

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

August 18, 2015

Convened at 5:30 p.m. for Special Session to sit as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority

Chiesa/Monteith unan. ***II-A** Approved the IHSS Public Authority minutes of 07/14/2015

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

Recessed to closed session at 5:31 p.m. for Conference with Legal Counsel – Agency Negotiator: Stan Risen and Jody Hayes. Labor Organization: United Domestic Workers (UDW). Government Code Section 54957.6.

Reconvened at 6:30 p.m. for Regular Session to sit as the Stanislaus County Board of Supervisors

Invocation was given by Pastor Scott Bird from Harvest Bible Chapel.

Matt Machado, Director of Public Works, gave a presentation regarding the Water Storage Investment Program.

Sergio Lara spoke regarding Mi Familia Vota and how they facilitate high school students and homeless voter registrations. Supervisor DeMartini noted that the Registrar of Voters is hosting a voter registration drive workshop on Friday, 08/28/2015 at 12:30 p.m.

Katherine Borges spoke about the Modesto Bee's editorial concerning the lack of candidates for the upcoming special districts and MACs elections. She suggested that the County send newsletters via email and with tax bills to inform the public about the County in general.

Monteith/Chiesa unan. Adopted the consent calendar

- ***A1** Approved the minutes of 08/11/2015
- ***A2a** Accepted the resignation of Don Petersen from the Stanislaus County Water Advisory Committee 2015-377
- ***A2b** Accepted the resignation of Ruby Beltran from the Western Hills Water District Board of Directors 2015-378
- ***A3** Proclaimed September 2015 as Childhood Cancer Awareness Month in Stanislaus County 2015-379
- ***A4a** Approved the appointment of Ray Dias to the Building Code Appeals Board 2015-380
- ***A4b** Approved the appointment of Mandy Jenkins to the Stanislaus Child Development Local Planning Council 2015-381
- ***B1** Authorized the General Services Agency (GSA) Purchasing Division to issue a RFP on behalf of the Stanislaus County Community Services Facility (CSF) for the provision of a

- Cafeteria Solution for the contract period of 02/01/2016 through 06/30/2017 with an option to renew the agreement on a year-to-year basis up to a maximum of five years; and, authorized Stanislaus County to accept the donated cafeteria equipment left by the Department of Rehabilitation – CSA 2015-382
- *B2 Approved the Master Agreement 15-10274 with the California State Department of Public Health for the Sexually Transmitted Diseases Prevention and Control Activities Program; and, authorized the HSA Managing Director or her designee to sign and execute the agreement and any subsequent amendments – HSA 2015-383
 - *B3 Approved Amendment No. 1 to Professional Services Agreement A022315 with Never Boring Design Associates, Inc., in the amount of \$199,255 for a total not to exceed amount of \$245,441 to implement aspects of the marketing plan for the Department of Parks and Recreation; and, authorized the Director of Parks and Recreation, or designee, to sign Amendment No. 1 to Agreement A022315 with Never Boring Design Associates, Inc., in the amount of \$199,255 – Parks and Recreation 2015-384
 - *B4 Adopted a resolution of support for the designation of Highway 132 as the John Muir Highway – CEO 2015-385
 - *B5 Adopted the plans, specifications, and working details for the Geer Road Landfill Aeration Channel and Groundwater Conveyance System Installation and Pump Testing and Aeration Channel Pilot Test Project; directed the Department of Environmental Resources to send the “Notice Inviting Bids,” electronically and by mail to trade journals and newspaper advertisement as required by law; authorized the Director of Environmental Resources, or designee, to oversee the public works of improvements associated with the Geer Road Landfill Aeration Channel and Groundwater Conveyance System Installation and Pump Testing and Aeration Channel Pilot Test Project (Project); directed the Clerk of the Board to publish the attached “Invitation to Bidders (Contractors)” for the Geer Road Landfill Aeration Channel and Groundwater Conveyance System Installation Project as required by law and set the deadline for submission of the bids as Wednesday, 10/07/2015, at 2:00 p.m.; and, directed the Clerk of the Board to publish the attached “Invitation to Bidders (Contractors)” for the Geer Road Landfill Pump Testing and Aeration Channel Pilot Test Project as required by law and set the deadline for submission of the bids as Wednesday, 10/07/2015, at 2:30 p.m. – DER 2015-386
 - *B6 Approved the Alfresco Electronic Content Management (ECM) Licensing Agreement with Alfresco Software, Ltd for the provision of ECM Software; and, authorized the CEO, or his designee, to sign the Alfresco ECM Licensing Agreement – CEO 2015-387
 - *B7 Authorized the Sheriff to sign the State of California, Commission on Peace Officer Standards and Training (POST) Standard Agreement including any extensions, or amendments to provide emergency vehicle course training to qualified law enforcement personnel in the Basic Academy – Sheriff 2015-388
 - *B8 Authorized the Sheriff to sign the State of California, Commission on Peace Officer Standards and Training (POST) Standard Agreement including any extensions, or amendments to provide emergency vehicle course training to qualified law enforcement personnel – Sheriff 2015-389
 - *C1 Approved the Preliminary Plans and Specifications for the Design of the Woodward Reservoir Muir Point and T-Island Campground Projects (Project); authorized the Public Works Director to finalize the Plans and Specifications and advertise the project for construction; authorized the Department of Parks and Recreation (Parks) to increase the project budget in the amount of \$1,256,634 funded by Regional Parks Public Facilities Fees, Fund 2405; and, directed the Auditor-Controller to increase revenue and appropriations in the amount of \$1,256,634, as detailed in the budget journal – PW M-64-K-1 2015-390

County Counsel determined that Supervisors O'Brien, DeMartini, and Chairman Withrow may have disqualifying conflicts of interest with the **6:35 p.m.** public hearing because of associations with E & J Gallo Winery. Therefore, in order to establish a quorum to consider this matter, the Board invoked the rule of necessity and drew lots to determine which Supervisor would participate in the decision. Chairman Withrow drew the short straw and thus participated in the decision. 2015-391

Monteith/Chiesa (3-0)(O'Brien and DeMartini abstained) **6:35 p.m.** Conducted a public hearing to consider the Planning Commission's recommendation for approval of General Plan and Rezone Application No. PLN2015-0021, Gallo Glass, Tenaya Drive, a request to amend the General Plan designation from Industrial Transition to Industrial and rezone from R-1 (Single-Family Residential) to M (Industrial) on 16 parcels, totaling 2.5± acres, to be used for storage and parking for Gallo Glass Company, located on the south side of Tenaya Drive, from the east side of Santa Rita Avenue to the west side of South Santa Cruz Avenue in the Modesto area; adopted the Negative Declaration pursuant to California Code of Regulations Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; finds that: (A) the General Plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses, (B) the County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service, (C) the amendment is consistent with the General Plan goals and policies; finds that the proposed Industrial zoning is consistent with the Industrial General Plan designation; and, approved General Plan Amendment and Rezone Application No. PLN2015-0021, Gallo Glass, Tenaya Drive and introduced, waived the reading, and adopted Ordinance C.S. 1166 for the approved Rezone Application No. PLN2015-0021, Gallo Glass, Tenaya Drive – Planning ORD-55-U-5 2015-392

Corr 1 Referred to the Department of Environmental Resources, a Permit Modification Notice from the United States Department of Army Ahtna Engineering Services regarding the Hazardous Waste Management Facility Permit 97-NC-012 for the Riverbank Army Ammunition Plant at 5300 Claus Road, Riverbank, CA.

Corr 2 Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a letter from the California Workforce Development Board regarding the approval of Stanislaus County as a Local Workforce Development Area.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Yacir Trinidad Viveros; Debin Cowell; and, Gerit Sand.

Supervisor DeMartini invited everyone to attend the West Side Health Care Task Force's 7th Annual Health Summit and Biggest Loser Weight Contest on Thursday, 08/20/2015, at 11:30 a.m. held at the West Side Theater in Newman.

Supervisor Chiesa reported that last Wednesday there was a town hall meeting in Denair regarding water, and he thanked staff for their work on this. He announced that he is holding a general town hall meeting in Keyes at the Community Center on 08/26/2015 at 7:00 p.m., the Sheriff and staff from Code Enforcement and Public Works will attend this meeting.

CEO Risen congratulated Tamara Thomas, Director of Child Support Services, upon receiving the 2015 Leadership Award from the National Child Support Organization. He reported that on Friday, 08/21/2015, Assemblymember Gray will be chairing a Select Committee public hearing on the expansion of ACE and San Joaquin passenger rail services, and Supervisor Chiesa will be one of the speakers. In addition, the CEO read an email from community member Chris Guptill, regarding the successful 14th Operation 9-2-99 Tuolumne River Clean-Up held on 08/15/2015.

Adjourned at 7:14 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.)