

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

Regular Session
District Four Vacant

Tuesday

September 29, 2020

Pledge of Allegiance to the Flag

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

Donna Ferreira from the Sons of Italy accepted a resolution proclaiming October 2020 as Italian-American Heritage Month.

Annette Patton, Animal Services Agency Director, presented the Stanislaus Animal Services Agency's 2019-2020 Annual Report.

Public Health Officer Dr. Vaishampayan, Public Health Nurse Julie Falkenstein, Assistant Director of Emergency Services Richard Murdock, and CEO Hayes provided an update related to the 2019 Novel Coronavirus (COVID-19) emergency and essential services in Stanislaus County.

Chiesa/DeMartini (4-0)(District Four vacant) Adopted the consent calendar after removing from consent Item **6.B.13** Approval to finalize and execute an amendment to extend the agreement with Doctors Medical Center for Inpatient Psychiatric Services from 10/01/2020 through 10/30/2020 – BHRS

6.A.1 Approved the minutes of 09/22/2020

6.A.2 Proclaimed the week of 10/05/2020 through 10/09/2020 as Stanislaus County Diversity Awareness Week 2020-0511

6.B.1 Amended the Salary and Position Allocation Resolution per the MOU between the County of Stanislaus and the Stanislaus County Deputy Probation Officers Association, Salary on Promotion, Section 7 Subsection G, specific to the position of Supervising Probation Correction Officer – CEO 2020-0512

6.B.2 Approved the Restated and Amended Public Works of Improvement Agreement with Champion Industrial Contractors, Inc. of Modesto, CA for the Sheriff's Public Safety Center HVAC and Refrigeration Equipment Project for a not to exceed amount \$1,286,988; 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 Public Safety Center HVAC and Refrigeration and Equipment Project capital project fund as outlined in the budget journal, attached to the agenda item – GSA 2020-0513

6.B.3 Authorized the Sheriff to retire one (1) canine from the Sheriff's Department service and enter into a Canine Retirement Contract with the Canine's current handler – Sheriff 2020-0514

6.B.4 Accepted the County Clerk-Recorder and Registrar of Voters' Certified Statement of the Vote of the 2020 City of Newman Special Election held on 08/25/2020; and, declared the results of the election pursuant to the County Clerk-Recorder and Registrar of Voters' Statement of Vote – Elections 2020-0515

- 6.B.5** Approved an additional four (4) hours of Holiday Time for Thursday, 12/24/2020 for those employees where an existing MOU for similar additional hours does not exist; and, authorized the closure of County Offices on Thursday, 12/24/2020 – CEO
2020-0416
- 6.B.6** Authorized the Auditor-Controller to increase revenue and appropriations in the Sheriff-OES/Fire Warden budget unit by \$117,663 for the FY 2020 Emergency Management Performance Grant Program COVID-19 Supplemental (EMPG-S) award – Sheriff/OES
2020-0417
- 6.B.7** Accepted the final 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
2020-0418
- 6.B.8** Approved an update on the 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 facility – CEO
2020-0419
- 6.B.9** Approved the amended Stanislaus County Personnel Policy Manual Tab 16 – Workplace Harassment, Discrimination and Retaliation Policy including title change of the policy; and, authorized the Human Relations Director, or designee, to approve future changes to the policy to maintain alignment with best practices and legal considerations – CEO
2020-0420
- 6.B.10** Approved recommended health insurance rates, as provided in Attachment A, of the agenda item, to be charged in the employee medical, dental, and vision self-insurance programs for calendar year 2021; approved the extension of the current Health Insurance Agreement for the period of 01/01/2021 through 12/31/2021 between Stanislaus County and the following Employee Labor Organizations; County Attorneys' Association; Stanislaus County Deputy Probation Officers' Association; Stanislaus County Deputy Sheriffs' Association; Stanislaus County District Attorney Investigators' Association; Stanislaus County Probation Corrections Officers' Association; Stanislaus County Sheriff's Management Association; Stanislaus County Sheriff's Supervisors Association; Stanislaus Regional Emergency Dispatchers' Association; Stanislaus County Employees' Association/ AFSCME Local 10, subject AFSCME's successful pending ratification vote; approved the extension of the current Health Insurance Agreement for the period of 01/01/2021 through 12/31/2022 between Stanislaus County and the following Employee Labor Organizations; California Nurses' Association; Stanislaus Sworn Deputies Association; authorized the extension of the Health Insurance Agreement provisions to all unrepresented management and confidential employees for the period of 01/01/2021 through 12/31/2021; and, authorized the CEO or designee to execute all agreements related to implementation and maintenance of employee health insurance programs effective 01/01/2021 through 12/31/2021 – CEO
2020-0521
- 6.B.11** Authorized the CEO, or his designee, to finalize and execute a revised agreement with the State of California for additional temporary use of a portion of the Juvenile Commitment Center for court proceedings requiring in-person appearances, including Juvenile Dependency matters during the COVID-19 Pandemic Emergency; and, authorized the CEO, or his designee, to finalize and execute a revised MOU with the Juvenile Division of the Stanislaus County Superior Court for the temporary use of a portion of the Juvenile Commitment Center for court proceedings requiring in-person appearances, including Juvenile Dependency matters during the COVID-19 Pandemic Emergency – CEO
2020-0522

- 6.B.12** Approved two design changes for the Empire (Exterior Fencing) and Turlock (Acoustical Ceiling) Branch Library Design-Build Projects; approved a change order with Roebbelen Contracting Inc., of Roseville, CA in the amount of \$60,266 to complete the acoustical ceiling change for the Turlock Branch Library to add acoustical ceiling elements, within the approved project budget; approved a change order with Roebbelen Contracting Inc., of Roseville, CA in the amount of \$40,240, to complete a final design element of the Empire Branch Library Replacement Project for installation of an exterior security fence, within the approved project budget; and, authorized the Project Manger to execute the change orders – CEO 2020-0523
- 6.C.1** Finds that all subdivision improvements for tentative parcel map 2004-04 Diablo Grande, The Vineyards II required by the Subdivision Improvement Agreement and executed by Western Pacific Housing, Inc., have been installed to the satisfaction of Stanislaus County, Western Hills Water District, and Diablo Grande Limited Partnership; finds that the said agreement was recorded on 04/20/2006, as Document No. 2006-0059822-00 and filed with the Stanislaus County Clerk Recorder’s Office; authorized the release of Bond No. SU5016358 issued by Arch Insurance Group in the amount of \$3,984,846 for Performance Bond and in the amount of \$1,992,423 for Labor and Materials Bond pursuant to section 66499.7(a) of the Subdivision Map Act, for faithful performance of the Subdivision Improvement Agreement for Vineyards II off-site North Parkway work; authorized the release of Bond SU5016359 issued by Arch Insurance Group in the amount of \$1,040,737 for Performance Bond and in the amount of \$520,368.50 for Labor and Materials Bond for faithful performance of the Subdivision Improvement Agreement for Vineyards II on-site work; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2020-0525
- 6.C.2** Authorized the Director of Public Works to submit an Economic Development Assistance grant application to the U.S. Economic Development Administration for the Crows Landing Industrial Business Park, including a NEPA document approved by EDA; authorized the Director of Public Works to negotiate and enter into Land Purchase Agreements with Ramon L. Perez Irrevocable Trust, for approximately one acre of land located on APN 027-004-044, subject to environmental assessment pursuant to CEQA; finds that the proposed acquisition of the well site is not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve (the Williamson Act); finds that there is no other land within or outside the preserve (the Williamson Act) on which it is reasonably feasible to locate the well site; and authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations; including, notifying the State Department of Conservation of the County’s intent to acquire the well site – PW 2020-0526
- 6.C.3** Approved the Plans and Specifications for the Gilbert Road Bridge Replacement over Turlock Irrigation District Ceres Main Canal, Federal Aid Project No. BRLO- 5938(190); awarded a contract for Construction Services to R.A. Nemetz Construction Co., Inc. of Galt, CA for the Gilbert Road Bridge Replacement over Turlock Irrigation District Ceres Main Canal Project; authorized the Director of Public Works to execute a contract with R.A. Nemetz Construction Co., Inc. in the amount of \$1,263,430 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 2020-0527

6.D.1 Approved the agreements with the City of Ceres and the City of Oakdale to provide building inspection and plan check services; and, authorized the Director of Planning and Community Development to execute the agreements – Planning

C-2-D-4 & C-7-C-4 2020-0528

6.D.2 Set a public hearing on 10/13/2020, at the 9:00 a.m. meeting, to consider the Planning Commission's Recommendation of Denial for Use Permit and Development Agreement Application No. PLN2019-0095, Central Valley Growers, LLC, Howard Road III, a request to establish a mixed-light commercial cannabis cultivation, nursery, processing, and distribution operation in phases on a 49-acre parcel in the A-2 (General Agriculture) zoning district, located at 3735 Howard Road, between the California Aqueduct and the Delta Mendota Canal, east of Interstate Highway 5, in the Westley area; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning

ORD-56-Y-2 2020-0529

6.D.3 Approved the Flexible Rental Subsidies and Rental Assistance (FLEX) funding recommendations for the State of California Housing and Community Development Department's (HCD) California Emergency Solutions and Housing (CESH) Program and authorized the award of funding; and, authorized the Director of Planning and Community Development to execute any related program agreements, contracts, or other documentation required for the implementation of the approved funding recommendations for the CESH-FLEX funding; this authorization includes the use of any program income in accordance with applicable program guidelines – Planning

2020-0530

Withrow/DeMartini (4-0)(District Four vacant) **6.B.13 Amended** the item to add Staff Recommendation No. 2; approved Staff Recommendations Nos 1-2 as **amended** as follows; (1) Approved finalizing and executing an amendment to extend the agreement with Doctors Medical Center for Inpatient Psychiatric Services from 10/01/2020 through 10/30/2020; and, (2) authorized the Behavioral Health and Recovery Services Director, or his designee, to sign the amendment – BHRS

2020-0524

DeMartini/Withrow (4-0)(District Four vacant) **8.1** Authorized the Registrar of Voters to enter into an agreement with the California Secretary of State to accept grant funding to ensure the November 2020 General Election can be conducted in a safe, secure and accessible fashion; the Cares Act contract 20G26150 will provide \$828,950 for COVID-19 related expenses and \$151,783 for voter outreach and communication; and, authorized the Registrar of Voters to seek bids from vendors for equipment and supplies needed to conduct the November 2020 General Election in a safe and effective fashion – Clerk Recorder

2020-0531

Chiesa/Withrow (4-0)(District Four vacant) **8.2** Accepted the Auditor-Controller's report of accounting and claiming for Coronavirus Aid, Relief, and Economic Security (CARES) Act Coronavirus Relief Fund (CRF) funds; accepted an update on the spending plan implementation progress of \$12.8 million of State Pass-through CARES Act CRF funds; accepted an update on the spending plan implementation progress of \$15 million Business Revitalization and Economic Development Support programs funded with CARES Act CRF funds; and, authorized the CEO to sign Monthly Certifications for Receipt of Realignment Backfill Funds Pursuant to the California Budget Act of 2020 – CEO

2020-0532

Corr 1 Acknowledged receipt of the 08/26/2020 meeting minutes from the Orestimba Creek Flood Control District regarding the appointment of Kyle Perez to their Board of Directors.

Corr 2 Referred to the Department of Workforce Development, Worker Adjustment and Retraining Notification letters regarding the layoff of employees from LAGZ Corporation, LAGS Medical Centers, and the Spine and Pain Treatment Medical Center of Santa Barbara, Inc.

Corr 3 Referred to DER, a notice from the California Water Boards regarding the Notice of Petition for Long-Term Change involving the transfer/exchange of up to 5,616 acre-feet of water per year between the Department of Water Resources and the U.S. Bureau of Reclamation.

Corr 4 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Joel Gonzalez (2); Jared A. Amaral; Debra Mae Jenkins; and, Susie Bristow.

Supervisor DeMartini reported the Westside Healthcare Task Force will be judging art entries for the 2021 Calendar on Monday, 11/09/2020 at the Gustine City Hall.

CEO Hayes noted 200 bills are on Governor Newsom's desk and that the Governor has until tomorrow to sign or veto them. The Governor signed AB 1544, the Community Paramedicine or Triage to Alternate Destination Act, which was opposed by Stanislaus County. The CEO mentioned that on Wednesday, 09/30/2020, the County will host legislative meetings with the departments to develop our Legislative Platform.

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 11:45 a.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 - Anticipated Litigation: Pursuant to Government Code Section 54956.9 (d)(4). One Case. No reportable action was taken.

Adjourned at 12:30 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.)