

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

Regular Session
All Supervisors Present

Tuesday

May 20, 2014

Pledge of Allegiance to the Flag

Recessed to closed session at 5:30 p.m. for Closed Session: Conference with Labor Negotiator - Agency Negotiators: Stan Risen, Nancy Bronstein and Jody Hayes. Labor Organizations: California Nurses' Association (CNA); Stanislaus County Employees Association (SCEA)/AFSCME Local 10; Service Employees' International Union (SEIU), Local 521; County Attorneys' Association (CAA); Deputy Sheriffs' Association (DSA); Stanislaus County Sheriffs Supervisors' Association (SCSSA); Stanislaus County Deputy Probation Officers' Association (SCDPOA); Stanislaus Regional Emergency Dispatchers' Association (SREDA); Stanislaus County Probation Corrections Officers' Association (SCPCOA); Stanislaus County Sheriff Management Association (SCSMA); Stanislaus County District Attorney Investigators' Association (SCDAIA); and, Stanislaus Sworn Deputy Association (SSDA). Government Code Section 54957.6.

Reconvened at 6:30 p.m. for Regular Session

Commendations were presented to Jean Tomlinson (District 1); Abe Rojas (District 2); Jerry Rhine (District 3); Billie Taylor (District 4); and, Virginia Vaz (District 5) as the 2014 Stanislaus County Outstanding Senior Citizens of the Year in celebration of Older Americans Month.

The 2014 Stanislaus County Recycling Poster Contest winners received their awards.

Mark Smith, retired DA Investigator, spoke in support of the DA staff and stated that some public comments made at previous Board meetings, and on a local radio show, regarding DA Investigators are untrue.

Miguel Donoso thanked the Central Valley Gang Task Force, and noted the 5/5/2014 Federal Court sentencing of Nuestra Familia gang members. He specifically thanked the DA's office for their efforts related to the gang injunction, and stated that the DA's office needs more funding.

Jake Dayton, from SEIU, spoke regarding the current labor union contract negotiations with the County.

Jason Thompson, a representative from SEIU Local 521, noted the important job that County workers perform and spoke regarding labor negotiations.

Dwayne Spyksma of Salida thanked the Board for their continued support of Wood Colony and Salida. He voiced concerns regarding the City of Modesto's proposed annexation of these areas.

Amanda Swanson thanked Supervisor Withrow and Matt Machado, Director of Public Works, for the new welcome signs in Salida and Wood Colony. She spoke regarding Mr. Machado's presentation at the April Salida MAC meeting. She also thanked Supervisor Withrow, Henry Carrillo from Environmental Resources, and Sheriff Christianson for their help with graffiti abatement program in Salida.

Nanette Spyksma of Salida thanked the Board members for their hard work.

Montheith/Withrow unan. Adopted the consent calendar

- *A1 Approved the minutes of 05/13/2014
- *A2 Appointed Linda Miller and Virginia Solozano to the Stanislaus County Mental Health Board
2014-240
- *A3 Accepted the resignation of Clifford Howse from the Knights Ferry MAC
2014-241
- *A4 Proclaimed June 2014 as Disability Awareness Month
2014-242
- *A5 Commended Foster Farms upon their 75th Anniversary
2014-243
- *A6 Accepted the resignation of Frank Durao from the West Stanislaus Resource Conservation
District Board of Directors
2014-244
- *B1 Approved the agreements with service providers for BHRS effective 07/01/2014 for FY 2014-
2015 per Attachment A and B of the agenda item; authorized the BHRS Director, or her
designee, to sign the agreements for FY 2014-2015; authorized the BHRS Director, or her
designee, to negotiate and sign amendments to the agreements in Attachment A, to add
services and payment for services up to \$75,000 per agreement, budget permitting,
throughout FY 2014-2015; and, authorized the BHRS Director, or her designee, to sign the
agreements for FY 2014-2015; authorized the BHRS Director, or her designee, to negotiate
and sign amendments to the agreements in Attachment B, to add services and payment for
services up to \$25,000 per agreement, budget permitting, throughout FY 2014-2015
– BHRS
2014-245
- *B2 Approved the list of independent and personal services contractor agreements between HSA
and various contractors for FY 2013-2014 and 2014-2015; authorized the HSA Managing
Director, or her designee, to sign the agreements included on the list in the agenda item;
and, authorized HSA Managing Director, or her designee or successor, to negotiate and
sign individual amendments to the agreements, not to exceed \$75,000 per agreement
– HSA
2014-246
- *B3 Approved a Mural Review Policy and Application for Stanislaus County community park
facilities – Parks and Recreation
2014-247
- *B4 Authorized the use of \$185,444.46 of Public Facilities Fees to purchase equipment and
amenities for Modesto Reservoir, Woodward Reservoir, and Laird Park; and, directed the
Auditor-Controller to increase revenue and expenditures in the amount of \$185,444.46 per
the budget journal – Parks and Recreation
M-64-J-4
2014-248
- *B5 Authorized the Chief Probation Officer to apply for and accept a Juvenile Accountability
Block Grant from the Board of State and Community Corrections and to sign all necessary
documents related to the Grant including all contracts; and, approved a resolution as
required by the Board of State and Community Corrections authorizing the Chief
Probation Officer to apply for and accept the Juvenile Accountability Block Grant
– Probation
2014-249
- *B6 Authorized the Sheriff to submit a joint grant application to the Bureau of Justice Assistance,
and to accept the grant if awarded, for the 2014 Edward Byrne Memorial Justice
Assistance Grant funding to enhance criminal justice processes; authorized the Chairman
to sign the Memorandum of Agreement between the County of Stanislaus and the City of
Modesto for the Justice Assistance Grant Program Award; directed the Auditor-Controller
to establish a budget with estimated revenue and appropriations in the amount of \$151,805
per the budget journal after the grant is awarded and an acceptance letter is received by the
Sheriff's Department; and, approved the recommendations for use of the 2014 Edward
Byrne Memorial Justice Assistance Grant to share funding with the City of Modesto Police
Department, continue funding for existing staff in the Probation Department and fund gang
suppression operations overtime in the Sheriff's Department – Sheriff
2014-250

- ***B7** Set a public hearing for 06/24/2014, at 9:05 a.m., to consider adjustments to the Stanislaus County franchise maximum rates for solid waste collection services in Franchise Areas 1, 2, 3, and 4 – DER 2014-251
- ***B8** Authorized the Agricultural Commissioner, or his designee to enter into and sign routine agreements and contracts with various Federal and State Agencies for FY 2014-2015 – Ag Commissioner 2014-252
- ***C1** Approved the conditional award of the contract in the amount of \$2,002,909.04 to Bay Cities Paving and Grading Incorporated of Concord, California, for the construction of the RSTP Road Resurfacing Program Phase F Project, Federal Project No. STPL-5938(208), subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with Bay Cities Paving and Grading Incorporated, for \$2,002,909.04 and sign necessary documents; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code, Section 20142; upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities; and, authorized the Construction Manager to issue a Notice to Proceed, contingent upon receipt of proper insurance and bonds – PW 2014-253
- ***C2** Approved the State Route 99 – State Route 165 Final Project Study Report as vetted by the Citizens Advisory Committee, Project Development Team and the Policy Advisory Committee – PW 2014-254
- ***D1** Opened the 30-day public comment period to consider approval of the Substantial Amendment to the Neighborhood Stabilization Program 1 and Neighborhood Stabilization Program 3 Annual Action Plans adding demolition as an eligible activity; and, set a Public Hearing for 06/24/2014 at 9:10 a.m. to close the public comment period and consider approval of the Substantial Amendment to the Neighborhood Stabilization Program 1 and Neighborhood Stabilization Program 3 Annual Action Plans adding demolition as an eligible activity – Planning 2014-255
- ***E1** Introduced and waived the first reading of Ordinance C.S. 1150 amending Stanislaus County Code Section 2.08.050 related to the duties and powers of the CEO – County Counsel ORD-55-S-10 2014-256

Chiesa/O'Brien unan. **6:40 p.m.** Finds Lot Line Adjustment PLN2013-0055 and Williamson Act Cancellation PLN2013-0056, Stuve Mitchell/Hudelson Family 1998 Trust, categorically exempt from CEQA and ordered the filing of the Notice of Exemption; finds, based on the discussion in this report and the whole of the record: (A) that the cancellation is for land on which a notice of nonrenewal has been served pursuant to Section 51245 of the California Government Code, (B) that cancellation is not likely to result in the removal of adjacent lands from agricultural uses, (C) that cancellation is for an alternative use which is consistent with the applicable provision of the city or county general plan, (D) that cancellation will not result in discontinuous patterns of urban development, (E) that there is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land, and (F) that other public concerns substantially outweigh the objectives of the Williamson Act (Government Code Section 51200-51297.4); accepted the cancellation value of the subject property as \$1,200.00 as determined by the County Assessor; certified to the County Auditor-Controller that the cancellation fee, which must be paid as deferred taxes, to be 12½% of the accepted cancellation value (\$150.00); approved the Tentative Cancellation of a portion of Williamson Act Contract No. 72-668 subject to payment of the cancellation fee. Unless the fee is paid within one year of the filing of the Certificate of Tentative Cancellation, the fee shall be re-computed as provided by State law; directed the Clerk of the Board to record a Certificate of Tentative Cancellation within 30 days of this action; directed the Clerk of the Board, within 30 days of the

Board action, to publish the Notice of the Decision, pursuant to Government Code, and to deliver a copy of the published Notice of the Decision to the Director of Conservation; rescinded a portion of Williamson Act Contract No. 72-668 and approve a new contract pursuant to Minor Lot Line Adjustment PLN2013-0055 – Mitchell Stuve/Hudelson Family 1998 Trust; approved Lot Line Adjustment PLN2013-0055 – Mitchell Stuve/Hudelson Family 1998 Trust, subject to the completion of Williamson Act Contract Cancellation PLN2013-0056; and, authorized the Planning and Community Development Director to execute a new contract pursuant to Minor Lot Line Adjustment PLN2013-0055 and Williamson Act Contract Cancellation PLN2013-0056 – Planning 2014-257

Corr 1 Referred to the Fish and Wildlife Committee, a letter from the State of California Fish and Game Commission regarding a notice of proposed regulatory action related to Waterfowl Regulation.

Corr 2 Referred to the DER, Department of Public Works, and the Agricultural Commissioner and Sealer of Weights and Measures, a letter from the State Water Resources Control Board regarding a Notice of Petition for temporary change to transfer water from the Garden Highway Mutual Water Company to San Luis and Delta-Mendota Water Authority.

Corr 3 Referred to the Auditor-Controller, a letter from the Stanislaus Consolidated Fire District requesting dry- period financing for FY 2014-15.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Richard Flores; Jose Trevino; and, Johnny Septin.

CEO Risen reported that staff is reviewing the Governor’s May Revised Budget and there does not appear to be any significant negative impacts to the County. He noted that this budget includes the repayment of over \$100 million towards a loan due to local governments, and that over \$12 million is owed to Stanislaus County.

Adjourned at 7:42 p.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: ELIZABETH A. KING, 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.)