

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

Special and Regular Session
Supervisor Withrow absent
Pledge of Allegiance to the Flag

Tuesday

May 16, 2017

Convened at 5:00 p.m. for Special Session.

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 5:02 p.m. Conference with Legal Counsel - Existing Litigation: One Case: People v. Gerit Sand, et al., Stanislaus County Superior Court Case No. 2013405. Government Code Section 54956.9 (d)(1). Conference with Labor Negotiator: Agency Negotiators: Stan Risen, Tamara Thomas, Brandi Hopkins, and Burke Dunphy. Labor Organizations: California Nurses' Association; Stanislaus Sworn Deputy Association; Stanislaus County Sheriff's Supervisor Association; Stanislaus County Sheriff's Management Association; and Stanislaus County Deputy Probation Officers' Association. Government Code Section 54957.6.

Supervisor Withrow arrived at 5:10 p.m.

Adjourned closed session at 6:10 p.m.

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

Invocation was given by Rabbi Shalom Bochner with Congregation Beth Shalom of Modesto.

A moment of silence was held for Stanislaus County Deputy Jason Garner and Community Service Officer Raschel Johnson.

CEO Risen reported that the funeral services for Deputy Jason Garner will be held on Tuesday, May 23, 2017, at 10:00 a.m., at Crosspoint Community Church, and the services for Community Services Officer Raschel Johnson will be held on Wednesday, May 24, 2017, at 10:00 a.m., at The House. There will be a procession following each service. He announced that the Board of Supervisors will convene their regular meeting on Tuesday, May 23, 2017, at 9:00 a.m., and plan to open the public hearings and continue them until later in the day shortly after 12:00 p.m.

Commendations were presented to Colleen Charlton (District 1); Mary Burch (District 2); Alfred Garcia (District 3); Albert Lucchesi (District 4); and, Frank Stehli (District 5) as the 2017 Stanislaus County Outstanding Senior Citizens of the Year in Celebration of the Older Americans Month.

The 2017 Stanislaus County Recycling Poster Contest winners received their awards.

Maggie Mejia from the Commission on Aging invited the Board to purchase tickets and attend the Modesto Nuts Game on 5/26/2017 as a fundraiser for the Stanislaus Senior Foundation.

Olsen/DeMartini unan. Adopted the consent calendar

- *A1 Approved the minutes of 05/09/2017
- *A2 Appointed Peni Basalusalu to the Stanislaus County Local Task Force on Solid Waste Management 2017-245
- *B1 Accepted the responses to the Stanislaus County Civil Grand Jury Stanislaus County Library report; authorized the Chairman to forward the response to the Presiding Judge of the Superior Court by 06/12/2017; and, directed the CEO to ensure that any recommended actions by the Board be followed and completed by the subject County department and report back to the Board as appropriate – CEO M-39-N-6 2017-246
- *B2 Approved the purchase of four impact attenuators from Statewide Traffic Safety & Sign of Nipomo, CA for \$142,576 – CEO 2017-247
- *B3 Approved the appointment of the candidate to the position as Assistant Director with the Department of Child Support Services at an annual salary of \$107,827.20 which is above the midpoint of the salary band effective 05/20/2017 – DCSS 2017-248
- *B4 Authorized the GSA Purchasing Division to issue a RFP on behalf of CSA for the provision of private investigation services for runaway/missing children in Foster Care for the contract period of 07/01/2017-06/30/2020 – CSA 2017-249
- *B5 Approved the plan to lease space at 1533 Lakewood Avenue, Modesto, CA, for the HAS Business Services, including the Central Business Office, Central Scheduling Unit, Information Technology, and Finance Divisions, effective 07/01/2017; and, authorized the execution of a Lease Agreement for 10,734 square feet of office space, based on the terms outlined in the agenda item, with Cartan Investments, LP, a CA limited partnership, for the HSA business services at 1533 Lakewood Avenue, Modesto, CA, for the term of five years, at an average annual cost of approximately \$147,471 – HSA 2017-250
- *C1 Authorized the Director of Public Works to sign a Grade Crossing Signal Installation Agreement with Burlington Northern Santa Fe Railroad for the Geer Road at Santa Fe Avenue Intersection Signalization Project – PW 2017-251
- *C2 Finds that all subdivision improvements for Tentative Subdivision Map 99-05 Bonita Ranch Unit 5 (formerly known as Sunray Estates), required by the Subdivision Improvement Agreement and executed by Bright Development, a California Corporation, have been installed to the satisfaction of Stanislaus County and Keyes Community Services District; accepted the subdivision improvements for Tentative Subdivision Map 99-05, Bonita Ranch Estates, Unit 5 and released Performance and Labor and Materials Bonds; finds that the said agreement was recorded on 12/30/2016, as Document No. 2016-0105474-00 and filed with the Stanislaus County Clerk Recorder’s Office; authorized the release of Performance Bond No. 0711503 issued by International Fidelity Insurance Company in the amount of \$869,766.00 pursuant to section 66499.7(a) of the Subdivision Map Act; authorized the release of Labor and Materials Bond No. 0711503 issued by Developers Surety Indemnity Company in the amount of \$434,883.00 pursuant to section 66499.7(b) of the Subdivision Map Act, upon receipt of a Mechanic’s Lien Guarantee; and, accepted all features such as roads, highways, avenues, and all other street dedications rejected on the Final Map for Bonita Ranch 5 for maintenance by Stanislaus County – PW 2017-252
- *C3 Accepted the second update on the state of emergency repairs on Rodden Road at Lesnini Creek in accordance with Public Contract Code sections 20134 and 22050 to replace a failed box culvert – PW 2017-253

DeMartini/Monteith unan. **6:35 p.m.** Conducted a public hearing to consider the Planning Commission's recommendation for approval of Specific Plan Amendment Application No. PLN2015-0123 – Diablo Grande 2016, a request to modify the Diablo Grande Specific Plan text and Phase 1 Preliminary Development Plan to reflect current site conditions, refine development standards, increase development density, and utilize the 15 percent unit shift between villages, to increase the number of permitted residential units from 2,017 to 2,354 in the 2,250± acre Diablo Grande Community, located 10 miles southwest of the City of Patterson; finds that the Specific Plan Amendment: (a) is consistent with the maps, goals, and policies of the Stanislaus County General Plan, adopted in August 2016; (b) helps to achieve a balanced community to promote health, safety, and general welfare; (c) results in development of character which will not be detrimental to existing and proposed development in the surrounding area; (d) contributes to a balance of land uses so that local residents may work and have available services and goods in the larger community in which they live; (e) addresses the environmental and aesthetic assets of the community; (f) demonstrates long-term and short-term availability of those services necessary to serve the development and they will be provided at no net expense to public agencies; (g) demonstrates a design superior to that which could be attained through traditional permit process; development standards are unique to the topography and allow for attached dwellings, “zero” lot lines, lot coverage based on lot area, minimum lot sizes of 2,880 square feet, fencing materials and setbacks based on the viewshed; finds that the proposed revisions to the Diablo Grande Specific Plan are consistent with the Specific Plan General Plan designation; finds that an Addendum to the previously certified Environmental Impact Report (EIR) rather than a supplement to the EIR or a subsequent EIR comply with the requirements of California Environmental Quality Act (CEQA) because: (a) there are no substantial changes proposed in the project involving new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects that will require major revisions of the EIR; (b) there are no substantial changes occurring with respect to the circumstances involving new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects which will require major revisions in the EIR; (c) no new information, which was not known, or could not have been known at the time the EIR was certified as complete, has become available involving significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects, or involving mitigation measures or alternatives previously found to be infeasible but not found to be feasible or identifying mitigation measures or alternatives different from those previously analyzed in the prior EIR and would substantially reduce one or more significant environmental effects; finds that the currently approved Mitigation Monitoring and Reporting Plan address all impacts and mitigation measures and will remain in effect; adopted the Addendum to the certified EIR, State Clearinghouse #1991032066, prepared for the Specific Plan changes on the basis of the record of proceedings and that the conditions identified in CEQA Guideline Section 15162, requiring a supplement to an EIR or subsequent EIR are not present and that the Addendum to the project EIR reflects Stanislaus County's independent judgement 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 15094; and, approved Specific Plan Amendment No. PLN2015-0123 – Diablo Grande 2016 – Planning 2017-254

Withrow/Monteith unan. **B6** The Board approved Staff Recommendations Nos 1-4 as **amended**: (1) approved the proposed ordinance extending a 1/8 cent transaction and use tax for continued exclusive funding of the Stanislaus County Library System (the Library Tax); **amended** Staff Recommendation (2) to read: “Approve the proposed ballot language in substantially the form as Attachment 2 for voter approval of the Library Tax”; (3) approved the consolidation of a special election for approval of the Library Tax with the general election to be held on Tuesday, 11/07/2017; and, (4) authorized the CEO to take all actions necessary to assist with placing the Library Tax on the ballot for the 11/07/2017 general election – Library ORD-56-1 2017-255

DeMartini/Olsen unan. **B7** Approved the Amended and Restated Solar Generating Land Option and Lease Agreement with Golden Hills Solar, LLC to develop a solar generating facility on county-owned land adjacent to the Fink Road Landfill; and, authorized the CEO to sign the Amended and Restated Solar Generating Land Option and Lease Agreement and to execute and deliver any and all documents that he deems necessary for the purposes of the project – CEO 2017-256

Olsen/Withrow unan. **B8** Approved the Information Technology Strategic Plan; authorized the Purchasing Agent to enter into a 3-Year Enterprise Agreement with Crayon Software Experts LLC for the purchase of Microsoft Products; authorized the Purchasing Agent to negotiate and sign an agreement with Catapult Consultants LLC for consulting services; and, authorized the Auditor-Controller to transfer \$1,900,000 from CEO-Appropriations for Contingencies to Strategic Business Technology to fund the Crayon Software Experts LLC enterprise agreement enrollment and related project costs per the budget journal, attached to the agenda item – SBT 2017-257

Corr 1 Referred to the Clerk-Recorder and Registrar of Voters, a resolution from the Hughson Fire Protection District requesting the consolidation of their District elections with the statewide general elections.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Andrea Allen; and, Jamie Rossberg.

Supervisor Olsen complimented the Planning Department Staff for their excellent work on the Diablo Grande Project.

CEO Risen thanked the Board for their support of the Information Technology Strategic Plan, which had been 17 years in the making, and will allow for a single email system Countywide. The CEO also reported that the Measure L Citizens Advisory Committee application deadline is 5/31/2017, and that applications may be submitted to StanCOG.

Adjourned at 8:29 p.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.)