

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

Regular Session

Tuesday

January 9, 2018

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Captain Dwaine Breazeale with The Salvation Army.

Olsen/Monteith unan. Elected Supervisor DeMartini as the Chairman and Supervisor Withrow as the Vice-Chairman of the Board of Supervisors for 2018

Supervisor DeMartini recognized Supervisor Chiesa as the 2017 Chairman of the Board and thanked him for his leadership.

Lauren Klein thanked the PeopleSoft Upgrade Team and the Board presented Lisa Steed with a Certificate of Appreciation.

Joanna McKinley spoke regarding being the victim of a housing scam and the need for affordable housing for large families in Modesto.

Withrow/Chiesa unan. Adopted the consent calendar after removing from consent item **A4** Approval of Appointment of Thomas Maring and Wayne Zipser to the Stanislaus County Planning Commission

- A1** Approved the minutes of 12/19/2017
- A2** Adopted and waived the second reading of Ordinance C.S. 1206 relating to the regulation of Commercial Cannabis Activities 2018-02 ORD-56-B-3
- A3** Adopted and waived the second reading of Ordinance C.S. 1207 amending Section 4.34.010 of the Stanislaus County Code to extend an existing fee for Clerk-Recorder costs associated with the implementation of Social Security Truncation Program 2018-03 ORD-56-B-4
- A5** Appointed Sharon Page to the Knights Ferry Cemetery District Board of Directors 2018-04
- A6** Appointed Rick Scheuber to the Storm Drain District No. 8 Board of Directors 2018-05
- A7** Accepted the resignation of Jon Rodriguez from the Economic Development Action Committee 2018-06
- A8** Accepted the resignation of Douglas Estermann from the Keyes Fire Protection District 2018-07
- A9** Accepted the resignation of Matthew Erickson from the Stanislaus County Local Task Force on Solid Waste Management 2018-08
- A10** Reappointed Carol Jean Davis to the Knights Ferry Cemetery District Board of Directors 2018-09
- A11** Reappointed John Bettencourt to the Assessment Appeals Board 2018-10
- A12** Reappointed James Shade, Ray Dias, John Utne, and Robert James Nickerson to the Building Code Appeals Board 2018-11
- A13** Reappointed Emily Herrera to the Earl Pride Scholarship Committee 2018-12

- A14** Reappointed Bryan Whitemeyer to the Emergency Medical Services Committee
2018-13
- A15** Reappointed Ken Cheeseman and Diana Haile to the Housing Authority of the County of Stanislaus
2018-14
- A16** Reappointed Valerie Mitchell, Juanita Cochran, and Lisa Hensley to the In-Home Supportive Services Advisory Committee
2018-15
- A17** Reappointed Rosemary Martinez, Garner Reynolds, Keith Highiet, Art Machado, Gabriel Avila, Sonia Delgado, Tony Madrigal, Kristi Ah You, and Jerilyn Yerby to the Stanislaus County Local Task Force on Solid Waste Management
2018-16
- A18** Reappointed Yvette McShan, Jill Marie Neifer, and Michael Shinkel to the Stanislaus County Behavioral Health Board
2018-17
- A19** Reappointed Joseph M. Sanchez to the Stanislaus County Parks and Recreation Commission
2018-18
- A20** Reappointed Luis Jimenez to the Tuolumne River Regional Park Citizens Advisory Committee
2018-19
- A21** Reappointed Patrick Cerutti and Joe S. Rocha to the Hills Ferry Cemetery District Board of Directors
2018-20
- A22** Reappointed Patrick Alves and Steve Amador to the Storm Drain District No. 8 Board of Directors
2018-21
- A23** Reappointed Everett B. Souza, Jr., to the Turlock Mosquito Abatement District Board of Trustees
2018-22
- A24** Reappointed Bruce E. Ramsey, Jonathan Carlson and John P. Doering to the Law Library Board of Trustees
2018-23
- A25** Reappointed Ron Greenwood and Anna Webb to the East Side Mosquito Abatement District Board of Trustees
2018-24
- A26** Reappointed Vince Dykzeul, Cooper Rossiter, Gail Altieri, Ron Macedo, Francisco Canela, Richard Gemperle, Jim Mortensen, Sean Roddy, Daniel Bays, and Tim Sanders to the Stanislaus County Water Advisory Committee
2018-25
- B1** Approved the construction contract with Donlee Pump Company of Ceres, CA, in the amount of \$231,293, for the Modesto Reservoir Regional Park Marina Fuel Station Upgrade Project; authorized the Director of Parks and Recreation, or designee, to execute the contract with Donlee Pump Company, and to sign any necessary documents; authorized the Director of Parks and Recreation, or designee, to execute change orders not to exceed 10% in accordance with Public Contract Code Section 20137 and 20142; and, upon project completion, authorized the Director of Parks and Recreation, or designee, to accept the completed improvements and perform all necessary closeout activities for the project – Parks and Recreation
2018-26
- B2** Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the property at 4442 Jennings Road, Modesto, CA, CE No. 17-0135, as set forth in Attachment 1, attached to the agenda item – DER
2018-27
- B3** Declared thirty-nine County vehicles as surplus and authorized these assets to be auctioned; and, directed the Auditor-Controller to deposit all receipts from the sale of these assets, net of General Services Agency - Fleet Services costs, into departmental accounts as appropriate to the fixed asset location of the asset – General Services Agency
2018-28
- B4** Accepted the Accountant's Report on the Stanislaus County Treasurer's Statement of Assets as of 09/19/2017 – Auditor-Controller
2018-29

- B5** Approved an agreement with Elevator Industries, Inc. for the bid amount of \$111,141, plus a 5% contingency, for a total not to exceed amount of \$116,698 for elevator modernization at the Men’s Jail located at 1115 H. Street in Modesto; and, authorized the Purchasing Agent to execute the contract with Elevator Industries, Inc., sign any necessary documents, and execute any subsequent amendments on behalf of the County – General Services Agency
2018-30
- B6** Accepted the Stanislaus County Treasury Pool’s October 2017 Monthly Investment Report as prepared by the Stanislaus County Treasurer-Tax Collector’s Office 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
2018-31
- B7** Authorized the Chairman and the CEO to sign the 2018 Annual Equal Rights/Non-discrimination Statement, attached to the agenda item – CEO
2018-32
- B8** Authorized the Registrar of Voters to apply for and receive Help America Vote Act (HAVA) Section 251 Grant Funds for the improvement of the administration of elections; authorized the Registrar of Voters to negotiate, award, and execute an agreement, including any extensions or amendments, with the California Secretary of State, in an amount not to exceed \$20,000 for the period 12/01/2017 through 06/30/2019; approved the Registrar of Voters to negotiate, award, and execute all corresponding contracts, not to exceed the \$20,000 grant; and, authorized the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$20,000 as detailed in the Budget Journal Form, attached to the agenda item – Clerk-Recorder
2018-33
- B9** Approved the request from the governing board of MID to consolidate future elections on the same day as the Statewide General Election conducted in even-numbered years – Elections
2018-34 DI-04-A-1
- B10** Approved the request from the governing board of Westport Fire Protection District to consolidate future elections on the same day as the Statewide General Election conducted in even-numbered years – Elections
2018-35 DF-16-25
- B11** Approved and accepted the Stanislaus County 2016-2017 Annual Report – CEO
2018-36
- C1** Adopted the Plans and Specifications for the Keyes Road and Faith Home Road Intersection Signalization Project, Federal Aid Project No. CML-5938(239); awarded a contract for construction services to George Reed, Inc. of Modesto, CA for the Keyes Road and Faith Home Road Intersection Signalization Project, Federal Aid Project No. CML-5938(239); authorized the Director of Public Works to execute a contract with George Reed, Inc. in the amount of \$988,700 and to sign necessary documents, including any amendments to the agreement not to exceed 10%, in accordance with the Public Contract Code Section 20137 and 20142; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW
2018-37
- C2** Approved the agreement for Acquisition of Property for the Claribel Road at Roselle Avenue Intersection Road Widening Project, Grantor: Jimmy Zheng and Sharon Zhu, APN 075-025-009 (portion); authorized the Chairman to execute the Agreement for Acquisition of Property; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW
2018-38

D1 Approved the Reuse Plan for the use of Successor Housing Agency Funds by the Housing Authority of the County of Stanislaus for the development of affordable housing; and, authorized the Director of the Planning and Community Development Department to take all actions necessary to implement the Reuse Plan, including the execution of required agreements – Planning 2018-39

Monteith/Chiesa (4-0) (Withrow abstained) **A4** Appointed Thomas Maring and Wayne Zipser to the Stanislaus County Planning Commission 2018-40

Monteith/Olsen unan. **8.1** Proclaimed the Month of January 2018 as Human Trafficking Awareness Month in Stanislaus County – CSA 2018-41

Corr 1 Acknowledged receipt of a letter from the Del Puerto Water District regarding the election of Peter Lucich to their Board of Directors.

Corr 2 Acknowledged receipt of the Comprehensive Annual Financial Report of the Stanislaus County Employees' Retirement Association (StanCERA) for fiscal years ending 06/30/2017 and 2016.

Corr 3 Referred to the Department of Planning and Community Development, a letter from the U.S. Department of Housing and Urban Development (HUD) regarding the performance assessment of Stanislaus County's Community Development Block Grant and the Emergency Solutions Grant programs for Program Year 2016.

Corr 4 Referred to the Clerk-Recorder and Registrar of Voters, a resolution from the Ceres Fire Protection District requesting the change of their governing board member elections from odd-numbered to even-numbered years.

Corr 5 Acknowledged receipt of a letter regarding the appointment of Tom Morris to El Solyo Water District's Board of Directors.

Corr 6 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Lindsey Martin; Perfecto Perez for Minor William Perez; Perfecto Perez for Minor Nicholas Perez; Barbara Guzman for Minor Estrella Vargas; Barbara Guzman for Minor Rogelio; Donald Wheeland; Barbara Guzman for Minor Naveah Vargas; Rhonda Smallen; Na-Gatha LaRice Lincoln (4); Marco Attisha; Lydia Garcia; Roldan Medina; Jacquelynn Montgomery on behalf of Lee West; Trinidad Toledo; Tatyana Temple; and, Stephen Busch.

CEO Hayes announced that there will be a tour of the Re-Entry and Enhanced Alternatives to Custody Training (REACT) Facility Tuesday, 01/09/2018, following the Board of Supervisors meeting at 194 E. Hackett Road, Ceres.

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 9:48 a.m. for Conference with Legal Counsel - Existing Litigation: Two Cases: County of Stanislaus vs. State of California, et al., Stanislaus County Superior Court Case No. 2019174; Nicholas Honchariw v. County of Stanislaus, Stanislaus County Superior Court Case No. 2026470. Government Code Section 54956.9 (d)(1).

Adjourned at 10:54 a.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.)