

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

Regular Session
District Four Vacant
Pledge of Allegiance to the Flag

Tuesday

November 03, 2020

Invocation was given by Pastor Lyn Crase, Emanuel Lutheran Church.

Brian Lillie from the Library and Paul Saini from Public Works received their 25-year Employee Service Awards.

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

Sheriff Dirkse reported that the Emergency Operations Center (EOC) was activated at the lowest level for any potential post-election violence. He noted that he does not foresee any post-election violence in Stanislaus County.

Katherine Borges expressed condolences due to the passing of Supervisor Berryhill, and to the families who have experienced loss due to COVID-19. She shared information she has learned from reading studies regarding COVID-19.

Margaret Countryman spoke regarding her appeal of her neighbors second structure permit. She provided a receipt for the application fee she paid to the City of Modesto's Board of Zoning Adjustments.

Chairwoman Olsen acknowledged receipt of written public comments for item 6.B.2.

Chiesa/Withrow (4-0)(District Four vacant) Adopted the consent calendar

- 6.A.1** Approved the minutes of 10/27/2020
- 6.A.2** Adopted and waived the second reading of Ordinance C.S. 1284 relating to mandatory testing of criminal defendants for the Human Immunodeficiency Virus (HIV)
C.S. 1284 ORD-56-Z-2 2020-0576
- 6.A.3** Appointed Michelle Patton and Shavon Haskell to the Knights Ferry Municipal Advisory Council 2020-0577
- 6.A.4** Appointed Christopher Hempleman and Winnie Mullins to the Valley Home Municipal Advisory Council 2020-0578
- 6.A.5** Appointed Lulu Polk and Maricela Vela to the Grayson Community Services District Board of Directors 2020-0579
- 6.A.6** Appointed Miguel Monteon to the Crows Landing Community Services District Board of Directors 2020-0580
- 6.A.7** Appointed Tony Bravo to the Westley Community Services District Board of Directors 2020-0581
- 6.A.8** Appointed Nancy Patton, Katie Feitcher and Lee Hetzler to the Knights Ferry Community Services District Board of Directors 2020-0582

- 6.A.9** Appointed Tommy McDonald to the Denair Community Services District Board of Directors 2020-0583
- 6.A.10** Appointed Adam C. Dalton to the Denair Municipal Advisory Council 2020-0584
- 6.A.11** Appointed Annalisa Brooks and Ryan Reece to the Hickman Municipal Advisory Council 2020-0585
- 6.A.12** Appointed Melissa Wanty-Osuna to the Veterans Advisory Commission 2020-0586
- 6.A.13** Appointed Robert J. Elliott, Jr., and Debbie Nutt to the Salida Municipal Advisory Council 2020-0587
- 6.A.14** Appointed Christopher Joseph Nunes, Fabian Tamayo and Rafael Rodriguez to the Empire Municipal Advisory Council 2020-0588
- 6.A.15** Appointed Rebecca Bettencourt to the Patterson Cemetery District Board of Trustees 2020-0589
- 6.A.16** Accepted the resignation of Marjorie Blom from the Stanislaus County Planning Commission 2020-0590
- 6.A.17** Accepted the resignation of Jody Hayes from the Workforce Development Board 2020-0591
- 6.B.1** Approved a Construction Agreement with TBS Contractors Inc., of Merced, California for \$202,678 for customer parking lot improvements at the Community Services Facility located at 251 East Hackett Road in Modesto; authorized the Project Manager to sign and execute the agreement; approved the final project budget of \$336,664, and established appropriations and operating transfers in of \$336,664 in the Community Services Facility Customer Parking Lot Improvement Project fund; authorized the Project Manager to procure professional services and sign work authorizations needed in this phase of the project, so long as they are within the approved project budget; and, authorized the Project Manager to sign Changed Orders up to \$25,000 consistent with the County’s Change Order Policy – GSA 2020-0592
- 6.B.2** Accepted the Report on Progress and Accounting for the use of Coronavirus Aid Relief, and Economic Security (CARES) Act Coronavirus Relief Fund (CRF) allocations; authorized the CEO, or his designee, to fully appropriate the balance of available CARES Act CRF funds in the Economic Development fund; and, authorized the Auditor-Controller to make technical accounting adjustments necessary to fully claim any unclaimed balance of CARES Act CRF funds by the 12/30/2020 CRF funding expiration date – CEO 2020-0593
- 6.B.3** Approved a construction agreement with MCM Roofing Inc., of McClellan Park, CA in the amount of \$229,620 for the Stanislaus Drug Enforcement Agency Bid Package Number One, Roof Repairs Project; approved a construction agreement with OK Construction, Sole Proprietor, of Antelope, CA in the amount of \$192,450 for the Stanislaus Drug Enforcement Agency, Bid Package Number Two, Tenant Improvement Project; authorized the project manager to execute both agreements and to issue Notices to Proceed, upon receipt of the required bonds and insurance; approved the Final Project Budget of \$600,000, funded by the Stanislaus Drug Enforcement Agency; authorized the project manager to procure professional services and execute work authorizations, needed in this phase of the project, so long as they are within the project budget; authorized the Project Manager to negotiate and execute Change Orders whose value do not exceed \$25,000 consistent with the County’s Change Order Policy; and, authorized the Auditor-Controller to reduce \$75,000 in appropriations and estimated revenues from the SDEA Roof and Tenant Improvement Project – GSA 2020-0594
- 6.C.1** Finds that the interest in a portion of Sutter Avenue adjacent to APN 037-035-046 held by Stanislaus County, is not required for County use; finds that this transaction is categorically exempt from the provisions of the CEQA; and, authorized the Chairwoman

Corr 1 Acknowledged receipt of claim and referred to the CEO’s Office the following claim: Christina Balagot.

Supervisor DeMartini reported that he has been serving as the Board’s representative on the Election Observer Panel and that he has full confidence that the election results will be accurate and timely. He suggested that ballots in the future include a note to voters to use blue or black ink so that the optical scanner can easily read the vote. He also spoke regarding the October 2004 Development Agreement with the City of Patterson, and voiced concerns regarding the City bringing forward a request to the Planning Commission to change the zoning from Industrial to Residential.

Supervisor Chiesa recognized the Employee Service Award recipients at today’s meeting.

CEO Hayes thanked Supervisor DeMartini for his recognition of Donna Linder, Registrar of Voters, and her team. He reminded everyone that there are multiple locations to drop off your ballot in the County, and this information can be found at www.stanvote.com.

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 10:01 a.m.

13.1 Conference with the Chief Executive Officer - Threat to Public Services: Pursuant to Government Code section 54957(a), the Board will confer with the Chief Executive Officer 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 - Significant exposure to litigation pursuant paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9: One Case. No reportable action was taken.

Adjourned at 11:10 a.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.)