

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

Regular Session

Tuesday

October 25, 2016

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor Jim Applegate from Redeemer Church.

Annette Patton, Animal Services Agency Executive Director, presented the Stanislaus Animal Services Agency's 2015-2016 Annual Report.

Debra Harper spoke regarding her recent suspension from the Modesto Branch Library.

Carmen Sabatino voiced his concerns regarding the money being spent on Measure L.

Rebecca Harrington thanked the Board for recognizing the 10/29/2016 American GI Forum event, and she invited everyone to attend this free event.

Withdraw/O'Brien unan. Adopted the consent calendar after removing from consent item ***B6** Approval to Accept a Grant Award in the Amount of \$66,000 from the California Department of Alcoholic Beverage Control (ABC) for the 2016-2017 Fiscal Year to Monitor ABC Licensed Establishments – Sheriff

***A1** Approved the minutes of 10/18/2016

***A2a** Appointed Harpreet Singh to the Economic Development Action Committee 2016-522

***A2b** Appointed Margarita Cabalbag and Ross Briles to the Workforce Development Board
2016-523

***A2c** Appointed Ken Cheeseman to the Housing Authority of the County of Stanislaus
2016-524

***A3** Approved changing the representation of Ron West from Supervisorial District Four to Supervisorial District Five on the Tuolumne River Regional Park Citizen's Advisory Committee
2016-525

***B1a** Approved modifying the audit period for the Oakdale Fire Protection District required financial audit report to a biennial audit period – Auditor-Controller
DF-8-C-5 2016-526

***B1b** Approved to modifying the audit period for the Salida Fire Protection District required financial audit report to a biennial audit period – Auditor-Controller
DF-10-B-8 2016-527

***B2** Approved the agreement with Beatrice St. Claire, M.D., to provide psychiatric mental health services for the period of 12/12/2016 through 06/30/2017; authorized the BHRS Director, or his designee, to sign the agreement with Beatrice St. Claire, M.D.; and, authorized the BHRS Director, or his designee, to negotiate and sign amendments to the agreement to add services and payment up to \$50,000, budget permitting, through the end of FY 2016-2017 – BHRS
2016-528

- ***B3** Approved the receipt of the grant award from the California Department of Insurance for the DA's Automobile Insurance Fraud Program in the amount of \$155,571; approved a resolution as required by the State to receive this grant; and, directed the Auditor-Controller to decrease estimated revenue by \$44,011 and appropriations by \$32,270 as detailed in the Budget Journal form – DA 2016-529
- ***B4** Accepted the sixteenth update on the Temporary Water Assistance Program in Stanislaus County; and, approved continuing the Countywide declaration of a local emergency due to a multi-year water shortage – OES 2016-530
- ***B5** Authorized the Sheriff to retire two canines from the Sheriff's Department service and enter into a Canine Retirement Contract with the canine's current handlers – Sheriff 2016-531
- ***B7** Authorized the Project Manager to process a Change Order with Hensel Phelps Construction Company for \$75,000, which is funded within the Public Safety Center Expansion AB 900 Phase II Project One approved budget to provide landscape improvements; and, directed the Auditor-Controller to transfer funds from the approved Construction Contingency Budget to the Construction Account in accordance with the recommendation and the Budget Journal – CEO 2016-532
- ***B8** Approved an agreement for Inspector of Record Services with Stewart and Stewart of Modesto, CA for the Community Services Facility HVAC Replacement Project and for On-Call Inspection Services for future Capital Projects; approved an agreement with the Structure Groups of Modesto, California to provide On-Call Construction Inspection Services; authorized the Project Manager to finalize and execute agreements with Stewart and Stewart and the Structure Groups; and, authorized the Project Manager to issue Notices to Proceed upon receipt of proper insurance from both contractors – CEO 2016-533
- ***B9** Approved a new lease agreement with Larry Brown dba Common Grounds Café and Catering, for the provision of cafeteria services at the Stanislaus County Health Services Agency; and, authorized the Chief Operations Officer to sign the Lease Agreement, future amendments and related documentation with Larry Brown dba Common Grounds Café – CEO 2016-534
- ***C1** Pursuant to California Street and Highway Code Section 73, accepted the relinquishment of portions of roads in Stanislaus County per Caltrans proposed Relinquishment No. 16735, which was included in Caltrans' State Route 219 Widening Phase II Project; and, waived the requirement for a 90-day notice from the State of the intention to relinquish proposed portions of road – Public Works 2016-535

Chiesa/DeMartini (4-0)(O'Brien abstained) ***B6** Accepted an award for \$66,000 from the Department of Alcoholic Beverage Control; authorized the Sheriff or his designee to sign all contracts associated with the Alcoholic Beverage Control Award; and, directed the Auditor-Controller to increase estimated revenue and appropriations by \$66,000 in the Sheriff-Operations budget as detailed in the Budget Journal form – Sheriff 2016-536

DeMartini/Chiesa unan. **9:00 a.m.** Conducted the public hearing continued from 10/18/2016 to consider the Planning Commission's recommendation for revocation of Use Permit No. PLN2013-0078, Central Valley Recycling, Inc., located at 522 and 524 South 9th Street, North of Hosmer Avenue, in the Ceres Area; and, revoked Use Permit No. PLN2013-0078, Central Valley Recycling, Inc. – Planning 2016-537

O'Brien/Withrow unan. **9:05 a.m.** Conducted the public hearing to receive the public comment and input on the proposed and amendment to Chapter 16.55 of the Stanislaus County Code; finds that the proposed changes and modification to the 2016 California Fire code standards contained in the proposed ordinance are necessary because of local climatic geographical, and/or topographical conditions, as detailed in the proposed ordinance, attached to the agenda item; adopted Ordinance C.S. 1174 amending Chapter 16.55 of the Stanislaus County Code, and adopted by reference the California Fire Code, 2016 Edition with certain changes, additions, and modifications thereto; finds that the proposed ordinance is exempt under the provision of the CEQA pursuant to the State Guidelines section 15061 (b)(3); directed the Stanislaus County Fire Prevention Bureau staff to file the adopted ordinance and the Board's findings with the California Building Standards Commission; and, ordered the Clerk of the Board to publish the ordinance in accordance with Government Code section 25124(b) – OES ORD-55-W-5 2016-538 & 2016-539

Chiesa/Withrow unan. **9:10 a.m.** Closed the 30-day public comment period and conducted a public hearing; approved the Substantial Amendment to the Stanislaus Urban County's FY 2015-2020 Regional Consolidated Plan and the FY 2016-2017 Annual Action Plan for the cancelation of the Empire Storm Drain Infrastructure Project and the reallocation of Community Development Block Grant funds to the Airport Neighborhood Sewer Project and authorized staff to submit to the U.S. Department of Housing and Urban Development (HUD); and, authorized the Planning and Community Development Department to incorporate any comments received prior to the close of the public comment period and during the public hearing in the final document and to make alterations to the document as directed by HUD, provided alterations are technical in nature and do not alter approved projects or funding allocations – Planning 2016-540

Recessed at 12:21 p.m.

Reconvened at 12:37 p.m.

DeMartini/Withrow unan. **9:15 a.m.** Conducted the public hearing to consider an appeal of the Treasurer-Tax Collector's Department denial of a Dance Hall Permit for El Paraiso Night Club; the Board granted the appeal and issued a 6 month Dance Hall Permit to the El Paraiso Nightclub effective upon approval by the Sheriff's Office of a Security Plan and operating conditions; a condition of approval shall be that the owner will within 30 days apply for and diligently pursue a Conditional Use Permit – Sheriff 2016-541

Withrow/Chiesa unan. **B10** Accepted FY 2013-2014 Purchasing Card Audit Reports prepared by the Auditor-Controller's Office – Auditor-Controller 2016-542

Corr 1 Referred to the Department of Planning and Community Development, a letter from the Ceres Unified School District regarding the adoption of Alternative School Facility Fees on new residential construction projects within their district.

Corr 2 Acknowledged receipt of the Stanislaus County Law Library's Annual Report for FY ending 06/30/2016.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Marland Sitt, Bradley Ball, William Watson, Philadelphia Insurance ASO Daniel Bote; and, Allstate Insurance ASO Stefanie Letsinger.

Supervisor DeMartini announced that the Annual Biggest Loser weigh out will be held tomorrow at 11:30 a.m. in the City of Gustine.

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 12:49 p.m. for Conference with Legal Counsel - Existing Litigation: One Case: Sandra Gutierrez v. Sweena Pannu, et al, Stanislaus County Superior Court Case No. 2008632. Government Code Section 54956.9 (d)(1); Conference with Legal Counsel – Anticipated Litigation: Two Cases. Government Code Section 54956.9 (d)(4).

Adjourned at 1:30 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.)