

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

Regular Session

Tuesday

May 12, 2020

All Supervisors Present*

Pledge of Allegiance to the Flag

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

Chairwoman Olsen announced that this meeting will be held in accordance with the Governor's Stay at Home Executive Order N-33-20 and will not include in person public attendance. She reviewed the options for the members of the public to observe the meeting and provide comments to the Board via email or telephone as listed on the first page of the agenda.

Invocation was given by Pastor Michael Schiefelbein with College Ave United Church of Christ.

Wayne Warren shared his concerns regarding the staged reopening of the reservoirs.

Eric Shandel inquired about possible reimbursement for pre-purchased annual passes for the parks and reservoirs.

Shehu Hassan shared concerns regarding the spread of COVID-19.

Patricia Hayes inquired about the process for COVID-19 at risk emergency shelter.

Withdraw/Chiesa unan. Adopted the consent calendar

4.A.1 Approved the minutes of 05/05/2020

4.A.2 Appointed Richard Fortado to the Turlock Rural Fire Protection District 2020-0201

4.B.1 Authorized the Agricultural Commissioner, or designee, to enter into and sign an amended cooperative agreement with the California Department of Food and Agriculture to perform activities related to the cultivation of industrial hemp and registration issuance
– Agricultural Commissioner 2020-0202

4.B.2 Authorized the Chairwoman of the Board to execute the Grant Deed for a fifteen foot strip of land on Mary Street in Grayson, CA to the City of Modesto for Improvements, conveying all interest in the lot line adjustment; finds that the properties owned by Stanislaus County included in the lot line adjustment are not required for use by the County; finds that the properties currently owned by the County, are required for the City of Modesto use in order to make above and below ground improvements; finds that the recommended actions are exempt from the provisions of the CEQA according to Section 15312 and Class 12 of the CEQA Guidelines (sales of government property), and authorized the Director of Parks and Recreation, or designee, to file the Notice of Exemption; finds that the property is exempt surplus land pursuant to Government Code 54221; and, authorized the Director of Parks and Recreation, or designee, to administer and execute any other documents necessary to complete the transfer of real property – Parks and Recreation

C-6-O-8 2020-0203

- 4.B.3** Approved the MOU between the County of Stanislaus and the American Red Cross-Stanislaus County defining the responsibilities for responding to disasters in Stanislaus County; and, authorized the CEO to sign the MOU for the period of 07/01/2020 through 06/30/2025 – CSA 2020-0204
- 4.B.4** Approved the 2020-2021 Megabyte Property Tax System maintenance agreement with Megabyte Systems, Inc. in the amount of \$317,786.28 for the time period 07/01/2020 through 06/30/2021; and, authorized the GSA Director/Purchasing Agent, upon the recommendation of the Assessor, Auditor-Controller, and the Treasurer-Tax Collector, to sign the agreement – Assessor 2020-0205
- 4.B.5** Adopted a resolution authorizing investment of monies in the California Asset Management Program (CAMP) as a short-term investment vehicle and authorized the Treasurer-Tax Collector, Assistant Treasurer-Tax Collector and the Chief Deputy Treasurer to execute and deliver any and all documents necessary or advisable to effectuate the purposes of the resolution – T/TC 2020-0206
- 4.B.6** Accepted the Accountant’s Report on the Stanislaus County Treasurer’s Statement of Assets as of 12/31/2019 – Auditor/Controller 2020-0207
- 4.B.7** Accepted the March 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 2020-0208
- 4.B.8** Authorized the Sheriff’s Department to offer employment to January Siphon as a Deputy Sheriff I at step five of the salary range, \$38.57 per hour – Sheriff 2020-0209
- 4.B.9** Approved the list of Independent and Employee Contracts between the Stanislaus County HSA and various contractors for FY 2020-2021; authorized the HSA Managing Director, or her designee, to sign the agreements included with the agenda item; and, authorized the HSA Managing Director, her designee or successor, to negotiate and sign individual amendments to the agreements, not to exceed \$75,000 per agreement – HSA 2020-0210
- 4.B.10** Authorized the Auditor-Controller to increase revenue and appropriations in the Homeland Security Grant budget unit by \$646,662 for the FY 2019 Homeland Security Grant Program award – OES 2020-211
- 4.B.11** Approved the 2020-2021 Community Corrections Partnership Plan for 2011 Public Safety Realignment; authorized the Chief Probation Officer to sign all documents related to 2011 Public Safety Realignment, including all contracts and amendments; and, authorized the Chief Probation Officer and the Sheriff to sign all contracts related to the 2020-2021 Community Corrections Plan for Budget Year 2020-2021 – Probation 2020-0212
- 4.C.1** Approved an agreement for construction management services with NV5, Inc., of Sacramento, CA, for the Hickman Road Bridge Project; authorized the Director of Public Works to execute a contract with NV5, Inc., in the amount of \$2,253,467.19 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 2020-0213

Berryhill/Chiesa unan. **5.1** Conducted a public hearing to consider the Planning Commission’s recommendation of approval of Rezone Application No. PLN2019-0093, Tenaya Banquet Hall, a request to amend the zoning designation of a 2.91-acre parcel from Industrial (M) to Planned Development (P-D) to establish a catering and event venue, with two separate event spaces, in an existing 34,720 square-foot commercial building, located at 2206 Tenaya Drive, on the southeast corner of Mitchell Road and Tenaya Drive, in the Modesto area; adopted the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that, on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County’s independent judgment and analysis;

ordered the filing of a Notice of Determination with the Stanislaus County Clerk Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; finds, based on the discussion in the report, and the whole of the record that: (a) the project is consistent with the overall goals and policies of the County General Plan; (b) the proposed Planned Development zoning is consistent with the Industrial General Plan designation; approved Rezone Application No. PLN2019-0093, Tenaya Banquet Hall, subject to the Development Standards attached to the 04/16/2020 Planning Commission Staff Report, attached to the agenda item; and, introduced, waived the reading, and adopted Ordinance C.S. 1273 for the approved rezone – Planning ORD-56-V-1 2020-0214 & 2020-0215

Withrow/DeMartini unan. **5.2** Closed the 30-day public comment period and conducted a public hearing; approved the filing of a Notice of Exemption finding that the proposed approvals are exempt under provisions CEQA pursuant to State Guidelines; approved the FY 2020-2025 Stanislaus Urban County Consolidated Plan (Con Plan); the FY 2020-2021 Annual Action Plan (AAP); and the FY 2020-2025 Regional Analysis of Impediments to Fair Housing Choice (AI); authorized the Director of Planning and Community Development to sign and submit to the Federal Housing and Urban Development (HUD) the Applications for Federal Assistance (SF-424 and SF-424D), and Community Development Block Grant (CDBG) and Emergency Solutions Grants (ESG) Program certifications; authorized the County CEO to sign the FY 2020-2021 Subrecipient Agreements with each Stanislaus Urban County member; authorized the County CEO to sign the FY 2020-2021 City of Turlock/Stanislaus County HOME Investment Partnerships (HOME) Consortium Subrecipient Agreement; 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), Neighborhood Stabilization Programs (NSP), and any other programs identified in the Annual Action Plan; this 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 the public comment 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 2020-0216

Berryhill/Withrow unan. **6.1** The Board received an update from the CEO on COVID-19, including announcements from California State Governor Gavin Newsom; considered options and alternatives to be taken in response to the 05/07/2020 guidance issued from the California Department of Public Health; authorized the CEO, in conjunction with the Chairwoman of the Board, to submit a response to the California Department of Public Health; and, **amended** the item to direct the CEO to not use County resources to enforce the Governor's Stay At Home Order except for mass gatherings – CEO 2020-0217

Corr 1 Acknowledge receipt a notice from Knights Ferry Community Services District regarding the appointment of Katie Feitchter to their Board of Directors.

Corr 2 Acknowledged receipt of claim and referred to the CEO-Risk Management Division the following claim: Leslie Ortega.

Supervisor DeMartini noted that he was on the Election Observer Panel for the Oakdale Fire Protection District Special Election on Tuesday, 05/05/2020, and that it was efficient and ran very smoothly.

Supervisor Chiesa announced that Hughson City Manager Raul Mendez will be returning to work for the Stanislaus County CEO's Office in June and that Merry Mayhew will be the incoming Hughson City Manager.

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 1:00 p.m.

11. Closed Session: 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 in closed session.

Adjourned at 1:48 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.)