

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

Regular Session

Tuesday

November 3, 2015

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor Craig Bagley from the Celebration Center.

Milton O’Haire, Agricultural Commissioner and Sealer of Weights and Measures, spoke regarding the Asian citrus psyllid detection in the Turlock area and the issues associated with the pest. He reported that a 5 mile wide quarantine area has been established where no citrus fruit can be moved out of the area. Traps have been placed and visual surveillance is going on in a 9 mile radius from where the pest was trapped. An informational meeting regarding the Asian citrus psyllid will be held next Monday night, 11/09/2015, at 5:00 p.m. at Turlock High School. For additional information, or to report a sighting of the Asian citrus psyllid, citizens should call 1-800-491-1899.

Reid Johnson spoke regarding the Constitution laws and principles and how it applies to local government.

Chiesa/O’Brien unan. Adopted the consent calendar

***A1** Approved the minutes of 10/27/2015

***A2a** Approved appointments in lieu of Landowner Election of Rogelio Herrera, John Van Ruler, and Roy Johnson to the Sand Creek Flood Control District Board of Directors
2015-532

***A2b** Approved appointments in lieu of Landowner Election of Albert Rossini, Ward Burroughs, and Norik Naraghi to the Eastside Water District Board of Directors
2015-533

***A2c** Approved appointments in lieu of Landowner Election of John E. Beltran and Joe J. Martini to the Oak Flat Water District Board of Directors
2015-534

***A2d** Approved appointments in lieu of Landowner Election of Todd Craven, Earl Perez, and John Escobar to the Orestimba Creek Flood Control District Board of Directors
2015-535

***A2e** Approved appointment in lieu of Landowner Election of Laura Anhalt and Greg Nunes to the Reclamation District 2091 Board of Directors
2015-536

***A3a** Approved appointments of Helen P. Padilla, Lulu M. Polk, and Maricela Vela to the Grayson Community Services District Board of Directors
2015-537

***A3b** Approved appointments of Dennis Findley and Tom Lindquist to the Denair Municipal Advisory Council
2015-538

***A3c** Approved appointments of Eric Lee Feichter, Carla Doshas, and Scott Brandon Wucherer to the Knights Ferry Municipal Advisory Council
2015-539

***A3d** Approved appointments of Lynn Meshew and Alfred Rodriguez to the Hickman Municipal Advisory Council
2015-540

***A3e** Approved appointment of Raymond F. Martin to the Valley Home Municipal Advisory Council
2015-541

***A3f** Approved appointment of John Varni to the Westport Fire Protection District Board of Directors
2015-542

***A3g** Approved appointments of David Scheel and Miguel Monteon to the Crows Landing Community Services District Board of Directors
2015-543

- *A3h Approved appointment of Tony Bravo to the Westley Community Services District Board of Directors 2015-544
- *A3i Approved appointment of Jason Turner to the Knights Ferry Community Services District Board of Directors 2015-545
- *A4 Proclaimed 11/15/2015, as America Recycles Day in Stanislaus County, a Nationally Recognized Day to Encourage Americans to Recycle 2015-546
- *A5 Approved a commendation for Stanislaus Farm Supply upon being inducted into the Ag Hall of Fame as a Legend of Agriculture 2015-547
- *A6 Accepted the resignation of Roy Wasden from the Emergency Medical Services Committee 2015-548
- *B1 Approved the conditional award of the contract in the amount of \$279,935 to Stearns, Conrad and Schmidt Consulting Engineers, dba SCS Field Services of Long Beach, California (SCS Field Services), for the construction of the Geer Road Landfill Aeration Channel and Groundwater Conveyance System Installation Project, subject to receipt of appropriate insurance and bonds; approved the conditional award of the contract in the amount of \$226,112 to SCS Field Services for the Geer Road Landfill Pump Testing and Aeration Channel Pilot Test Support Project, subject to receipt of appropriate insurance and bonds; authorized the Director of Environmental Resources, or designee, to execute a contract with SCS Field Services for the Aeration Channel and Groundwater Conveyance System Installation Project in the amount of \$279,935 and the Pump Testing and Aeration Channel Pilot Test Support Project in the amount of \$226,112, and to sign any necessary documents; authorized the Director of Environmental Resources, or designee, to execute change orders for both contracts in accordance with Public Contract Code, Section 20137; upon project completion, authorized the Director of Environmental Resources, or designee, to accept the completed improvements and perform all necessary closeout activities for both projects; and, directed the Auditor-Controller to increase appropriations and revenue as detailed in the Budget Journal – DER 2015-549
- *B2 Authorized the Sheriff to retire two canines from the Sheriff’s Department service and enter into a Canine Retirement Contract with the Canine’s current handlers – Sheriff 2015-550
- *B3 Accepted the fourth update on the state of the emergency repairs at County Center II in accordance with Public Contract Code Sections 20134 and 22050 to repair electrical power supply and replace an emergency generator and other equipment to restore essential County operations – CEO 2015-551
- *B4 Approved the appointment of Al Valencia to the position of Manager III with the CEO-Capital Projects Division at an annual salary of \$96,000, which is above the midpoint of the salary band – CEO 2015-552
- *C1 Approved the \$1,007,674 Transportation Development Act-Local Transportation Fund Claim for FY 2015-2016 Other Purposes; and, authorized the Director of Public Works to execute and submit the claim to the Stanislaus Council of Governments – PW 2015-553
- *C2 Approved a resolution for the installation of an All-Way Stop Sign Control at the intersection of West F Street at 7th Street in the Turlock area – PW 2015-554
- *D1 Authorized the Auditor-Controller to designate the existing CalHOME Reuse fund 1782 as an interest bearing fund; and, directed the Auditor-Controller to transfer three years of interest earned, totaling \$1,084.34, from the CEO Discretionary Revenue General Fund Interest Pool account to the CalHome Reuse fund – Planning 2015-555
- *D2 Approved Rescinded Williamson Act Contract Nos. 1974-1766 and 1993-4244, located at 3101 Ladd Road and 2949 Ladd Road, east of Stoddard Road, south of the Stanislaus River; pursuant to Government Code Section 51257, determined that the following seven findings can be made based on the written evidence submitted by the applicant: (a) the

new contract would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of AB 1265; (b) there is no net decrease in the amount of the acreage restricted; in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; (c) at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; (d) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222; (e) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; (f) the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan; approved new contracts pursuant to Minor Lot Line Adjustment PLN2015-0057, George teVelde, Jr.; and, authorized the Director of Planning and Community Development to execute new contracts – Planning 2015-556

Chiesa/DeMartini unan. **9:05 a.m.** Conducted a public hearing to consider the Planning Commission's recommendation for approval of Rezone Application No. PLN2015-0032, Belkorp AG, a request to rezone a 17.3± acre project site, from expired P-D 302 (Planned Development) and A-2-10 (General Agriculture) to a new P-D zone, to allow H-1 (Highway Frontage) uses, establish an agricultural equipment dealership, construct a two story 57,000 square-foot building, and allow outdoor display areas for agricultural equipment on property located at 4618 Nunes Road, east of Highway 99, north of E. Keyes Road, in the Keyes area, APNs: 045-049-011 and 12, 045-050-001, 011, and 012; adopted the Mitigated 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 Mitigated 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 the proposed Planned Development zoning is consistent with the Planned Development General Plan designation and Highway Commercial Community Plan designation; finds that the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; and, introduced, waived the reading and adopted Ordinance C.S. 1168 for the approved Rezone Application No. PLN2015-0032, Belkorp AG – Planning ORD-55-V-1 2015-557 & 2015-558

O'Brien/Monteith unan. **B5** Accepted the CEO's First Quarter Financial Report for FY 2015-2016; amended the Salary and Position Allocation Resolution to reflect the recommendations included as part of the First Quarter Financial Report, as outlined in the Staffing Impacts section of the agenda item and detailed in Attachment B, to be effective the start of the first full pay period beginning on or after 11/14/2015, unless otherwise noted; and, approved contracts and/or agreements listed on Attachment C in cumulative amounts of \$100,000 or greater since 07/01/2013, and authorized the GSA Director/Purchasing Agent or Department Head to sign – CEO 2015-559

Corr 1 Referred to the Fish and Wildlife Committee, a letter from the State of California Fish and Game Commission regarding the proposed regulatory action of the listing of the gray wolf as endangered under the California Endangered Species Act.

Corr 2 Referred to the Stanislaus County Superintendent of Schools, the San Joaquin County Office of Education's FY 2015-2016 Annual Report for the John B. Allard Community School, the Ceres Community School, and the Empire Community School as required by the Williams Settlement.

Corr 3 Designated Supervisor Withrow to participate on the CHP task force established to identify and address ways to reduce impaired driving traffic collisions as requested by the CHP Modesto Area Commander.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Ricky Avalos; Joshua Romero; Shawn Alan Moreira; and, Veronica Rodriguez.

Supervisor DeMartini noted that he would be on the Election Observer Panel tonight watching the election process. He has been observing the election process for 20 years, and it has always run correctly and smoothly.

CEO Risen announced that there will be a Stanislaus County Board of Supervisors' Workshop on Tuesday, 11/10/2015 from 2:00 p.m. - 5:00 p.m., at Salida Fire Station No. 14, 5551 Ciccarelli Road, Salida.

Adjourned at 9:44 a.m.

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

BY: CHRISTINE FERRARO TALLMAN, 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.)