

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

Regular Session

Tuesday

November 25, 2014

All Supervisors Present

Pledge of Allegiance to the Flag

The East Stanislaus Resource Conservation District gave a presentation regarding the “Stanislaus Grown” branding campaign, which promotes Stanislaus County agriculture.

John Mataka, President of Grayson Neighborhood Council, spoke regarding a newspaper article concerning two missing weapons from the Sheriff’s department, and he requested a formal investigation into this matter.

Chiesa/Withdraw unan. Adopted the consent calendar after removing from consent item ***C3** Approval to Adopt a Resolution to Install All-Way Stop Sign Controls at the Intersections of Ladd Road at Tully Road in the North Modesto Area and at the Intersection of River Road/Marshall Road at Crows Landing Road in the Crows Landing Area

- *A1** Approved the minutes of 11/04/2014
- *A2** Approved the reappointment of Eva Rios to the Stanislaus Economic Development and Workforce Alliance Board of Directors 2014-563
- *A3** Accepted the resignation of John Herlihy from the Stanislaus County Agricultural Advisory Board 2014-564
- *A4** Adopted the Amendments to the Conflict of Interest Code for East Stanislaus Resource Conservation District 2014-565
- *A5** Adopted the Amendments to the Conflict of Interest Code for Stanislaus County 2014-566
- *B1** Accepted the Auditor-Controller’s report on Stanislaus County’s revolving funds as of 06/30/2014 in accordance with Government Code Section 29321.1 – Auditor-Controller 2014-567
- *B2** Approved the purchase of four modular buildings and transfer of title from SCOE to Stanislaus County, for use by the County’s Behavioral Health and Recovery Services; authorized the BHRS Director, or her designee, to sign all agreements necessary to purchase the four modular buildings from SCOE; and, authorized the County’s Purchasing Agent to execute all certificates and other documents needed to transfer title of the modular buildings from SCOE to Stanislaus County, and register the buildings with the California Department of Housing and Community Development as appropriate – BHRS 2014-568
- *B3a** Approved the provisions contained within the tentative agreement reached between the County and Stanislaus County Deputy Probation Officers Association representing the Deputy Probation Officers bargaining unit; amended the Salary and Position Allocation Resolution to reflect the changes included in the tentative agreement; and, authorized the Chairman and all parties to sign the agreement – CEO 2014-569
- *B3b** Approved the provisions contained within the tentative agreement reached between the County and Stanislaus County District Attorney Investigators’ Association representing the District Attorney Investigators bargaining unit; amended the Salary and Position Allocation Resolution to reflect the changes included in the tentative agreement; amended the Salary and Position Allocation Resolution to reflect the conversion of the Employer

- Paid Member Contribution to salary for the classification of Senior Criminal Investigator; and, authorized the Chairman and all parties to sign the agreement – CEO 2014-570
- *B3c** Approved the provisions contained within the tentative agreement reached between the County and County Attorneys Association representing the Attorneys Bargaining Unit; amended the Salary and Position Allocation Resolution to reflect the changes included in the tentative agreement; and, authorized the Chairman and all parties to sign the agreement – CEO 2014-571
 - *B4** Accepted the eleventh update on the emergency repairs at the Gallo Center for the Arts, Inc. in accordance with Public Contract Code Sections 20134 and 22050 to repair water damage and restore essential operations – CEO 2014-572
 - *B5a** Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 1605 Vernon Avenue, Modesto, CA (CE No. 13-0032) – DER 2014-573
 - *B5b** Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 401 Imperial Avenue, Modesto, CA (CE No. 13-0161) – DER 2014-574
 - *B5c** Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 821 Atlantic Drive, Modesto, CA (CE No. 12-0137) – DER 2014-575
 - *B6** Authorized the Director of DER to extend the termination date from 11/30/2014 to 01/31/2015 for the MOU between the City of Turlock and Stanislaus County for AB 939 Waste Reduction and Recycling Program Services; and, directed the Director of DER to provide notice to the City of Turlock of the extension of the termination date to 01/31/2015 – DER C-5-E-16 2014-576
 - *B7** Authorized the GSA Director/Purchasing Agent to enter into and sign an agreement with Stan Boyett & Son, Inc., for fuel card services; and, authorized the GSA Director/Purchasing Agent to sign any subsequent amendments on behalf of the County during the term of the agreement – GSA 2014-577
 - *B8** Approved the agreement with the City of Patterson to perform law enforcement services for the Crows Landing Air Facility; and, authorized the Chairman to sign the agreement – CEO C-4-B-7 2014-578
 - *C1** Authorized the Public Works Director to increase the project contingency funds from 10% to 13.4% for the Parklawn Neighborhood Sewer Improvements – Phase 2 project per Public Contract Code Section 20137(b) – PW 2014-579
 - *C2** Authorized the purchase of six Compressed Natural Gas (CNG) paratransit demand response light-duty transit buses not to exceed the amount of \$822,360 for Stanislaus County's StaRT bus fleet from Creative Bus Sales, Inc.; authorized the Public Works Division Manager to purchase the CNG paratransit buses through the California Association for Coordinated Transportation (CalACT) Cooperative Agreement and work with the County Purchasing Division to issue a Purchase Order to procure the buses as per paragraph 2 of Addendum #1; and, directed the Public Works Transit Division Manager to complete all forms associated with procuring the CNG paratransit buses with the Morongo Basin Transit Authority and the California Association for Coordinated Transportation (CalACT) – PW 2014-580
 - *C4** Pursuant to Street and Highway Codes 8334(a & b), 8335, and 8340, the Board finds based on the reasons stated in the staff report, this portion of street and alley described herein, are not required for street and highway purposes; finds the Temporary Access Easement is no longer required, and all structures are vacant and will be demolished; finds all public utility easements will be retained for the benefit of in-place public utility facilities; adopted the resolution vacating the portion of street and alley lying in Blocks 2040 and 2049 of the

- Emerich Tract and Hermosa Park Subdivisions as described in Exhibits “A” and “B” of the agenda item, and the temporary Emergency Vehicle Access Easement located on Hermosa Avenue as described in Exhibits “C” and “D” of the agenda item – PW 2014-581
- *C5 Accepted the Final Draft of the Regional Flood Management Plan for the Mid San Joaquin River Region – PW 2014-582
 - *D1 Finds that the conditions and contingencies of the Tentative Certificate of Cancellation Williamson Act Contract No. 1972-668 - Hudelson Family 1998 Trust (Original Contract Name: Wayne D. Salter) located at 8825 E. Whitmore Avenue, northwest corner of E. Whitmore and Berkeley Avenues, in the Hughson area, have been satisfied; and, directed the Clerk of the Board to execute and record the Certificate of Cancellation by 12/03/2014 – Planning 2014-583

O’Brien/De Martini unan. *C3 The Board **amended** the resolution regarding the installation of All-Way Stop Traffic Controls at two intersections to remove from the resolution the intersection of Ladd Road at Tully Road in the North Modesto area; and, approved the resolution as amended regarding the installation of All-Way Stop Traffic Controls at the intersection of River Road/Marshall Road at Crows Landing Road in the Crows Landing area – PW 2014-584

O’Brien/Monteith unan. *A6 Accepted the County Clerk-Recorder's Certified Statement of the Results of the Gubernatorial General Election held Tuesday, 11/04/2014; and, declared the results of the election pursuant to the Clerk-Recorder’s Certified Statement of Vote – Clerk-Recorder 2014-585

Withrow/Chiesa unan. **B9** The Board **amended** the item to add Staff Recommendations Nos. 6 and 7, and approved Staff Recommendations No. 1-7 as amended as follows: (1) accepted the update from the Stanislaus Water Advisory Committee regarding the current and planned activities related to groundwater management planning; (2) introduced and waived the first reading of Ordinance C.S. 1155 amending the existing Stanislaus County Groundwater Mining and Export Prevention Ordinance; finds that the ordinance is categorically exempt from CEQA under CEQA Guidelines Section 15308 and directed staff to post a Notice of Categorical Exemption with the Clerk-Recorder; (3) authorized staff to issue RFP and award a contract for hydrological CEQA services to review well-permitting applications in determining CEQA compliance per the revised Stanislaus County Groundwater Mining Export Prevention Ordinance, and a contract for Groundwater Mapping and Database Development; (4) authorized the use of \$122,000 in Appropriations for Contingencies to hire a consultant to perform groundwater mapping and database development, and to hire a consultant to provide hydrological CEQA services; (5) directed the Auditor-Controller to increase operating transfers in for DER and operating transfers out for the CEO-General Fund Contributions to Other Programs budget in the amount of \$122,000 as detailed in the budget journal; (6) if a court should order the County to disclose private well log data as required under Stanislaus County Code Section 9.37.065, staff shall return to the Board for it to consider whether to repeal Section 9.37.065 or to continue collecting data subject to its disclosure under the Public Records Act; and, (7) directed staff to return the Groundwater Ordinance to the Board for review if the requirements change regarding unimpaired flows of surface water – DER ORD-55-T-2 2014-586

Withrow/O’Brien unan. **B10** Accepted the Mental Health Board Annual Report for FY 2013-2014 – BHRS 2014-587

Corr 1 Referred to the Auditor-Controller, a letter from East Stanislaus Resource Conservation District requesting to change to a biennial audit schedule.

Corr 2 Referred to the Fish and Wildlife Committee, a notice from the State Fish and Game Commission regarding the consideration of listing the Tricolored blackbird as an endangered species.

Corr 3 Referred to the Fish and Wildlife Committee, a notice from the State Fish and Game Commission regarding amendments to the way the agency processes petitions for regulation changes.

Corr 4 Referred to Department of Environmental Resources and the Fish and Wildlife Committee, a letter from the State Department of Fish and Wildlife regarding the preparation of a draft environmental document to address potential impacts of the state-wide ban on lead ammunition for hunting purposes.

Corr 5 Acknowledged receipt and referred to the CEO, the audited consolidated financial statements for the Central Valley Center for the Arts, Inc. and Subsidiaries for fiscal year ending June 30, 2014.

Corr 6 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Carmen Castillo; Michael Bigelow Jr.; Debra Henry; Bianca Casaus; and, Coleen Sanguinetti.

Supervisor Withrow, Chairman De Martini, and CEO Risen congratulated Supervisor Chiesa upon being elected the President of CSAC for 2015.

Adjourned at 11:13 a.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.)