

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

Regular Session

Tuesday

December 5, 2017

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Reverend James Anderson with Christian Love Baptist Church.

Barbara Heckendorf spoke regarding the vacancy on the Stanislaus Consolidated Fire District Board of Directors.

Bryan Evitt spoke regarding police brutality and his personal experience.

Marci Powell spoke regarding the disconnect between departments and enforcement of regulations. She spoke regarding a gun shop located in Salida.

Matt Rogers, Central Valley District Director for Senator Kamala Harris, introduced himself and shared that the Senator Offices are available for the residents of Stanislaus County.

Withdraw/Olsen unan. Adopted the consent calendar after removing from the agenda item **C2** Approval to Consider and Adopt a Resolution of Necessity to Acquire Real Property, or Interest in Real Property, by Eminent Domain for the Claribel Road at Roselle Avenue Intersection Road Widening Project, Parcel Owners Jimmy Zheng and Sharon Zhu – PW

***A1** Approved the minutes of 11/21/2017

***A2a** Appointed Miles Shuper to the Knights Ferry Cemetery Board of Directors
2017-672

***A2b** Appointed Janet Ward to the In-Home Supportive Services Advisory Committee
2017-673

***B1** Set a Public Hearing on 12/19/2017 at 6:40 p.m. to introduce and waive the first reading of Ordinance C.S. 1207 to amend Section 4.34.010 of the Stanislaus County Code to extend an existing fee for Clerk-Recorder costs associated with implementation of the Social Security Number Truncation Program; and, authorized the Clerk of the Board to publish the notice of hearing as required by law – Clerk-Recorder 2017-674 ORD-56-B-4

***B2** Approved an advance of \$20,000 from the Community Development Fund to the Crows Landing Community Services District for necessary water well repairs to be repaid in equal installments over a five year period; authorized the CEO to execute a Project Funding Agreement with the Crows Landing Community Services District for the advance from the Community Development Fund; and, directed the Auditor-Controller to establish all necessary accounting protocols for the administration, tracking, disbursement, and reimbursement of funds – CEO
2017-675

- ***B3** Considered participation in the 2020 Census Local Update of Census Addresses Operation; authorized the Chairman to sign the 2020 Census Local Update of Census Addresses Operation registration form; designated the CEO, or his designee, as the Local Update Census Addresses Operation Liaison, who is responsible for protecting the confidential Census Bureau materials covered by Title 13, U.S. Code; authorized the designated Liaison to submit to the California Department of Finance to receive incentive funds for participating in the 2020 Census Local Update of Census Addresses Operation; and, authorized the CEO, or his designee, to perform all actions necessary to participate in the 2020 Census Local Update of Census Addresses Operation and verify the accuracy of the address list – CEO 2017-676
- ***B4** Approved the Revised Salary Compensation Policy to authorize the CEO or his/her designee to approve a starting salary above the mid-point of the salary band; and, approved the revised Salary Compensation Policy to update the justification criteria and remove benefit and salary history references per Assembly Bill No. 168 – CEO 2017-677
- ***B5a** Approved the request from the governing board of Denair Unified School District to consolidate future elections on the same day as the Statewide General Election conducted in even-numbered years – Clerk-Recorder 2017-678
- ***B5b** Approved the request from the governing board of Salida Sanitary District to consolidate future elections on the same day as the Statewide General Election conducted in even-numbered years – Clerk-Recorder 2017-679
- ***B5c** Approved the request from the governing board of Denair Community Services District to consolidate future elections on the same day as the Statewide General Election conducted in even-numbered years – Clerk-Recorder 2017-680
- ***B6** Approved the Stanislaus County Public Facilities Fees Annual Financial Report for FY ending 06/30/2017 – Auditor-Controller 2017-681 M-64-K-10
- ***C1** Approved the Professional Design Services Master Agreement with Interwest Consulting Group to provide on-call design and construction administration services for various Public Works Department projects through 12/05/2020 in an amount not to exceed \$2,250,000; authorized the Director of Public Works to sign the agreements and any extensions up to one year if deemed necessary and mutually beneficial, including any amendments to the agreement, not to exceed 10% of the original contract amount; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2017-682

Monteith/Olsen unan. **9:10 a.m.** Conducted the scheduled public hearing to receive public comment under the requirements of the TEFRA and the Internal Revenue Code of 1986, as amended, in connection with the proposed issuance of conduit revenue bonds by California Municipal Finance Authority (the “CMFA”), or the execution of a loan transaction with the CMFA, a JPA and public entity of the State of California; and, adopted the resolution, attached to the agenda item, to approve the issuance bonds or the execution of a loan transaction by the CMFA, in an aggregate principal amount not to exceed \$10 million, for the benefit of Turlock Christian Schools, a California non-profit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, or a subsidiary or affiliate thereof (the “Borrower”), for the purpose of financing and refinancing the acquisition, renovation, improvement and equipping of educational facilities of Borrower and certain other matters related thereto as further described in the Discussion section, of the agenda item – CEO 2017-683

Withdraw/Olsen unan. **9:05 a.m.** Conducted the public hearing; introduced and waived the first reading of Ordinance C.S.1206 repealing Chapter 9.92 and adding Chapter 6.78 to the Stanislaus County Code to regulate commercial cannabis activities; considered the Planning Commission's recommendation for approval of Zoning Ordinance Amendment Application No. PLN2017-0119 - Commercial Cannabis Activities, an update to the Stanislaus County Zoning Ordinance, covering the entire Stanislaus County unincorporated area; introduced and waived the first reading of C.S. 1203 to establish new fees related to the regulation of commercial cannabis activities; finds the proposed ordinances to be generally exempt from the CEQA pursuant to Section 26055(h) of the California Code of Regulations and ordered the filing of a Notice of Exemption with Stanislaus County Clerk-Recorder pursuant to CEQA Guidelines Section 15062; finds that Ordinance Amendment Application No. PLN2017-0119 - Commercial Cannabis Activities is consistent with the overall goals and policies of the Stanislaus County General Plan; introduced, waived the first reading, and adopted Ordinance C.S. 1205 amending the Zoning Ordinance (Title 21) of the Stanislaus County Code related to Commercial Cannabis Activities; approved a phased enforcement strategy to address cannabis activities in Stanislaus County unincorporated area; amended the position and salary allocation to add one Crime Analyst position and one Sergeant position to the Sheriff's Department; directed the Auditor-Controller to make the necessary budget adjustments in the amount of \$200,105 per the budget journal, attached to the agenda item; and, **amended** the item to direct staff to evaluate if artificial light cultivation, when conducted within an existing building, should be allowed in the A-2 (General Agriculture) zoning district, to return to the Board of Supervisors with an Zoning Ordinance Amendment if determined that any of the existing registrant's will be impacted by the limitation in the adopted Zoning Ordinance Amendment, and to review the list of registration applications for eligibility under the adopted Ordinances and to provide a report back to the Board of Supervisors
– CEO

2017-684 ORD-56-A-7, ORD-56-B-3
2017-685 ORD-56-B-2

Recessed at 11:36 a.m.

Reconvened at 11:46 a.m.

Monteith/DeMartini unan. **B7** Approved the agreement between the County of Stanislaus Sheriff's Department and California Forensic Medical Group (CFMG), Inc. for Competency Treatment Services; approved the agreement between the County of Stanislaus Sheriff's Department and the California Department of State Hospitals (DSH) for Jail Based Competency Treatment (JBCT) program; authorized the Sheriff or his designee to sign both agreements and any other forms as required; authorized the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$612,646 in the Adult Detention Expansion Legal Budget Unit, per the budget journal attached to the agenda item; amended the Salary and Position Allocation Resolution to restore two (2) unfunded Deputy Sheriff positions assigned to the Sheriff's Department and reclassify them to Deputy Sheriff-Custodial effective the first pay period following Board approval; and, adopted a resolution as required by the State in order to contract with the California Department of State Hospitals – Sheriff 2017-687

Corr 1 Referred to the Clerk-Recorder and Registrar of Voters, resolutions from the Patterson Irrigation District, the Central California Irrigation District, and the Burbank Paradise Fire Protection District, requesting the change of their governing board member elections from odd-numbered to even-numbered years.

Corr 2 Referred to the Department of Public Works, a letter from the California Department of Transportation regarding the notice of availability of an Environmental Document and Opportunity for Public Hearing for the State Route 99/Service Road/Mitchell Road Interchange Project.

Corr 3 Acknowledged receipt of a letter regarding the resignation of Greg Nunes from the El Solyo Water District Board of Directors.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Christina DeFilippo (two amended claims); Travelers Property Casualty Company of America a/s/o Central Valley Electric Inc.; Navjot Singh; Georgia DeFilippo (amended claim); Gerald Stewart; Daniel Lara; Jacob Mullins; Manuel Rodriguez (amended claim); Guadalupe Gallardo; and, Debra Harper.

Supervisor De Martini reported the Westside Healthcare Task Force has completed judging the recent Art Contest and the winners will be featured in a calendar.

Supervisor Chiesa reported that he attended the CSAC Annual Conference along with Supervisor Withrow, Chief Executive Officer Hayes, Public Works Director Matthew Machado, Clerk of the Board Elizabeth King, and, Public Information Officer Amy Vickery last week in Sacramento. He reported that Cannabis was the main topic of discussion.

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 11:57 a.m. for Conference with Legal Counsel - Existing Litigation: One Case: State of California, Regents of the University of California, et al. v. Cellco Partnership d/b/a Verizon Wireless, et al., Sacramento County Superior Court Case No. 34-2012-00127517. Government Code Section 54956.9(d)(1).

Adjourned at 12:31 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.)