

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

Regular Session

Tuesday

December 12, 2017

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor Carl Bryant with True Lights Community Church.

Charmaine Monte and Elizabeth Escalante from Stanislaus County Office of Education presented awards to the Red Ribbon Week 2017 Best Decorated School Contest winners. The Elementary Division winners were: 1st Place Fox Road Elementary School; 2nd Place Orchard Elementary School; and, 3rd Place Hurd Barrington Elementary School. The Middle School/Junior High Division winners were: 1st Place Waterford Junior High School; 2nd Place Creekside Middle School; and, 3rd Place Turlock Junior High School. The High School Division winners were: 1st Place Hughson High School; 2nd Place Denair High School; and, 3rd Place Roselawn High School.

Delores Munn spoke regarding the need for affordable housing for large families in Modesto.

Withrow/Olsen unan. Adopted the consent calendar

- *A1 Approved the minutes of 12/04/2017, Special Meeting.
- *A2 Approved the minutes of 12/05/2017, Regular Meeting.
- *B1 Accepted the Multi-Department Contracts and Agreement Report for the period 07/01/2016 through 06/30/2017 – GSA 2017-687
- *B2 Approved the 2017 revision of the Stanislaus County Purchasing Card Policy – GSA 2017-688
- *B3 Approved an agreement with Rank Investigation and Protection, Inc. for the provision of Private Investigation Services for runaway/missing children in Foster Care, as a result of a Request for Proposal process for such services; and, authorized the Community Services Agency Director, or her designee, to sign the agreement, and any amendments up to \$25,000 with Rank Investigation and Protection, Inc. to provide Private Investigation Services for runaway/missing children in Foster Care – CSA 2017-689
- *B4 Approved a contract with Mountain Valley Emergency Medical Services (MVEMS) Agency to administer local and emergency medical services for FY 2018-2019; and, authorized the Managing Director of the Health Services Agency or her designee to negotiate and execute the agreement with MVEMS – HAS 2017-690
- *B5 Approved the Mountain Valley Emergency Medical Services Agency request to use Stanislaus County Emergency Medical Services (EMS) System Enhancement Funds to purchase personal protective equipment EMS jackets for fire agencies in Stanislaus County – HAS 2017-691

- *B6** Approved the selection and award of a professional services agreement for architectural services to Brown Reynolds Watford Architects (BRW Architects) of San Francisco, California, as a result of a Request for Proposals process for the Alternate Emergency Operations Center Siting Analysis and Harvest Hall Improvements Project, and approval to initiate both the siting analysis for Alternative Emergency Operations Center(s) and the design of improvements to Harvest Hall at the Stanislaus County Agricultural Center; authorized the Project Manager to issue a Notice to Proceed to BRW Architects to initiate architectural services, contingent upon receipt of an executed agreement and certificate of insurance; authorized the Project Manager to use previously and approved allocated funds in the County Facility Budget for the Harvest Hall conceptual design services and the Alternate Emergency Operations Center Siting Analysis project, and related actions pursuant to the conceptual planning efforts, including project administration, in the amount of \$400,000; authorized the Project Manager to negotiate and sign contracts, work authorizations and purchase orders for professional services needed in this design phase of the project, as long as they are within the project budget; and, authorized the Project Manager to sign Change Orders up to \$25,000, consistent with the County’s Change Order Policy – CEO 2017-692
- *B7** Approved Staff Recommendations 1 and 2 as **amended**; approved the three-year Lynda Enterprise Agreement with LinkedIn Corporation for an overall total of \$148,500 from 02/01/2018, through 01/31/2021; and, **amended** Staff Recommendation No. 2 to read “authorize the Director of Human Resources to sign the three-year Lynda Enterprise Agreement with LinkedIn Corporation for an overall total of \$148,500 from 02/01/2018, through 01/31/2021” – CEO 2017-693
- *B8** Authorized the Director of Environmental Resources, or designee, to apply for, enter into and sign routine FY 2018-2019 agreements and contracts for various State and Regional programs and the two year Local Government Waste Tire Cleanup grant agreement and contract for FY’s 2018-2019 and 2019-2020; authorized the Director of Environmental Resources, or designee, to sign any amendments to the routine FY 2018-2019 grant agreements and contracts for various State and Regional programs and the two year Local Government Waste Tire Cleanup grant agreement and contract for FY’s 2018-2019 and 2019-2020; adopted a resolution to authorize the Director of Environmental Resources, or designee, to apply for a two year Waste Tire Enforcement Grant from the California Department of Resources Recycling and Recovery for FY 2018-2019 to promote the administration of a regional waste tire enforcement program; and, adopted a resolution to authorize the Director of Environmental Resources, or designee, to apply for the two year Local Government Waste Tire Cleanup Grant from California Department of Resources Recycling and Recovery for FY’s 2018-2019 to promote the administration of the County’s waste tire cleanup program – DER 2017-694
- *B9** Approved the multi-year agreements between the California Department of Health Care Services and Behavioral Health and Recovery Services for the provision of Drug Medi-Cal Treatment Program Substance Use Disorder services and Substance Use Disorder Prevention and Treatment Block Grant services for FY’s 2017-2018 through 2019-2020; authorized the Behavioral Health Director, or his designee, to sign the agreements and related documents required to execute the agreements with the California Department of Health Care Services for FY’s 2017-2018 through 2019-2020; and, authorized the Behavioral Health Director, or his designee, to negotiate and sign amendments to these agreements when necessary to modify services and adjust payment for services, budget permitting, throughout FY’s 2017-2018 through 2019-2020 – BHRS 2017-695

***B10** Approved an agreement between the County and Ascendant HealthCare to provide clinical data management services from 01/01/2018 through 12/31/2020; approved an agreement between the County and Ascendant Healthcare to provide for memorialization of health insurance management services from 01/01/2018 through 12/31/2020; approved an agreement between the County and Stanislaus County Partners in Health for access and management of the medical provider network from 01/01/2018 through 12/31/2020; and, authorized the Purchasing Agent to sign the approved agreements – Risk Management
2017-696

***C1** Approved Amendment No. 1 to the Integrated Regional Water Management (IRWM) Planning Memorandum of Understanding among Cities of Modesto, Turlock, Hughson, Ceres, Waterford, and Stanislaus County; approved and authorized the CEO to sign a Cost Sharing Agreement with the Cities of Ceres, Hughson, Turlock, and Waterford for preparation of an IRWM Plan; and, approved the appointment of the Public Works Stormwater Program Manager, as the primary representative, and the Department of Environmental Resources Water Resources Manager, as the alternate representative, to serve on the IRWM Partnership – PW
2017-697

Olsen/Wthrow unan. **9:05 a.m.** Conducted a public hearing to consider 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; adopted the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; finds that (a) the establishment of the airport is consistent with the general plan, consistent with any adopted county policies and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; (b) the use will not significantly compromise the long-term productive agriculture capability of the subject contracted parcel or parcels or on the other contracted lands in the A-2 zoning district; (c) the use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural product on the subject contracted parcel or parcels or neighboring lands, including activities such as harvesting, processing, or shipping; (d) the use will not result in the significant removal of adjacent contracted land from agricultural or open-space use; (e) the project will increase activities in and around the project area and increase demands for roads and services thereby requiring dedication and improvements; and, approved Use Permit Application No. PLN2017-0059 – Ag-Air, Inc., subject to the Amended Conditions of Approval (attached to the agenda item) – Planning
2017-698

Olsen/Monteith unan. **9:10 a.m.** Conducted a public hearing to consider Planning Commission's recommendation for approval of Rezone Application No. PLN2017-0062, Masellis Enterprises, LLC, located at 118 Albers Road, on the northeast corner of Albers Road and Yosemite Boulevard, east of the City of Modesto; adopted the Negative Declaration pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgement and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; finds that (a) the project is consistent with the overall goals and policies of the County General Plan; (b) the proposed Planned Development zoning is consistent with the Agriculture General Plan designation; (c) the alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards; (d) the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; approved Rezone Application No. PLN2017-0062 – Masellis Enterprises, LLC, subject to the Development Standards and Development Schedule, attached to the agenda item; and, introduced and waived the reading, and adopted Ordinance C.S. 1208 for the approved Rezone Application No. PLN2017-0062 – Masellis Enterprises, LLC – Planning

2017-699 & 2017-700
ORD-56-B-5

Olsen/Wthrow unan. **9:15 a.m.** Conducted a public hearing to consider an appeal of the Planning Commission's denial of Variance Application No. PLN2017-0064 – Hickman Market, located at 13135 Lake Road, east of Hickman Road, northwest of Montpelier Road, in the Hickman area; finds that there is no substantial evidence the project will have a significant effect on the environment and that the Exemption reflects Stanislaus County's independent judgment and analysis; finds the project is generally exempt from the CEQA pursuant to Section 15035 and ordered the filing of a Notice of Exemption; finds (a) that because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this title will deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications; (b) that the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner and will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated; (c) that the granting of the application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; approved the appeal of the Planning Commission's denial of Variance Application No. PLN2017-0064 – Hickman Market; **amended** Condition of Approval No. 10 to read as follows: "The construction of an 8-foot high masonry wall along the portion of the eastern property line adjoining the parcel under the same ownership as the project site shall be deferred until title to the project site or the adjoining parcel to the east (both owned by the applicants) is changed through sale or transfer."; and; approved the variance application subject to the Conditions of Approval as amended – Planning

2017-701

Corr 1 Referred to the Health Services Agency, a letter from Emanuel Medical Center giving notice of their intent to close cardiovascular surgery services on 12/31/2017.

Corr 2 Referred to the Department of Environmental Services , a notice from the California Water Boards regarding a public workshop on January 19, 2018 for the Proposed Amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and Tulare Lake Basin for a Central Valley-wide Salt and Nitrate Control Program.

Corr 3 Referred to the Clerk-Recorder and Registrar of Voters, a resolution from the Modesto Irrigation District requesting the change of their governing board member elections from odd numbered to even-numbered years.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Debra Harper; Daniel May; and, Leana Larios.

Supervisor Olsen announced that Samir Sheikh was selected by the San Joaquin Valley Air Pollution Control District Governing Board to replace the retiring Executive Director, Seyed Sadredin in June of 2018.

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 10:41 a.m. for 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).

Adjourned at 11:19 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.)