

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

April 24, 2018

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.

Nathan Houx, City of Modesto Parks Planning and Development Manager, presented the Tuolumne River Regional Park 2018 Update.

Allen Buhler noted that he provided a resolution in opposition of California Senate Bill 54 - Sanctuary State (SB 54) last week, and requested that the Board approve the resolution.

Becky Pelczynski with the Stanislaus Concerned Citizens for the State of Jefferson voiced concerns regarding SB 54.

Nora Buhler, with the Stanislaus Concerned Citizens for the State of Jefferson, spoke regarding the meeting CEO Hayes held yesterday regarding SB 54. She questioned why a resolution opposing the bill was not placed on today's agenda.

Marie Roberson, Coordinator for the Stanislaus Concerned Citizens for the State of Jefferson, also voiced concerns regarding the meeting CEO Hayes held regarding SB 54, and asked why the resolution opposing the bill was not placed on the agenda.

Ron DeLoach, member of the West Modesto People of Action Council, spoke in support of the Modesto's Active Transportation Plan (ATP) project to increase safety on Paradise Road. He noted that the purpose of the Action Council is to gain community input.

Perfecto Munoz, Director of the West Modesto Collaborative, spoke regarding the various activities they provide and the progress that has been made with the Helen White Memorial Trail Clean up.

Pat Wilhelm with the Stanislaus Concerned Citizens for the State of Jefferson, voiced concerns that the Board did not place a resolution opposing SB 54 on the agenda.

CEO Hayes thanked the group he met with yesterday to discuss SB 54, and he invited others who are interested in meeting with him regarding this issue to contact his office.

Chiesa/Monteith unan. Adopted the consent calendar

5.A.1 Approved the minutes of 04/17/2018

5.A.2 Approved a commendation for Silvia M. Diego, M.D., upon receiving the John Darroch Memorial Award, as the Outstanding Physician for 2018, from the Stanislaus Medical Society

2018-167

- 5.A.3** Approved a commendation for the Stanislaus Senior Foundation upon their 10th Anniversary
2018-168
- 5.A.4** Proclaimed May 2018 as Older Americans Month in Stanislaus County
2018-169
- 5.A.5** Proclaimed 05/01/2018 as Law Day in Stanislaus County
2018-170
- 5.B.1** Authorized the Health Services Agency to offer employment to Juana Dominguez as a Staff
Services Coordinator at step five of the salary range, \$36.91 per hour – HSA
2018-171
- 5.B.2** Accepted the Stanislaus County Treasury Pool’s February 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
2018-172
- 5.B.3** Authorized the General Services Agency Purchasing Division to issue a RFP on behalf of the
Parks and Recreation Department for the cleanup of the Former Grayson Road Firing
Range – Parks and Recreation
2018-173
- 5.B.4** Adopted the 2018-2019 Stanislaus County Fire Authority Business Plan, and, authorized the
Stanislaus County Fire Warden to implement the 2018-2019 Fire Authority Business Plan
– Office of Emergency Services/Fire Warden
2018-174
- 5.B.5** Accepted the Accountant’s Report on the Stanislaus County Treasurer’s Statement of Assets
as of 12/26/2017 – Auditor-Controller
2018-175
- 5.B.6** Approved the 2018-2019 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 2018-2019
Community Corrections Plan for Budget Year 2018-2019 – Probation
2018-176
- 5.B.7** Approved an agreement with Continental Flooring Company in the amount of \$109,680.00 to
remove existing flooring and install new carpet squares at the Office of Emergency
Services located at 3705 Oakdale Road, Modesto; and, authorized the Purchasing Agent to
sign the agreement and any subsequent amendments to the agreement on behalf of the
County, not to exceed 5% – GSA
2018-177
- 5.B.8** Approved the restated and renewed agreement to extend the Independent Contractor Services
Agreement with Stan Boyett & Son, Inc. for Fuel Card Services to 10/06/2019 to align
with the City of Modesto’s pricing agreement, and adjust the not-to-exceed limit from
\$1,900,000 to \$3,200,000; and, authorized the Purchasing Agent to sign the agreement,
and any subsequent amendments to the agreements on behalf of the County – GSA
2018-178
- 5.B.9** Set a public hearing on 05/15/2018 at the 6:30 p.m. meeting to introduce and waive the first
reading of an ordinance to Establish New Fees and Amend Existing Fees for the
Department of Public Works as they relate to development permits, grading permits,
building permits, encroachment permits, and other projects involving construction
activities in Stanislaus; and, authorized the Clerk of the Board to publish notice as required
by law – PW
2018-179 ORD-56-C-4
- 5.C.1** Approved a resolution to adopt a list of projects funded by Senate Bill 1 and the Road Repair
and Accountability Act – PW
2018-180

- 5.C.2** Approved amendment No. 3 to the E-PUR, LLC professional services agreement to perform additional test borehole drilling and zonal monitoring well installation to support assessment of on-site water supply alternatives at and near the Crows Landing Industrial Business Park, in the amount of \$328,500; and, authorized the Director of Public Works to execute the amendment with E-PUR, LLC in the amount of \$328,500, and to sign necessary documents – PW 2018-181
- 5.C.3** Approved the assignment of the Del Rio Lago Subdivision Improvement Agreement to Del Rio Lago, LLC; approved to return financial securities for the construction of subdivision improvements to the Bank of Stockton; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2018-182
- 5.C.4** Approved the agreement for acquisition of property for the Carpenter Road and Whitmore Avenue Intersection Improvement Project, Grantors: Jaswinder S. Jhatu and Sarabjit K. Jhatu, APN 056-059-015 (partial); authorized the Chairman of the Board 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 2018-183
- 5.D.1** Rescinded a portion of Williamson Act Contract No. 1972-1025, located east of Upper Oak Flat Road, south of Diablo Grande Parkway, adjacent to the community of Diablo Grande, for a list of APNs see attachment 4, attached to the agenda item; finds pursuant to Government Code Section 51257, determines 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 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 developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan; approved a new contract, pursuant to Lot Line Adjustment Application No. PLN2017-0108, World International, LLC.; and, authorized the Director of Planning and Community Development to execute a new contract – Planning 2018-184

Olsen/Withrow unan. **7.1** Accepted the Assisted Outpatient Treatment (AOT), commonly referred to as Laura's Law, Community Work Group Report and recognized the collaborative efforts of the work group members; adopted the implementation strategy described in the AOT Community Work Group Report for a three-year pilot program for AOT in Stanislaus County, along with the following conditions: (a) adopted a resolution to implement a three-year AOT pilot program in Stanislaus County; (b) authorized the BHRS Director to implement the three-year AOT pilot program as soon as reasonably practicable and within Budget Year 2018-2019; (c) required regular reporting to the Board on program performance and measurable results as part of the Mental Health Services Act Annual Update; (d) required annual reporting to the Board on program budget estimates in the Proposed Budget and actual program costs in the Final Budget each year of the pilot period, including the identification of any County or community savings that can be attributed to the implementation of AOT; and, (e) amended the Salary and Position Allocation Resolution to add three new positions to BHRS effective the first pay period following Board approval – BHRS 2018-185

Olsen/Withrow unan. **7.2** Accepted the following audited financial reports for the fiscal year ended 06/30/2017, prepared by Brown Armstrong Accountancy Corporation: Comprehensive Annual Financial Report; and, Single Auditor Report – Auditor-Controller

Corr 1 Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Del Puerto Health Care District regarding the appointment of Daniel Robinson to their Board of Directors.

Corr 2 Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Ceres Fire Protection District regarding appointment of Gary Marchy to their Board of Directors.

Corr 3 Referred to the Auditor-Controller, a letter from Oakdale Fire Protection District requesting Dry-Period funding for Fiscal Year 2018-2019 per Government Code Section 23010.

Corr 4 Referred to the Clerk-Recorder and Registrar of Voters, a resolution from the Newman Drainage District regarding the resignation of Jeff Parks and the appointment of Gregorio Samano to their Board of Directors.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Shawn Uppal; Heleen Sarkees; and, Lynelle Solomon.

Supervisor Chiesa reported that he attended the Farm Bureau Annual Meeting where Sheriff Christianson was awarded the Distinguished Citizen Award. He also attended the Sons of Italy event where Chairman DeMartini was honored.

CEO Hayes noted that he, along with Chairman DeMartini and Supervisor Chiesa, will be traveling to Washington D.C. this week to meet with our federal representatives.

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 11:10 a.m. for Conference with Labor Negotiator: Agency Negotiators: Jody Hayes, Tamara Thomas and Brandi Hopkins. Labor Organizations: County Attorney's Association; Deputy Sheriff's Association; and Stanislaus County Probation Corrections Officers Association. Government Code Section 54957.6. Conference with Legal Counsel – Anticipated Litigation: One matter: Government Code Section 54956.9 (d)(4).

Adjourned at 12:32 p.m.

ATTESTED: ELIZABETH A. KING, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: KELLY RODRIGUEZ, Deputy 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.)