

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

Regular Session

Tuesday

June 13, 2017

Chairman Chiesa Absent

Pledge of Allegiance to the Flag

Invocation was given by Pastor Adams with The Carpenter's House.

Rick Santos, StanCERA Executive Director, gave a presentation to the Board regarding the Stanislaus County Employees Retirement Association (StanCERA).

Deahna Washington voiced concerns regarding the way complaints in her neighborhood are being handled; the response time from the Woodland Fire Department; and, she would like information on how to become annexed into the City of Modesto.

Ricky McGill spoke regarding the Modesto City Schools District boundaries and the upcoming District election.

Emerson Drake voiced concerns regarding services provided by various agencies during the Republican Party of Stanislaus County event in April.

Loretta Carhart voiced concerns regarding the cost for public transportation.

Withdraw/Olsen (4-0)(Chiesa Absent) Adopted the consent calendar

- \*A1 Approved the minutes of 05/23/2017
- \*A2 Appointed Shivaugn Alves to the San Joaquin Valley Air Pollution Control District Citizens Advisory Committee 2017-286
- \*A3 Proclaimed June 2017 as Immigrant Heritage Month in Stanislaus County 2017-287
- \*A4 Set a public hearing on 06/27/2017, at 9:15 a.m., to consider the introduction, waiving of the reading, and adoption of Ordinance C.S. 1193 which extends, upon voter approval, the existing one-eighth of one percent Library transactions and use tax for the continued exclusive funding of the Stanislaus County Library System ORD-56-1 2017-288
- \*B1 Authorized the Agricultural Commissioner or his designee to enter into and sign routine agreements and contracts with various Federal and State agencies for FY 2017-2018 and FY 2018-2019 – Ag Commissioner 2017-289
- \*B2 Approved to enter into an agreement between the Stanislaus County Workforce Development Board and the Stanislaus County Board of Supervisors and authorized the Chairman to sign the agreement; authorized the Director of the Alliance Worknet, or designee, to sign all Workforce Innovation and Opportunity Act-related sub-grant agreements, and any modifications or adjustments as required by the State of California; and, authorized the Director of Alliance Worknet, or designee, to enter into and sign agreements, contracts, and amendments to expend Budget Year 2017-2018 Workforce Innovation and Opportunity Act funds and contracted StanWORKS funds – Alliance Worknet BD-88-3 2017-290
- \*B3 Authorized the Auditor-Controller to loan funds under Government Code 23010 for operational expenses to Oakdale Fire Protection District in an amount not to exceed

- \$1,670,250 (or 85 percent of anticipated revenue amounting to \$1,965,000 for the 2017-2018 FY) – Auditor-Controller DF-8-C-7 2017-291
- \*B4 Approved the agreements with service providers for BHRS effective 07/01/2017, for FY 2017-2018 as reflected in the agenda item; authorized the BHRS Director, or his designee, to sign the agreements for FY 2017-2018 as reflected in the agenda item; authorized the BHRS Director, or his designee, to negotiate and sign amendments to all agreements discussed in the agenda item, as Attachment A, to add services and payments for services up to \$75,000 per agreement, budget permitting throughout FY 2017-2018; and, authorized the BHRS Director, or his designee, to negotiate and sign amendments to all agreements discussed in the agenda item, as Attachment B, to add services and payment for services up to \$25,000 per agreement, budget permitting, throughout FY 2017-2018 – BHRS 2017-292
  - \*B5 Approved the use of up to \$2,500 of Community Development Funds to update the computer lab at the Grayson United Community Center – CEO 2017-293
  - \*B6 Reviewed and accepted the Comprehensive Economic Development Strategy as submitted by the Stanislaus County Economic Development Action Committee as part of the U.S. Economic Development Administration (EDA) requirement for application for Federal EDA grant funding – CEO 2017-294
  - \*B7 Approved to enter into an agreement with Delta Wireless, Inc. to expand the Distributed Antenna System (DAS) at the Public Safety Center to the SB 1022 Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center for a lump sum amount of \$227,759; authorized the Chief Operations Officer to execute the agreement and to issue a Notice to Proceed upon receipt of proper insurance and bonds; and, authorized the Chief Operations Officer to sign Change Orders, within the approved budget, up to \$25,000, consistent with the County’s Change Order Policy – CEO 2017-295
  - \*B8 Approved the MOU, attached to the agenda item, between the Judicial Council of California, and the Superior Court of California, County of Stanislaus, and the County of Stanislaus related to the use of Courthouse Construction Fund monies for the cost of court facility space for the 4<sup>th</sup> floor at 801 Tenth Street; approved the First Amendment to MOU, attached to the agenda item, between the Judicial Council of California, the County of Stanislaus, and the Superior Court of California, County of Stanislaus for the use of Courthouse Construction Funds for the cost of court facility space for the 6<sup>th</sup> floor at 801 Tenth Street; and, authorized the Chairman to sign the MOU – CEO 2017-296
  - \*B9 Authorized the CEO to finalize and execute the agreements for the period of 07/01/2017 through 06/30/2019, with the law firm Grisez, Orenstein & Hertle and the law firm of Perry & Associates for the continued provision of legal representation of indigents which the Public Defender is unable to represent due to conflict of interest – CEO 2017-297
  - \*B10 Authorized the Auditor-Controller, on behalf of the Department of Child Support Services, to pay prior year invoice for services provided in a prior year – DCSS 2017-298
  - \*B11a Approved the request from the governing board of Hickman Community Charter District to consolidate future elections on the same day as the Statewide General Election conducted in even-numbered years – Clerk Recorder – Elections 2017-299
  - \*B11b Approved the request from the governing board of Hughson Fire Protection District to consolidate future elections on the same day as the Statewide General Election conducted in even-numbered years – Clerk Recorder – Elections DF-04-A-8 2017-300

- \***B12** Approved the amended and restated California Automated Consortium Eligibility System Joint Exercise of Powers Agreement; authorized the Chairman to sign the amended and restated California Automated Consortium Eligibility System Joint Exercise of Powers Agreement; approved the new MOU between the California Automated Consortium Eligibility System and the County of Stanislaus; and, authorized the Chairman to sign the new MOU – CSA 2017-301
- \***B13** Approved a six month extension of the CSA Temporary Staff Assignment to support the State Consortium Automated Welfare System Project from 06/30/2017 to 12/31/2017 – CSA 2017-302
- \***B14** Authorized the General Services Agency Purchasing Division to issue a RFP on behalf of the Community Services Agency for the provision of Medi-Cal Outreach and Enrollment Services for the contract period of 01/01/2018 through 06/30/2020 – CSA 2017-303
- \***B15** Approved an agreement with Maximus Human Services, Inc. for the provision of social security disability insurance and social security income retirement benefits advocacy services for children in Foster Care, as a result of a RFP process for such services; and, authorized the CSA Director, or her designee, to sign the agreement, and any amendments up to \$25,000 with Maximus Human Services, Inc. to provide social security disability insurance and social security income retirement benefits advocacy services for children in Foster Care – CSA 2017-304
- \***B16** Introduced and waived the first reading of Ordinance C.S. 1195 amending Stanislaus County Code Chapter 9.16 on Milk Regulations – DER ORD-56-3 2017-305
- \***B17** Accepted the fourth and final update on the state of the emergency repairs at the Fink Road Landfill in accordance with Public Contract Code Sections 20134 and 22050 to replace 333 feet of perimeter litter barrier fencing – DER 2017-306
- \***B18** Approved the JPA to form a JPA that will serve as the Eastern San Joaquin Groundwater Authority; authorized the Chairman to sign and execute the agreement on behalf of the County; and, appointed the County Water Resources Manager as the Alternate Board Member to the Eastern San Joaquin Groundwater Authority – DER J-08-1 2017-307
- \***B19** Approved contract renewal #16-93381 with the State of California Department of Health Care Services for Medi-Cal Administrative Activities in the amount of \$4,500,000 for the period of 07/01/2016 through 06/30/2019; and, authorized the HSA Managing Director, or her designee, to sign the contract and any amendments – HAS 2017-308
- \***B20** Accepted the twenty-fifth update on the Temporary Water Assistance Program in Stanislaus County; approved to continue the Countywide proclamation of a local emergency due to a multi-year water shortage; directed staff to continue working with those individuals who are currently receiving assistance to find a permanent water supply solution by 06/30/2017; and, approved to delegate Self-Help Enterprises to continue service to currently enrolled Stanislaus County Temporary Water Assistance Program participants and to report weekly to Stanislaus County Office of Emergency Services on the progress of participants toward a permanent water solution – OES 2017-309
- \***B21** Approved the submittal of a California State Association of Counties Challenge Award application for the Department of Parks and Recreation’s “Think Outside the House” marketing campaign; and, authorized the CEO to sign a letter of endorsement authorizing the entry in the Challenge Awards competition – Parks and Recreation 2017-310
- \***B22** Authorized the Sheriff to accept the funding in the amount of \$300,000 from the California Department of Parks and Recreation, Division of Boating and Waterways; and, approved a formal resolution as required by the State to receive this grant – Sheriff 2017-311

- \***B23** Accepted the Stanislaus County Treasury Pool’s April 2017 Monthly Investment Report as prepared by the Stanislaus County Treasurer-Tax Collector’s Office and reviewed for conformity with the Stanislaus County Treasury Pool Investment Policy by the Treasurer-Tax Collector, and distributed to the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2017-312
- \***B24** Approved the Independent Contractor Agreement with US Imaging, Inc. for services involving the creation and completion of the existing index or recorded official records from the years 1854 through 1993; authorized the Clerk Recorder to procure the Independent Contractor Services with a sole source procurement; authorized the County Clerk-Recorder to negotiate, award and execute an agreement with US Imaging, Inc. in the amount not to exceed \$650,000, for the period of three years or until completion of the project and to sign necessary documents, including any amendments to the agreement not to exceed a total of 10%; and, authorized the County Clerk-Recorder to take any appropriate action necessary to carry out the purpose and intent of these recommendations – Clerk Recorder 2017-313
- \***C1** Approved the FY 2017-2018 Transit Transportation Development Act Claim in the amount of \$5,843,663; and, authorized the Director of Public Works to execute and submit the claim to the Stanislaus Council of Governments – PW 2017-314
- \***C2** Adopted the Plans and Specifications for the Regional Surface Transportation Program (RSTP) Road Resurfacing Program Phase L Project, Federal Project No. STPL – 5938 (236); awarded a contract in the amount of \$1,990,736.25 to Knife River Construction of Stockton, California, for the construction of the RSTP Road Resurfacing Program Phase L Project, Federal Project No. STPL – 5938 (236); authorized the Director of Public Works to execute a contract with Knife River Construction, for \$1,990,736.25 and to sign necessary documents; authorized the Construction Manager to issue a Notice to Proceed, subject to receipt of proper insurance and bonds; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with the Public Contract Code, Sections 20142 and 20137; authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities upon project completion; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2017-315
- \***C3** Approved the Plans and Specifications for the Stanislaus County 2017 Chip Seal Project; awarded a contract in the amount of \$707,625 to provide and apply polymer modified rejuvenating emulsion oil for the 2017 Chip Seal Project to Telfer Pavement Technologies, LLC of McClellan, California; authorized the Director of Public Works to execute a contract with Telfer Pavement Technologies, LLC for \$707,625 and to sign necessary documents; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with the Public Contract Code, Sections 20142 and 20137; authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities upon project completion; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2017-316

- \*C4** Approved the Plans and Specifications for safety improvements at the Intersections of Bradbury Road at S. Walnut Road and Central Avenue at Grayson Road Project, Federal Aid Project No. HSIPL-5938(234); awarded a construction contract in the amount of \$428,780 to George Reed, Inc. of Modesto, California for the Intersections of Bradbury Road at S. Walnut Road and Central Avenue at Grayson Road Project, Federal Aid Project No. HSIPL- 5938(234); authorized the Director of Public Works to execute a contract with George Reed, Inc. for \$428,780 and to sign necessary documents; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with the Public Contract Code, Sections 20142 and 20137; authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities upon project completion; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW  
2017-317
- \*C5** Approved the Plans and Specifications for the 2017 Salida Pavement Preservation Project; awarded a construction contract in the amount of \$1,479,000 to VSS International, Inc. of West Sacramento, California for the 2017 Salida Pavement Preservation Project, subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with VSS International, Inc. for \$1,479,000 and to sign necessary documents; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with the Public Contract Code, Sections 20142 and 20137; authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities upon project completion; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW  
2017-318
- \*C6** Approved a transfer of \$6,276,884 in appropriations from the Public Works budget to the Airport Neighborhood Sewer Project budget; and, directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet, attached to the agenda item – PW  
2017-319
- \*C7** Accepted the third update on the state of emergency repairs on Rodden Road at Lesnini Creek in accordance with Public Contract Code sections 20134 and 22050 to replace a failed box culvert – PW  
2017-320
- \*C8** Adopted the results of the Proposition 218 Assessment Ballot Procedure (Support: 1.07, Protest: 2.00, Incomplete: 1.00) held on 05/23/2017 to change the methodology for calculating assessments for CSA 8-Honey Bee Estates; and, declared that a majority protest exists because a simple majority of the assessment ballots submitted, weighted according to the proportional financial obligation of the affected property, were in opposition to the proposed change of methodology for calculating assessment for County Services Area 8 - Honey Bee Estates – PW  
2017-321

Olsen/Withrow (4-0)(Chiesa Absent) unan. **9:05 a.m.** Accepted the 2017-2018 Recommended Proposed Budget from the CEO; conducted the scheduled public hearing to receive public comment and input on the proposed spending plan; directed and approved any changes the Board chooses to make to the 2017-2018 Recommended Proposed Budget, and then adopted the 2017-2018 Recommended Proposed Budget; authorized the CEO and the Auditor-Controller to make necessary technical adjustments to implement the approved Recommended Proposed Budget; amended the Salary and Position Allocation Resolution to reflect the recommended changes for the 2017-2018 Recommended Proposed Budget, as outlined in the Staffing Impacts section and detailed in Attachment C of the agenda item, to be effective the start of the first full pay period following 07/01/2017, unless otherwise noted; approved contracts and/or agreements listed on Attachment D, of the agenda item, in cumulative amounts of \$100,000 or greater since 07/01/2015, and authorized the General Services Agency Director/Purchasing Agent or Department Head to sign; approved changes to the County Financial Policies to include the addition of two new policies recognizing long-standing County practice, including No Backfill and Use of One-Time Funds along with a technical edit to the Appropriations for Contingencies Policy; and, directed the CEO to prepare the Recommended Final Budget and set the public hearing for consideration of the Final Budget on 09/19/2017 at 6:35 p.m. – CEO 2017-322

**Corr 1** Referred to the CEO, DER, and the Ag Commissioner and Sealer of Weights and Measures, a Notice of Public Hearing from the Central Valley Regional Water Quality Control Board regarding a proposed amendment to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin.

**Corr 2** Referred to the Auditor-Controller and the CEO, a copy of the Stanislaus Local Agency Formation Commission (LAFCO) Fiscal Year 2017-2018 Final Budget.

**Corr 3** Referred to the Alliance Worknet and the Workforce Development Board, a Worker Adjustment and Retraining Notification letter from Nestle USA, Inc., regarding a temporary layoff of 93 employees at their Modesto facility located at 736 Garner Road from July 31, 2017 through August 21, 2017.

**Corr 4** Referred to the Fish and Wildlife Committee, a notice from the California Fish and Game Commission regarding proposed regulatory action regarding recreational fishing.

**Corr 5** Acknowledge receipt and referred to the CEO, a copy of the Gallo Center for the Arts Final Budget for Fiscal Year 2017-2018 including Leases, Prices, Concessions, Fees and the Schedule for the 2017-2018 Season.

**Corr 6** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Kelly Farley; Tina Huckabee (amended claim); Eric Seeley; Anthony Craig Richardson Gaines; Julie Fields; Na-Gatha L. Lincoln Siler; Maria Romero; Bristol West as subrogee of Jose Martinez; Melanie Chantell Latronica; and, Rachael Geurts.

Supervisor Withrow noted how well the Gallo Center for the Arts is run under the direction of Lynn Dickerson and the great benefit it has been to this community and to the City of Modesto.

Supervisor DeMartini invited everyone to attend the West Side Health Care Task Force's 9<sup>th</sup> Annual Health Summit and Biggest Loser Weight Contest on Thursday, 06/29/17, at 4:30 p.m., at the West Side Theater in Newman. He noted that Dr. John Walker will be the keynote speaker.

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 11:31 a.m. for Conference with Labor Negotiator: Agency Negotiators: Stan Risen, Tamara Thomas, Jody Hayes, Brandi Hopkins, Dania Torres-Wong, and Burke Dunphy. Labor Organizations: County Attorney's Association; California Nurses Association; Stanislaus Sworn Deputies Association; Stanislaus County Sheriff's Management Association; Stanislaus County Sheriff's Supervisors Association; and, Stanislaus County Deputy Probation Officers Association. Government Code Section 54957.6. Conference with Legal Counsel – Existing Litigation: One Case: William Blackburn et al. v. County of Stanislaus, Stanislaus County Superior Court Case No. 2022545. Government Code Section 549569.9 (d)(1).

Adjourned at 1:20 p.m.

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

BY: PAM VILLARREAL, 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.)