

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

Regular Session

Tuesday

September 26, 2017

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held for Stanislaus County Community Services Agency Employee Robert (Bob) Bernardi.

Invocation was given by Pastor Dave Kerr with Trinity Presbyterian Church.

Donna Ferreira from Sons of Italy, accepted the resolution proclaiming October 2017 as Italian-American Heritage Month.

Milton O’Haire, Agricultural Commissioner, presented the 2016 Stanislaus County Agricultural Crop.

Tom Orvis from the Stanislaus County Farm Bureau thanked the Ag Commissioner for all they do.

Lorraine Bernaldes invited the Board to the 26th Annual International Heritage Festival on 10/07/2017 at the MJC East Campus.

Carmen Sabatino voiced concerns regarding the Downtown Modesto (DoMo) Partnership.

Olsen/Withrow unan. Adopted the consent calendar

- *A1 Approved the minutes of 09/19/2017
- *A2 Appointed David Jones and Diane Callahan to the Stanislaus Child Development Local Planning Council 2017-509
- *A3a Appointed in lieu of election Evette M. Andre to the Burbank-Paradise Fire Protection District Board of Directors – C/R 2017-510
- *A3b Appointed in lieu of election Robert Rensted to the Ceres Fire Protection District Board of Directors – C/R 2017-511
- *A3c Appointed in lieu of election Rosenda Mataka and Angela Alvarado to the Grayson Community Services District Board of Directors – C/R 2017-512
- *A3d Appointed in lieu of election Miguel Oseguera, Gus Villarreal, and Anthony Douds to the Hughson Fire Protection District Board of Directors – C/R 2017-513
- *A3e Appointed in lieu of election Eddie Jones, William Alexander, and Tim Robertson to the Keyes Community Services District Board of Directors – C/R 2017-514
- *A3f Appointed in lieu of election Mario Amaya and Harinder Grewal to the Keyes Municipal Advisory Council – C/R 2017-515
- *A3g Appointed in lieu of election John Mensinger and Paul Campbell to the Modesto Irrigation District Board of Directors – C/R 2017-516
- *A3h Appointed in lieu of election Tom Orvis to the Oakdale Irrigation District Board of Directors – C/R 2017-517
- *A3i Appointed in lieu of election David R. Fantozzi and David Reichmuth to the Patterson Irrigation District Board of Directors – C/R 2017-518

- ***A3j** Appointed in lieu of election Amanda Sorenson, Brad Johnson, and Leng Power to the Salida Municipal Advisory Council – C/R 2017-519
- ***A3k** Appointed in lieu of election Lana Moore and Gary Dew to the Salida Sanitary District Board of Directors – C/R 2017-520
- ***A3l** Appointed in lieu of election Charles Fernandes, Joe Alamo, and Ronald Macedo to the Turlock Irrigation District Board of Directors – C/R 2017-521
- ***A3m** Appointed in lieu of election Bobby Yamamoto, David Goubert, and Kenneth Bays to the West Stanislaus Irrigation District Board of Directors – C/R 2017-522
- ***A4a** Approved appointment in lieu of election and vacancies: Levurn Berberia to the Crows Landing Community Services District Board of Directors – C/R 2017-523
- ***A4b** Approved appointment in lieu of election and vacancies: Ron Richardson to the Denair Community Services District Board of Directors – C/R 2017-524
- ***A4c** Approved appointments in lieu of election and vacancies: Billy Myers and James Brugger to the Denair Municipal Advisory Council – C/R 2017-525
- ***A4d** Approved appointments in lieu of election and vacancies: Rafael Rodriguez, Elizabeth Cendejas, Carlos Cendejas, and Domenica Escatel to the Empire Municipal Advisory Council – C/R 2017-526
- ***A4e** Approved appointments in lieu of election and vacancies: Eric R. Ulrich, Sean P. McCarthy, Nancy Warren Patton, and Jason C. Turner to the Knights Ferry Community Services District Board of Directors – C/R 2017-527
- ***A4f** Approved appointment in lieu of election and vacancies: Elizabeth Morales to the South Modesto Municipal Advisory Council – C/R 2017-528
- ***A4g** Approved appointment in lieu of election and vacancies: Ida Tucker to the Westley Community Services District Board of Directors – C/R 2017-529
- ***A4h** Approved appointments in lieu of election and vacancies: Edward A. Amador, Jr., Martin Avila, and Stacy Cardoso to the Westport Fire Protection District Board of Directors – C/R 2017-530
- ***A5a** Approved appointments in lieu of election where no candidates filed for the Hickman Municipal Advisory Council – C/R 2017-531
- ***A5b** Approved appointments in lieu of election where no candidates filed for the Knights Ferry Municipal Advisory Council – C/R 2017-532
- ***A5c** Approved appointments in lieu of election where no candidates filed for the Monterey Park Tract Community Services District Board of Directors – C/R 2017-533
- ***A5d** Approved appointments in lieu of election where no candidates filed for the Valley Home Municipal Advisory Council – C/R 2017-534
- ***A6** Proclaimed the week of 10/01/2017 through 10/07/2017 as Stanislaus County Diversity Awareness Week and approved a resolution encouraging civility in support of community diversity – CEO 2017-535
- ***A7** Accepted the resignations of Stan Risen, Bryce Packnit, Mike Repp, and Walter Nicolau Jr., from the Stanislaus County Workforce Development Board 2017-536
- ***A8** Appointed Jody Hayes to the Stanislaus County Workforce Development Board 2017-537

- ***B1** Approved matters related to the completion of the Re-Entry and Enhanced Alternatives to Custody Training, REACT Center Project at the Public Safety Center, including a Change Order for the completion of the site improvements and landscaping and Public Dedication Event; directed the Auditor-Controller to transfer funds from the approved Construction Contingency Account to the Construction Account in accordance with this recommended action and the Budget Journal, attached to the agenda item; and, authorized the Project Manager to use public funds to conduct a dedication ceremony for the Re-Entry and Enhanced Alternatives to Custody Training Center – CEO 2017-538
- ***B2** Accepted the Auditor-Controller’s report on Stanislaus County’s revolving funds as of 06/30/2017 in accordance with Government Code Section 29321.1 – Auditor-Controller 2017-539
- ***B3** Approved recommended health insurance rates as provided in Attachment A, attached to the agenda item, to be charged in the employee medical, dental, and vision self-insurance programs for calendar year 2018 – Risk Management 2017-540
- ***B4** Approved resolutions commending the following employees on being selected as the 2017 recipients of the Stanislaus County Dale Butler Annual Equal Rights Award: Kathryn Harwell, Director of CSA; and, Merry Mayhew, Assistant Director of DER – CEO 2017-541
- ***B5a** Approved the request from the governing board of the Gratton Elementary School District to consolidate and hold future elections on the same day as the Statewide General Election conducted in even-numbered years – Clerk Recorder – Elections 2017-542
- ***B5b** Approved the request from the governing board of the Chatom Union School District to consolidate and hold future elections on the same day as the Statewide General Election conducted in even-numbered years – Clerk Recorder – Elections 2017-543
- ***B5c** Approved the request from the governing board of the Stanislaus County Board of Education to consolidate future elections on the same day as the Statewide General Election conducted in even-numbered years – Clerk Recorder – Elections 2017-544
- ***B6** Authorized the General Services Agency Purchasing Division to issue a RFP on behalf of the CSA for the provision of Emergency Child Care Services to Welfare-to-Work participants for the contract period of 07/01/2018 through 06/30/2021 – CSA 2017-545
- ***B7** Approved Amendment No. 4 to the Master Agreement for Professional Design Services at the Geer Road Landfill with Tetra Tech, BAS, Inc., for Environmental Monitoring, Testing, and Reporting Services, which increases the agreement by \$1,435,850, for a total not to exceed amount of \$8,370,065; authorized the Chairman to sign Amendment No. 4 to the Master Agreement for Professional Design Services at the Geer Road Landfill with Tetra Tech, BAS, Inc.; authorized the Director of DER, or designee, to sign individual Project Authorizations, providing that the cumulative total does not exceed the contract amount; and, authorized the Director of DER, or designee, to sign amendments to the Master Agreement for an overall not to exceed amount of \$8,470,065, which includes a contingency of \$100,000 – DER 2017-546
- ***B8** Authorized the County Librarian to sign, submit and accept, if awarded, an application to the Sunlight Giving Foundation grant for up to \$30,820 to open a Pop-up Library at the Grayson United Community Center – Library 2017-547

- ***B9** Approved a resolution of intent to participate in the Great California ShakeOut annual statewide earthquake drill to work toward becoming a safer community – OES
2017-548
- ***B10** Authorized the Sheriff to submit a joint grant application with the City of Modesto to the Bureau of Justice Assistance, and to accept the grant if awarded, for the 2017 Edward Byrne Memorial Justice Assistance Grant funding to enhance criminal justice processes; and, authorized the Chairman to sign the Memorandum of Agreement between the County of Stanislaus and the City of Modesto for the Justice Assistance Grant Program Award – Sheriff
2017-549
- ***B11** Accepted the Stanislaus County Treasury Pool’s July 2017 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
2017-550
- ***B12** Set a public hearing on 10/17/2017 at 6:35 p.m. to consider the adoption of the updated County Public Facilities Fees pursuant to the Title 23 of Stanislaus County Ordinance Code – CEO
2017-551
- ***B13** Approved the Tentative Health Insurance Agreement for the period 01/01/2018 through 12/31/2020 between Stanislaus County and the following Labor Organizations: California Nurses’ Association, County Attorneys’ Association, Stanislaus County District Attorney Investigators’ Association, Stanislaus County Deputy Probation Officers’ Association, Stanislaus County Deputy Sheriffs’ Association, Stanislaus County Employees’ Association/AFSCME Local 10, Stanislaus County Sheriff’s Supervisors Association, Stanislaus Regional Emergency Dispatchers’ Association, Stanislaus County Sheriff’s Management Association; and, Stanislaus County Probation Correction Officers’ Association; authorized the extension of the agreement provisions to all unrepresented management and confidential employees; and, authorized the CEO, or designee, to execute all agreements related to implementation and maintenance of employee health insurance programs effective 01/01/2018 through 12/31/2020 – Risk Management
2017-552
- ***B14** Authorized an amendment to the agreement with United Way of Stanislaus County for Fiscal Agent and Administrator services, to add in-house communications and media support to the Scope of Work, within the existing contract amount of \$250,000 including facilitation, planning and outcomes development, for the one-year term of the contract, ending on 06/30/2018; and, authorized the CEO to sign Amendment #1, and any future amendments for services that do not exceed the County funding contribution determined by the Board – CEO
2017-553
- ***D1** Adopted a new resolution authorizing the Director of the Planning and Community Development to accept an increase in the State of California Housing and Community Development Department Emergency Solutions Grants Program funding – Planning
2017-554
- ***D2** Set a public hearing for 10/17/2017, at 6:40 p.m. to consider the Planning Commission’s recommendation of approval for Ordinance Amendment Application No. PLN2017-0055 – Small Livestock Farming, an update to the Stanislaus County Zoning Ordinance, covering the entire Stanislaus County unincorporated area; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning
2017-555

Monteith/Olsen unan. **9:05 a.m.** Closed the Public Review Period for the Stanislaus Urban County FY 2016-2017 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program and Emergency Solutions Grants (ESG) Program and conducted a public hearing; and, adopted the Stanislaus Urban County FY 2016-2017 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) Program and Emergency Solutions Grants (ESG) Program and authorized staff to submit the CAPER to the U.S. Department of Housing and Urban Development (HUD) – Planning
2017-556

B15 Supervisor Monteith made a **motion that failed for lack of a second**, to ban in the unincorporated area all Cannabis and/or marijuana dispensaries; ban all cultivation of marijuana (indoors and outdoors); and, ban all processing and production of products with any form of Cannabis and/or marijuana.
2017-557

Olsen/Withrow (4-1)(Monteith opposed) **B15** Approved the development of a conservative commercial Cannabis allowance strategy for retail cultivation, and other related Cannabis business activities in the unincorporated area of Stanislaus County; directed staff to return to the Board with a Regulatory Ordinance for Cannabis, a Zoning Ordinance Amendment, and fee schedule for Cannabis related permitting and enforcement activities; authorized staff to open a 15 business day initial application interest period from 10/02/2017 through 10/20/2017 at 3:00 p.m. with a non-refundable deposit of \$4,359 consistent with the established development agreement fee schedule; set a public hearing on 12/05/2017 at 9:05 a.m. to consider a regulatory ordinance, zoning ordinance amendment, and a fee schedule ordinance; and, **amended** the item to direct staff to bring an enforcement plan back to the Board by the end of October 2017 – CEO
2017-557

Corr 1 Referred to the Clerk-Recorder and Registrar of Voters, resolutions from the Knights Ferry Elementary School District, Oakdale Joint Unified School District, Roberts Ferry Elementary School District, and the Oakdale Irrigation District, requesting the change of their governing board member elections from odd-numbered to even-numbered years.

Corr 2 Referred to the Fish and Wildlife Committee, a letter from the California Fish and Game Commission regarding proposed regulations related to the use of dogs for the pursuit/take of mammals or for dog training.

Corr 3 Referred to the Department of Workforce Development, a Worker Adjustment and Retraining Notification letter from Silgan Containers Manufacturing regarding the temporary layoff of employees at their facility located at 3250 Patterson Road in Riverbank, CA beginning on 11/13/2017.

Corr 4 Referred to the Department of Public Works, a notice from the California Department of Transportation regarding the extension of the public review period for the Draft Environmental Impact Report/Statement for the North County Corridor New State Route 108 Project and Route Adoption.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Calvin Beasley; Michael Cisneroz; and, Debra Harper (three claims).

Adjourned at 11:30 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.)