

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

December 18, 2018

Convened at 5:30 p.m. for Special Session.

Prior to adjourning into Closed Session an opportunity was given to the public to address matters listed under Closed Session.

Closed Session: Public Employee Appointment: Title: Public Defender. Government Code Section 54957(b).

Adjourned closed session at 6:30 p.m.

Reconvened at 6:30 p.m. for Regular Session.

Invocation was given by Mike Gunnarson with City Ministry Network.

A tribute to Stanislaus County Supervisor Dick Monteith was presented upon his retirement.

Debra Harper spoke regarding her recent ban from the County library.

Yamilet Valladolid congratulated Supervisor Monteith upon his retirement.

Chelsea Rambo, a Licensed Clinician for BHRS and SEIU member, spoke regarding the high turnover rate and the difficulty of her job.

Laura Lopez, Behavioral Health Specialist and SEIU member, asked the County to keep negotiations going throughout the holidays and provided the Board with a card signed by SEIU members.

Heather Hosner spoke of her experience as a Social Worker for Child Protective Services.

Lavonne Lopez, BHRS Specialist II, spoke of her experiences working with patients.

Michael Leonard, a small business owner who manages seven properties in the Airport District, spoke regarding inspections by DER, and that he feels he is being subject to unnecessary inspections.

Lynnzey Colussio, BHRS employee and lead support staff for "Josie's Place," invited the Board to come and see what they do.

Edith Robles, with Stanislaus Council of Governments (StanCOG), spoke regarding the Public Transit Workshops for unmet transit needs and stated there will be a public outreach meeting on 01/08/2019, 12:30 PM at the Empire Library, and the public hearing will be held on 01/16/2019, 6:00 PM at the StanCOG Policy Board Meeting.

Chiesa/Olsen unan. Adopted the consent calendar

- 6.A.1** Approved the minutes of 12/11/2018
- 6.A.2** Adopted and waived the second reading of ordinance C.S. 1222 amending Title 3 of the Stanislaus County Code relating to Personnel Policies ORD-56-D-5 2018-0620
- 6.A.3** Proclaimed January 2019 as Mentor Awareness Month in Stanislaus County
2018-0621
- 6.A.4** Appointed Gregory Goodwin to the Law Library Board of Trustees 2018-0622
- 6.A.5** Appointed Dillon Olvera to the Stanislaus County Economic Development Action Committee
2018-0623
- 6.A.6** Appointed Keenon J. Krick to the Stanislaus County Equal Rights Commission
2018-0624
- 6.A.7** Reappointed Peter Katsufrakis and Tom Hallinan to the Assessment Appeals Board
2018-0625
- 6.A.8** Reappointed Annette Patton to the Earl Pride Scholarship Committee 2018-0626
- 6.A.9** Reappointed William Pringle, Carl “Tony” Ott, Kandis Schmidt and Clarine Johnstad to the East Side Mosquito Abatement District Board of Trustees 2018-0627
- 6.A.10** Reappointed Robert Ott, Daniel Cummins, Niamh Harrington Seavy and Sharon Lea Young to the Emergency Medical Services Committee 2018-0628
- 6.A.11** Reappointed Rod Hawkins, Michael Pratt, Timothy Ragsdale and Scott Murphy to the Fire Code Board of Appeals 2018-0629
- 6.A.12** Reappointed Dorothy Griggs, Carlos Estacio III, Frank Ploof and Dirk Hoek to the Housing Authority of the County of Stanislaus 2018-0630
- 6.A.13** Reappointed Janet Ward, Arie Rose Martin, Naomi Manke and Linda White to the In-Home Supportive Services Advisory Committee 2018-0631
- 6.A.14** Reappointed Bruce E. Ramsey and John P. Doering to the Law Library Board of Trustees
2018-0632
- 6.A.15** Reappointed Shivaugn Alves and Chris Savage to the San Joaquin Valley Air Pollution Control District Citizens Advisory Committee 2018-0633
- 6.A.16** Reappointed Peter Dean and Michael Kummer to the Stanislaus County Hazardous Waste Management Advisory Committee 2018-0634
- 6.A.17** Reappointed George Carr, Peni Basalusalu, Kathleen Cleek, Perfecto Milan and Toni Cordell to the Stanislaus County Local Task Force on Solid Waste Management
2018-0635
- 6.A.18** Reappointed Zachary Keller to the Stanislaus County Parks and Recreation Commission
2018-0636
- 6.A.19** Reappointed Marjorie Blom to the Stanislaus County Planning Commission 2018-0637
- 6.A.20** Reappointed Rodman Hooker and Dan Peterson to the Turlock Mosquito Abatement District Board of Trustees 2018-0638
- 6.A.21** Reappointed Louis Bricchetto, Rod Vilas, Larry Byrd, and Bill Zoslocki to the Stanislaus County Water Advisory Committee 2018-0639
- 6.A.22** Reappointed Annie Henrich, Kathy Marie Rupe, Charmaine Monte, Jack Marshall Waldorf, and Michael Shinkel to the Stanislaus County Behavioral Health Board 2018-0640
- 6.A.23** Reappointed Jack Michael Escobar, Jarod Lara, Norman W. Crow, and Robert Brooks to the West Stanislaus Resource Conservation District Board of Directors 2018-0641
- 6.A.24** Reappointed Leslie Beggs to the Stanislaus County Equal Rights Commission 2018-0642
- 6.A.25** Accepted the resignation of Carol Shipley from the Stanislaus County Child Abuse Prevention Council 2018-0643
- 6.A.26** Approved the Amended Conflict of Interest Code for the Salida Union School District
2018-0644

- 6.A.27** Approved the Amended Conflict of Interest Code for the Stanislaus Local Agency Formation Commission 2018-0645
- 6.B.1** Approved the Master Agreement for Professional Design Services with Tetra Tech, BAS, Inc., of Diamond Bar, CA, for environmental oversight of the Geer Road Landfill, for a not to exceed amount of \$5,050,000; authorized the Director of DER, or designee, to sign the Master Agreement with Tetra Tech, BAS, Inc., and to sign any necessary documents; authorized the Director of DER, or designee, to sign individual project authorizations under the Master Agreement, provided that the cumulative total does not exceed the contract amount; and, authorized the Director of DER, or designee, to sign amendments to the Master Agreement for an overall not-to-exceed amount of \$5,150,000, which includes a contingency of \$100,000 – DER 2018-0646
- 6.B.2** Approved the Master Agreement for Professional Design Services with Stearns, Conrad, and Schmidt, Consulting Engineers, Inc., of Sacramento, CA, for environmental oversight of the Fink Road Landfill, for a not to exceed amount of \$1,603,300; authorized the Director of DER, or designee, to sign the Master Agreement with Stearns, Conrad, and Schmidt, Consulting Engineers, Inc., and to sign any necessary documents; authorized the Director of DER, or designee, to sign individual Project Authorizations under the Master Agreement, provided that the cumulative total does not exceed the contract amount; and, authorized the Director of DER, or designee, to sign amendments to the Master Agreement for an overall not-to-exceed amount of \$1,703,300, which includes a contingency of \$100,000 – DER 2018-0647
- 6.B.3** Authorized Stanislaus County Workforce Development to release an RFP for employment services to individuals receiving CalWORKs benefits and are enrolled in the Welfare to Work Program – Workforce Development 2018-0648
- 6.B.4** Authorized the Workforce Development Department to release an RFP for Rapid Response Employment Services – Workforce Development 2018-0649
- 6.B.5** Approved the request from the governing board of Salida Fire Protection District to consolidate and hold future elections on the same day as the Statewide General Election conducted in even-numbered years – Elections 2018-0650
- 6.B.6** Approved the Area Agency on Aging’s extension of the short term, six-month transition plan to continue uninterrupted Senior Meals Program through 06/30/2019 – Aging and Veteran Services 2018-0651
- 6.B.7** Accepted the fourth update in accordance with Public Contract Code Sections 20134 and 22050 for emergency remediation/repairs at 10th Street Place, to repair exterior water damage on the south side of the facility – CEO 2018-0652
- 6.B.8** Accepted the eleventh 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 – CEO 2018-0653
- 6.B.9** Approved a Master Agreement for Independent Contractor Services with Elevator Industries, Inc. for countywide elevator maintenance and as-needed repair services in the amount of \$750,000, for the term beginning 01/01/2019 and ending 12/31/2023; approved a secondary Master Agreement for Independent Contractor Services with ThyssenKrupp Elevator for countywide elevator maintenance and as-needed repair services in the amount of \$750,000, for the term beginning 01/01/2019 and ending 12/31/2023; and, authorized the Purchasing Agent to sign the Master Agreements identified above, and any subsequent amendment to the agreements on behalf of the County – GSA 2018-0654
- 6.B.10** Approved the Workforce Innovation and Opportunity Act (WIOA) Performance Levels Negotiated with the State of California Employment Development Department for the Local Workforce Development Area – Workforce Development 2018-0655

- 6.B.11** Approved the additional contract amount of \$166,160 between the HSA and Maxim Healthcare Services, Inc. for temporary and supplemental clinical staffing; and, authorized the HSA Managing Director, or her designee, to negotiate and sign amendments not to exceed \$75,000 – HSA 2018-0656
- 6.B.12** Authorized the Director of Parks and Recreation, or designee, to apply for, accept, and execute an agreement with Kaiser Permanente, and sign any necessary documents needed to complete the project; approved the filing of a Notice of Exemption finding that the proposed playground installation is exempt under the provisions of the CEQA pursuant to State Guidelines Section 15301; authorized the department to accept a donation from Stanislaus County Police Activities League in the amount of \$85,000; and, authorized the Auditor-Controller to make the necessary financial adjustments per the budget journal, attached to the agenda item – Parks 2018-0657
- 6.C.1** 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 2018-0658
- 6.C.2** Finds that the area included in the Legal Description of Fairway 7 Estates, further identified as Zone 2, is located in the unincorporated territory of Stanislaus County and is not within the boundary of any other CSA; declared that all services being provided to CSA No. 18 – Atlas Park Subdivision (CSA No. 18) will be extended fully to the territory included in the Zone 2 annexation; additional services will be provided in Zone 2 in form of repair and maintenance of sidewalks, chain-link fence and masonry wall, and that said services shall commence after LAFCO issuance of Certificate of Completion for the annexation and upon the onset of the 2019-2020 FY; finds that the annexation will not produce a change in the existing assessment methodology for CSA No. 18 subdivision Atlas Park (Zone 1) and the new Zone 2 shall be subject to the same methodology as Zone 1; finds that the assessment formula for CSA No. 18 is sufficient to adequately assess the annexed parcel in Zone 2 for the cost of services received; approved the resolution of application to the Stanislaus County Local Agency Formation Commission made pursuant to Government Code sections 56654 and 25217; and, ordered that, subject to LAFCO approval of the annexation, APN: 064-016-004 and any subsequent subdivided parcel numbers shall be added to the FY 2020-2021 annual assessments – PW 2018-0659
- 6.C.3** Approved the Agreement for Acquisition of Property for the McHenry Avenue Widening Project, Grantor: Surinder K. Johal, APN: 041-102-001 (partial); 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 CSA-18-4 2018-0660
- 6.C.4** Approved the Agreement of Acquisition of Property for the McHenry Avenue Widening Project, Grantor: Matthew and Meagan Veneman, APN: 074-001-008 (partial); 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 2018-0661

4.D.1 Rescinded portions of Williamson Act Contract Nos. 1977-2515 and 1977-2514, located at 15309 E Keyes Road, on the northeast corner of Montpelier and E Keyes Road, between Montpelier Road and Hawkins Road, east of the Community of Denair (APN's: 019-041-031 and 019-041-049); 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 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 rescinded contracts (c) at least 90 percent of the land under the former contract, or contracts, remain 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 a 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. PLN2018-0071, Varni; and, authorized the Director of Planning and Community Development to execute new contracts
– Planning 2018-0662

Monteith/Withrow unan. **8.1** Authorized the Chief Operations Officer to negotiate and execute amendments to the MOU and Facility Operating Agreement for the Stanislaus Veterans Center, located at 3500 Coffee Road, Modesto, California between Stanislaus County, the Veterans Foundation of Stanislaus County and the City of Modesto to reflect the change in status and role of the Veterans Foundation and to transfer any and all responsibility for the management and operation, including marketing and scheduling, of the Veterans Hall and Conference Center to the County exclusively; authorized the Chief Operations Officer to negotiate and execute a second amendment to a sublease between Stanislaus County and the Veterans Foundation of Stanislaus County's leased space at the Veterans Center from 19,025 square feet to 685 square feet and reduce the foundation's monthly rent obligation in a commensurate amount; authorized the Chief Operations Officer to issue an RFP for a private operator to manage and market various portions of the Veterans Center for use by veterans organizations and others; and, directed the Facility Operating Committee to make recommendations for facility rental rates events at the Veterans Center and return to the Board with a request to set a public hearing and approve the rental rates – CEO 2018-0663

Corr 1 Referred to the Stanislaus County Department of Workforce Development, a letter from Foster Poultry Farms regarding the outsource of security at their facility located at 550 C Street, Turlock, which will affect 16 employees effective 02/09/2019.

Corr 2 Acknowledged receipt of CSA's FY 2017-2018 Annual Audit of the California Department of Education Child Care and Development Alternate Payment Programs Stage 2 and 3 Contracts.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Lloyd Branco; and, Rudy Fimbrez.

CEO Hayes noted that last July the Board passed a resolution in support of protecting our water supply and advocated for a community education campaign referred to as the “State Water Grab”. He reported that State Water Board approved their Substitute Environmental Document which proposes a 40% unimpaired flow for the Tuolumne River. Water districts are evaluating the action and have 30 days to take appropriate action. CEO Hayes also reported that Governor-Elect Newsom will be sworn in on 01/07/2019 and is expected to release the 2019-2020 budget on 01/10/2019. At the federal level, the farm bill will help support the local economy and provide critical investments to rural and underserved communities. The federal deadline to approve new spending authority for dozens of federal agencies is 12/21/2018.

Adjourned at 8:05 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.)