

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

March 30, 2021

Invocation was given by Reverend Scott Miller from Big Valley Grace Church.

Joe Wayne Mendoza from the Sheriff's Department and Robert J. Taro from County Counsel received their 25-year Employee Service Award. Robert D. Van Trease from the Sheriff's Department and Ramona Brown from HSA received their 30-year Employee Service Award.

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.

Miguel Donoso shared concerns regarding the mental health effects of COVID-19 and inquired about deaths in July sorted by ethnicity. He also spoke about problems with housing and inquired about the programs and policies that are being worked on to improve this crisis.

Deborah Harper thanked the Board for their COVID-19 efforts. She shared concerns regarding COVID-19 social distancing efforts and asked about the vaccination clinic at the Modesto Centre Plaza. She stated she was suspended from the bus system.

Michael Crowell voiced concerns regarding the mental health effects on children in Stanislaus County due to the COVID-19 impacts to education and requested the Board help balance education and the virus.

Pam Franco, Vice Mayor of Turlock, spoke about the homeless emergency in the City of Turlock and requested any assistance the County can provide. She also requested the County look at improvements that can be made to roads and landscaping at the points of entry to the City of Turlock. She shared her experience at the COVID-19 vaccination clinic at Stanislaus State and suggested the County look for improvements to speed up the process and experience of receiving your vaccination in the non-appointment line.

Withdraw/Grewal unan. Adopted the consent calendar

6.A.1 Approved the minutes of 03/16/2021

6.A.2 Appointed Thomas J. Burns to the Salida Municipal Advisory Council 2021-0101

6.A.3 Appointed Keri Magee to the Stanislaus County Child Abuse Prevention Council
2021-0102

6.A.4 Appointed Gary Briery to the Knights Ferry Community Services District Board of Directors
2021-0103

6.A.5 Appointed Richard O'Brien to the Stanislaus Regional Transit Authority Board of Directors
2021-0104

6.A.6 Proclaimed April 2021 as Child Abuse Prevention Month in Stanislaus County 2021-0105

- 6.A.7** Approved a Commendation for the Riverbank Historical Museum and Library Upon its 100th Anniversary 2021-0106
- 6.B.1** Approved an agreement with Gary’s Rent a Can, Inc., for sanitation servicing, pumping, and disposal of waste from County-owned portable toilets and pumping and disposal of waste from County-owned septic tanks and lift stations at various County parks and facilities; authorized the Director of General Services Agency, or designee, to sign an agreement with Gary’s Rent a Can, Inc., for services through 06/30/2023 at an amount not-to-exceed \$1,587,885 with an option to extend one additional FY; and, authorized the Director of General Services Agency, or designee, to sign any amendments to the agreement, not-to-exceed 10%, to add a service location or for the repair to County-owned units for a total not-to-exceed amount of \$1,746,674 including contingency funding – Parks 2021-0107
- 6.B.2** Authorized the Mountain Valley Emergency Medical Services Agency to purchase LIFEPAK 1000 Automatic External Defibrillators for fire agencies from the Emergency Medical Services System Enhancement Fund – HAS 2021-0108
- 6.B.3** Accepted the Report of Donations Received by the County of Stanislaus for the Second Quarter of FY 2020-2021 – Auditor-Controller 2021-0109
- 6.B.4** Approved Amendment No. 3 of a Professional Services Agreement with Mountain View Environmental for certified asbestos, mold and lead consultant services, to increase the not-to-exceed limit from \$200,000 to \$400,00; and, authorized the Purchasing Agent to sign the Contract Amendment, and any subsequent amendments to the Agreement on behalf of the County – GSA 2021-0110
- 6.B.5** Adopted the Property Tax Administration Cost Recovery Plan for use in FY 2020-2021; approved the calculation of the Property Tax Administration Fee (PTAF) from FY 2019-2020 and the proportion of recoverable costs attributable to incorporated cities and other jurisdictions; and, authorized the collection of said costs pursuant to the provisions of the Revenue and Taxation Code Sections 95.3 and 97.75, and Stanislaus County Ordinance Code Section 4.44.010 – Auditor-Controller 2021-0111
- 6.B.6** Approved the request from the governing board of Hart-Ransom School District to consolidate future elections on the same day as the Statewide General Election conducted in even-numbered years – Elections 2021-0112
- 6.B.7** Authorized the Purchasing Agent and the Director of Aging and Veterans Services to retroactively sign the FY 2017-2018 agreement with Addus Healthcare, Inc., an Illinois Corporation, for services provided in support of the Multipurpose Senior Services Program – Aging and Veteran Services 2021-0113
- 6.B.8** Approved an update in accordance with Public Contract Code Sections 20134 and 22050 for emergency repair and replacement of the boiler system at BHRS, located at 800 Scenic Drive in Modesto – GSA 2021-0114
- 6.B.9** 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, security 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 2021-0115
- 6.B.10** Accepted the February 2021 Investment Report for the Stanislaus County Treasury Pool; and, authorized the Chairman to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2021-0116
- 6.B.11** Amended the Wood Colony Municipal Advisory Council bylaws to make an exception on the requirement to hold at least four meetings a calendar year when there is a declared state of emergency – CEO MAC-09-05 2021-0117

- 6.B.12** Authorized the Registrar of Voters to furnish all services, facilities, supplies, and equipment necessary to conduct a special municipal mail ballot election on 08/31/2021, for the purpose of electing one councilmember – Elections 2021-0118
- 6.B.13** Authorized the Auditor-Controller, on behalf of the Department of the Public Defender, to pay a prior year invoice for services provided in a prior year – Public Defender 2021-0119
- 6.B.14** Accepted an update on Emergency Non-Congregate Sheltering and Support provided during the COVID-19 Public Health Emergency; and, authorized the CEO, or his designee, to negotiate and execute amendments to the current agreements with local Community-Based Organizations extending the provision of COVID-19 response services through 06/30/2021, as detailed in the staff report – CSA 2021-0120
- 6.B.15** Approved the use of \$3,300 from the Community Development Funds to pay \$3,300 toward a \$5,800 invoice for preliminary funding application assistance to address water supply improvements related to a corrective action plan; and, directed the Auditor-Controller to make the necessary budget adjustments, per the budget journal, attached to the agenda item – CEO DCS-08-26 2021-0121
- 6.B.16** Approved to retroactively enter into a Contract Employee Agreement with Janelle Villalba to provide Mental Health Services Act (MHSA) Innovation project management services for the period of 07/01/2020 through 06/30/2021; and, authorized the BHRS Director, or designee, to sign the Contract Employee Agreement with Janelle Villalba for MHSA Innovation project management services for the period of 07/01/2020 through 06/30/2021 – BHRS 2021-0122
- 6.B.17** Approved the Amended and Restated Joint Powers Agreement forming the Stanislaus Regional Transit Authority; and, authorized the CEO to sign the Amended and Restated Joint Powers Agreement – CEO J-09-2 2021-0123
- 6.C.1** Approved Amendment No. 6 to the Professional Design Services Agreement for construction support services to Dewberry Drake Haglan, in the amount of \$165,213 for the Hickman Road over Tuolumne River Bridge Replacement project, with a new not-to-exceed amount of \$1,860,035; authorized the Director of Public Works to execute the amendment with Dewberry Drake Haglan in the amount of \$165,213 and to sign necessary documents; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2021-0124
- 6.C.2** Adopted the Initial Study Mitigated Negative Declaration (ISMND) for the Corporation Yard Phase II Project pursuant to CEQA Guidelines Section 15074(B), by finding, 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 Initial Study Mitigated Negative Declaration reflects Stanislaus County’s independent judgement and analysis; and, directed the Department of Public Works to file the Notice of Determination for the Corporation Yard Phase II Project with the Stanislaus County Clerk-Recorder’s Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075 – PW 2021-0125
- 6.C.3** Adopted a resolution authorizing the Public Works Director to act as the certifying representative for all Federal, State, and local grant and funding activities initiated by, and for, the Stanislaus County Department of Public Works – PW 2021-0126
- 6.D.1** Rescinded a portion of Williamson Act Contract No. 1972-1081 and 1972-1080, located at 2572, 2718 and 2736 Freitas Road, between Azevedo Road and River Road, in the Newman Area, APNs: 049-026-011 and 049-026-012; finds that pursuant to Government Code 51257, determined that the following seven findings can be made based on the written evidence submitted by the applicant: (a) the new contract, or contracts, would enforceably restrict the adjusted boundaries of the parcels for an initial term for at least as

long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under Stanislaus County's implementation of AB 1265; (b) there is no net decrease in the amount of the acreage restricted; in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; (c) at least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts; (d) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Government Code Section 51222; (e) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract, or contracts; (f) the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan; approved a new contract(s), pursuant to Lot Line Adjustment Application No. PLN2017-0094, Brasil and Serpa; and, authorized the Director of Planning and Community Development to execute a new contract(s)

– Planning 2021-0127

6.D.2 Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the property located at 130 Santa Rita Avenue, Modesto, CA, Dangerous Building Abatement Case Number DNB2020-0002, as set forth in Attachment 1, attached to the agenda item
– Planning 2021-0128

6.D.3 Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the property located at 201, 203, and 205 G Street, Turlock, CA, Dangerous Building Abatement Case Number DNB2020-0003, as set forth in Attachment 1, attached to the agenda item – Planning 2021-0129

6.D.4 Set a public hearing on 04/27/2021, at the 9:00 a.m. meeting, to consider the Planning Commission's recommendation for General Plan Amendment and Rezone application number PLN2019-0079 – Cal-Sierra Financial, Inc.; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning

ORD-57-E-2 2021-0130

6.D.5 Set a public hearing on 04/20/2021, at the 6:30 p.m. meeting, to consider the approval of Williamson Act cancellation and Lot Line Adjustment application No. PLN2020-0122 - Covolo - Lemon Avenue, request to cancel 0.16 acre portion of Williamson Act Contract No. 2012-03 and adjust the lines of two parcels, located at 400 and 406 Lemon Avenue, between laterals "M" and "D", east of the Union Pacific Railroad, in the Patterson area; and approval of a new contract for the proposed 18.41 acre parcel; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning

2021-0131

6.D.6 Set a public hearing on 05/11/2021, at the 9:00 a.m. meeting, to consider approval of the Stanislaus Urban County FY 2021-2022 Annual Action Plan (AAP) – Planning

2021-0132

Withdraw/B. Condit unan. **7.1** Closed the 5-day public comment period and conducted a public hearing; approved Substantial Amendment No. 1 to the Stanislaus Urban County's FY 2020-2021 Annual Action Plan (AAP) as detailed in the agenda item; authorized the Director of Planning and Community Development to sign and submit to Federal Housing and Urban Development (HUD), the applications for Federal Assistance (SF-424 and SF-424D), and any other related program agreements, contracts, certifications, or other documentation required for Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding; authorized the Director of Planning and Community Development Department to

execute any related program agreements, contracts, or other documentation required for implementation of the funding adjustment in FY 2020-2021 Community Development Block Grant (CDBG) Program funding as detailed in the agenda item; and, authorized the Planning and Community Development Department to incorporate any comments received prior to the close of the public comment period and during the public hearing in the final documents and to make alterations to the documents as directed by HUD, provided alterations are technical in nature and do not alter the approved programs or funding allocations – Planning 2021-0133

B. Condit/Grewal unan. **8.1** Authorized the Managing Director of HSA, or her designee, to negotiate and execute an agreement with Mountain Valley Emergency Medical Services Agency (MVEMSA) to administer local emergency medical services for a portion of FY 2021-2022, to include an option for early termination; authorized the CEO to issue a termination notice to the MVEMSA Joint Powers Agency for the withdrawal of Stanislaus County from this Joint Powers Agency to be effective between 10/01/2021 and 12/31/2021; and, directed the staff of the HSA to work with the Sheriff’s Office of Emergency Services and the MVEMSA participant counties to develop future options for administering Emergency Medical Services Agency functions and return to the Board with a recommendation within sixty (60) days – Sheriff/OES/Fire Warden 2021-0134

Grewal/B. Condit unan. **8.2** Accepted the Annual Progress Report for the Stanislaus County Housing Element for the calendar year 2020 – Planning 2021-0135

Withrow/Grewal unan. **8.3** Accepted the BHRS Strategic Plan that aligns the program operations and services with sustainable funding to prioritize behavioral health treatment services to maximize the number of clients served and leverage federal and state funding, maintain compliance with network adequacy standards, and create efficiencies by standardizing team structures and consolidating administrative structures; authorized the CEO and BHRS Director to execute staffing reassignments, make the necessary adjustments to contracted service levels, negotiate new agreements, and modify existing agreements as outlined in the BHRS Strategic Plan to support full implementation by 07/01/2021; amended the Salary and Position Allocation Resolution to reflect the recommendations included as part of the BHRS Strategic Plan, including the deletion of 50 vacant positions and the addition of 10 new positions, as outlined in the Staffing Impacts section of the agenda item and detailed in Attachment 2 of the agenda item, to be effective the start date of the first full pay period beginning on or after 04/03/2021, unless otherwise noted; and, authorized the BHRS Director to finalize the Mental Health Services Act Three-Year Program and Expenditure Plan for FY’s 2020-2021, 2021-2022, and 2022-2023 for Board consideration in May that aligns program services with sustainable funding – BHRS 2021-0136

Corr 1 Referred to the CEO and GSA, a letter from the Stanislaus County Office of Education regarding their intent to sell 1.44 acres located on S. Yosemite Avenue and 1.23 acres located on Wakefield Drive in Oakdale as surplus.

Corr 2 Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Denair Community Services District regarding the appointment of Mark D. Bradley to their Board of Directors.

Corr 3 Referred to the Department of DER, a notice from the California Water Boards regarding the Notice of Petitions for Temporary Change involving the transfer of up to 183,418 acre-feet of water from water right holders in the Sacramento Valley to various State Water Project and Central Valley Project contractors.

Corr 4 Referred to the Department of DER, a copy of the 2020 Annual Report on Toxic Emissions from Valley Facilities from the San Joaquin Valley Air Pollution Control District.

Corr 5 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Justus Houck; Christina Louise Flores; Debra Harper; Bill Proctor; and, Kenneth Baptiste.

Chairman Chiesa acknowledged that this was a longer than normal Board meeting. He voiced his appreciation to County staff in determining which items are placed on the consent calendar and which are scheduled for discussion on the Board's agenda.

CEO Hayes reported that County is working with Congressman Harder's office to identify projects that would benefit from federal appropriations. He shared that the Board of Supervisors distributed letters of support for the ACE Turlock Station, and SB574 regarding the Williamson Act. The CEO also introduced Kamal Bagri as the new Agricultural Commissioner and Sealer of Weights and Measures. 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 1:48 p.m.

13.1 Conference with the CEO – Threat to Public Services: Pursuant to Government Code section 54957(a), the Board will confer with the CEO 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 Labor Negotiator: Pursuant to government Code Section 54957.6. Agency Negotiators: Jody Hayes, Burke Dunphy, Dania Torres-Wong, Tamara Thomas, and Keira Vink. Labor Organizations: Certified Nurses Association; Stanislaus County Deputy Probation Officers Association; The Stanislaus County Sheriff's Management Association; Stanislaus County Employees' Association; County Attorneys Association; Deputy Sheriffs' Association; Stanislaus County District Attorney Investigators' Association; Stanislaus County Probation Corrections Officers Association; and, Service Employees International Union. No reportable action was taken.

13.3 Conference with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: Albert Quintero v. Stanislaus County, et al., Stanislaus County Superior Court Case No. CV-19-002090. No reportable action was taken.

13.4 Conference with Legal Counsel – Anticipated Litigation: Pursuant to Government Code Section 54956.9 (d)(4); one matter. No reportable action was taken.

Adjourned at 3:08 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.)