

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

Regular Session

Tuesday

July 31, 2018

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held for Retired Stanislaus Superior Court Judge John G. Whiteside.

Invocation was given by Pastor Mike Douglass with Advancing Vibrant Communities.

Chairman DeMartini spoke about the Adopt a Pet program and Stanislaus Animal Services staff presented two dogs that are eligible for adoption.

Milton O’Haire, Agricultural Commissioner, presented the 2017 Stanislaus County Agricultural Crop Report.

Monteith/Olsen unan. Adopted the consent calendar after removing from consent item **6.B.12** Approval of Amendment No. 1 to the Restated and Renewed Independent Contractor Services Agreement with Stan Boyett & Son, Inc., for Fuel Card Services – General Services Agency

- 6.A.1** Approved the minutes of 07/17/2018
- 6.A.2** Declared a vacancy on the Denair Municipal Advisory Council 2018-0378
- 6.A.3** Proclaimed 08/12/2018 through 08/18/2018 as Health Center Week in Stanislaus County 2018-0379
- 6.A.4** Proclaimed August 2018 as Child Support Awareness Month in Stanislaus County 2018-0380
- 6.B.1** Appointed Richard Murdock as the Chief Executive Officer’s Representative to the Stanislaus County Emergency Medical Services Committee – CEO 2018-0381
- 6.B.2** Amended the Rules for Behavior for the Stanislaus County Library System as shown in Attachment 1, attached to the agenda item – Library 2018-0382
- 6.B.3** Introduced and waived the first reading of Ordinance C.S. 1216 amending Title 6 of the Stanislaus County Code relating to Business Licenses and Regulations – T/TC
ORD-56-C-6 2018-0383
- 6.B.4** Accepted the Accountant’s Report on the Stanislaus County Treasurer’s Statement of Assets as of 03/28/2018 – Auditor-Controller 2018-0384
- 6.B.5** Accepted the Stanislaus County Treasury Pool’s June 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 Oversight Committee; and, authorized the Chairman to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2018-0385
- 6.B.6** Approved Amendment No. 4 to an existing agreement with the City of Modesto to operate government and educational programming on AccessModesto Community Television; and, authorized the CEO to execute the amendment – CEO C-6-M-1 2018-0386
- 6.B.7** Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the property at 1420 Elsie St, Modesto, CA, CE No. 18-0019, as set forth in Attachment 1, attached to the agenda item – DER 2018-0387

- 6.B.8** Approval of a master agreement with Clark Pest Control, Inc., of Modesto, CA in the amount of \$325,000 effective 07/31/2018 through 06/30/2023, with two one-year renewal options for countywide pest control services; and, authorized the Purchasing Agent to execute the master agreement and any subsequent amendments to the master agreement on behalf of the County during the term of this agreement – GSA
2018-0388
- 6.B.9** Approved Amendment No. 2 to Independent Contractor Agreement with Waste Recovery West, Inc., for pick-up and removal of scrap tires from the Fink Road Landfill to a California permitted waste tire recycling facility, which increases the contract by \$60,000, for a not-to-exceed amount of \$160,000; authorized the Director of DER, or designee, to execute Amendment No. 2 with Waste Recovery West, Inc., and to sign any necessary documents; and, authorized the Director of DER, or designee, to sign additional related amendments for an overall total not-to-exceed amount of \$176,000, which includes a contingency of \$16,000 – DER
2018-0389
- 6.B.10** Authorized the Auditor-Controller, on behalf of the Department of the Public Defender, to pay a prior year invoice for services provided in a prior year – Public Defender
2018-0390
- 6.B.11** Approved the award of the agreements with Nirvana Drug and Alcohol Treatment Institute and Valley Recovery Resources for the provision of Sober Living Environment Services, as a result of a RFP process for such services; and, authorized the CSA Director, or her designee, to sign the agreements, and any amendments up to \$75,000 for each – CSA
2018-0391
- 6.B.13** Approved the master agreement for Independent Contractor Services with Bay City Electric Works for countywide generator maintenance and as-needed repair services in the amount of \$311,848 for the term beginning 07/31/2018 and ending 07/31/2023; and, authorized the Purchasing Agent to sign the master agreement identified above, and any subsequent amendments to the agreement on behalf of the County – GSA
2018-0393
- 6.B.14** Approved an amendment to the agreement with the California Board of State and Community Corrections (BSCC) to construct the SB 1022 Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center; authorized the Chief Operations Officer, serving as Project Manager, to execute the amendment; authorized the Project Manager to reconcile final project finances and all items necessary to close out the project within the previously approved Project Budget; and, directed the Auditor-Controller to reduce project appropriations per the amendment, reclass \$105,810 out of Fixed Assets, and transfer appropriations to match actual spending as detailed in the Budget Journal, attached to the agenda item – CEO
2018-0394
- 6.B.15** Accepted the third update in accordance with Public Contract Code Sections 20134 and 22050 for emergency remediation/repairs at 10th Street Place, to repair water damage and restore essential government operations – CEO
2018-0395
- 6.B.16** Approved to amend the salary and position allocation resolution assigned to Stanislaus Animal Services Agency to add one Animal Services Operations Supervisor position and one Account Clerk II position to support operations at the agency effective the first pay period following Board approval – Animal Services
2018-0396
- 6.B.17** Accepted the responses to the Stanislaus County Civil Grand Jury 2017-2018 Final Report, and any changes the Board wishes to make to the recommended responses, and authorized the Chairman to forward the response to the Presiding Judge of the Superior Court by 07/31/2018; and, directed the CEO to ensure that any recommended actions by the Board be followed and completed by the subject County departments and report back to the Board, as appropriate – CEO
M-39-0-1 2018-0397

- 6.B.18** Authorized an agreement with Gallo Center for the Arts, Inc. for use of the Sheriff's Video Visitation Center, located at 801 11th St. Modesto, CA 95354 for their after-school youth arts programs for the term of the agreement; and, authorized the Chief Operations Officer to execute this agreement or any other agreements or undertake other actions to facilitate the use of the Video Visitation Center for after-school activities by the Gallo Center for the Arts – CEO 2018-0398
- 6.B.19** Approved to negotiate an agreement in the amount not to exceed \$236,100 with Carrier Commercial Service to supply and install chiller equipment at the Sheriff's Public Safety Center, located at 250 E. Hackett Road, Modesto; and, authorized the Purchasing Agent to execute the agreement identified above, and any subsequent amendments to the agreement on behalf of the County – GSA 2018-0399
- 6.B.20** Authorized the Chief Operations Officer to seek informal proposals for minor renovations for County owned building at County Center III for the relocation of HSA Programs from existing budgeted resources – CEO 2018-0400
- 6.C.1** Awarded a contract for engineering and software development Services to Peterson Brustad, Inc., of Folsom, CA, for the Grayson Small Communities Flood Risk Reduction Program Feasibility Study; authorized the Director of Public Works to execute a contract with Peterson Brustad Inc., in the amount of \$499,530 and to sign necessary documents, including any amendments to the agreement not to exceed 10%; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2018-0401
- 6.C.2** Approved a resolution establishing stop sign traffic control on Sperry Road at the Interstate 5 southbound ramp; and, finds and determined that the installation of stop sign control is a Class 1, categorically exempt project under the provisions of Section 15301(c) of the CEQA Guidelines – PW 2018-0402
- 6.D.1** Adopted a resolution to authorize the Director of Planning and Community Development to participate in the State of California Housing and Community Development Department Emergency Solutions Grants Program; authorized the Director of Planning and Community Development to submit an Administrative Entity (AE) Award Recommendation Package to the California Department of Housing and Community Development (HCD); authorized the County to accept, if awarded, the HCD Emergency Solutions Grants Program funding and authorized the Director of Planning and Community Development to execute an Administrative Entity Standard Agreement with HCD; and, authorized the Director of Planning and Community Development to execute any related program agreements, contracts, or other documentation required for implementation of Emergency Solutions Grants Program funding awarded to Stanislaus County by HCD, this authorization includes the use of any program income in accordance with applicable program guidelines – Planning 2018-0403
- 6.D.2** Set a public hearing for 08/21/2018, 6:30 p.m. meeting, 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, and adoption of a Mitigated Negative Declaration; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-56-C-7 2018-0404

Supervisor Olsen recused herself from item 6.B.12 due to a conflict of interest and left the dais at 9:26 a.m.

Chiesa/Withrow (4-0)(Olsen abstained) unan. **6.B.12 Amended** the item to correct the term of Amendment No. 1 to the Restated and Renewed Independent Contractor Services Agreement with Stan Boyett & Son, Inc., to a five year term (not a two year term); approved Amendment No. 1, as corrected, to the Restated and Renewed Independent Contractor Services Agreement with Stan Boyett & Son, Inc., for Fuel Card Services to adjust the not-to-exceed contract amount from \$3,200,000 to \$4,600,000; and, authorized the Purchasing Agent to sign the agreement identified above, and any subsequent amendments to the agreements on behalf of the County – GSA 2018-0392

Supervisor Olsen returned at 9:27 a.m.

Olsen/Chiesa unan. **7.1** Finds that the notice of public hearing was published in compliance with Section 6066 of the Government Code; conducted a public hearing to receive comments regarding the FY 2018-2019 annual assessments; set the FY 2018-2019 annual assessments as shown on Exhibit “A”, attached to the agenda item, for various County Service Areas, Landscape Assessment District and Landscape and Lighting Districts; made the Engineer’s Reports a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessments to the 2018-2019 Tax Roll – PW 2018-0405

Withrow/Olsen unan. **8.1** Authorized the Mountain Valley Emergency Medical Services Agency to expend System Enhancement Funds on behalf of Stanislaus County to purchase LUCAS Chest Compression Devices – HSA 2018-0406

Corr 1 Referred to the Department of Environmental Resources, a letter from the California Water Boards regarding the proposed amendments to the water quality control plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin to incorporate a Central Valley-Wide Salt and Nitrate Control Program.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Allstate Insurance aso of John Simas; and, Donald Robins.

CEO Hayes noted that on 07/19/2018 the Sheriff’s Department applied for Project Safe Neighborhood Grant. If this Grant is awarded, an item will be brought to the Board for approval.

Prior to adjourning into Closed Session an opportunity was given to the public to address matters listed under Closed Session.

Joe Hamrick voiced concerns regarding a controlled burn that was held at 5201 Shoemake Avenue, Modesto and requested that this investigation be reopened. He spoke regarding a code enforcement case regarding his property.

Adjourned to closed session at 10:07 a.m. for Conference with Legal Counsel - Existing Litigation: Two Cases: Sandra Macanas v. Stanislaus County, Stanislaus County Superior Court Case No. 2027790; and, County of Stanislaus v. City of Modesto, Stanislaus County Superior Court Case No. 667397. Government Code Section 54956.9 (d)(1). Conference with Legal Counsel – Anticipated Litigation: One Case. Government Code Section 54956.9 (d)(4). Conference with Legal Counsel – Significant Exposure to Litigation: One Case. Government Code Section 54956.9 (d)(2). Conference with Real Property Negotiator: Property: Air Space Office Condominium on Ground Floor at 1010 10th Street, Modesto CA. Agency Negotiator: Jody Hayes, Patricia Hill Thomas. Owner Negotiator: Civic Partners Modesto, Inc. Under Negotiation: Both Terms of Payment and Price. Government Code Section 54956.8.

Adjourned at 12:05 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.)