

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

January 26, 2021

Invocation was given by David White, President, Modesto California Stake, Church of Jesus Christ of Latter-day Saints.

Public Health Officer Dr. Vaishampayan, Deputy Fire Warden Erik Klevmyr and CEO Hayes provided an update related to the 2019 Novel Coronavirus (COVID-19) emergency and essential services in Stanislaus County.

Brandon Dodge, restaurant owner, shared his concerns regarding third-party food delivery fees and requested the County adopt an emergency ordinance that establishes a temporary 15% limit on fees charged by third-party food delivery service providers.

Sally Goehring thanked County employees for helping with Knights Ferry's needs.

Grewal/B. Condit unan. Adopted the consent calendar

- 5.A.1** Approved the minutes of 01/11/2021, Special Meeting
- 5.A.2** Approved the minutes of 01/12/2021, Regular Meeting
- 5.A.3** Approved the minutes of 01/21/2021, Special Meeting
- 5.A.4** Appointed Matt Beekman to the Stanislaus County Planning Commission 2021-0016
- 5.A.5** Appointed John Paul Snoke and Shehu Hassan to the Stanislaus County Behavioral Health Board 2021-0017
- 5.A.6** Accepted the resignation of Mickey Peabody from the Commission on Aging 2021-0018
- 5.A.7** Accepted the resignation of Gary Hampton from the Oakdale Fire Protection District Board of Directors 2021-0019
- 5.A.8** Accepted the resignation of Keenon Krick from the Stanislaus County Equal Rights Commission 2021-0020
- 5.B.1** Approved an amendment to the agreement with Central Star Behavioral Health, Inc., for the provision of Crisis Residential Treatment Services at the Crisis Residential Unit located in Merced to increase the daily rate, increase the contract maximum amount to \$3,037,939, and to extend the term of the agreement through 06/30/2023; authorized the BHRS Director, or designee, to sign the amendment for the provision of Crisis Residential Treatment Services at the Crisis Residential Unit located in Merced; and, authorized the BHRS Director, or designee, to negotiate and sign amendments to the agreement to add services and payment for services up to \$200,000, budget permitting, for each fiscal year throughout the term of the agreement – BHRS 2021-0021
- 5.B.2** Accepted an update on Emergency Protective Non-Congregate Sheltering provided during the COVID-19 Public Health Emergency; authorized the CSA to continue to operate the Emergency Protective Non-Congregate Shelter, initiate demobilization and incur expenses through 03/31/2021; and, authorized the Auditor-Controller to make the necessary budget adjustments in the CSA Housing and Homeless Services budget by decreasing County Match by \$601,910, decreasing General Fund Other Operating Transfers out by \$601,910

- and increasing Federal Other revenue by \$477,778 in CSA Housing and Homeless Services budget and by \$124,132 in the CSA Services and Support budget, as detailed in the budget journal – CSA 2021-0022
- 5.B.3** Accepted the November 2020 Investment Report for the Stanislaus County Treasury Pool; and, authorized the Chairman of the Board to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2021-0023
- 5.B.4** Approved an amendment to the agreement with the Center for Human Services for the provision of the Primary Prevention Student Assistance Program to expand services from four school sites to eleven school sites, increase the contract maximum by \$355,672 for a total of \$619,126 for FY 2020-2021, and to extend the term of the agreement from 01/31/2021 to 06/30/2021; and, authorized the BHRS Director, or designee, to sign the amendment for the provision of the Primary Prevention Student Assistance Program with the Center for Human Services – BHRS 2021-0024
- 5.B.5** 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 – GSA 2021-0025
- 5.B.6** Authorized the Sheriff's Department to offer employment to Darryl DeRespini as a Deputy Sheriff I at step five of the salary range, \$39.32 per hour – Sheriff 2021-0026
- 5.B.7** Authorized the CEO, or his designee, to execute an amendment to the lease for 4701 Stoddard Road in Modesto for continued use and possible future use of the leased facility for pandemic-related public health uses – HAS 2021-0027
- 5.B.8** Approved the Second Amendment to the agreement for Professional Services between Stanislaus County and Pillsbury Winthrop Shaw Pittman, LLC for federal legislative advocacy services, extending the term through 06/10/2021; and, authorized the General Services Agency Purchasing Agent to sign the amendment – CEO 2021-0028
- 5.C.1** Adopted the Final Initial Study and Mitigated Negative Declaration for the Aemetis Biogas LLC Dairy Biogas Cluster Project pursuant to CA (CEQA) Guidelines Section 15074(B), by finding that on the basis of the whole record, including the Initial Study and any comments received, there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgement and analysis; and, directed the Department of Public Works to file a Notice of Determination with the Stanislaus County Clerk Recorder's office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075 – PW 2021-0029
- 5.C.2** Approved a Joint Powers Agreement with the City of Modesto forming the Stanislaus Regional Transit Authority; and, authorized the CEO to sign the Joint Powers Agreement – PW J-09-1 2021-0030
- 5.C.3** Approved the standard clauses, set forth by the CA Department of Transportation (Caltrans), when entering into Utility Agreements for projects administered through the Caltrans Division of Local Assistance; authorized the Director of Public Works to sign and enter into Utility Agreements using the standard clauses set forth by the CA Department of Transportation (Caltrans), as needed, for Public Works projects through 12/31/2021; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2021-0031

**6.1** County Counsel determined that Supervisors Grewal, Chiesa, and Withrow all three have disqualifying financial interests under the Political Reform Act. Additionally, Supervisors Chiesa and

Withrow have disqualifying financial interests in Williamson Act contracts under Government Code section 1090. Therefore, in order to establish a quorum to consider this matter, the Board invoked the rule of necessity and Supervisor Grewal was selected by random draw of cards and participated in the meeting.

C. Condit/B. Condit (3-2)(Chairman Chiesa and Withrow abstained) **6.1** Conducted a public hearing to consider the Planning Commission's recommendation for approval of Ordinance Amendment Application No. PLN2018-0038, Accessory Dwellings, a request to add Chapter 21.74 Accessory Dwellings (ADUs) and to amend Chapters 21.08 General Provisions, 21.12 Definitions, 21.20 General Agriculture District (A-2), 21.24 Rural Residential District (R-A), 21.28 Single-Family Residential District (R-1), 21.32 Medium Density Residential District (R-2), 21.36 Multiple-Family Residential District (R-3), and 21.72 Mobile Homes of the Stanislaus County Zoning Ordinance to allow for Accessory Dwellings in the unincorporated areas of Stanislaus County; finds the project is generally exempt for the CA (CEQA) pursuant to CEQA Guidelines Section 15061 and Section 15282(h) and order the filing of a Notice of Exemption with the Stanislaus County Clerk-Recorder pursuant to CEQA Guidelines Section 15062; finds that there is no substantial evidence the project will have a significant effect on the environment and that the exemption reflects Stanislaus County's independent judgement and analysis; finds the project is consistent with the overall goals and policies of the Stanislaus County General Plan; and, approved Ordinance Amendment No. PLN2018-0038 – Accessory Dwellings and introduced, waived the reading, and adopted Ordinance C.S. 1290 – Planning **ORD-57-C-2 2021-0032 & 2021-0032a**

**Recessed at 10:30 a.m.**

**Reconvened at 10:40 a.m.**

Withrow/Grewal unan. **6.2** Conducted a public hearing to consider the Planning Commission's recommendation of approval for Rezone Application No. PLN2020-0073, Elum Inc., a request to rezone a 5.7-acre parcel from Planned Development (P-D) (300) to a new P-D to allow for the operation of a labeling machine assembly and repair business in two phases, the project site is located at 4918 Taylor Court, between East Keyes and Taylor Roads, west of State Route 99, in the Keyes/Turlock area; adopted the Notice of Exemption pursuant to CA (CEQA) Guidelines Section 15061, by finding that on the basis of the whole record, that there is no substantial evidence the project will have a significant effect on the environment and reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Exemption with the Stanislaus County Clerk- Recorder pursuant to CEQA Guidelines Section 15062; finds 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 Planned Development General Plan designation; and, (c) The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; approved Rezone Application No. PLN2020 – 0073, Elum, Inc., subject to the Development Standards; and, introduced, waived the reading, and adopted Ordinance C.S. 1291 for the approved rezone – Planning **ORD-57-D-1 2021-0033 & 2021-034**

B. Condit/C. Condit unan. **7.1** Authorized the District Attorney to accept a grant award from the CA Governor's Office of Emergency Services Victim/Witness Assistance Program for Federal FY 2020-2021 in the amount of \$1,002,692; authorized the District Attorney to sign the grant award agreement, including any extensions or amendments; and, authorized the Auditor-Controller to increase estimated revenue and appropriations in accordance with the budget journal – DA **2021-0035**

**Corr 1** Referred to the Fish and Wildlife Committee, a letter from the California Fish and Game Commission regarding proposed regulations relating to the 2021-2022 Waterfowl hunting season.

**Corr 2** Acknowledged receipt of a resolution from the City of Riverbank regarding the resignation of Chad Homme and the appointment of Charles Neal to the Stanislaus Consolidated Fire Protection District Board of Directors.

**Corr 3** Acknowledge receipt from the Auditor-Controller, the Annual Report of Independent Special District for the Fiscal Year Ended 06/30/2020.

**Corr 4** Acknowledge receipt of claims and refer to the CEO's Office the following claims: Andrew J. Philips; and, B.W., a minor.

Chairman Chiesa reminded everyone of the COVID-19 safe reopening assistance for businesses that provides reimbursements for PPE purchases up to \$10,000 on a first-come-first served basis. He said this program closes at the end of the week and to visit [www.stanworkforce.com](http://www.stanworkforce.com) for more information.

CEO Hayes noted that we have significant weather on the horizon this week and that OES is proactively preparing for this. He shared that the Board sent an advocacy letter to the Governor last week regarding the COVID-19 vaccine process and distribution strategy. In addition, the Board sent a letter to Senator Feinstein in support of the Affordable Housing Redevelopment Act and Fighting Homelessness through Services and Housing Support Act. He reported that the Governor has extended the eviction moratorium for COVID-19 until 06/30/2021. The CEO also shared a letter of recognition from the Executive Director of CSAC for Chairman Chiesa.

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 11:29 a.m.

**12.1** 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.

**12.2** Conference with Legal Counsel - Significant Exposure to Litigation: One Case. Pursuant to paragraph (2) of Subdivision (d) of Government Code section §54956.9. No reportable action was taken.

**Continued to a future meeting** the Closed Session Matter **12.3** Conference with the County Security Manager - Threat to Public Services: Pursuant to Government Code section 54957(a), the Board will confer with Joey Mercado, County Security Manager regarding matters posing a threat to the security of public buildings.

Adjourned at 12:25 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.)