

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

November 21, 2017

Convened at 5:31 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 5:33 p.m.

Conference with Legal Counsel - Existing Litigation: One case: Lanette Walbridge v. Stanislaus County, Stanislaus County Superior Court Case No. 2026351; Government Code Section 54956.9 (d)(1).

Conference with Legal Counsel - Significant Exposure to Litigation: One matter involving claims of violation of various employment law rights. Government Code Section 54956.9 (d)(2).

Supervisor DeMartini left at 6:05 p.m.

Supervisor DeMartini recused himself from the two Closed Session matters listed below.

Conference with Legal Counsel - Existing Litigation: Two cases: Frank Carson v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 2001620; City of Modesto, et al. v. Ronald Dias, Stanislaus County Superior Court Case No. 2013360. Government Code Section 54956.9 (d)(1).

Supervisor DeMartini returned at 6:30 p.m.

Reconvened at 6:34 p.m. for Regular Session

Invocation was given by Laura Brown, 2nd Counselor, Modesto Stake Relief Society Presidency from The Church of Jesus Christ of Latter-day Saints.

Jan Schmidt presented the Stanislaus County Law Library Annual Report.

Terry Walker Dampier and Astrid Zuniga made a presentation regarding November 2017 as Caregiver Month in Stanislaus County.

Cheri Cupps spoke regarding her son's problems with addiction, and requested that the Board look into implementing Casey's Law in Stanislaus County.

Tina Ochoa spoke regarding her daughters drug addiction, and spoke in support of implementing Casey's Law in Stanislaus County.

Olsen/DeMartini (4-0)(Withrow absent) Adopted the consent calendar

- *A1 Approved the minutes of 11/07/2017
- *A2 Accepted the resignation of Lee Shearer from the Knights Ferry Cemetery Board of Directors
2017-648
- *A3 Appointed Donnell Bak to the In-Home Supportive Services Advisory Committee
2017-649
- *A4 Adopted the amended Conflict of Interest Code for the Oak Valley Hospital District
2017-650
- *A5 Set a public hearing on 12/12/2017, at 9:15 a.m., to consider an Appeal of the Planning Commission's Denial of Variance Application No. PLN2017-0064 – Hickman Market
2017-651
- *B1 Approved the amendment to the agreement with Yosemite Community College District and the City of Modesto for the Joint Use and Management of the Regional Fire Training Center – Modesto Junior College through 06/30/2018; and, authorized the CEO to sign the amendment to the agreement for the Joint Use and Management of the Regional Fire Training Center – Modesto Junior College – OES
2017-652 C-6-L-8
- *B2 Approved the Stanislaus County Refugee Services Plan for Federal FY's 2018-2020 – CSA
2017-653
- *B3 Set a public hearing on 12/05/2017, at 9:10 a.m., pursuant to the TEFRA relating to the proposed issuance by the California Municipal Finance Authority of conduit revenue bonds for use by Turlock Christian Schools – CEO
2017-654
- *B4 Approved an agreement with Elevator Technology, Inc. for the modernization of two elevators at the 820 12th Street Parking Garage in the amount of \$215,082; and, authorized the Purchasing Agent to execute the contract with Elevator Technology, Inc., sign any necessary documents, and execute any subsequent amendments on behalf of the County – GSA
2017-655
- *B5 Approved the Stanislaus County California Children's Services and Child Health and Disability Prevention Plans for FY 2017-2018; and, authorized the Chairman to sign the Certification Statements for the California Children's Services and Child Health and Disability Prevention programs – HAS
2017-656
- *B6 Accepted the Annual Local Detention Facilities Health Inspection Report pursuant to Health and Safety Code Section 101045 – DER
2017-657
- *B7 Approved the Exclusive Use Agreement/Permit with All Day I Dream Events, Inc., and Deep Blue, LLC, to hold an All Day I Dream Music Festival, at Woodward Reservoir Regional Park from Thursday, 05/10/2018, through Sunday, 05/13/2018; approved the filing of a Notice of Exemption finding that the proposed event is exempt under the provisions of the CEQA pursuant to State guidelines section 15323; authorized the Director of Parks and Recreation, or designee, to direct All Day I Dream to adhere to the requirements set forth as outlined in the Temporary Exclusive Use Event Agreement/Permit, attached to the agenda item; and, authorized the Director of Parks and Recreation, or designee, to negotiate and approve future events with the All Day I Dream event promoters – Parks
2017-658
- *B8 Approved the tentative Health Insurance Agreement for the period 01/01/2018 through 12/31/2019 between Stanislaus County and Stanislaus County Sworn Deputies Association; and, authorized the Chairman and all parties to sign the agreement – CEO
2017-659

- *B9** Approved the conditional award of the construction contract for paved parking lots, asphalt repair, and resurfacing in the amount of \$365,442, to Hensley's Paving and General Engineering, Inc., of Waterford, California, subject to receipt of appropriate insurance and bonds; authorized the Director of DER, or designee, to execute the contract with Hensley's Paving and General Engineering, Inc., and to sign any necessary documents; authorized the Director of DER, or designee, to execute change orders, not to exceed 10%, in accordance with Public Contract Code, Section 20137 and 20142; and, upon project completion, authorized the Director of DER, or designee, to accept the completed improvements and perform all necessary closeout activities for the project – Parks
2017-660
- *B10** Approved the Plans and Specifications for the Community Services Facility Emergency Generator Replacement Project; and, authorized the Chief Operations Officer to issue a Notice Inviting Bids and set a bid due date for the project – CEO
2017-661
- *B11** Approved contract with Sytech Solutions, Incorporated in the amount of \$448,682 for document scanning and indexing services; authorized the County Purchasing Agent to execute the contract with Sytech Solutions and to sign any necessary documents; and, authorized the Auditor-Controller to increase appropriations by \$448,682 for FY 2017-2018 as detailed in the budget journal, attached to the agenda item – Public Defender
2017-662
- *B12** Adopted a resolution approving an application for authorization to access state and federal level summary criminal history information for employment, volunteers, and contractors, licensing or certification purposes – CEO
2017-663
- *B13** Authorized the CEO or his designee to negotiate and execute a one year agreement ending 11/30/2018 for certain hospital services with Doctors Medical Center – CEO
2017-664
- *C1** Approved the Consent by Stanislaus County to allow right-of-way acquisition within the unincorporated area of Stanislaus County by the City of Modesto, for the Claratina Avenue Widening Project; and, authorized the Director of Public Works to sign the Consent by Stanislaus County to allow right-of-way acquisition by the City of Modesto – PW
2017-665
- *D1** Set a public hearing for 12/12/2017, at 9:05 a.m., to consider the Planning Commission's recommendation for approval of Use Permit Application No. PLN2017-0059, Ag-Air, Inc., located at 5420 Dodds Road, on the south side of Dodds Road, west of 26 Mile Road, near the community of Valley Home and the City of Oakdale; and, authorized the Clerk of the Board to publish notice of public hearing as required by law – Planning
2017-666
- *D2** Set a public hearing for 12/12/2017, at 9:10 a.m., to consider the Planning Commission's Recommendation of Rezone Application No. PLN2017-0062, Masellis Enterprises, LLC, located 118 Albers Road, on the northeast corner of Albers Road and Yosemite Boulevard, east of the City of Modesto; and, authorized the Clerk of the Board to publish notice of public hearing as required by law – Planning
2017-667
- *D3** Set a public hearing for 12/19/2017, at 6:35 p.m., to consider the Planning Commission's Recommendation for Approval of Rezone Application No. PLN2017-0081, Mistlin Honda, located east of the existing Mistlin Honda dealership on McHenry Avenue, between Bangs Avenue and Claribel Road in the Modesto area; and, authorized the Clerk of the Board to publish notice of public hearing as required by law – Planning
2017-668
- *D4** Accepted the Annual Progress Report for the Stanislaus County Housing Element for the calendar year 2016 – Planning
2017-669

DeMartini/Olsen (4-0)(Withrow absent) **A6** Accepted the County Clerk/Recorder's Certified Statement of the Results of the Consolidated District Election held Tuesday, 11/07/2017, and declared the results of the Stanislaus County Library Tax Extension Measure S – Clerk/Recorder 2017-670

Olsen/Monteith (4-0)(Withrow absent) **B14** Accepted the Behavioral Health Board Annual Report for FY 2016-2017 – BHRS 2017-671

Corr 1 Referred to the Clerk-Recorder and Registrar of Voters, resolutions from the Salida Sanitary District and the Denair Community Services District, requesting the change of their governing board member elections from odd-numbered to even-numbered years.

Corr 2 Acknowledged receipt of the letter regarding the resignation of Martin Avila from the Westport Fire Protection District Board of Directors.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Carl Raymond Baker; Margaret Baker; Jaimes Rogezio; John R. Upland; Barbara Guzman and Perfecto Perez; Mary Ann Kitchens and Mark Smith; Teresa Lozano; and, Olga Seager.

Supervisor Monteith reported that he attended the 33rd Adult Corrections Officer Core Academy Graduation today, and noted that it was a wonderful event.

Chairman Chiesa announced that there will be a Board of Supervisors' Workshop on Monday, 12/04/2017 from 9:00 a.m. to 3:00 p.m. at the Carnegie Arts Center, Gemperle Gallery located at 250 N. Broadway Avenue, Turlock, CA.

Adjourned at 7:23 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.)