



## BOARD OF SUPERVISORS

*Kristin Olsen, District 1*  
*Vito Chiesa, District 2*  
*Terry Withrow, District 3*  
*Tom Berryhill, District 4*  
*Jim DeMartini, District 5*

1010 10th Street  
Modesto, CA 95354  
Phone: 209-525-4494 Fax 209-525-4420

### AGENDA

September 10, 2019

9:00 AM

Chambers - Basement Level

1010 10th Street

Modesto, CA 95354

[www.stancounty.com/board/index.shtm](http://www.stancounty.com/board/index.shtm)

The Board of Supervisors welcomes you to its meetings which are regularly held each Tuesday, and your interest is encouraged and appreciated.

**PUBLIC COMMENT PERIOD:** Matters under the jurisdiction of the Board, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of Supervisors. Any member of the public wishing to address the Board during the "Public Comment" period shall be permitted to be heard once for up to 5 minutes. Please complete a Public Comment Form and give it to the Clerk of the Board.

The agenda is divided into two sections:

**CONSENT ITEMS:** These matters include routine financial and administrative actions. All consent items will be voted on as a single action at the beginning of the meeting under the section titled "Consent Items" without discussion. If you wish to discuss a consent item, please notify the Clerk of the Board prior to the beginning of the meeting or you may speak about the item during Public Comment Period.

**DISCUSSION ITEMS:** These items will be individually discussed.

**CLOSED SESSION:** Is the portion of the meeting conducted in private without the attendance of the public or press to discuss certain confidential matters specifically permitted by the Brown Act. The public will be provided an opportunity to comment on any matter to be considered in closed session prior to the Board adjourning into closed session.

**ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA:** Please raise your hand or step to the podium at the time the item is announced by the Board Chairperson. In order that interested parties have an opportunity to speak, any person addressing the Board will be limited to a maximum of 5 minutes unless the Chairperson of the Board grants a longer period of time.

**BOARD AGENDAS AND MINUTES:** Board agendas, Minutes, and copies of items to be considered by the Board of Supervisors are typically posted on the Internet on Friday afternoons preceding a Tuesday meeting at the following website: [www.stancounty.com/bos/agenda-minutes.shtm](http://www.stancounty.com/bos/agenda-minutes.shtm).

Materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Clerk's office at 1010 10th Street, Suite 6700, Modesto, CA during normal business hours. Such documents are also available online, subject to staff's ability to post the documents before the meeting, at the following website [www.stancounty.com/bos/agenda-minutes.shtm](http://www.stancounty.com/bos/agenda-minutes.shtm).

**AUDIO/VIDEO BROADCAST:** All Board meetings are normally broadcast live and replayed on local cable television. A list of cable channels and broadcast times are available at the following website: [www.stancounty.com/board/broadcasting-schedule.shtm](http://www.stancounty.com/board/broadcasting-schedule.shtm). In addition, a live audio/video broadcast of this meeting can be heard/seen via the World Wide Web at: [www.stancounty.com/bos/board-video.shtm](http://www.stancounty.com/bos/board-video.shtm).

**NOTICE REGARDING NON-ENGLISH SPEAKERS:** Board of Supervisors meetings are conducted in English. Language assistance request should be made by noon the day before the meeting by contacting the Clerk at 209-525-4494.

**REASONABLE ACCOMMODATIONS:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (209) 525-4494. Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting.

1. Pledge Allegiance to the Flag
2. Moment of Silence for Former Stanislaus County Auditor-Controller Byron Bystrom and Health Services Agency Employee Rayna Ruiz
3. Invocation
4. Presentation: Update on the McHenry Avenue Corridor Improvements Project by the San Joaquin County Department of Public Works
5. Public Comment Period
6. Consent Calendar
  - A. Miscellaneous
    1. Approval of the Minutes for August 20, 2019 ([View Item](#))
    2. Acceptance of the Resignation of William S. Pringle from the East Side Mosquito Abatement District Board of Directors ([View Item](#))
    3. Authorization to Post Vacancies for the Proposed Crows Landing Industrial Business Park's Enhanced Infrastructure Financing District Public Financing Authority ([View Item](#))
    4. Approval of the Amended Conflict of Interest Code for the Patterson Cemetery District ([View Item](#))
  - B. Chief Executive Office
    1. Approval to Enter Into and Sign a Memorandum of Understanding Between Stanislaus County and the City of Modesto for the Permitting and Inspection of Onsite Wastewater Treatment System – Environmental Resources ([View Item](#))
    2. Approval of the Grant Agreement with the California Department of Public Health for the Supplemental Nutrition Assistance Program - Education for the Period of October 1, 2019 through September 30, 2022 – Health Services Agency ([View Item](#))
    3. Approval to Set a Public Hearing on December 10, 2019, at the 9:00 a.m. Meeting to Consider Adoption of the Eastern San Joaquin Groundwater Subbasin Groundwater Sustainability Plan – Environmental Resources ([View Item](#))
    4. Approval to Set a Public Hearing on December 10, 2019, at the 9:00 a.m. Meeting to Consider Adoption of the Northern & Central Delta-Mendota Region Groundwater Sustainability Plan – Environmental Resources ([View Item](#))
    5. Approval to Use Community Development Funds to Pay for the Rental and Set-up of Traffic Signs, Cones and Barricades for the Salida Old Fashioned Country Festival – Chief Executive Office ([View Item](#))
    6. Approval to Enter into a Three-Year Lease Agreement with 1540 Florida Avenue LLC, a California Limited Liability Company, for Office Space at 1540 Florida Avenue, Second Floor, to Provide the Crisis Intervention Program for Children and Adolescents – Behavioral Health & Recovery Services ([View Item](#))

7. Approval to Amend the Salary and Position Allocation Resolution to Reflect the Recommended Changes to the Lieutenants Classifications as Agreed to Between the County and the Stanislaus County Sheriff's Management Association – Chief Executive Office ([View Item](#))
8. Approval to Enter into an Agreement with Advanced Helicopter Services for Aircraft Mechanic Services for the Sheriff Department's Air Support Unit for the Period of September 1, 2019 through June 30, 2021 – Sheriff ([View Item](#))
9. Acceptance of the Stanislaus County Treasury Pool July 2019 Monthly Investment Report – Treasurer / Tax Collector ([View Item](#))
10. Approval of an Agreement Between the County of Stanislaus and the California Department of Health Care Services for Participation in the Medi-Cal County Inmate Program – Sheriff ([View Item](#))
11. Approval to Modify the Monterey Park Tract Community Service District Reporting Requirement to a Biennial Audit – Auditor-Controller ([View Item](#))
12. Approval for the Sheriff to Accept an Award of \$65,154 from the California Department of Alcoholic Beverage Control for Budget Year 2019-2020 – Sheriff ([View Item](#))
13. Approval to Set the Date of October 22, 2019, at the 9:00 a.m. Meeting to Receive a Report from the Sheriff's Department and Hold a Community Forum Regarding Immigration and Customs Enforcement Access, Pursuant to Government Code Section 7283.1(d) – Sheriff ([View Item](#))
14. Approval of a Contract Employee Agreement with Beatrice St. Claire, M.D., to Provide Psychiatric Mental Health Services for the Period of September 10, 2019 through June 30, 2020 – Behavioral Health & Recovery Services ([View Item](#))
15. Acceptance of the Report of Donations Received by the County of Stanislaus for the Fourth Quarter of Fiscal Year 2018-2019 – Auditor-Controller ([View Item](#))
16. Approval to Prepare and Issue Requests for Proposals for the Provision of Behavioral Health Services for Current Agreements in Effect for Over Three Years – Behavioral Health & Recovery Services ([View Item](#))
17. Approval of the County Clerk-Recorder, Elections Division Records Retention Schedule – Elections ([View Item](#))
18. Approval of the County Clerk-Recorder Records Retention Schedule – Elections ([View Item](#))
19. Acceptance of an Update in Accordance with Public Contract Code Sections 20134 and 22050 for Emergency Remediation/Repairs at 10th Street Place, to Repair Water Damage and Restore Essential Government Operations – Chief Executive Office ([View Item](#))
20. Approval of an Update on the Homeless Facility Plan and Partnership Between the County, the City of Modesto and The Salvation Army in Accordance with the Provisions of the Public Contract Code and Related Matters – Chief Executive Office ([View Item](#))

21. Approval to Issue a Notice of Intent in Accordance with Government Code Sections 6063 and 25350 to Purchase the City of Modesto's Interest in the Former Stanislaus Animal Services Facility Located at 2846 Finch Road in Modesto, California for Half the Appraised Value, Equal to \$375,000, Less the Cost of Maintenance, Repair and Real Estate Costs – Chief Executive Office ([View Item](#))

C. Department of Public Works

1. Approval of an Agreement for Acquisition of Property for the McHenry Avenue Widening Project, Grantor: Bernard A. Aggers, Jr. Family Living Trust ([View Item](#))

D. Department of Planning and Community Development

1. Approval to Set a Public Hearing on October 1, 2019, at the 9:00 A.M. Meeting, to Consider the Planning Commission's Recommendation for Approval of Use Permit and Development Agreement Application No. PLN2018-0129, Mission Nurseries, LLC, Request to Operate a Mixed-Light Commercial Cannabis Cultivation and Nursery Business, Located at 2306 Almond Avenue, Between Elm Avenue and the San Joaquin River, in the Patterson Area ([View Item](#))
2. Approval to Set a Public Hearing on September 24, 2019, at the 9:00 A.M. Meeting, to Consider the Planning Commission's Recommendation for Denial of Use Permit and Development Agreement Application No. PLN2018-0121, All Season Organics, LLC, Request to Operate a Mixed-Light Commercial Cannabis Cultivation, Nursery and Distribution Business, Located at 1054 Merriam Road, Between Riverview and Blue Gum Roads, in the Hickman Area ([View Item](#))
3. Approval to Rescind Williamson Act Contract Nos. 2002-4465 and 1974-1688, Located at 3424 and 3506 Geer Road, Between E. Whitmore Avenue and E. Service Road, in the Hughson Area; and Approval of New Contracts, Pursuant to Lot Line Adjustment Application No. PLN2019-0042, Fraser Family Trust ([View Item](#))

E. County Counsel

7. Discussion Items

1. Approve Proceeding with the Turlock Library Expansion Project by Approving the Bridging Design Documents, Approval of the Recommended Design Build Team of Roebbelen Contracting Inc., of El Dorado Hills and LDA Partners, Inc., of Stockton; Authorize the Project Manager to Request Construction and Pricing Proposal – Chief Executive Office ([View Item](#))
2. Approval to Declare an Emergency in Accordance with Public Contract Code Section 22050 for Emergency Repairs Needed at the Public Safety Center-West, Minimum Housing Unit One, and the Support Services Building – Chief Executive Office ([View Item](#))
3. Approval of a Contract with Hart InterCivic, Inc. to Purchase a Replacement Certified Voter Tabulation System – Elections ([View Item](#))

8. Public Hearings

9. Correspondence
  1. This Board has received a Notice of Intent to Adopt a Groundwater Sustainability Plan from the Eastern San Joaquin Groundwater Authority. ([View Item](#))  
(Recommendation: Refer to the Department of Environmental Services - Groundwater Division.)
  2. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding the approval of Stanislaus County's Annual Action Plan and the funding for those programs. ([View Item](#))  
(Recommendation: Refer to the Department of Planning and Community Development.)
  3. This Board has received two Claims for Refund of Property Taxes filed on behalf of Foster Dairy Number Two, LLC. and Foster Dairy Farms, a California Corporation regarding assessments for years 2015-16 through 2018-19. ([View Item](#))  
(Recommendation: Refer to County Counsel and the Auditor-Controller.)
  4. This Board has received a Claim for Refund of Property Taxes filed on behalf of Foster Farms, LLC, formerly known as Fresno Farming, LLC, regarding assessments for tax year 2016-17. through 2018-19. ([View Item](#))  
(Recommendation: Refer to County Counsel and the Auditor-Controller.)
  5. This Board has received a Claim for Refund of Property Taxes filed on behalf of Frantz Properties Family Limited Partnership, regarding assessments for tax year 2018-19. ([View Item](#))  
(Recommendation: Refer to County Counsel and the Auditor-Controller.)
  6. This Board has received a letter from the California Fish and Game Commission regarding proposed regulations relating to the possession of Nutria. ([View Item](#))  
(Recommendation: Refer to the Fish and Wildlife Committee.)
  7. This Board has received a notice from the Del Puerto Health Care District regarding the resignation of Sheree Lustgarten and the appointment of George Galloway Mac Master to their Board of Directors. ([View Item](#))  
(Recommendation: Refer to the Clerk-Recorder and Registrar of Voters.)
  8. This Board has received the following claims: Randolph Wayne Johnson; James Grassmidt III; T.L. Thompson & Associates, A/S/O Beverly Dillard; Juan C. Alcantar; Caleb Flora; Trademark Pool and Spa, Inc.; Damian Pineda; Kimberly Johnson; Melinda Moore; and, Jordan R. Proch.  
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office – Risk Management Division.)
10. Board of Supervisors' Reports
11. Legislative, Fiscal and Management Report - Chief Executive Officer
12. Adjournment

## 13. Closed Session:

1. Conference with Legal Counsel - Existing Litigation pursuant to Government code section 54956.9 (d)(1): Three Cases: Jeremy Lapachet v. California Forensic Medical Group, Inc., et al., U.S. District Court-Northern District of California, Case No. 16-CV-06959-DMR; Nunes v. County of Stanislaus, U.S. District Court-Northern District of California, Case Nos. 17-CV-00633-DAD-SAB & 19-CV-00204-AWI-BAM; and, People v. Donald G. Francis, Donald L. Frances, Central Valley Recycling, Inc., Stanislaus County Superior Court Case No. 18002813.