

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

Regular Session  
Supervisor Berryhill Absent  
Pledge of Allegiance to the Flag

Tuesday

June 4, 2019

Invocation was given by Sister Benitez with The Church of Jesus Christ of Latter-day Saints.

Michelle Allen, Executive Director of the Society for disABILITIES, received a resolution proclaiming June 2019 as Disability Awareness Month.

The Modesto Band of Stanislaus County (MoBand) was recognized and presented with a resolution upon their 100<sup>th</sup> Anniversary.

Chiesa/Olsen (4-0)(Berryhill absent) Adopted the consent calendar after removing from consent agenda item **5.B.19** Accept the Updated Report and Plan for the Provision of Continued Access to Primary and Specialty Clinical Care; Support of the Family Medicine Residency Program by the Health Services Agency and Set a Public Hearing on 07/16/2019 at 6:30 p.m. to Consider the Consolidation of County Operated Clinics and Potential Associated Impacts to Employees – Health Services Agency

- 5.A.1** Approved the minutes of 05/21/2019
- 5.A.2** Adopted and waived the second reading of ordinance C.S. 1239 amending Section 2.24.060 of the Stanislaus County Code to modify the bidding threshold and reporting requirements from \$5,000 to \$15,000 ORD-56-I-2 2019-0310
- 5.A.3** Accepted the resignation of Garner Reynolds from the Stanislaus County Local Task Force on Solid Waste Management 2019-0311
- 5.A.4** Accepted the resignations of Steve T. Pedrazzi and Bob Kimball from the West Stanislaus County Fire Protection District Board of Directors 2019-0312
- 5.A.5** Accepted the resignation of Ed Ford from the Hills Ferry Cemetery District Board of Trustees 2019-0313
- 5.A.6** Accepted the resignation of Leilani San Nicolas Garcia from the Stanislaus County Child Abuse Prevention Council 2019-0314
- 5.A.7** Proclaimed June 2019 Elder Abuse and Vulnerable Adult Awareness Month in Stanislaus County 2019-0315
- 5.B.1** Approved the amendment to the MOU between CSAC Excess Insurance Authority (EIA) and participating members of the Dental program to allow the County to continue participating in the CSAC EIA Dental Program; and, authorized the CEO to sign the MOU and any future amendments – Risk Management 2019-0316
- 5.B.2** Approved the agreements and amendments to renew agreements with service providers for BHRS effective 07/01/2019, for FY 2019-2020, as reflected in the agenda item; authorized the BHRS Director, or his designee, to sign the agreements and amendments to renew agreements for FY 2019-2020 as reflected in the agenda item; authorized the BHRS Director, or his 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 FY 2019-2020; and, authorized the BHRS Director, or his 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 FY 2019-2020 – BHRS 2019-0317

- 5.B.3** Accepted the Stanislaus County Treasury Pool’s March 2019 Monthly Investment Report as prepared by the Stanislaus County Treasurer-Tax Collector’s Office and reviewed for conformity with the Stanislaus County Treasury Pool Investment Policy by the Treasurer-Tax Collector, and distributed to the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2019-0318
- 5.B.4** Allocated the payment of possessory interest tax bill (ASMT 860-000-576-000) in accordance with Section 104.13 (c) of the California Streets and Highways Code; allocated lease revenue to the City of Modesto and to the City of Ceres in accordance with Section 104.10 of the California Streets and Highways Code; and, allocated lease revenue to the County Road Fund in accordance with the provision in 104.10 of the California Streets and Highways Code that its spending be limited to mass transit or streets and highways purposes – Auditor-Controller 2019-0319
- 5.B.5** Authorized the Auditor-Controller to loan funds under Government Code Section 23010 for operational expenses to Oakdale Fire Protection District in an amount not to exceed \$1,700,000, which is 85% of the District’s anticipated revenue – Auditor-Controller DF-8-C-10 2019-0320
- 5.B.6** Approved the 2019-2020 Megabyte Property Tax System Maintenance Agreement with Megabyte Systems, Inc. in the amount of \$310,642 for the time period 07/01/2019 through 06/30/2020; and, authorized the CEO, upon the recommendation of the Assessor, Auditor-Controller and the Treasurer-Tax Collector, to sign the agreement – Assessor 2019-0321
- 5.B.7** Accepted the Report of Donations received by the County of Stanislaus for the First, Second, and Third Quarters of FY 2018-2019 – Auditor-Controller 2019-0322
- 5.B.8** Authorized the Director of Workforce Development, or designee, to enter into and sign agreements, contracts and amendments to expend Budget Year 2019-2020 Workforce Innovation and Opportunity Act funds, contracted StanWORKs funds and other workforce training related funds; and, authorized the Director of Workforce Development, or designee, to apply for and enter into workforce related grants and contracts – Workforce Development 2019-0323
- 5.B.9** Accepted the twenty-first update in accordance with Public Contract Code Sections 20134 and 22050 for emergency remediation/repairs at 10<sup>th</sup> Street Place, to repair water damage and restore essential government operations – CEO 2019-0324
- 5.B.10** Approved the sixth 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 – CEO 2019-0325
- 5.B.11** Approved the use of up to \$2,523 from the Community Development Fund to support the Salida Fire Protection District; and, directed the Auditor-Controller to make the necessary budget adjustments per the budget journal attached to the agenda item – CEO 2019-0326
- 5.B.12** Approved the award of an agreement with International Rescue Committee, Inc. for the provision of refugee social services employment services, as a result of a RFP process issued by CSA; and, authorized the CSA Director, or her designee, to sign the agreement for services in the amount of \$900,000 for a term of 07/01/2019 through 06/30/2022, and any amendments to add services and payment for services up to \$100,000, budget permitting, for the term of the agreement – CSA 2019-0327

- 5.B.13** Approved an agreement with Traditions Psychology Group, Inc., doing business as (dba) Traditions Behavioral Health, to provide psychiatrist staffing for the term of 06/01/2019 through 06/30/2020, for a not to exceed amount of \$3,024,000; and, authorized the BHRS Director, or his designee, to sign the agreement with Traditions Psychology Group Inc., dba Traditions Behavioral Health – BHRS 2019-0328
- 5.B.14** Accepted the Deferred Compensation Committee’s Update for change in plan administration and record keeper services for Stanislaus County 457(b) Deferred Compensation Plan and Alternate Retirement System Plan for part-time, seasonal and temporary employees – Risk Management 2019-0329
- 5.B.15** Amended current County Workers’ Compensation Policies to reflect changes pursuant to AB 1749 for off-duty Peace Officers, who while out of State, sustain injuries under certain circumstances; adopted a resolution to expand Worker’s Compensation Coverage pursuant to AB 1749 for Sheriff Department Peace Officers who are injured while off duty in certain circumstances; and, approved Endorsement No. U-6 to the Memorandum of Coverage (MOC) between CSAC Excess Insurance Authority (EIA) and participating members of the Excess Worker’s Compensation program – CEO 2019-0330
- 5.B.16** Authorized the use of \$20,000 one-time Proposition 63 funding received by the Department of Aging and Veterans Services for the purchase of computer equipment; and, directed the Auditor-Controller to increase appropriations and budgeted revenue in the FY 2018-2019 Department of Aging and Veterans Services Department budget, as detailed in the budget journal, attached to the agenda item – Aging & Veterans Services 2019-0331
- 5.B.17** Authorized the Director of Behavioral Health and Recovery Services, or his designee, to apply for, and if awarded, enter into and sign the grant agreement and related documents for the Comprehensive Opioid Abuse-Site based FY 2019 Program Grant Funding from the Department of Justice, Bureau of Justice Assistance – BHRS 2019-0332
- 5.B.18** Declared vehicle (02-84), a 2002 Dodge Ram 2500 passenger van, as surplus; authorized the CEO to donate vehicle (02-84) to the Downtown Streets Team for use in transporting Team Members throughout their service area in Stanislaus County; and, authorized the Purchasing Agent to sign the release of liability for vehicle (02-84) – CEO 2019-0333
- 5.B.20** Approved amending the Professional Development Allowance Policy – CEO 2019-0335
- 5.D.1** Set a public hearing on 06/25/2019, at the 9:00 a.m. meeting, to consider the Planning Commission’s recommendation for approval of Use Permit and Development Agreement Application No. PLN2018-0166, JDI Farms, Inc., request to operate a mixed-light commercial cannabis cultivation and nursery business, located at 1631 Fig Avenue, between Sycamore and Elm Avenues, in the Patterson area; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-56-J-1 2019-0336
- 5.D.2** Set a public hearing on 06/25/2019, at the 9:00 a.m. meeting, to consider the Planning Commission’s recommendation of denial of Use Permit and Development Agreement Application No. PLN2018-0117, The Honest Choice, request to establish a commercial cannabis retail business, located at 4701 Main Street Suite D, between San Joaquin and Alameda Avenues, in the Community of Denair; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-56-J-2 2019-0337

DeMartini/Olsen (4-0)(Berryhill absent) **5.B.19** Accepted the proposed transition plan outlining the consolidation of HSA clinics and opportunity for continued patient access through the community Federally Qualified Health Centers of Golden Valley Health Centers and Livingston Community Health; and, approved to set a public hearing on 07/16/2019 at the 6:30 p.m. meeting pursuant to section 1442.5 of the Health and Safety Code to consider: a.) The elimination of the direct provision of clinical services by the County Health Services Agency at the Ceres Medical Office on, about or before 12/31/2019; b.) The elimination of the direct provision of clinical services by the County Health Services Agency at the Hughson Medical Office on, about or before 12/31/2019; c.) The elimination of the direct provision of clinical services by the County Health Services Agency at the Turlock Medical Office on, about or before 12/31/2019; d.) The establishment of a transition plan for patient care to other clinic locations or community Federally Qualified Health Centers in coordination with the Medi-Cal Health Plan of San Joaquin and Health Net – HSA 2019-0334

Olsen/Chiesa (3-1)(DeMartini opposed)(Berryhill absent) **7.1** The Board considered options related to industrial hemp cultivation in the Stanislaus County unincorporated area as presented in the agenda item, including a proposed interim urgency ordinance requiring licensing for hemp cultivation; the Board **amended** the proposed ordinance to change it from an “urgency ordinance” to a “regular ordinance” as follows: deleted the word “urgency” from the title and wherever it may appear in the ordinance; deleted paragraph 2 of section 1; deleted the word “immediate” in paragraph 3 of section 1; deleted the word “immediately” in section 4 and inserted the words “thirty days” in its place; in section 6.85.050 subparagraph (d), added the words “of a city” following the word “designation” at the end of the sentence; in section 6.85.050 subparagraph (d), deleted the words “June 28, 2019” and inserted the word “July 18, 2019”; the Board introduced and waived the first reading of the ordinance as amended, Ordinance C.S. 1240, which amends Title 6 of the Stanislaus County Code, by adding chapter 6.85 requiring licensing for hemp cultivation in the unincorporated area of the County; the Board ordered that the amended ordinance be placed on the next agenda for the Board to consider the waiving of the second reading and adoption of Ordinance C.S. 1240, and, authorized the Clerk of the Board to give any notice and make any publication as required by law – Ag Commissioner ORD-56-I-3 2019-0338

**Corr 1** Referred to OES, a resolution from Butte County thanking Stanislaus County for their assistance during the 2018 Camp Fire.

**Corr 2** Referred to DER, a letter from the California Water Boards regarding a notice of petition for temporary change involving the transfer of up to 20,000-acre feet of water from Merced Irrigation District to various agencies under license 2685 (application 1224).

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Stephen Busett; Grange Ins. Association – Minor; Ricardo Vasquez, RV by and through his guardian ad litem Jessica Santos; Guadalupe Magana; Andrew Haro and Margarita Anaya; Stephen L. Busch; Domingo Perez; Lucas Antonio Muniz; Tom Geiss; and, Kaydin Walker.

Supervisor Chiesa reported that he witnessed law enforcement officials from Stanislaus County Sheriff’s Department, Ceres Police Department and Modesto Police Department eradicate thousands of illegal marijuana plants this morning.

Supervisor Olsen noted that she attended the Office of Emergency Services Preparedness Summit in Sacramento yesterday.

CEO Hayes noted that the County is tracking Senate Bill 438 regarding the dispatch of emergency response resources.

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 11:16 a.m.

**Supervisor Withrow left at 11:26 a.m.**

Supervisor Withrow recused himself from the two Closed Session matters listed below.

**12.1** Conference with Legal Counsel - Existing Litigation: Two Cases: City of Patterson v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. CV18004195. City of Newman v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. CV18004193. Government Code Section 54956.9(d)(1).

Closed Session Announcement: **12.1a** Olsen/DeMartini (3-0)(Withrow recused)(Berryhill absent). In regard to Conference with Legal Counsel - Existing Litigation: City of Patterson v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. CV18004195. Government Code Section 54956.9(d)(1). The Board authorized the Chairman of the Board to sign the settlement agreement and authorized the Chief Executive Officer and County Counsel to take all necessary actions to finalize this litigation.

Closed Session Announcement: **12.1b** Chiesa/DeMartini (3-0)(Withrow recused)(Berryhill absent). In regard to Conference with Legal Counsel - Existing Litigation: City of Newman v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. CV18004193. Government Code Section 54956.9(d)(1). The Board authorized the Chief Executive Officer to sign the settlement agreement and authorized the chief Executive Officer and County Counsel to take all necessary actions to finalize this litigation.

Adjourned at 11:44 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.)