

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

October 5, 2021

Invocation was given by Pastor Jeffrey Woods with First Christian Church.

Donna Ferreira from the Sons of Italy accepted a resolution proclaiming October 2021 as Italian American Heritage Month in Stanislaus County.

Sheriff Dirkse provided an update on the community impact of state prison early releases and zero bail.

Chairman Chiesa left at 9:45 a.m.

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.

Steven Morrow voiced concerns about people being impatient and how it is worse when they get behind the wheel. He spoke regarding a recent traffic accident in which a child and her grandmother were injured and noted that drivers are not giving pedestrians the right of way at crosswalks. He encouraged everyone to drive safely.

The CEO announced in accordance with Government Code Section 54953(c)(3), that agenda item **6.B.15** would approve the appointment of Jennifer Jennison to serve as the Stanislaus County Public Defender at a starting salary of \$96.15 per hour, approximately \$200,000 annually, plus Department Head benefits as set forth in the agenda item.

B. Condit/Grewal (4-0)(Chiesa absent) Adopted the consent calendar after removing from consent item **6.A.8** Approval to Proclaim 10/17/2021 through 10/23/2021 as Friends of the Libraries Week in Stanislaus County – BOS

6.A.1 Approved the minutes of 09/28/2021, Regular Meeting

6.A.2 Approved the minutes of 09/29/2021, Special Meeting

6.A.3 Appointed Thomas E. Lindquist to the Denair Fire Protection District Board of Directors

6.A.4 Accepted the resignation of Tony Lomeli from the First 5 Stanislaus Commission

6.A.5 Approved a commendation for Ronald A. Arakelian, MD., upon receiving the John Darroch Memorial Award, as the Outstanding Physician for 2021, from the Stanislaus Medical Society

6.A.6 Approved a commendation for MTC Distributing upon their 100th Anniversary

6.A.7 Proclaimed the week of 10/03/2021 through 10/09/2021, as Stanislaus County Diversity Awareness Week

- 6.B.1** Set the date of 11/16/2021, at the 6:30 p.m. meeting to receive a report from the Sheriff's Department and hold a Community Forum regarding Immigration and Customs Enforcement access, pursuant to Government Code Section 7283.1(d); and, authorized the Clerk of the Board to publish public notice as required by law – Sheriff
- 6.B.2** Adopted the Stanislaus County Electronic Signature Use Policy; and, authorized ITC to implement and amend the policy as necessary to ensure compliance with State and Federal requirements and encourage use by County staff and vendors – CEO
- 6.B.3** Authorized the Auditor-Controller to establish a new interest-bearing fiduciary fund to hold Sheriff seized asset funds – Sheriff
- 6.B.4** Adopted the 2021-2022 Stanislaus County Fire Authority Business Plan; authorized the Stanislaus County Fire Warden to take actions necessary, including signing and executing contracts, to implement the 2021-2022 Fire Authority Business Plan; directed the Auditor-Controller to increase appropriations in FY 2021-2022, as detailed in the budget journal attached to the agenda item; and, amended the Salary and Position Allocation Resolution to reflect the recommended change as outlined in the Staffing Impacts section of the report – Sheriff – OES/Fire Warden
- 6.B.5** Authorized the Sheriff's Department to offer employment to Ryan Mobley and Lauren Romero to Deputy Sheriff I positions at step five of the salary range, \$39.32 per hour – Sheriff
- 6.B.6** Adopted the Mental Health Services Act (MHSA) Plan Update for FY 2021-2022 to allow the expenditure of MHSA Funds for the services referenced in the Plan Update; authorized the BHRS Director, or designee, to sign the County Compliance Certification and submit the MHSA Plan Update for FY 2021-2022 to the Department of Health Care Services and the Mental Health Services Oversight and Accountability Commission; and, authorized the Auditor-Controller, or designee, to sign the Mental Health Services Act County Fiscal Accountability Certification certifying that the fiscal requirements have been met – BHRS
- 6.B.7** Approved the use of \$2,220 from the Community Development Fund: a total of \$1,500 to Casa Cultural, through City Ministry Network as their fiscal agent, toward a portion of the 501(c)3 non-profit application process and outreach, such as marketing materials and website development; and \$720 for a community outreach event in the Airport Neighborhood hosted by City Ministry Network – CEO
- 6.B.8** Approved resolutions commending the following employees on being selected as the 2021 recipients of the Stanislaus County Dale Butler Annual Equal Rights Award: Bernadet Ebrahminasab, Community Health Worker, HSA; Erica Inacio, Community Manager, CEO; and, Elizabeth King, Clerk of the Board of Supervisors, CEO; and, approved a resolution commending the following employee on being selected as a recipient of the Stanislaus County Equal Rights Commission Humanitarian Award: Dr. Julie Vaishampayan, Public Health Officer, Stanislaus County – CEO
- 6.B.9** Approved the award of a construction contract to Simile Construction Services, Inc., in the amount of \$1,354,288 for the Clerk-Recorder Public Services Lobby and Counter Remodel and Renovation Project; directed the Auditor-Controller to transfer appropriations in the amount of \$612,119 in the Clerk-Recorder budget into the Capital Project Fund for the Clerk-Recorder Public Services Lobby and Counter Remodel and Renovation Project, as detailed in the budget journal, attached to the agenda item; authorized the GSA Director/Purchasing Agent to act as Project Manager; authorized the Project Manager to procure professional services and execute work authorizations as contracts as needed for this phase of the project, so long as they are within the approved project budget; authorized the Project Manager to negotiate Change Orders for up to \$25,000, consistent with the County's Change Order Policy; authorized the GSA Director/Purchasing Agent to negotiate and execute a lease with the City of Modesto for use of 2,370 square feet of

vacant office space on the fourth floor of 10th Street Place for use by the Clerk-Recorder, Vital Statistics division, during construction; and, authorized the Project Manager to complete closeout activities, including filing Notices of Completion, release of retention, and other items needed to complete the project – GSA

- 6.B.10** Approved the award of a construction contract in the amount of \$760,548 to Champion Industrial Contractors, Inc., for the Public Safety Center Support Services Building Heating, Ventilation and Air Conditioning Replacement Project; approved the final project budget totaling \$1,051,564 and directed the Auditor-Controller to increase appropriations by this amount in the Capital Project Fund for the Public Safety Center Support Services Building Heating, Ventilation and Air Conditioning Replacement Project, as detailed in the budget journal, attached to the agenda item; authorized the GSA Director to act as Project Manager; authorized the Project Manager to execute the contract and issue Notice to Proceed upon the receipt of required project bonds and insurance; authorized the Project Manager to accept the project as complete and execute a Notice of Completion in order to initiate the final payment and retention to the contractor; and, authorized the Project Manager to execute Change Orders for the project, so long as they do not exceed \$25,000, consistent with the County's Change Order Policy – GSA
- 6.B.11** Approved an 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 – GSA
- 6.B.12** Approved the extension of the current Health Insurance Agreement for the period of 01/01/2022 through 12/31/2022, subject to successful ratification by the employee labor organizations, between Stanislaus County and the following employee labor organizations: County Attorneys' Association; Stanislaus County Deputy Probation Officers' Association; Stanislaus County Deputy Sheriff's Association; Stanislaus County District Attorneys Investigators' Association; Stanislaus County Employees' Association/AFSCME Local 10; Stanislaus County Probation Corrections Officers' Association; Stanislaus County Sheriff's Management Association; Stanislaus County Sheriff's Supervisors Association; Stanislaus Regional Emergency Dispatchers' Association; approved the provisions contained within the Tentative Agreement reached with the above nine employee labor organizations, subject to successful ratification by these employee labor organizations; approved the extension of the Health Insurance Agreement provisions to all unrepresented management and confidential employees for the period of 01/01/2022 through 12/31/2022; approved the same increase to the County's annual contribution to the Health Savings Account for the period of 01/01/2022 through 12/31/2022 to the following employee labor organizations: California Nurses' Association; and Stanislaus Sworn Deputies' Association; and, authorized the CEO, or designee, to execute all agreements related to implementation and maintenance of employee health insurance programs effective 01/01/2022 through 12/31/2022 – CEO
- 6.B.13** Established a Property Assessed Clean Energy (PACE) Program for commercial properties in the unincorporated areas of Stanislaus County; adopted a resolution approving Stanislaus County's inclusion in the CA Statewide Communities Development Authority (CSCDA) Open PACE Program as detailed in the staff report; adopted companion resolutions approving Stanislaus County's inclusion in the Golden State Finance Authority (GSFA) PACE Programs as detailed in the staff report; and, authorized the CEO, or designee, to take any appropriate actions necessary to carry out the purpose and intent of these recommendations – CEO

6.B.14 Approved a Resolution proclaiming the intent to participate in the Great CA ShakeOut Earthquake Drill and work toward creating strong and safe neighborhoods
– Sheriff – OES/Fire Warden

6.B.15 Appointed Jennifer Jennison to the position of Stanislaus County Public Defender in accordance with CA Government Code Section 27703 effective 10/09/2021; and, authorized a starting annual salary of approximately \$200,000 plus department head benefits as set forth in the attached benefit summary, attached to the agenda item, for Jennifer Jennison – CEO

Grewal/B. Condit (4-0)(Chiesa absent) **6.A.8** Proclaimed 10/17/2021 through 10/23/2021 as Friends of the Libraries Week in Stanislaus County – BOS

Grewal/B. Condit (4-0)(Chiesa absent) **8.1** Accepted an update on the Stanislaus Emergency Rental Assistance Program (ERAP); adopted a resolution authorizing participation in the State Rental Assistance Program - 2; authorized the CEO, or his designee, to execute and amend, if necessary, any related program agreements, contracts or other documentation required to allow the CA Department of Housing and Community Development (HCD) Department to administer both the State and Federal Emergency Rental Assistance Program - 2 funds on behalf of Stanislaus County; and, authorized the Auditor-Controller to make the necessary budget adjustments pursuant to the budget journal, attached to the agenda item – CEO

B. Condit/Grewal (4-0)(Chiesa absent) **8.2** Accepted an update on the Enterprise Resource Planning (ERP) Project and the implementation of Oracle Cloud Software; approved the migration plan for financial/budget systems and the related Applications Software Technology, LLC (AST) of Lisle, IL for consulting services for systems integration in the amount of \$3,026,980 for the term beginning 10/05/2021 and ending 04/30/2023; authorized the GSA Director/Purchasing Agent to sign the agreement, and any subsequent amendments to the scope of work without increase to the initial contract award amount; authorized the GSA Director/Purchasing Agent to negotiate and execute a lease with the City of Modesto for use of 1,779 square feet of vacant office space on the fourth floor of 10th Street Place for use by the Auditor-Controller's Office for the implementation of the ERP Project; amended the Salary and Position Allocation Resolution to reflect the addition of one time-limited Manager IV to act as Change Management Coordinator and Training Lead, to be effective the start of the next full pay period and phased out after ERP Project go-live in October 2022; and, authorized the Auditor-Controller to make the necessary adjustments to increase appropriations in the Auditor-Controller Enterprise Resource Planning budget, funded by General Fund assignment, as detailed in the budget journal – Auditor-Controller

B. Condit/C. Condit (4-0)(Chiesa absent) **8.3** Approved recommended health insurance rates as provided in Attachment 1, attached to the agenda item, to be charged in the employee medical, dental, and vision self-insurance programs for calendar year 2022 – CEO

Corr 1 Referred to the Department of Environmental Resources, a letter from the Riverdale Park Tract Community Services District regarding chemicals in their water system exceeding the notification levels.

Corr 2 Acknowledged receipt of claims and referred to the CEO's Office the following claims: McKenzie Olivares, Dylan Olivares, W.O., S.O., M.D and Robert Becker; Nawatha J. Reed; Brandon Silva; Ken Thornberry; Karla Schultz; Adriana Lopez; and, Ronda Nunes (amended).

CEO Hayes reported that over 300 bills remain on Governor Newsom’s desk that need to be signed, held, or vetoed by October 10th. He noted that staff is watching and tracking the movement of these bills and he will provide an update if there are any local impacts. Our legislative advocacy team doesn’t believe there will be a great impact to Stanislaus County based on our existing legislative priorities.

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 11:22 a.m.

13.1 Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). Two Cases: BNSF Railway Company v. Alameda County, et. al., United States District Court, Northern District of California, Case No. 4:19-CV-07230-HSG; and, Protecting Our Water and Environmental Resources, et. al., v. County of Stanislaus, et al., Stanislaus Superior Court Case No. 20-06153. No reportable action taken.

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

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: 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.)