

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

Regular Session

Tuesday

April 2, 2019

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Reverend Lonnie Skiles with Big Valley Grace Community Church.

Miguel Donoso requested that the County look into the Stanislaus County Community System of Care (CSOC) and citizen participation per the Civil Rights Act.

Erica MacDonald noted illegal operations and activities in her neighborhood and asked the Board to investigate.

Olsen/Berryhill unan. Adopted the consent calendar

- 4.A.1** Approved the minutes of 03/19/2019
- 4.A.2** Appointed Shavon Haskell to the Knights Ferry Municipal Advisory Council 2019-0166
- 4.A.3** Appointed Syvanna Diestel and Fallon Martin to the Stanislaus County Local Task Force on Solid Waste Management 2019-0167
- 4.A.4** Accepted the resignation of Bounyakone Tanakhone from the Stanislaus County Child Abuse Prevention Council 2019-0168
- 4.A.5** Accepted the resignation of Joe Rocha from the Hills Ferry Cemetery District Board of Trustees 2019-0169
- 4.A.6** Accepted the resignation of Ryan Cope from the Valley Home Municipal Advisory Council 2019-0170
- 4.A.7** Accepted the resignation of Gabriel Avila from the Stanislaus County Local Task Force on Solid Waste Management 2019-0171
- 4.B.1** Approved the agreement #18-10598 with the California Department of Public Health for implementing the Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome Prevention services from 11/01/2018 through 06/30/2019; and, authorized the HSA Managing Director, or her designee, to sign the grant agreements and any subsequent amendments – HSA 2019-0172
- 4.B.2** Authorized the Sheriff to accept funding in the amount of \$300,000 from the California Department of Parks and Recreation, Division of Boating and Waterways; authorized the Sheriff to sign all quarterly reimbursement claims and other required documents for the State Department of Boating and Waterways; and, approved a formal resolution as required by the State to receive this grant – Sheriff 2019-0173
- 4.B.3** Accepted the County Volunteer Program Annual Report for Calendar Year 2018; proclaimed the week of 04/07/2019-04/13/2019 as Stanislaus County Volunteer Week; and, approved a commendation for Verna Thornton upon being selected as the 2018 Stanislaus County Outstanding Volunteer of the Year – CEO 2019-0174
- 4.B.4** Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the property at 841 5th Street, Turlock, CA, CE No. 18-0239, as set for in Attachment 1, attached to the agenda item – DER 2019-0175
- 4.B.5** Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the property at 4804 Corona Way, Denair, CA, CE No. 18-0094, as set forth in Attachment 1, attached to the agenda item – DER 2019-0176

- 4.B.6** Proclaimed April 2019 as Child Abuse Prevention Month in Stanislaus County – CSA
2019-0177
- 4.B.7** Approved the second amended and restated California Statewide Automated Welfare System Consortium Joint Exercise of Powers Agreement; authorized the Chairman to sign the second amended and restated California Statewide Automated Welfare System Consortium Joint Exercise of Powers Agreement; approved the MOU between the California Statewide Automated Welfare System Consortium and the County of Stanislaus; and, authorized the Chairman to sign the MOU – CSA
2019-0178
- 4.B.8** Authorized CSA to delete one vacant Manager IV position assigned to the California State Department of Health Care Services and add one new Manager IV position to the Homeless and Housing Program; and, amended the Salary and Position Allocation Resolution to delete one vacant Manager IV position and add a Manager IV position effective the first full pay period following Board approval – CSA
2019-0179
- 4.B.9** Accepted the Stanislaus County Treasury Pool’s January 2019 Monthly Investment Report as prepared by the Stanislaus County Treasurer-Tax Collector’s Office and reviewed for conformity with 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
2019-0180
- 4.B.10** Accepted the following annual audits for the FY Ended 06/30/2018, prepared by Brown Armstrong, Certified Public Accountants: Stanislaus County Treasury Pool; and, Stanislaus County Tobacco Endowment Investment Fund – T/TC
2019-0181
- 4.B.11** Accepted the Stanislaus County Treasury Pool’s February 2019 Monthly Investment Report as prepared by the Stanislaus County Treasurer-Tax Collector’s Office and reviewed for conformity with 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
2019-0182
- 4.B.12** Accepted the Accountant’s Report on the Stanislaus County Treasurer’s Statement of Assets as of 12/18/2018 – A/C
2019-0183
- 4.B.13** Approved the First Amendment between the County and Ascendant Healthcare to add reimbursements for supplies, printings, mailings and other items as requested for the County’s Wellness Initiatives Program, and add a new service category for Audits of RxBenefits/CVS Claims Pricing, in the combined total amount of \$30,000; and, authorized the Purchasing Agent to sign the approved amendment and any subsequent amendments not to exceed the amended maximum agreement amount of \$1,350,000 through 12/31/2020 – Risk Management
2019-0184
- 4.B.14** Approved the award of a contract with NAI Benchmark Incorporated of Modesto, CA for property management services for private retail and commercial space owned by Stanislaus County, located on the first floor of 1010 10th Street, Modesto, CA – CEO
2019-0185
- 4.B.15** Authorized the Chief Operations Officer to negotiate and execute a Real Property Purchase Agreement with the Salvation Army, for the purchase of 625 I Street in Modesto, CA, APN 104-016-003, for \$1,250,000 and related escrow expenses for a total not to exceed \$1,300,000; finds that (1) the Notice of Intent to purchase Real Property, for the purchase of 625 I Street in Modesto, CA, APN 104-016-003, was published by the Clerk of the Board, as per Government Code Section 25350, and (2) pursuant to Government Code Section 65402(b) the City of Modesto Planning Commission confirmed the purchase of this property is consistent with the City’s General Plan; authorized the Chief Operations Officer to execute any agreements and escrow documents needed to complete the purchase of this property; authorized the Chief Operations Officer to negotiate and execute a lease to

- allow Salvation Army to lease back the property located at 625 I Street during the transition and consolidation of services to their property located at 320 9th Street in Modesto, CA for \$1 per month; authorized the Auditor-Controller to increase the CEO-County Facilities appropriations by \$1,300,000 using assigned Fund Balance in the General Fund, as detailed in the budget journal, attached to the agenda item; and, authorized the Chief Operations Officer to take any action necessary to execute escrow instructions to complete the purchase of the Real Property known as APN 104-016-003 – CEO 2019-0186
- 4.B.16** Approved Stanislaus County Workforce Development’s Local Plan Two-Year Modification for Program Years 2017-2021; authorized the Chair to sign the Local Plan Two-Year Modification; and, approved the San Joaquin Valley and Associated Counties (SJVAC) Regional Planning Unit (RPU) Program Years 2017-2021 Regional Plan Two-Year Modification – Workforce Development 2019-0187
- 4.B.17** Accepted the seventeenth 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 2019-0188
- 4.B.18** Approved the second 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 – CEO 2019-0189
- 4.B.19** Approved the final completion and acceptance of construction of the Sherriff’s Department Bullet Resistant Enclosure Project Bid Package 2, construction at 444 E. Hackett Road, Ceres, CA, with Barham Inc. DBA BZ Construction, of Ceres, CA; approved the final contract amount for the construction of the Sheriff’s Department Bullet Resistant Enclosure Bid Package 2, Construction at 444 E. Hackett Road, Ceres, CA, with Barham Inc. DBA BZ Construction, of Ceres, CA: original contract: \$204,252 plus change orders \$12,270 for a total contract amount \$216,522; and, authorized the Project Manager, on behalf of the Board as the Awarding Authority, to finalize contract closeout details, sign completion documents, record Notices of Completion, release retention funds less any withholdings deemed appropriate, and process all remaining closeout activities for the above contracts for the Sheriff’s Department Bullet Resistant Enclosure Project – CEO 2019-0190
- 4.B.20** Approved Amendment A01 to the Contract Number 16-10743 with the California Department of Public Health for Implementing the Core Sexually Transmitted Diseases (STD) Program Management through 06/30/2019; and, authorized the HSA Managing Director, or her designee, to sign and execute the amendment and any subsequent amendments – HSA 2019-0191
- 4.C.1** Approved the Agreement for Acquisition of Property for the McHenry Avenue Widening Project, Grantor: Martha Herrera, APN 074-001-005 (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 2019-0192
- 4.C.2** Awarded a contract for All-Inclusive Bridge Engineering and Project Delivery Services to Cornerstone Structural Engineering Group of Fresno, CA, for the Keyes Road over Turlock Irrigation District (TID) Ceres Main Canal Bridge Replacement Project (Caltrans Bridge Number 38C-0193); authorized the Director of Public Works to execute a contract with Cornerstone Structural Engineering Group in the amount of \$274,049 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 2019-0193

- 4.C.3** Set a public hearing on 04/30/2019 at the 9:00 a.m. meeting to consider revising the load carrying capacity of the Schell Road Bridge (38C-0169) over the South San Joaquin Irrigation District (SSJID) Main Canal and the Pleasant Valley Road Bridge (38C-0154) over SSJID Main Canal, per CA Vehicle Code Section 35751; authorized the Clerk to publish a notice of such hearing pursuant to Government Code Section 6066; and, requested that the CA Department of Transportation (Caltrans) Division of Structures Maintenance and Investigations attend the public hearing per CA Vehicle Code Section 35751 – PW 2019-0194
- 4.C.4** Approved Amendment No. 4 to the professional design services agreement for additional right of way construction support services to Mark Thomas and Company, in the amount of \$36,676 for the St. Francis Avenue over MID Main Canal Bridge Replacement Project; authorized the Director of Public Works to execute the amendment with Mark Thomas and Company in the amount of \$36,676, for a not to exceed amount of \$394,148, and to sign necessary documents; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2019-0195
- 4.D.1** Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 316 Empire Avenue, Modesto, CA, DNB2018-0002, as set forth in Attachment 1, of the agenda item; and, authorized the recovery of costs associated with the abatement of the property as a lien by special assessment and directed the Treasurer/Tax Collector, or her designee, to record a lien amount on the assessment roll – Planning 2019-0196
- 4.D.2** Set a public hearing on 04/16/2019, at the 6:30 p.m. meeting, to consider the Planning Commission’s recommendation for approval of General Plan Amendment and Rezone Application No. PLN2017-0134, Mo’s Oasis, located at 8000 E. Whitmore Ave., on the southeast corner of E. Whitmore Ave. and Geer Rd., in the Hughson area; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-56-G-3 2019-0197
- 4.D.3** Set a public hearing on 04/16/2019, at the 6:30 p.m. meeting, to consider the Planning Commission’s Recommendation for Approval of Williamson Act Cancellation and Use Permit Application No. PLN2015-0081, Sullivan Road Solar, located approximately 0.5 miles west of Interstate 5, north and west of Sullivan Road, and bisected by Pete Miller Road, in the Newman area, and adoption of a Mitigated Negative Declaration; and, authorized the Clerk to publish notice of hearing as required by law – Planning 2019-0198
- 4.D.4** Set a public hearing on 04/16/2019, at the 6:30 p.m. meeting, to consider the Planning Commission’s recommendation for approval of Use Permit and Development Agreement Application No. PLN2018-0111, Medallion Wellness, located at 4213 McHenry Avenue, northwest of McHenry and Pelandale Avenues, in the Modesto Area; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-56-G-2 2019-0199

Olsen/Chiesa unan. **5.1** Conducted a public hearing to consider the adoption of the updated County Public Facilities Fees pursuant to Title 23 of the Stanislaus County Ordinance Code; accepted the revised 01/08/2019 Stanislaus County Comprehensive Public Facilities Impact Fee Study, to include a new Accessory Dwelling Unit (ADU) fee category; approved and adopted the findings set forth in the Public Facilities Impact Fee Update Study and in the agenda item, and as required by Section 66001 of the CA Government Code; approved the revised Public Facilities Impact Fees as recommended in the Study to be effective 60 days from date of adoption, 06/01/2019; and, accepted the Amended Public Facilities Fees Administrative Guidelines – CEO M-64-L-6 2019-0200

Chiesa/Olsen unan. **5.2** Conducted a public hearing to consider the Planning Commission's recommendation for approval of Rezone Application No. PLN2016-0071 – Wells Avenue RV & Self-Storage, located at 418 Wells Avenue, west of McHenry Avenue, south of Pelandale Avenue, in the Modesto Area; adopted the Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is not substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; finds that: (a) the project is consistent with the overall goals and policies of the County General Plan; (b) the proposed Planned Development zoning is consistent with the Planned Development General Plan designation; (c) the alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards; (d) the project will increase activities in an around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; approved Rezone Application No. PLN2016-0071 – Wells Avenue RV & Self-Storage, subject to the Development Standards and Mitigation Measure, attached to the agenda item; and, introduced, waived the reading, and adopted ordinance C.S.1230 for the approved Rezone Application No. PLN2016-0071 – Wells Avenue RV & Self-Storage – Planning ORD-56-F-4 2019-0201 2019-0202

Chiesa/Olsen unan. **5.3** Conducted a public hearing to consider the Planning Commission's recommendation for approval of Use Permit and Development Agreement Application No. PLN2018-0108, MDF Farms, located at 16218 Sycamore Avenue, between Fig and Orange Avenues, in the Patterson Area; finds that no further analysis under CEQA is required pursuant to CEQA Guidelines Section 15183 (Projects consistent with a General Plan or Zoning), on the basis of the whole record, including any comments received in response to the Environmental Review Referral; ordered the filing of a Notice of Determination with the Stanislaus County Clerk Recorder's Office pursuant to Public Resources Code section 21152 and CEQA Guidelines Section 15075; finds that: (a) the establishment, maintenance, and operation of the proposed use of building applied for is consistent with the General Plan and will not, under the circumstances of the particular case, be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental of injurious to property improvements in the neighborhood or to the general welfare of the County; finds that the Development Agreement: (a) is consistent with the General Plan and any applicable specific plan; (b) is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is or will be located; (c) is in conformity with and will promote public convenience, general welfare and good land use practice; (d) will not be detrimental to health, safety and general welfare; (e) will not adversely affect the orderly development of property or the preservation of property values; (f) will promote and encourage the orderly development of the proposed project by providing a greater degree of requisite certainty; approved Use Permit Application No. PLN2018-0108 – MDF Farms, subject to the Conditions of Approval, attached to the agenda item, as recommended for approval by the Planning Commission; authorized the Stanislaus County Chairman to execute the Development Agreement, attached to the agenda item; and, introduced, waived the reading, and adopted ordinance C.S. 1231 for the approved Development Agreement – Planning ORD-56-G-1 2019-0203 2019-0204

Olsen/Berryhill unan. **6.1** Approved the 2019-2020 Community Corrections Partnership Plan for 2011 Public Safety Realignment; authorized the Chief Probation Officer to sign all documents related to 2011 Public Safety Realignment, including all contracts and amendments; and, authorized the Chief Probation Officer and the Sheriff to sign all contracts related to the 2019-2020 Community Corrections Plan for Budget Year 2019-2020 – Probation 2019-0205

DeMartini/Olsen unan. **6.2** Accepted the following audited financial reports for the FY Ended 06/30/2018, prepared by Brown Armstrong Accountancy Corporation: Comprehensive Annual Financial Report; and, Single Audit Report – Auditor-Controller 2019-0206

Berryhill/Olsen unan. **6.3** Approved the County’s Recommended Final Capital Improvement Plan for Budget Years 2018-2019 and 2019-2020 – CEO 2019-0207

Chiesa/Olsen unan. **6.4** Accepted the HSA 2019 Public Health Annual Report – HSA 2019-0208

Corr 1 Referred to HSA and OES, resolutions from the City of Riverbank and the City of Patterson consenting to the enforcement of all health laws within their jurisdiction by the Stanislaus County Public Health Officer.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Erik Gandhi; Manuel Russ and Kim Russ; Justin Mathew Yarbrough; Frank Silva (2); Phillip Onate; Laura Antetomoso; Dewey L Bedford Jr. (2), and, Camera Bonsack.

Supervisor Chiesa reported that he went to Washington D.C last week as part of the StanCOG delegation and met with our federal representatives regarding transportation issues including the North County Corridor, Highway 132 and the ACE train.

CEO Hayes gave a legislative update. He reported that the County sent a letter of support for the Governor’s proposed Budget to increase funding for Child Support Services. The County sent a letter opposing the Governor’s proposal to reduce the amount of health realignment funding the County receives. In addition, the County is opposing AB964 which would require in person visitation at detention facilities. Staff is reviewing AB637 which would require the State Water Resources Control Board to reduce impacts to the drinking water supplies of low income and minority communities. The Governor has expressed interest in the Central Valley and is open to meeting with Supervisors from Valley counties. At the federal level, the County is in communication with Congressman Harder’s team regarding a bi-partisan bill introduced last week that would establish a new funding stream to address homelessness.

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: 11:32 a.m. for Conference with Legal Counsel - Existing Litigation: Three Cases: Hanibal Yadegar, et al. v. County of Stanislaus, et al., San Joaquin County Superior Court Case No. STK-CV-UNPI-2017-11432; City of Patterson v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. CV18004195; City of Newman v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. CV18004193. Government Code Section 54956.9(d)(1).

Adjourned at 12:25 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.)