

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

August 21, 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: Conference with Legal Counsel - Existing Litigation: One Case: Angelina Nunes, et al. v. County of Stanislaus, et al., United States District Court, Eastern District of California Case No. 1:17-CV-00633-DAD-SAB. Government Code Section 54956.9 (d)(1). Conference with Legal Counsel - Significant Exposure to Litigation: One case concerning Claim No. GL20170162 from George Bragg related to personal injury. Government Code Section 54956.9 (d)(2).

**Reconvened at 6:32 p.m.** for Regular Session.

Invocation was given by Mike Gunnarson, City Ministry Network.

Jose Garcia from the Stanislaus County Veterans' Service Office spoke in support of fair pay. He stated that San Joaquin County pays their employees more for the same job.

Vanessa Lopez, Social Worker for 10 years, noted that Stanislaus County is one of the counties that does not recognize Caesar Chavez Day. She would like the Board to take the opportunity to recognize this day for County employees.

Cristina Fuentes, Social Worker and SEIU member, stated that it is time for the County to invest in the employees.

Elena Carillo, a Behavioral Health Resources Services Specialist and SEIU member since 2000, works with young adults, and has seen employees leave to go work for other counties.

Christine Shabazian, Social Worker for Child Protection services and a SEIU member, noted that retention of social workers is a problem as they train them and they leave. She asked the Board to please invest in their workforce.

Alicia Olivera, Social Worker, spoke of the difficulties young clients have when Social Workers change due to the turnover rate.

Shari Johnson, a Social Worker for Child Protective Services, spoke regarding continual training of employees because of the turnover rate, and in support for higher wages.

Olsen /Withrow unan. Adopted the consent calendar

- 5.A.1** Approved the minutes of 07/31/2018
- 5.A.2** Adopted and waived the second reading of ordinance C.S. 1216 amending Title 6 of the Stanislaus County Code relating to Business Licenses and Regulations  
ORD-56-C-6 2018-0407
- 5.A.3** Declared a vacancy on the Behavioral Health Board 2018-0408
- 5.A.4** Accepted the resignation of Elizabeth Cendejas from the Empire Municipal Advisory Council  
2018-0409
- 5.B.1** Approved the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency Cost Sharing Agreement for the development of a Groundwater Sustainability Plan; authorized the Chairman to execute the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency Cost Sharing Agreement; authorized the Director of DER, or designee, to make invoice payments to the City of Modesto pursuant to the Cost Sharing Agreement, including contingency funds, if needed; and, authorized the Director of DER, or designee, to collect reimbursement funds from Tuolumne County for this purpose pursuant to Section 1.6 of the Cooperation Agreement entered into between the Stanislaus and Tuolumne Counties which became effective on 05/08/2018 – DER  
GSA-1-2 2018-0410
- 5.B.2** Approved Amendment No. 1 to the Independent Contractor Services Master Agreement with Jorgensen Company for fire extinguisher inspection, testing and maintenance services, and to adjust the agreement’s not-to-exceed limit from \$100,000 to \$250,000; and, authorized the Purchasing Agent to sign Amendment No. 1, and any subsequent amendments to the agreement on behalf of the County – GSA  
2018-0411
- 5.B.3** Authorized the Sheriff to temporally double-fill one lieutenant position for up to fifteen (15) weeks as part of the Sheriff position transition plan – Sheriff  
2018-0412
- 5.B.4** Approved Amendment No. 1 to the agreement with Elevator Industries, Inc. for elevator modernization at the Men’s Jail located at 1115 H Street, Modesto, to adjust the not-to-exceed contract amount from \$116,698 to \$122,255; and, authorized the Purchasing Agent to execute Amendment No. 1 to the agreement with Elevator Industries, Inc., sign any necessary documents, and execute any subsequent amendments on behalf of the County – GSA  
2018-0413
- 5.B.5** Approved to loan or otherwise dispose of water tanks used as part of the Temporary Water Assistance (TWA) Program – CEO-Office of Emergency Services/Fire Warden  
2018-0414
- 5.B.6** Accepted the fourth update in accordance with Public Contract Code Sections 20134 and 22050 for emergency remediation/repairs at 10<sup>th</sup> Street Place, to repair water damage and restore essential government operations – CEO  
2018-0415
- 5.B.7** Authorized the CEO and Auditor-Controller to transfer \$94,401 from Senior Meals Programs Accounts to Fixed Assets Account for the purchase of vehicles – Aging and Veterans Services  
2018-0416
- 5.B.8** Approved proceeding with the demolition of the former Coroner’s Facility at 939 Oakdale Road, Modesto, CA; and, authorized the Chief Operations Officer, acting as Project Manager, to issue a Notice Inviting Bids, using the California Uniform Public Construction Cost Accounting Act informal bid process, set a bid due date, and award a contract to the lowest responsive bidder, within the approved \$175,000 threshold for this process – CEO  
2018-0417
- 5.B.9** Approved the Loan Disbursement Agreement/Promissory Note of \$250,000 with the Housing Authority of Stanislaus County for eight permanent supportive housing units for County participants; and, authorized the BHRS Director, or his designee, to sign the agreement and Promissory Note with the Housing Authority of Stanislaus County – BHRS  
2018-0418

- 5.C.1 Set a public hearing for the 09/25/2018 meeting to introduce and waive the first reading of an ordinance to amend existing transit fares for Stanislaus Regional Transit (StaRT); and, directed the Clerk to publish notices of such hearing pursuant to Section 66018 of the Government Code – PW ORD-56-D-7 2018-0419
- 5.C.2 Approved the Plans and Specifications for the Claribel Road and Roselle Avenue Intersection Project, Federal Aid Project No. CML-5938(181); awarded a contract for construction services to George Reed, Inc. of Modesto, CA for the Claribel Road and Roselle Avenue Intersection Project; authorized the Director of Public Works to execute a contract with George Reed, Inc. in the amount of \$2,387,815 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 2018-0420
- 5.C.3 Approved the annexation of property into Deo Gloria Lighting District; finds that the property (APN: 064-016-004) more particularly described in Exhibit “A” (Legal description and map) is owned by a proponent and its ownership represents 100% of the total assessed valuation of said property; finds that the area included in the Legal Description of the said property is located in the unincorporated territory of Stanislaus County and that it is not within the boundary of any Lighting District; finds that Stanislaus County Code, section 20.56.210 (Street Lights), requires the installation of the street lights to county standards in areas designated as residential, commercial, and industrial on the land use element of the General Plan; finds that the property owner was required to install street lights per Condition of Approval and Vesting Tentative Subdivision Map Application No. PLN2014-0074 – Fairway 7 Estates; finds that, pursuant to Streets and Highways Code section 19056, territory owned by a property owner that comes under the terms of a county ordinance requiring the installation of a street lighting system (i.e. Stanislaus County Code, section 20.56.210 Streetlights) shall be exempt from Street and Highway Code requirements for petition, notice, hearing, and election requirements; finds that the annexation will not produce a change in assessment methodology or assessment rates for the Deo Gloria Lighting District and that parcel in the new territory shall be subject to that pre-existing methodology and rates; declared that all services being provided by Deo Gloria Lighting District will be extended fully to the territory included in the said property annexation and that said services shall commence with the start of the 2018-2019 FY; ordered that APN 064-016-004 and its subsequent subdivided parcel numbers shall be added to the FY 2019-2020 annual assessments; directed the Department of Public Works to forward a certified copy of the resolution ordering the annexation, and all other required documents, along with the processing fee to the State Board of Equalization; and, directed the Clerk to send a certified copy of the resolution ordering the annexation to the following office: the Department of Public Works, Assessor, Elections, Auditor-Controller, and the Clerk-Recorder – PW DL-23-17 2018-0421
- 5.D.1 Accepted the report of Planning Commission’s 07/05/2018, decision of approval of Tentative Subdivision Map & Variance Application No. PLN2017-0120, Dennis Hensley, a request to create a 0.5± acre parcel and a 0.65± acre remainder parcel from a 1.15± acre parcel in the R-A (Rural Residential) zoning district, located at 13230 4<sup>th</sup> Street, south of Lake Road, east of Montpelier Road in the Community of Hickman; and, allowed Planning Commission’s 07/05/2018, decision to stand without further hearing – Planning 2018-0422

**5.D.2** Opened the 15-day public review period for the FY 2017-2018 Consolidated Annual Performance and Evaluation Report (CAPER); and, set a public hearing for the 09/11/2018, 9:00 a.m. meeting to consider approval of the FY 2017-2018 CAPER – Planning 2018-0423

Chiesa/Olsen unan. **6.1** Conducted a public hearing to consider the Planning Commission’s recommendation for approval of Rezone and Parcel Map Application No. PLN2018-0017, Linde Group, LLC, located on Faith Home Road, on the northeast corner of Faith Home and Jessup Roads, west of Highway 99, in the community of Keyes; 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 no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County’s independent judgement and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder 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 project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; (d) that the proposed use is “low-people intensive” and not subject to the 300 foot agricultural buffer; (e) the proposed map is consistent with applicable general and community plans as specified in Section 65451; (f) the design or improvement of the proposed subdivision is consistent with applicable general and specific plans; (g) the site is specifically suitable for the type of development; (h) the site is physically suitable for the proposed density of development; (i) the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; (j) the design of the subdivision or type of improvements are not likely to cause serious public health problems; and, (k) the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision, in this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these will be substantially equivalent to ones previously acquired by the public; approved Rezone and Parcel Map Application No. PLN2018-0017, Linde Group, LLC subject to the Development Standards & Mitigation Measures, attached to the agenda item; and, introduced, waived the reading, and adopted Ordinance C.S. 1217 for the approved Rezone Application No. PLN2018-0017, Linde Group, LLC. – Planning ORD-56-C-7 2018-0424 2018-0425

Monteith/Olsen unan. **7.1** Approved the Annual Stanislaus County Board of Supervisors’ Effective Partnership Recognition for the Community Services Agency 624 9<sup>th</sup> Street Compassion Project and the Parks and Recreation Fairview Park Project – CEO 2018-0426

Withrow/Monteith unan. **7.2** Adopted the FY 2018-2019 Mental Health Services Act (MHSA) Annual Update and Three-Year Program and Expenditure Plan; authorized the BHRS Director to sign and submit the FY 2018-2019 MHSA Annual Update to the Mental Health Services Oversight and Accountability Commission (MHSOAC); authorized the Auditor-Controller, or designee, to sign the Annual Update certifying that the fiscal requirements on the certification form have been met; and, authorized the Purchasing Agent, on behalf of BHRS, to issue RFP’s for the provision of community based Innovation projects – BHRS 2018-0427

**Corr 1** Referred to the Auditor-Controller, a copy of the East Side Mosquito Abatement District Budget for Fiscal Year 2018-2019.

**Corr 2** Referred to the Chief Executive Office, the West Stanislaus Resource Conservation District's 2018 Annual Monitoring Report of Natural Resources for the Crows Landing Naval Out Lease Property.

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Matthew Card; Estate of Armando Osuna, Nancy Osuna, and Paul Osuna; Brent and RaeAnn Alger; and, George Bragg (amended claim).

Supervisor Olsen invited all to attend the Empire Community Back to School Night on 08/30/2018 from 5:30-8:00 p.m. this will include a Health and Wellness Event as well.

Supervisor Chiesa reported that on 08/20/2018 approximately 1,500 Valley residents showed up for the "Stop the State Water Grab" rally at the State Capitol. Today was the first day of the State Water Board hearings, Supervisor Olsen was there today, and he may attend tomorrow.

Supervisor DeMartini reported that the Weigh Out for the Westside Health Care Task Force Biggest Weight Loss Contest will be this Thursday at 4:30 p.m. at the Gustine City Hall.

CEO Hayes reported that Senate Bill 10 was passed by the Assembly and the Senate and is now on its way to the Governor to be signed. This bill will end the cash bail system.

Adjourned at 8:39 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.)