

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

Regular Session

Tuesday

March 3, 2020

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held for Stanislaus County Behavioral Health and Recovery Services employee Monica Silva.

Invocation was given by Jeff Pishney with Love our Cities.

Damian Martinez, Management Consultant in the CEO's office, gave a presentation on Census 2020 Marketing and Outreach Plan.

Margaret Countryman voiced concerns regarding the City of Modesto Board of Zoning Adjustment's decision concerning a neighbor's second story addition.

Heather Maciel voiced concerns regarding obtaining assistance from HUD.

Katherine Borges spoke regarding her email request to cease private meetings with Salida MAC members. She expressed concerns regarding the CSA 10 tax increase. She also spoke regarding land use in Salida and concerns for the Vizcaya neighborhood.

John Black, retired BHRS employee, honored Monica Silva.

Berryhill/Chiesa unan. Adopted the consent calendar

6.A.1 Approved the minutes of 02/25/2020

6.B.1 Adopted a resolution authorizing the West Stanislaus Irrigation District Groundwater Sustainability Agency (GSA), on behalf of the Northwestern Delta-Mendota GSA, to apply for, and accept if awarded, the California Department of Water Resources Proposition 68 Sustainable Groundwater Planning Grant – DER GSA-3-5 2020-0090

6.B.2 Approved the MOU with the City of Turlock for the use of the Turlock Senior Center as a pop-up library while the current Turlock Library is being renovated; authorized the Purchasing Agent to sign the MOU on behalf of the County Library for the use of the Turlock Senior Center as a pop-up library during the Turlock Library Expansion and Renovation Project; authorized the Purchasing Agent to execute any amendments and extensions; and, approved the closure of the Turlock Library for a period of 9-12 months for expansion and renovation beginning 03/16/2020 – Library C-5-F-7 2020-0091

6.B.3 Proclaimed March 2020 as Social Work Recognition Month in Stanislaus County – CSA 2020-0092

6.B.4 Approved the appointment of Brenda Kiely, Senior Management Consultant, as the County's primary representative to the CSAC-Excess Insurance Authority; and, approved the appointment of Cari Griffin, Employee Benefits Manager, as the County's alternate representative to the CSAC-Excess Insurance Authority – CEO

2020-0093

6.C.1 Approved the Project Delivery Agreement for the Hills Ferry Road Bridge Seismic Retrofit Project funded through the Local Bridge Seismic Retrofit Program and the Highway

Bridge Program; and, authorized the Director of PW to execute the Project Delivery Agreement for the Hills Ferry Road Bridge Seismic Retrofit Project – PW

2020-0094

Berryhill/Chiesa unan. **7.1** Conducted a public hearing to consider the Planning Commission's recommendation of approval for Use Permit, and Development Agreement Application No. PLN2019-0086, Lyfted Farms, Inc - Daly Avenue, a request to establish an indoor commercial cannabis cultivation, manufacturing (volatile), and distribution operation, within an existing 170,751 square-foot warehouse, located at 217 Daly Avenue, south of Yosemite Boulevard (SR 132), in the Modesto area; finds that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Consistency with a General Plan, Community Plan or Zoning for which an EIR was prepared), on the basis of the whole record, including any comments received in response to the Environmental Review Referral; 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; on the basis of the whole record, finds: (a) that the establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County; finds that the Development Agreement: (a) is consistent with the General Plan and any applicable specific plan; (b) is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is or will be located; (c) is in conformity with and will promote public convenience, general welfare, and good land use practice; (d) will not be detrimental to health, safety, and general welfare; (e) will not adversely affect the orderly development of property or the preservation of property values; (f) will promote and encourage the orderly development of the proposed project by providing a greater degree of requisite certainty; approved Use Permit and Development Agreement Application No. PLN2019-0086 – Lyfted Farms, Inc. – Daly Avenue, subject to the Conditions of Approval, attached to the agenda item; authorized the Chairwoman of the Board to execute the Development Agreement attached to the agenda item; and, introduced, waived the reading, and adopted Ordinance C.S. 1268 for the approved Development Agreement – Planning

ORD-56-T-1 2020-0095 & 2020-0096

Withrow/Chiesa unan. **8.1** Approved support for the Stanislaus Cradle to Career Partnership Program in collaboration with the Stanislaus County Office of Education and Stanislaus Community Foundation; and, authorized the CEO, or his designee, to sign the Stanislaus Cradle to Career Partnership Program Partner Promise – CEO

2020-0097

Withrow/Berryhill unan. **8.2** Approved Staff Recommendations Nos. 1-6 as amended as follows: (1) Accepted the CEO's Midyear Financial Report for FY 2019-2020; (2) authorized the CEO and the Auditor-Controller to make the necessary adjustments as recommended in the Midyear Financial Report; (3) authorized the use of \$2,837,625 in Appropriations for Contingencies as recommended in the Midyear Financial Report; (4) **amended** the Staffing Impacts section of the agenda item and Attachment 2 to remove the recommendation to add four new Physical/Occupational Therapist I/II positions in the HSA; amended the Salary and Position Allocation Resolution to reflect the recommendations included as part of the Midyear Financial Report, as outlined in the Staffing Impacts section of the agenda item and detailed in Attachment 2, of the agenda item, as **amended**, to be effective the start of the first full pay period beginning on or after 03/14/2020, unless otherwise noted; (5) approved a one-time forty percent rate reduction for the County's self-insured Medical Benefits Program, to be effective for three months, April through June of 2020, to recognize positive plan performance and maintain retained earnings within State Controller's Office guidelines, as reflected in Attachment 3, of the agenda item; and, (6) approved contracts and/or agreements listed on Attachment 4 of the agenda item in cumulative amounts of

\$200,000 or greater since 07/01/2017, and authorize the GSA Director/Purchasing Agent or Department Head to sign – CEO
2020-0098

Corr 1 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Fidelis Gines; Arshard Wood; Lauren Horowitz; BD&J, PC on behalf of Ismael Martinez Jr.; Lauren Horowitz; BD&J, PC on behalf of Alcira Padilla-Vega; and, Lauren Horowitz; BD&J, PC on behalf of Sylus Mason Martinez.

Supervisor DeMartini reminded everyone that today is election day, and he noted that he will be participating on the Election Observer Panel as the Board's representative.

Chairwoman Olsen reminded everyone to vote and thanked CEO Hayes and Sheriff Dirkse for attending the Waterford Town Hall Meeting with her on Thursday, 02/27/2020.

Supervisor Chiesa noted that he visited one of the voting satellite offices this Sunday and said they serve a good purpose.

CEO Hayes provided an update on the County's response to the Coronavirus and announced the Emergency Operations Center was activated last week to prepare the planning process of how to better structure our staff resources. He reported that, as of 9:00 a.m. today, there were no confirmed cases in Stanislaus County and the risk for the general public is still considered low. Information about the Coronavirus is available at www.stancounty.com including data on the monitoring and testing, prevention and preparedness, and, information is also going out regarding prevention and preparedness to businesses, schools, faith-based communities. The CEO thanked the Registrar of Voters for setting up satellite offices in Salida, Oakdale, Turlock and Patterson. He reported that last week was the deadline to introduce new bills for the legislative session and there were approximately 2,300 bills introduced this year. County staff are reviewing the proposed bills for impacts to Stanislaus County and will build them into the Legislative Platform.

Chairwoman Olsen announced that she will give the 2020 State of the County Address on Tuesday, 3/17/2020 at 6:30 p.m. in the Chambers - Basement Level at, 1010 10th Street in Modesto.

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 12:35 p.m.

14.1 Conference with Legal Counsel - Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). Two cases: J.M., et al., v. County of Stanislaus, et al., U.S. District Court, Eastern District, Case No. 18-CV-01034-LJO-SAB; and Jeffrey Bulman v. County of Stanislaus, Stanislaus County Superior Court Case No. 2021854. No reportable action was taken in closed session.

14.2 Conference with Legal Counsel - Public Employee Appointment: Pursuant to Government Code Section 54957(b). Title: Director of Behavioral Health and Recovery Services

14.2 Closed Session Announcement: Olsen/Chiesa unan. The Board of Supervisors appointed Ruben Imperial as the Director of Behavioral Health and Recovery Services effective 03/14/2020; and, the Board directed the CEO to negotiate a starting salary and benefits and to return with a recommendation for Board consideration at the 03/17/2020 meeting.
2020-0099

Adjourned at 1:25 p.m.

ATTESTED: ELIZABETH A. KING, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: KELLY RODRIGUEZ, Deputy 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.)