

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

Regular Session

Tuesday

March 28, 2017

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held for Stanislaus County Community Services Agency Employee Diane Meredith.

Invocation was given by Pastor Jim Applegate with Redeemer Church Modesto.

Public Health Officer John Walker, was recognized upon his retirement from Stanislaus County and was presented with a commendation and gift.

A presentation was given by Tony Jordan, Executive Director of Child and Family Services at SCOE regarding the Child and Family Services 2016 Public Report.

Vance Kennedy voiced concerns regarding the deep wells in the foothills on the eastside of the County and the affect on the groundwater.

Withrow/Olsen unan. Adopted the consent calendar

- \*A1 Approved the minutes of 03/14/2017
- \*A2 Adopted and waived the second reading of ordinance C.S. 1187 related to Onsite Wastewater Treatment Systems ORD-55-Y-5 2017-119
- \*A3 Accepted the resignation of Dennis Hartman from the Denair Fire Protection District DF-13-B-1 2017-120
- \*A4 Approved the commendation for Ellen Junn, Ph.D., upon her inauguration as the President of the California State University, Stanislaus 2017-121
- \*A5 Proclaimed the week of 04/09/2017 to 04/15/2017 as Stanislaus County Library Week, in conjunction with National Library Week 2017-122
- \*A6 Approved the request to consolidate the Municipal Election for the Modesto City Council and Modesto High School District Board of Education Members with the Consolidated District Election to be held on 11/07/2017 2017-123
- \*B1 Adopted the Property Tax Administration Cost Recovery Plan for use in FY 2016-2017; approved the final report determining the Property Tax Administration Costs for FY 2015-2016 are \$7,448,578 and establishing the proportion of recoverable costs attributable to incorporated cities and other jurisdictions in FY 2016-2017 are \$1,430,655; and, authorized the collection of said costs pursuant to the provisions of the Revenue and Taxation Code Sections 95.3 and 97.75, and Stanislaus County Ordinance Code Section 4.44.010 – Auditor-Controller 2017-124
- \*B2 Accepted the Accountant’s Report on the Stanislaus County Treasurer’s Statement of Assets as of 12/27/2016 – Auditor-Controller 2017-125

- \*B3** Allocated \$18,758.59 for the payment of possessory interest tax bill (ASMT 860-000-576-000) in accordance with section 104.13 (C) of the California Streets and Highways Code; allocated \$2,769.00 of lease revenue to the City of Modesto and \$26,348.45 of lease revenue to the City of Ceres in accordance with section 104.10 of the California Streets and Highways Code; and, allocated \$24,335.22 of lease revenue to the County Road Fund in accordance with the provision in 104.10 of the California Streets and Highways Code that its spending be limited to mass transit or streets and highways purposes  
 – Auditor-Controller 2017-126
- \*B4** Authorized the Project Manager to execute three Change Orders, within the approved SB 1022 Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center Project Budget: (a) \$75,053 for design changes to the REACT courtyard; (b) \$40,671 for the addition of anti-graffiti coating to the facility exterior walls; (c) \$95,914 for security site improvements in the REACT Dayrooms; and, directed the Auditor-Controller to transfer funds from the approved Construction Contingency Budget to the Construction Account in accordance with this recommended action and the Budget Journal, which is attached to the agenda item – CEO 2017-127
- \*B5** Approved an amendment to the AB 900 Phase II Jail Construction Agreement with the California Board of State and Community Corrections (BSCC); authorized the Chairman to execute the amendment; authorized the Project Manager to reconcile finances, cooperate with an audit, and perform all other items necessary to close out the project within the previously approved Project Budget; and, authorized the Project Manager to negotiate and execute all closing documents including Tax Certificates and the Facility Sublease on behalf of the Board for the Lease-Revenue Bond Sale for financing the construction of Public Safety Center Expansion Project One (Maximum Security, Medical/Mental Health Units) and Project Two (Day Reporting Center) – CEO 2017-128
- \*B6** Accepted the seventeenth update on the state of the emergency remediation and repairs at HSA Central Unit in accordance with Public Contract Code Sections 20134 and 22050 to repair water damage and restore essential County operations – CEO 2017-129
- \*B7** Accepted the County Volunteer Program Annual Report for Calendar Year 2016; and, proclaimed the week of 04/23/2017 through 04/29/2017 as Stanislaus County Volunteer Week – CEO 2017-130
- \*B8** Accepted the Stanislaus County Treasury Pool’s Annual Audit for the year ending 06/30/2016 prepared by Brown Armstrong, Certified Public Accountants and reviewed for conformity with State Law by the Stanislaus County Treasury Oversight Committee; and, accepted the Stanislaus County Treasury Pool Investment Policy, to be effective 04/01/2017, and delegated the Stanislaus County Treasurer the authority to invest funds as indicated in the policy, as well as the authority to invest any other funds under the County control – T/TC 2017-131
- \*B9** Approved and adopted via resolution the Sustainable Groundwater Management Act (SGMA) Services Memorandum of Agreement (MOA) with the San Luis and Delta-Mendota Water Authority; authorized the Chairman to sign the SGMA Services MOA with the San Luis and Delta-Mendota Water Authority; and, appointed the Stanislaus County Water Resources Manager as the primary member and the Director of DER as the alternate member to the SGMA Services MOA Management Committee – DER  
 GSA-3-2 2017-132
- \*B10** Approved the appointment of Del Morris, M.D. as the Interim Public Health Officer effective 03/31/2017 in accordance with Sections 101000 and 101005 of the California Health and Safety Code; and, directed the HSA Managing Director or her designee to notify the California State Department of Public Health of the appointment of Dr. Del Morris in accordance with Section 101010 – HSA 2017-133

- \***B11** Accepted the donation of real property located at 98 I Street in Empire from the Empire Community Hall Association; approved the concept of relocating the Empire Library to the site of the donated real property located at 98 I Street in Empire and directed staff to return to the Board with a fully developed use-plan for the site; and, directed staff to complete and record the necessary documents to take ownership of the property including the Grant Deed and Certificate of Acceptance – Library 2017-134
- \***B12** Approved the License Use Agreement with the Yahi Bowman Archery Club for the use and maintenance of the field archery range at Modesto Reservoir; authorized the Director of Parks and Recreation, or designee, to execute the License Use Agreement with Yahi Bowman Archery Club for the use and maintenance of the field archery range at Modesto Reservoir, including exercising the option to renew the agreement for one five-year extension from the term of this agreement; and, authorized the Director of Parks and Recreation, or designee, to sign amendments with the Yahi Bowman Archery Club for the use and maintenance of the field archery range at Modesto Reservoir, including exercising the option to renew the agreement for one five-year extension from the term of this agreement – Parks and Recreation 2017-135
- \***B13** Accepted the Stanislaus County Treasury Pool’s February 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 2017-136
- \***B14** Accepted the Stanislaus County Tobacco Endowment Investment Fund Compliance Audit for year ending 06/30/2016 prepared by Brown Armstrong, Certified Public Accountants and reviewed for conformity with State Law by the Stanislaus County Treasury Oversight Committee – T/TC 2017-137
- \***B15** Approved Amendment No. 3 to the agreement for Independent Contractor Services with Holt of California for heavy equipment repair and maintenance at the Fink Road Landfill, which increases the contract by \$140,000, for a not-to-exceed amount of \$1,030,000; authorized the Chairman to execute Amendment No. 3 with Holt of California; and, authorized the Director of DER, or designee, to sign amendments to the agreement for an overall total not-to-exceed amount of \$1,044,000, which includes a contingency of \$14,000 – DER 2017-138
- \***B16** Approved Amendment No. 3 to the agreement for Independent Contractor Services with N&S Tractor, in the amount of \$80,000, for Heavy Equipment Repair and Rental for the Fink Road Landfill’s Case STX 450 Tractor, for a not-to-exceed amount of \$280,000; authorized the Director or DER, or designee, to execute Amendment No. 3 with N&S Tractor and sign any necessary documents; and, authorized the Director of DER, or designee, to sign amendments to the agreement for an overall total not-to-exceed amount of \$288,000, which includes a contingency of \$8,000 – DER 2017-139

- \*C1 Finds that all subdivision improvements for vesting tentative parcel map 2012-01, The Enclave at Del Rio (formerly known as Del Rio Villas), required by the Subdivision Improvement Agreement and executed by Villas Development, LLC, have been installed to the satisfaction of Stanislaus County; accepted the subdivision improvements for vesting tentative parcel map 2012-01, The Enclave and release of Performance and Labor and Materials cash deposits; finds that the said agreement was recorded on 10/06/2016, as Document No. 2016-0077847-00 and filed with the Stanislaus County Clerk Recorder's Office; authorized the release of the performance portion of the cash deposit in the amount of \$10,120 pursuant to section 66499.7(a) of the Subdivision Map Act; and, authorized the release of Labor and Materials portion of the cash deposit in the amount of \$5,060 pursuant to section 66499.7(b) of the Subdivision Map Act, upon receipt of a Mechanic's Lien Guarantee – PW 2017-140
- \*C2 Approved receipt of Proposition 1 Planning Grant funds in the amount of \$499,790 from the California State Water Board for the creation of a Stanislaus Multi-Agency Storm Water Resource Plan; approved the use of up to \$30,000 of Community Development Funds to design a Stanislaus Multi-Agency Storm Water Resource Plan; approved a resolution to authorize the Public Works Director to act as the authorized representative on behalf of Stanislaus County for creation of the Stanislaus Multi-Agency Storm Water Resource Plan; and, directed the Auditor-Controller to make the necessary budget adjustments per the budget journal – PW 2017-141
- \*D1 Approved prioritizing the use of Community Development Block Grant (CDBG) funds allocated to unincorporated Stanislaus County Low-Income Areas for sewer infrastructure projects – Planning 2017-142

**Corr 1** Designated Supervisor DeMartini as the primary, and Chairman Chiesa as the alternate Board member to serve on the Election Observer Panel for the Oakdale Irrigation District Recall Election on Tuesday, 04/25/2017.

**Corr 2** Referred to the Office of Emergency Services and the Agricultural Commissioner and Sealer of Weights and Measures, a letter from the Governor's Office of Emergency Services regarding the U.S. Small Business Administration and the U.S. Department of Agriculture disaster declarations for primary and contiguous counties, including Stanislaus County, due to the drought intensity levels.

**Corr 3** Referred to the Stanislaus County Librarian and the CEO, the 2016-2017 Stanislaus County Civil Grand Jury Report regarding the Stanislaus County Library. M-39-N-11

**Corr 4** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Trina Cervantes with Somera Law Group representing Sandra Macanas; Golzar Nagshin; Amy Vickery; and, Catalina Shawamra.

CEO Risen announced that there will be a tour of the Stanislaus Veterans Center today following the Board Meeting at 3500 Coffee Road, Modesto, CA.

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 9:38 a.m. for Conference with Legal Counsel - Existing Litigation: One Case: People v. Gerit Sand, et al., Stanislaus County Superior Court Case No. 2013405. Government Code Section 54956.9 (d)(1). Conference with Labor Negotiator: Agency Negotiators: Stan Risen, Tamara Thomas, Jody Hayes, and Brandi Hopkins. Labor Organizations: California Nurses' Association; Stanislaus Sworn Deputy Association; County Attorneys' Association; Stanislaus Regional Emergency Dispatchers' Association; Stanislaus County Sheriff's Supervisor Association; Stanislaus County Sheriff's Management Association; and Stanislaus County Deputy Probation Officers' Association. Government Code Section 54957.6.

Adjourned at 10:47 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.)