

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

Regular Session
District Four Vacant
Pledge of Allegiance to the Flag

Tuesday

December 1, 2020

Invocation was given by Pastor Jim Applegate with Redeemer Church.

Ricky Bispo from Stanislaus County Office of Education presented Red Ribbon Week Photo and Poster contest winners.

Public Health Officer Dr. Vaishampayan, Director of the Health Services Agency Mary Ann Lilly-Tengowski, and CEO Hayes provided an update related to the 2019 Novel Coronavirus (COVID-19) emergency and essential services in Stanislaus County.

Chairwoman Olsen acknowledged receipt of written public comments. She noted that all public comments submitted via email were distributed to the members of the Board of Supervisors.

Samuel Bosshardt voiced concerned regarding government overreach in response to COVID-19 and he noted that he is working to schedule a public demonstration.

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

6.A.1 Approved the minutes of 11/24/2020

6.B.1 Approved the 2020 Revision of the Stanislaus County Purchasing Card Policy – GSA
2020-0633

6.B.2 Approved an agreement between the County and Ascendant HealthCare to provide clinical data management services from 01/01/2021 through 12/31/2022; approved an agreement between the County and Ascendant HealthCare to provide for memorialization of health insurance management services from 01/01/2021 through 12/31/2022; approved an agreement between the County and Stanislaus County Partners in Health for access and management of the medical provider network from 01/01/2021 through 12/31/2022; and, authorized the Purchasing Agent to sign the agreements and any amendments not to exceed the maximum amounts – CEO
2020-0634

6.B.3 Approved and accepted the Stanislaus County 2019-2020 Annual Report – CEO
2020-0635

6.B.4 Approved to close the Modesto Library from Friday, 12/18/2020 through Sunday, 12/27/2020 to allow for the Modesto Library Makerspace Project Construction and to allow for the arc flash modifications – CSA
2020-0636

6.C.1 Approved the use of up to \$79,708 of Community Development Funds to install wrought iron fencing to secure four publicly owned storm drainage basins in the unincorporated town of Empire, Cameron Way Basin, Revenna Basin, Estates Basin, and Mary Lou Basin; and, directed the Auditor-Controller to increase appropriations in the Road and Bridge budget unit per the budget Journal, attached to the agenda item – PW
2020-0637

6.D.1 Approved the proposed 2021 Williamson Act Contracts, Attachment 1, of the agenda item; authorized the Chairwoman of the Board to sign the listed contracts; and directed the Clerk

of the Board to forward the listed contracts to the Clerk-Recorder's Office prior to 01/01/2021 for recording – Planning 2020-0638

6.D.2 Set a public hearing on 12/15/2020, at the 6:30 p.m. meeting, to consider the Planning Commission's recommendation of approval for General Plan Amendment and Rezone Application No. PLN2020-0016, Brichetto, River Road, a request to amend the General Plan designation of a 3.9± acre parcel and the zoning designation of two parcels totaling 7.8 acres in size to Planned Development, to allow for the storage of Recreational Vehicles (RVs), located at 9919 Valley Home Road (SR 120) and 7420 River Road, between Rodden and Jackson Roads, north of the Stanislaus River, in the Oakdale area; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning 2020-0639

6.D.3 Set a public hearing on 12/15/2020 at the 6:30 p.m. meeting, to consider the Planning Commission's recommendation of denial for Use Permit an Development Agreement Application Number 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-57-B-1 2020-0640

Chiesa/Withrow (4-0)(District Four vacant) **7.1** Conducted a public hearing to consider the adoption of the Stanislaus Urban County FY 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and Emergency Solutions Grants (ESG) Programs; adopted the Stanislaus Urban County FY 2019-2020 CAPER for the CDBG and ESG Programs and authorized staff to submit the CAPER to the U.S. Department of Housing and Urban Development (HUD); and, authorized the Planning and Community Development Department to incorporate any comments received during the public review period and the public hearing into the adopted CAPER document and to make alterations to the CAPER as directed by HUD, provided alterations are technical in nature – Planning 2020-0641

Withrow/DeMartini (4-0)(District Four vacant) **8.1** Accepted the Behavioral Health Board Annual Report for FY 2019-2020 – BHRS 2020-0642

Chiesa/Withrow (4-0)(District Four vacant) **8.2** The Board approved instituting a three-cart residential refuse collection system (Option 2 in the staff report), for the implementation of an organics recycling program that complies with Senate Bill 1383 and its associated regulations for the unincorporated area census tracts that are impacted by these new requirements – DER 2020-0643

DeMartini/Withrow (4-0)(District Four vacant) **8.3** Accepted the County Clerk-Recorder and Registrar of Voters' Certified Statement of the Vote of the Statewide General Election held Tuesday, 11/03/2020; and declared the results of the election pursuant to the County Clerk-Recorder and Registrar of Voters' Statement of Vote – Elections 2020-0644

Withrow/DeMartini (4-0)(District Four vacant) **8.4** Introduced and waived the first reading, and order placement on the 12/15/2020 agenda for adoption Ordinance C.S. 1288 amending Chapters 2.08 and 2.52 of the Stanislaus County Code to transfer responsibility of the Director of Emergency Services from the Chief Executive Officer to the Sheriff – Sheriff-OES/Fire Warden 2020-0645

Withrow/Chiesa (4-0)(District Four vacant) **8.5** Accepted a Housing and Homeless Update – CEO

Chiesa/DeMartini (3-0)(Withrow abstained)(District 4 vacant) **Authorization for an Item Too Late For Agenda A** – Pursuant to Government Code section 54952.2(b)(2), the Board finds that there is a need to take immediate action to approve adding an item to the agenda to consider an appointment to the Western Hills Water District Board of Directors to fill the vacancy left by the resignation of Barry Ivy; the need for action came to the attention of the County on Sunday, 11/29/2020, after the Board agenda was already posted; and, approved adding an item too late for agenda and placed the item on this agenda titled “Approval of Appointment to the Western Hills Water District Board of Directors” – County Counsel
2020-0647

DeMartini/Chiesa (3-0)(Withrow abstained)(District 4 vacant) **Item Too Late For Agenda B** – Pursuant to Government Code section 1780 (f)(1), the Board considered whether to fill the vacancy by appointment to the Western Hills Water District Board of Directors or order the Western Hill Water District to call an election to fill the vacancy, the Board reviewed the applications of Chris Blessing, Randy Lambert, Walter Mosley, and Julie Davis; and, appointed Julie Davis to the Western Hills Water District Board of Directors to an unexpired term ending on 12/03/2021 – BOS
2020-0648

Corr 1 Referred to the Health Services Agency and the Department of Workforce Development, a letter from Sutter Health regarding the closure of the Memorial Medical Center Outpatient Service Wound Clinic located at 1401 Spanos Ct. in Modesto.

Corr 2 Referred to the Auditor-Controller, a Claim for Refund of Property Taxes filed on behalf of BNSF Railway Company regarding assessments for tax year 2016-2017.

Corr 3 Referred to the Chief Executive Office the following claims: Angelo Armenta, Eva Cortez; and, Deja Stein.

Supervisor DeMartini reported that the Patterson City Council postponed the second reading approving the rezone of the property located at Sperry Avenue and Baldwin Road. He also noted that the Westside Healthcare Task Force just finished their Annual Art and Essay Contest and announced the winners.

CEO Hayes spoke regarding the election of two new Board Members, and the appointment of Mani Grewal as the County Supervisor for District 4. He noted that Supervisor DeMartini and Chairwoman Olsen will be recognized at the next Board meeting on 12/15/2020. He reported that the State Legislature will be reconvening soon.

Chairwoman Olsen announced that there will be a Swearing-In Ceremony for Mani Grewal, County Supervisor, District 4 on 12/02/2020 at 4:00 p.m. in the Basement Chambers at 1010 10th Street, Modesto, CA.

Continued to a future meeting the Closed Session Matter **14.1** Conference with Legal Counsel - Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One Case: BNSF Railway Company v. Alameda County, et al., United States District Court, Northern District of California, Case No. 4:19-CV-07230-HSG.

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 12:52 p.m.

14.2 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.

Adjourned at 1:40 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.)