Bridge Project – PW C-6-M-2 2019-0305
- 6.C.3** Approved the Plans and Specifications for the Mitchell Road Pavement Maintenance Project; awarded a contract for Construction Services to George Reed, Inc. of Modesto, CA for the Mitchell Road Pavement Maintenance Project; authorized the Director of Public Works to execute a contract with George Reed, Inc. in the amount of \$2,299,750 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 2019-0306

6.D.1 Adopted a resolution to authorize the Director of Planning and Community Development to participate in the State of California Housing and Community Development Department's (HCD) California Emergency Solutions and Housing (CESH) Program; authorized the Director of Planning and Community Development to submit a Grant Application Package to the California Department of HCD; authorized the County to accept, if awarded, the CESH program funding and authorize 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, or other documentation required for implementation of CESH program funding awarded to Stanislaus County by HCD, this authorization includes the use of any program income in accordance with applicable program guidelines
– Planning 2019-0307

Olsen/Chiesa unan. **7.1** Closed the 30-day public review period and conducted a public hearing; approved the draft Stanislaus Urban County's FY 2019-2020 AAP for submittal to the United States Department of HUD; authorized the Director of Planning and Community Development to sign and submit to HUD the applications for Federal Assistance (SF-424 and SF-424D), and CDBG and ESG Program certifications; authorized the County CEO to sign the FY 2019-2020 Subrecipient Agreements with each Stanislaus Urban County member; authorized the Director of Planning and Community Development to execute any related program agreements, contracts, or other documentation required for implementation of CDBG, ESG, HOME Investment Partnerships Program (HOME), and any other programs identified in the AAP, the authorization includes the use of any program income in accordance with applicable program guidelines; and, authorized the Planning and Community Development Department to incorporate any comments received prior to the close of public review period and during the public hearing in the final documents and to make alterations to the documents as directed by HUD, provided alterations are technical in nature and do not alter the approved programs or funding allocations – Planning
2019-0308

8.1 The Agricultural Commissioner presented a report regarding the status and potential options related to industrial hemp cultivation in Stanislaus County, and the following motions were made:

Supervisor DeMartini made a **motion that failed for a lack of a second** to approve Option 2 (c): Begin the process to enact a moratorium to prohibit all hemp production until state and federal regulations are established and the state receives federal approval of its industrial hemp program.

Olsen/Chiesa (4-1)(DeMartini opposed) **8.1** Accepted a report from the Ag Commissioner regarding the status and potential options related to industrial hemp cultivation in Stanislaus County; the Board considered options for the next steps related to industrial hemp cultivation in the Stanislaus County unincorporated area; and, the Board **amended** the item to add and approve Option (d) to read as follows: "Directed staff to return in two weeks with a pilot program for Board consideration that would allow a limited amount of Hemp cultivation activity through the end of the year" – Ag Commissioner
2019-0309

Corr 1 Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Keyes Community Services District regarding the appointment of Johnathon Parker to their Board of Directors.

Corr 2 Referred to the CEO, a copy of the 1st Quarter Financial Reports for the Gallo Center for the Arts for the period of 01/01/2019 through 03/31/2019.

Corr 3 Referred to OES and the Ag Commissioner and Sealer of Weights and Measures, a letter from the Governor's Office of Emergency Services regarding President Trump's disaster declaration for multiple California counties, including Stanislaus County, due to severe winter storms that occurred 02/13/2019-02/15/2019.

Corr 4 Referred to HSA and OES, a resolution from the City of Turlock consenting to the enforcement of all health laws within their jurisdiction by the Stanislaus County Public Health Officer.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Satparkash S. Kapoor; Ramandeep Khangula; and, Randolph Wayne Johnson.

Adjourned at 9:27 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.)