

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

Regular Session

Tuesday

November 6, 2018

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor Mark Hammond with the Celebration Center.

Public Defender Sonny Sandhu was recognized for his years of service to Stanislaus County and his appointment as a Supervisor Court Judge.

Lt. Mark Nuno recognized STARS volunteers Vern Blagg and Rodney Caetano as the 2018 California Law Enforcement Volunteer Team of the year.

An update was given by Sgt. Hatzigeorgiou regarding the Sherriff's Department Air Support Unit.

Dr. Bruce Valentine thanked the Board for supporting the CA Cares 3-day event held 10/26/2018-10/28/2018 at the Center Plaza in Modesto.

Karyn Clark noted that she works with transitional age children and spoke in support of the Service Employees International Union (SEIU) labor strike held on 11/05/2018.

Molly Rodriguez spoke in support of the SEIU labor strike held 11/05/2018 and presented the Board messages from employees.

Shari Johnson also spoke in support of the SEIU labor strike on 11/05/2018.

Kate Selover spoke regarding ratifying the SEIU contract.

CEO Hayes read a statement regarding the Board of Supervisors' support of those in our community most in need.

CEO Hayes made a correction to item 5.B.3 to note that it requires a 4/5 vote of the Board for approval.

Monteith/Chiesa unan. Adopted the consent calendar

5.A.1 Approved the minutes of 10/30/2018

5.A.2 Approved a commendation for Garton Tractor upon receiving the National Ag Science Center's 2018 Ag Hall of Fame Award 2018-0544

5.A.3 Proclaimed 11/15/2018, as America Recycles Day in Stanislaus County, a nationally recognized day to encourage Americans to recycle 2018-0545

5.A.4 Approved the Conflict of Interest Code for the Countywide Successor Agency Oversight Board of Stanislaus County BD-90 2018-0546

5.A.5 Accepted the resignation of Keimi Espinoza from the Earl Pride Scholarship Committee 2018-0547

5.A.6 Accepted the resignation of Jonathan Carlson from the Stanislaus County Law Library Board of Trustees 2018-0548

- 5.B.1** Authorized the Workforce Development Department to release an RFP for Sector Strategies, Employer Assessment, and Employer Assistance Program; and, amended the salary and position allocation resolution to add one Staff Services Coordinator, four Family Services Specialist III, and one Administrative Clerk II positions to the Workforce Development Department effective 12/08/2018 – Workforce Development 2018-0549
- 5.B.2** Accepted the Stanislaus County Treasury Pool’s September 2018 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 2018-0550
- 5.B.3** Authorized the Stanislaus County Fire Warden, or designee, to apply for, and accept if awarded, the FY 2018 Homeland Security Grant Program award from the California Governor’s Office of Emergency Services to enhance local emergency management and homeland security efforts; directed the Auditor-Controller to increase appropriations and estimated revenue in the Homeland Security Grant Fund by \$626,201 as reflected in the budget journal, attached to the agenda item; and, authorized the Chairman to sign the Governing Body Resolution authorizing OES to obtain Federal Funds – OES 2018-0551
- 5.B.4** Authorized the DA to accept a grant award from the California Governor’s Office of Emergency Services Violence Against Women Vertical Prosecution Program for FY 2018-2019; authorized the DA to sign the grant award agreement, including any extensions or amendments; authorized the Auditor-Controller to increase appropriations and estimated revenue in the DA’s Violence Against Women Legal Budget Unit in accordance with the Budget Journal, attached to the agenda item; and, amended the Salary and Position Allocation to add one new block-budgeted Attorney V position and transfer one existing Victim Advocate II position from the Department’s Criminal Division Legal Budget to the Violence Against Women Legal Budget effective the first pay period following Board approval – DA 2018-0552
- 5.B.5** Authorized the Stanislaus County Fire Warden, or designee, to apply for and accept the FY 2018 Emergency Management Performance Grant from the California Governor’s Office of Emergency Services – OES 2018-0553
- 5.B.6** Accepted the CEO’s First Quarter Financial Report for FY 2018-2019; authorized the CEO and the Auditor-Controller to make the necessary adjustments as recommended in the First Quarter Financial Report; authorized the use of \$475,250 in Appropriations for Contingencies as recommended in the First Quarter Financial Report; amended the Salary and Position Allocation Resolution to reflect the recommendations included as part of the First Quarter Financial Report, as outlined in the Staffing Impacts section of the agenda item and detailed in Attachment 2, of the agenda item, to be effective the start of the first full pay period beginning on or after 11/10/2018, unless otherwise noted; approved the revised operating hours for the Sheriff’s Office Operations Center lobby from 8:00 a.m. – 3:00 p.m. Monday through Friday to 8:00 a.m. – 5:00 p.m. Monday through Friday effective beginning 12/03/2018; and, approved contracts and/or agreements listed on Attachment 3, attached to the agenda item, in cumulative amounts of \$100,000 or greater since 07/01/2016 and authorized the GSA Director/Purchasing Agent or Department Head to sign – CEO 2018-0554
- 5.C.1** Approved the Improvement Agreement between the Community Sharing Christian Center, Inc. and Stanislaus County; and, authorized the Director of Public Works to sign the agreement - PW 2018-0555

- 5.C.2** Adopted the Mitigated 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, there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County’s independent judgment and analysis; and, directed the Department of Public Works to file a Notice of Determination with the Stanislaus County Clerk Recorder’s Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075 – PW 2018-0556
- 5.C.3** Awarded a Contract for Construction Management Services to Drake Haglan and Associates, Inc., of Modesto, California, for the Shiells Road over Central California Irrigation District Main Canal Bridge Replacement Project; authorized the Director of Public Works to execute a contract with Drake Haglan and Associates, Inc. in the amount of \$159,991 and to sign necessary documents, including any amendments to the agreement not to exceed 10%; and, authorized the Director or Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2018-0557
- 5.C.4** Approved the 2018 East Stanislaus Integrated Regional Water Management Plan (ESIRWMP) Update; approved a resolution to adopt the ESIRWMP Update; and, finds that the 2018 ESIRWMP Update is exempt from the CEQA under Public Resources Code Section 21065 and Section 15378 of the State CEQA Guidelines – PW 2018-0558

Chiesa/Olsen unan. **6.1** Conducted a public hearing to consider the Planning Commission’s recommendation for approval of General Plan Amendment and Vesting Tentative Subdivision Map Application No. PLN2017-0013, Gold Star Investments, LLC, located at 4827 Nunes Road, south of Norma Way and west of Washington Road, in the Community of Keyes; adopted the Mitigated 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 Mitigated 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 General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses, (b) the County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service, (c) the amendment is consistent with the General Plan goals and policies, (d) that the proposed maps are consistent with applicable general and community plans as specified in Section 65451, (e) the design or improvement of the proposed subdivision is consistent with applicable general, community and specific plans, (f) the site is physically suitable for the type of development, (g) the site is physically suitable for the proposed density of development, (h) the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, (i) the design of the subdivision or type of improvements are not likely to cause serious public health problems, (j) the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision, (k) that 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 General Plan Amendment and Vesting Tentative Subdivision Map Application PLN2017-0013 – Gold Star Investments, LLC, subject to the Conditions of Approval and Mitigation Measures included in Attachment 1, attached to the agenda item, inclusive of the amendment to Condition of Approval No. 22 as reflected in the agenda item – Planning 2018-0059

Olsen/Withrow unan. **6.2** Conducted a public hearing to consider the Planning Commission's recommendation for approval of General Plan Amendment and Rezone Application No. PLN2018-0087, Empire Migrant Center Housing Project, located at 5132 South Avenue, on the south side of South Abbie Street and South Avenue, east of Santa Fe Avenue, in the Community of Empire; finds the project to be categorically exempt from the CEQA and ordered the filing of the Notice of Exemption; finds, based on the discussion in the agenda item, and the whole of the record that: (a) the General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses, (b) the County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service, (c) the amendment is consistent with the General Plan goals and policies, (d) that the proposed alternative agricultural buffer provides equal or greater protection to surrounding agricultural uses; finds that the proposed Planned Development zoning is consistent with the Planned Development General Plan designation; approved General Plan Amendment and Rezone Application No. PLN2018-0087 – Empire Migrant Center Housing Project, subject to the Development Standards, attached to the agenda item; and, introduced, waived the reading, and adopted Ordinance C.S. 1220 for the approved Rezone Application No. PLN2018-0087 – Empire Migrant Center Housing Project – Planning
ORD-56-D-3 2018-0560
2018-0561

Olsen/Withrow unan. **7.1** Considered approval to negotiate and sign a lease for the use of the Empire Migrant Center-Winter Shelter Project between CSA and the Housing Authority of the County of Stanislaus subject to approval by the Board at the 11/06/2018 public hearing; considered approval to negotiate and sign an operating plan for the use of the Empire Migrant Center-Winter Shelter Project subject to approval by the Board at the 11/06/2018 public hearing; authorized the County Purchasing Agent, or his designee, and the Community Services Agency Director, or her designee, to sign the Empire Migrant Center-Winter Shelter Project lease with the Housing Authority subject to approval by the Board at the 11/06/2018 public hearing; and, authorized the CSA Director, or her designee, to negotiate and sign contracts including any contract amendments up to \$75,000 as identified in the operating plan for the use of the Empire Migrant Center-Winter Shelter Project subject to approval by the Board at the 11/06/2018 public hearing – CSA
2018-0562

Withrow/Chiesa unan. **7.2** Accepted the Behavioral Health Board Annual Report for FY 2017-2018 – BHRS
2018-0563

Corr 1 Referred to the Clerk-Recorder and Registrar of Voters, a resolution from the Salida Fire Protection District requesting the change of their governing board member elections from odd-numbered to even-numbered years.

Corr 2 Referred to DER, a notice of Petition for Long-Term Change Involving the Transfer of Water from the California Water Boards regarding transfers of water from Turlock Irrigation District to Stanislaus Regional Water Authority.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Kevin O'Grady, Catherine O'Grady, Shawn O'Grady, Ryan O'Grady; Cari L. Olson; Sherry Touitou; Romelia Vargas; and, Matt Detherage.

Supervisor Chiesa reported that the State Water Resources Board will be meeting tomorrow, which he will not be able to attend due to the Stanislaus Regional 911 meeting. Also, he reminded everyone to go out and vote today.

Supervisor DeMartini noted that the Westside Healthcare Taskforce will be judging art entries for the 2019 Calendar on Friday, 11/09/2018 at Gustine City Hall.

CEO Hayes noted that he will be serving on the Election Observer Panel for today's Election.

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 11:10 a.m. for Public Employee Appointment: Title: County Counsel. Government Code Section 54957(b). Conference with Labor Negotiator - Agency Negotiators: Jody Hayes, Tamara Thomas, Brandi Hopkins, Monica Coryea, and, Burke Dunphy. Labor Organization: Service Employees International Union, Local 521. Government Code Section 54957.6.

Adjourned at 12:15 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.)