

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

January 10, 2017

Presiding Judge Cordova administered the oath of office to Supervisors Olsen; Chiesa; and, DeMartini.

Invocation was given by Pastor Richard Hanshew from Sunshine Community Church.

Withrow/Olsen unan. Elected Supervisor Chiesa as the 2017 Chairman and Supervisor DeMartini as the 2017 Vice-Chairman of the Board of Supervisors. 2017-1

Chairman Chiesa recognized Supervisor Monteith as the 2016 Chairman of the Board and thanked him for his leadership. He also presented Supervisor Monteith with his 10 year Employee Services Award.

Debra Harper spoke regarding her experience with the County's health services.

Miguel Donoso voiced concerns with the cost associated with the Korey Kauffman case.

Loretta Carhart spoke regarding dangerous road conditions and asked the Board to look into this issue.

Monteith/Withrow unan. Adopted the consent calendar after removing from consent item ***D2** Approval to Rescind a Portion of Williamson Act Contract No. 1972-0736, Located at the Northeasterly Corner of Geer Road and Whitmore Avenue Intersection, in the City of Hughson Area; and Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0137, Growers Direct Nut

***A1** Approved the minutes of 12/20/2016

***A2** Appointed Dorothy Griggs to the Housing Authority of the County of Stanislaus 2017-2

***A3** Approved the Oakdale Irrigation District request for the Registrar of Voters to render election services and conduct a Special Recall Election on 04/25/2017 DI-01-A-1 2017-3

***A4** Approved the 2017 Stanislaus County Board of Supervisors Committee Assignments 2017-4

***B1** Authorized the Chairman of the Board and the CEO to sign the 2017 Annual Equal Rights/Non-discrimination Statement, attached to the agenda item – CEO 2017-5

***B2** Accepted the twelfth update on the state of the emergency remediation and repairs at the HSA Central Unit in accordance with Public Contract Code Sections 20134 and 22050 to repair water damage and restore essential County operations – CEO 2017-6

***B3** Approved the removal of restrictions on purchases at O'Brien's Market from the Stanislaus County Purchasing Card Policy – GSA 2017-7

***B4** Ratified an ordinance passed by the Stanislaus Consolidated Fire Protection District adopting and amending the 2016 California Fire Code; and, authorized the Stanislaus County Fire Warden to file a copy of the findings, with the California Department of Housing and Community Development as prescribed by Health and Safety Code section 13869.7(c) – OES DF-20-B-2 2017-8

- *B5 Accepted the nineteenth update on the Temporary Water Assistance Program in Stanislaus County; and, approved the continuance of the Countywide declaration of a local emergency due to the multi-year water shortage – OES 2017-9
- *B6 Accepted the Stanislaus County Treasury Pool’s November 2016 Monthly Investment Report as prepared by the Stanislaus County Treasurer-Tax Collector’s Office and reviewed for conformity with the Stanislaus County Treasury Pool Investment Policy by the Treasurer-Tax Collector, and distributed to 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 2017-10
- *B7 Approved the purchase of Samsung Zero Client Displays from Saitech, Inc., Fremont, CA, for the Virtual Desktop Infrastructure Project, in the amount not to exceed \$111,610.60; and, directed the Auditor-Controller to transfer appropriations from Fixed Assets to Services and Supplies as detailed in the budget journal, attached to the agenda item – Library 2017-11
- *C1 Awarded a contract to TY Lin International for professional services for the Project Approval and Environmental Document (PA&ED) Phase of the Faith Home Road/Garner Road Bridge over the Tuolumne River Project; authorized the Director of Public Works to execute a contract with TY Lin International in the amount of \$1,584,031 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 2017-12
- *C2 Authorized increasing appropriations in the Public Works Roads FY 2016-2017 budget by \$1.8 million to begin Measure L Expenditure Plan road improvements; and, directed the Auditor-Controller to establish an interest bearing Fund for Roads Measure L and increase appropriations by \$1.8 million funded by departmental fund balance as reflected in the budget journal, attached to the agenda item – PW 2017-13
- *C3 Adopted the Plans and Specifications for the Airport Neighborhood Sewer Improvement Project; awarded a contract in the amount of \$4,720,840 to George Reed, Inc. of Modesto, CA, for the construction of the Airport Neighborhood Sewer Improvement Project; approved a project agreement for \$146,360 with Hawkins & Associates Engineering Inc., of Modesto, CA, for survey services under the Professional Survey Services Master Agreement approved by the Board on 11/22/2016; authorized the Director of Public Works to execute a contract with George Reed, Inc., for \$4,720,840 and to sign necessary documents; authorized the Director of Public Works to execute a project agreement with Hawkins & Associates Engineering, Inc., for \$146,360 and sign necessary documents; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with the Public Contract Code, Sections 20142 and 20137; upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2017-14

- *D1** Rescinded a portion of Williamson Act Contract No. 1977-2608 and all of Williamson Act Contract No. 1975-1834, located at 10227, 10137 Pioneer and 10266 Victory Avenues, between Lon Dale Road and River Road, southwest of the Valley Home Community (APN's: 006-002-063, 006-002-061, and 006-002-011); 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, or contracts, would enforceably restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County's implementation of AB1265; (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 Government Code 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 a new contract pursuant to Lot Line Adjustment Application No. PLN2016-0057, O'Roark; and, authorized the Director of Planning and Community Development to execute new contracts – Planning 2017-15
- *D3** Finds that the condition and contingencies of the Tentative Certificate of Cancellation of a portion of Williamson Act Contract No. 1977-2725 – Aker, located at the 4530 Lone Tree Road, in the Valley Home area, have been satisfied; and, directed the Clerk of the Board to execute and record the Certificate of Cancellation by 01/20/2017 – Planning 2017-17

Withrow/Olsen (4-0)(Chiesa abstained) ***D2** Rescinded a portion of Williamson Act Contract No. 1972-0736, located at the northeasterly corner of Geer Road and Whitmore Avenue intersection, in the city of Hughson area (APN: 018-010-021); 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, or contracts, would enforceably restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County's implementation of AB1265; (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 Government Code 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 Lot Line Adjustment Application No. PLN 2015-0137, Growers Direct Nut; and, authorized the Director of Planning and Community Development to execute new contracts – Planning 2017-16

Withdraw/Monteith unan. **B8** Approved the annual progress report for the Stanislaus County Employee Mentor program at the 18th program anniversary; and, acknowledged the month of January 2017 as Mentoring Awareness Month in Stanislaus County, consistent with the National Mentor distinction
– CEO 2017-18

Corr 1 Referred to the Clerk-Recorder and Registrar of Voters, a letter requesting the change of school district election from odd to even years for the Empire Union School District.

Corr 2 Acknowledged receipt of the Comprehensive Annual Financial Report of the Stanislaus County Employees' Retirement Association (StanCERA) for FY ending 06/30/2016.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Michael Castle; Jennifer T. Koenig; Artemio Arias-Reyes; Emanuel Alves and Angelina Nunes; Jacqueline Neal; and, Telecare Corporation.

Supervisor Chiesa introduced Sandra Loza as his new Field Representative and Evelyn Starman as Supervisor Olsen's Field Representative.

CEO Risen announced that based on the results of a salary survey, and in accordance with County Code Section 2.04.030, the base salaries of the Board of Supervisors will increase 3.75% as of 01/07/2017. He thanked all the Office of Emergency Services staff who worked this past week monitoring the storm. He reported that Governor Brown will be releasing the 2017-2018 Proposed Budget today and that County staff will be reviewing the proposed budget for impacts to our County.

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

Adjourned to closed session at 9:39 a.m. for Conference with Legal Counsel - Existing Litigation: One Case: Nyomi Elias, et al. v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 663544. Government Code Section 54956.9 (d)(1).

Adjourned at 10:39 a.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.)