

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

May 11, 2021

Invocation was given by Mike Gunnarson from City Ministry Network.

The CEO announced that the Stanislaus County Employee' Retirement Association (StanCERA) presentation was postponed to a future date.

Public Health Officer Dr. Vaishampayan, Director of the Health Services Agency Mary Ann Lilly-Tengowski and CEO Hayes provided an update related to the 2019 Novel Coronavirus (COVID-19) emergency and essential services in Stanislaus County.

Bryan Evitt suggested a customer service survey after interaction with the Sheriff's Department instead of forming a Citizens Oversight Committee. He also spoke regarding the need to make the community safe for the poor.

Miguel Donoso shared concerns regarding the formation of the Stanislaus Homeless Alliance Board and conflict of interests.

John X. Mataka from the Grayson Neighborhood Council and Valley Improvements Project spoke regarding the lack of certified Spanish-speaking attorneys at Juvenile Hall. He voiced concerns regarding the fire at the Covanta Incinerator and does not want the County to renew their contract. He also shared concerns regarding the opiate death-rate in Crows Landing and would like an increase in the prevention programs targeting the West Side.

Kyle Kowalski, Field Representative for Carpenters Union Local 152 in Manteca, shared concerns regarding a construction company listed in item 6.B.10 on today's agenda.

Withdraw/B. Condit unan. Adopted the consent calendar after removing from the agenda item **6.B.11** Approval to Adopt County Retirement Contribution Rates for Budget Year 2021-2022 as Contained in the Stanislaus County Employees' Retirement Association Actuarial Valuation as of 06/30/2020 – CEO
2021-0186

6.A.1 Approved the minutes of 04/27/2021

6.A.2 Accepted the resignation of Michelle Patton from the Knights Ferry Municipal Advisory Council
2021-0174

6.A.3 Proclaimed the week of 05/16/2021-05/22/2021 as Safety Seat Checkup Week in Stanislaus County
2021-0175

6.B.1 Approved an agreement with Hinderliter, de Llamas and Associates for sales, use and transactions tax audit and information services; authorized the Purchasing Agent, or designee, to enter into and sign an agreement with Hinderliter, de Llamas and Associates for sales, use and transactions tax audit and information services; and, adopted a resolution

- to authorize access to sales, use and transactions tax records pursuant to California Revenue and Taxation Code Section 7056 (b) – Library 2021-0176
- 6.B.2** Approved an application for licensure with the California Department of Health Care Services (DHCS) from Safety Center, Inc., (SCI) to provide 18-Month and 30-Month Driving Under the Influence (DUI) programs in Stanislaus County; and, provided assurance to DHCS that there is a need for a new DUI program in the County and that the establishment of an additional DUI program will not jeopardize the fiscal integrity of existing licensed DUI programs – BHRS 2021-0177
- 6.B.3** Directed the Auditor-Controller to suspend the annual transfers from the Fink Road Landfill fund to the Fink Road Landfill Post-Closure Reserve fund for FYs 2021-2022 through 2024-2025 and resume the transfer in FY 2025-2026 – DER 2021-0178
- 6.B.4** Authorized the Auditor-Controller, on behalf of BHRS, to pay one invoice totaling \$9,809.35 for legal services provided by Davis Wright Tremaine, LLP in May 2019 – BHRS 2021-0179
- 6.B.5** Authorized the Project Manager to execute a Change Order with MCM Roofing in the amount of \$31,886 to relocate electrical and heating, ventilation and air conditioning equipment on the roof of the Stanislaus Drug Enforcement Agency facility; and, authorized the Project Manager to negotiate and execute a Change Order with MCM Roofing, Inc., to abate dry rot on the roof of the Stanislaus Drug Enforcement Agency facility as detailed in the staff report – GSA 2021-0180
- 6.B.6** Authorized the Director of Parks and Recreation, or designee, to apply for, and if awarded, enter into and sign the grant agreements for the Division of Boating and Waterways Quagga and Zebra Mussel Infestation Prevention Program for Woodward and Modesto Reservoirs for the 2021-2023 grant period; and, adopted a resolution to authorize the Director of Parks and Recreation, or designee, to apply for, sign, and accept the Division of Boating and Waterways Quagga and Zebra Mussel Infestation Prevention Program for Woodward and Modesto Reservoirs – Parks and Recreation 2021-0181
- 6.B.7** Authorized the Office of Emergency Services/Fire Warden to enter into an agreement with Wood Environment and Infrastructure Solutions, Inc., to prepare and update the Multi-Jurisdictional Stanislaus County Hazard Mitigation Plan; and, authorized the General Services Agency Purchasing Agent to sign the agreement with Wood Environment and Infrastructure Solutions, Inc., not to exceed \$215,237 retroactive from 04/01/2021 through 12/31/2022 – Sheriff-OES/Fire Warden 2021-0182
- 6.B.8** Approved the update on the emergency repairs to the Public Safety Center West, Minimum Housing Unit 1, and Support Services Facility’s fire-life safety, security electronics, and video surveillance systems along with the abatement of water damage found in the mechanical chases at the Public Safety Center West facility, including confirmation of the Project Manager’s actions to authorize change orders for this emergency project – GSA 2021-0183
- 6.B.9** Approved an update in accordance with Public Contract Code Sections 20134 and 22050 for emergency repair and replacement of the boiler system at BHRS, located at 800 Scenic Drive, in Modesto – GSA 2021-0184
- 6.B.10** Approved the qualification of three design-build teams for the Bonita Pool Project: Diede Construction, Inc., and LDA Partners Inc., Roebelen Contracting Inc., and Dewberry Architects Inc., and Simile Construction Services Inc., and Red Architects Inc.; approved the Bridging Documents for the project prepared by O’Dell Engineering and authorized the GSA Director, acting as Project Manager, to issue the RFP’s to the three-qualified design-build teams; and, authorized the Project Manager to negotiate and sign contracts, amendments, work authorizations, and purchase orders for professional services needed for

this Project as long as they are within the project budget approved by the Board – GSA
2021-0185

- 6.B.12** Approved the purchase of the Oracle Fusion Enterprise Resource Planning, Procurement, WebCenter Forms Recognition, Supply Chain, Oracle Enterprise Performance Management Enterprise, and Additional Test Environment for Oracle Fusion Cloud Services for a five-year initial contract, with three optional one-year renewal terms, at a total cost of \$5,134,016 for the eight-year period; authorized the GSA Director/Purchasing Agent to execute the Oracle Cloud Services Agreement and related order documents; and, authorized the Auditor-Controller to make the necessary budget adjustments to account for the purchase of Oracle Cloud Services as reflected in the budget journal – Auditor-Controller 2021-0187
- 6.B.13** Approved the commendations for Stanislaus County Outstanding Senior Citizens of the Year – Aging and Veteran Services 2021-0188
- 6.B.14** Accepted the Report on Progress and Accounting for the Use of Coronavirus Aid, Relief, and Economic Security (CARES) Act Coronavirus Relief Fund (CRF) allocations for the period ended 02/28/2021; and, authorized the addition of Federal CARES Act CRF interest funds to the County Department Support Reserve Spending Plan Category – CEO 2021-0189
- 6.C.1** Approved the Stanislaus Council of Governments (StanCOG) Measure L Regional Control Project Cooperative Agreement for the Construction of the McHenry Avenue Widening Project to provide a portion of the funding for this project; authorized the Chairman to sign the Measure L Regional Control Project Cooperative Agreement with StanCOG; and, authorized the expenditure of \$2,605,000 of County funds to be reimbursed under the terms of this agreement – PW 2021-0190
- 6.C.2** Proclaimed the week of 05/16/2021 through 05/21/2021 as Stanislaus County Public Works Week, in conjunction with National Public Works Week – PW 2021-0191

Withdraw/Grewal unan. **7.1** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1295 to amend existing fees for the Department of Public Works – PW
ORD-57-F-1 2021-0192

Withdraw/B. Condit unan. **7.2** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1296 to establish new fees and amend or eliminate existing fees for the Department of Environmental Resources – DER
ORD-57-F-2 2021-0193

B. Condit/Grewal unan. **7.3** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1297 to establish new fees or eliminate existing fees for Commercial Cannabis Activities – CEO
ORD-57-F-3 2021-0194

Grewal/C. Condit unan. **7.4** Conducted a public hearing; and, adopted the updated County Public Facilities Fees pursuant to Title 23 of the Stanislaus County Code to amend the Accessory Dwelling Unit Fee Category and PFF Administrative Guidelines – CEO
M-64-N-2 2021-0195

Withdraw/B. Condit unan. **7.5** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1299 to amend existing fees for planning services – Planning
ORD-57-F-5 2021-0196

B. Condit/Withdraw unan. **7.6** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1298 to amend existing fees for building permit services – Planning
ORD-57-F-4 2021-0197

C. Condit/Withrow unan. **7.7** Closed the 30-day public review period and conducted the public hearing; approved the filing of the Notice of Exemption finding that the proposed approvals are exempt under provisions of CEQA pursuant to State Guidelines; approved the Stanislaus Urban County FY 2021-2022 Annual Action Plan (AAP); authorized the Director of Planning and Community Development to sign and submit to the Federal Housing and Urban Development (HUD) the applications for Federal Assistance (SF-424 and SF-424D), and Community Development Block Grant (CDBG) and Emergency Solutions Grants (ESG) Program certifications; authorized the County CEO to sign the FY 2021-2022 Subrecipient Agreements with each Stanislaus Urban County member; authorized the County CEO to sign the FY 2021-2022 City of Turlock/Stanislaus County HOME Investment Partnerships Program (HOME) Consortium Subrecipient Agreement; authorized the Director of Planning and Community Development to execute any related program agreements, contracts, or other documentation required for implementation of CDBG, ESG, HOME Neighborhood Stabilization Program (NSP), and any other programs identified in the Annual Action Plan, this authorization includes the use of any program income in accordance with applicable program guidelines; and, authorized the Planning and Community Development Department to incorporate any comments received prior to the close of the public review period and during the public hearing in the final documents and to make alterations to the documents as directed by HUD, provided alterations are technical in nature and do not alter the approved programs or funding allocations – Planning 2021-0198

Withrow/B. Condit unan. **8.1** Accepted the CEO's Third Quarter Financial Report for FY 2020-2021; authorized the CEO and the Auditor-controller to make necessary adjustments as recommended in the Third Quarter Financial Report; authorized the use of \$4,698,688 in Appropriations for Contingencies as recommended in the Third Quarter Financial Report; authorized the Auditor-Controller to make necessary fiscal year-end accounting entries to accurately report expenses and revenue in the appropriate fiscal year and adjust appropriations as necessary as approved by the CEO; amended the Salary and Position Allocation Resolution to reflect the recommendations included as part of the Third Quarter Financial Report, as outlined in the Staffing Impacts section of the agenda item and detailed in Attachment 2, of the agenda item, to be effective the start of the first full pay period beginning on or after 05/22/2021, unless otherwise noted; authorized the CEO to implement the Performance Visioning Carryover Savings program for Fiscal Period 2020-2021/2021-2022 and carry over FY 2020-2021 year-end actual savings into FY 2021-2022 Final budget for General fund departments based on the positive economic forecast presented in the 2020-2021 Midyear Financial Report; approved contracts and/or agreements listed on Attachment 3, of the agenda item, in cumulative amounts of \$200,000 or greater since 07/01/2018, and authorize the GSA Director/Purchasing Agent or previously authorized Department Head to sign; and, set a public hearing for the consideration and adoption of the Budget Year 2021-2022 Proposed Budget for the 6:30 p.m. meeting in 06/15/2021; directed the Clerk of the Board to advertise the public hearing; and, authorized the Clerk of the Board to make appropriate changes to the public notice if fee increases are proposed as part of the budget process – CEO 2021-0199

Corr 1 Referred to the CEO's Office a notice from the California Public Utilities Commission that they will begin the process to introduce a new area code to the area now served by the 209 area code.

Corr 2 Referred to the Department of Behavioral Health and Recovery Services a letter from the International Rescue Committee requesting that the County revisit the decision to not renew the funding for the Afghan Path Towards Wellness program.

Corr 3 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Matthew Kent Davila; Jose Medina and Guadalupe Corona Garcia as Individuals and Successors in Interest to Edwin Jesus Medina Corona; James Brouwer; Debra Harper (2 claims); Renee Lopez; Armando I

Pimentel; Norman Wallace; Audrey Pannier; Alvino Lopez; Ishmael Hector Alvarez; Patricia Van Zanten; Norma De La Rosa; Sean Dobbins; and, Scenic Faculty Medical Group, Inc.

Supervisor B. Condit complimented Angela Freitas and David Leamon, and their respective departments, on their work in resolving constituents' issues in a satisfactory manner and timeframe.

CEO Hayes reported that the State anticipates over \$100 billion dollars in discretionary spending for the 2021-2022 State budget. The Governor's office will be recommending appropriations in various areas including: Child Care Services, an extension to the Golden State Stimulus, and, an increase in emergency rental assistance. The CEO noted that Governor Newsom has declared a drought for forty-one counties including Stanislaus County. The May Revised State Budget is expected to be released this Friday. CEO Hayes will bring a preview of efforts to strategize American Rescue Plan Act (ARPA) funding to the Board at a future meeting.

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 11:16 a.m.

13.1 Conferenced with the CEO – Threat to Public Services: Pursuant to Government Code Section 54957(a), the Board will confer with the CEO and County Counsel regarding the matters posing a threat to essential public services and the public's right to access to public services or facilities. No reportable action was taken.

13.2 Conferenced with Legal Counsel – Anticipated Litigation: Pursuant to Government Codes Section 54956.9 (d)(4); one matter. No reportable action was taken.

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, 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.)