

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

Regular Session

Tuesday

March 27, 2018

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor Dave Kerr with Trinity United Presbyterian Church.

Chairman DeMartini spoke about the Adopt a Pet program and Stanislaus Animal Services staff presented two dogs that are eligible for adoption.

Olsen/Withrow unan. Adopted the consent calendar after removing from consent item **5.D.3** Acceptance of the Annual Progress Report for the Stanislaus County Housing Element for the Calendar Year 2017 Covering the Entire Stanislaus County Unincorporated Area – Planning

5.A.1 Approved the minutes of 03/20/2018

5.A.2 Appointed Kris Helton and Josh Bridegroom to the Workforce Development Board
2018-127

5.A.3 Appointed Duane Shugart to the Riverdale Park Tract Community Services District
2018-128

5.B.1 Approved a contract between the County and SyTech Solutions, Inc., a CA Corporation, in the amount of \$552,137 for document scanning and indexing services; authorized the County Purchasing Agent to execute the contract with SyTech Solutions, Inc., and to sign any necessary documents; and, authorized the Auditor-Controller to increase appropriations by \$552,137 for FY 2017-2018 as detailed in the budget journal, attached to the agenda item – DA
2018-129

5.B.2 Approved the CSA Child Advocacy Center Program Allocation Proposal; and, authorized CSA to accept the Child Advocacy Center Program Allocation if awarded by the CA Governor's Office of Emergency Services – CSA
2018-130

5.B.3 Approved the use of \$10,000 from the Community Development Fund to support Stanislaus Partners in Education programs; and, directed the Auditor-Controller to make the necessary budget adjustments per the budget journal, attached to the agenda item – CEO
2018-131

5.B.4 Approved the use of up to \$6,000 in Community Development Funds for community cleanups in the Airport Neighborhood; and, directed the Auditor-Controller to make the necessary budget adjustments per the budget journal, attached to the agenda item – CEO
2018-132

5.B.5 Accepted the County Volunteer Program Annual Report for Calendar Year 2017; and, proclaimed the week of 04/15-04/21/2018 as Stanislaus County Volunteer Week – CEO
2018-133

5.B.6 Approved the Stanislaus County Legislative Platform for 2018 – CEO
2018-134

5.B.7 Approved an agreement with the Center of Human Services for the provision of a Promotores/Community Health Worker to promote community-based behavioral health education and prevention at the Airport District Geographic Location; and, authorized the BHRS Director, or his designee, to sign the agreement and any amendments adding services and payment of services up to \$70,784 – BHRS
2018-135

- 5.B.8** Accepted the Stanislaus County Treasury Pool’s January 2018 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
2018-136
- 5.B.9** Approved proceeding with the Public Safety Center, Minimum Housing (Unit One) Visitation Area Upgrade project; approved the Plans and Specifications for the project; authorized the Project Manager to re-issue a Notice Inviting Bids using the CA Uniform Public Construction Cost Accounting Act (CUPCCAA) formal bidding procedures; and, authorized the Project Manager to set a bid due day 05/02/2018 and to adjust the date if necessary – CEO
2018-137
- 5.B.10** Proclaimed April 2018 as Child Abuse Prevention Month in Stanislaus County – CSA
2018-138
- 5.C.1** Approved the Plans and Specification for Geer Road and Santa Fe Avenue Intersection Improvement Project, Federal Aid Project No. CML-5938(224); awarded a contract for Construction Services to George Reed, Inc. of Modesto, CA, for the Geer Road and Santa Fe Avenue Intersection Improvement Project, Federal Aid Project No. CML-5938(224); authorized the Director of Public Works to execute a contract with George Reed, Inc. in the amount of \$2,212,636 and to sign necessary documents, including any amendments to the agreement not to exceed 10%, in accordance with 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
2018-139
- 5.C.2** Approved the Plans and Specifications for Geer Road and Whitmore Avenue Intersection Improvement Project, Federal Aid Project No. CML-5938(222); awarded a contract for Construction Services United Pavement Maintenance, Inc. of Hughson, CA for the Geer Road and Whitmore Avenue Intersection Improvement Project, Federal Aid Project No. CML-5938(222); authorized the Director of Public Works to execute a contract with United Pavement Maintenance, Inc. in the amount of \$1,473,780 and to sign necessary documents including any amendments to the agreement not to exceed 10%, in accordance with 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
2018-140
- 5.C.3** Awarded a contract for Engineering Services to O’Dell Engineering of Modesto, CA, for the Stanislaus County Corporation Yard Security Wall Project; authorized the Director of Public Works to execute a contract with O’Dell Engineering in the amount of \$90,720 and to sign necessary documents, including any amendments to the agreement not to exceed 10%; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW
2018-141
- 5.C.4** Approved amendment No. 2 to the E-PUR, LLC professional services agreement for the preparation and assessment of historic groundwater supply and monitoring wells at and near the Crows Landing Industrial Business Park, in the amount of \$30,650; and, authorized the Director of Public Works to execute the amendments with E-PUR, LLC in the amount of \$30,650, and to sign necessary documents – PW
2018-142

5.D.1 Adopted a resolution to authorize the Director of Public Works to apply for, enter into, and sign the Financial Assistance Application for the Clean Water State Revolving Fund (CWSRF) Program from the CA State Water Resources Control Board (SWRCB) for the environmental, design, and construction of the West Modesto Sewer Infrastructure Project; authorized the Director of Planning and Community Development and the Director of Public Works to negotiate and enter into an agreement with Self-Help Enterprises (SHE) to conduct environmental assessment, co-facilitate a community engagement strategy, and apply for funding from the CA State Water Resources Control Board for the West Modesto Sewer Infrastructure Project; and, authorized the Director of Planning and Community Development and the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – Planning
2018-143

5.D.2 Rescinded a portion of Williamson Act Contract No. 1972-1069 and all of Contract No. 2016-01, located at 3309 Young Road, between Vivian and Shiloh Roads (APN: 017-045-018 and 017-045-028); finds that pursuant to Government Code Section 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 the County’s implementation of Assembly Bill (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 new contracts, pursuant to Lot Line Adjustment Application No. PLN2016-0056, Hoy-Passalaqua; and, authorized the Director of Planning and Community Development to execute new contracts – Planning
2018-144

Chiesa/Withrow unan. **5.D.3** Accepted the Annual Progress Report for the Stanislaus County Housing Element for the calendar year 2017 – Planning
2018-145

Monteith/Olsen unan. **7.1** Accepted the Health Services Agency 2018 Public Health Annual Report – HAS
2018-146

Corr 1 Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Ceres Fire Protection District regarding the resignation of Harlan Smith from their Board of Directors.

Corr 2 Referred to the Chief Executive Office, a letter from the Stanislaus County Employees Retirement Association regarding Fiscal Year 2018-2019 retirement contribution rates and funded status as of 06/30/2017.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Debra Harper and Emilie Morgan.

CEO Hayes reported that he is preparing an update regarding legislative matters of concern for Stanislaus County and will present them at a future meeting.

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 9:54 a.m.

Conference with Legal Counsel - Existing Litigation: Three Cases: Hanibal Yadegar, et al. v. County of Stanislaus, San Joaquin County Superior Court Case No. STK-CV-UNPI-2017-11432; Nicholas Honchariw v. County of Stanislaus, et al., United States District Court, Eastern District of California Case No. 1:16-CV-01183-LJO-BAM. County of Stanislaus v. City of Modesto, Stanislaus County Superior Court Case No. 667397. Government Code Section 54956.9 (d)(1). Conference with Legal Counsel – Anticipated Litigation: One matter. Government Code Section 54956.9 (d)(4). Conference with Labor Negotiator: Agency Negotiators: Jody Hayes, Tamara Thomas and Brandi Hopkins. Labor Organizations: Stanislaus County District Attorney Investigators’ Association and Stanislaus County Probation Corrections Officers’ Association. Government Code Section 54957.6.

Chairman DeMartini left at 12:03 p.m.

Chairman DeMartini recused himself from the Closed Session regarding Conference with Real Property Negotiator.

Conference with Real Property Negotiator: Property: Finch Road Animal Shelter, 2846 Finch Road, Modesto, CA. Agency Negotiators: Jody Hayes, Patricia Hill Thomas. Negotiating Party: City of Modesto. Under Negotiation: Both Terms of Payment and Price. Government Code Section 54956.8

Adjourned at 12:11 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.)