

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

October 17, 2017

Convened at 5:30 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 5:30 p.m. Conference with Legal Counsel - Existing Litigation: One case: California Public Records Research, Inc. v. County of Stanislaus. County of Stanislaus Superior Court Case No. 2006090. Government Code Section 54956.9 (d)(1).

Adjourned closed session at 6:17 p.m.

Reconvened at 6:32 p.m. for Regular Session

A moment of silence was held for former Stanislaus County Supervisor Nick W. Blom, and Department of Child Support Services Employee Darlene Avila.

Invocation was given by Cindy Marks with City Ministry Network.

Judge Linda McFadden gave a presentation regarding October 2017 as Domestic Violence Awareness Month and was presented with a proclamation from the Board.

Antonia Kinslow, HSA employee and SEIU Local 521 member, spoke in support of a wage increase.

Olsen /Withdraw unan. Adopted the consent calendar

***A1** Approved the minutes of 09/26/2017

***A2** Approved the 2018 Meeting Calendar for the Stanislaus County Board of Supervisors
2017-558

***A3a** Appointed Xavier Guluarte to the Stanislaus County Local Task Force on Solid Waste
Management
2017-559

***A3b** Appointed Jorje Garcia to the Stanislaus County Child Abuse Prevention Council
2017-560

***A3c** Appointed Jane M. Lopes to the Oakdale Rural Fire Protection District Board of Directors
2017-561

***A3d** Appointed Ignacio Cantu Jr. to the Children and Families Commission
2017-562

***B1** Approved the contract with the California Department of Aging for Supplemental Nutrition Assistance Program - Education (SNAP-Ed); and, adopted a resolution to authorize the Director of the Department of Aging and Veterans Services to sign the SNAP-Ed contract and any subsequent amendments, with the State of California Department of Aging for Federal FY 2017-2018 – Aging and Veterans Services
2017-563

- *B2 Authorized the General Services Agency Purchasing Division to issue a RFP on behalf of the Community Services Agency for the provision of supervised visitation and visitation center services for Child Welfare participants for the contract period of 07/01/2018 through 06/30/2021 – CSA 2017-564
- *B3 Authorized the District Attorney to accept a grant award from the California Department of Insurance for the District Attorney’s Office Automobile Insurance Fraud Program in the amount of \$167,500; approved a formal resolution as required by the California Department of Insurance in order to receive this grant; and, directed the Auditor-Controller to decrease estimated revenue and appropriations by \$34,365 as detailed in the Budget Journal, attached to the agenda item – DA 2017-565
- *B4 Approved Contract No. 17-10234 with the California Department of Public Health for the Childhood Lead Poisoning Prevention Program allocation for the period of 07/01/2017 through 06/30/2020; and, authorized the Health Services Agency Managing Director, or her designee, to sign the contract for the Childhood Lead Poisoning Prevention Program with the California Department of Public Health in the amount of \$791,194 and any amendments within the term of the contract period – HSA 2017-566
- *B5 Approved the Exclusive Use Agreement/Permit with Serenity Gathering, LLC, to hold a Serenity Gathering and Music Festival, in the back area of Woodward Reservoir Regional Park from Friday, 04/27/2018 through Sunday, 04/29/2018; 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 or Parks and Recreation, or designee, to direct Serenity Gathering, LLC, 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 Serenity Gathering, LLC event promoters – Parks and Recreation 2017-567
- *B6 Approved the Mental Health Cooperative Agreement with the Department of Rehabilitation for FY’s 2017-2018, 2018-2019, and 2019-2020 for the provision of vocational rehabilitation services for persons with severe and persistent mental illness; adopted a resolution to authorize the BHRS Director, or his designee, to sign Agreement No. 30493 and related documents required to execute the agreement with the Department of Rehabilitation for FY’s 2017-2018, 2018-2019 and 2019-2020; and, authorized the BHRS Director, or his designee, to negotiate and sign amendments to this agreement when necessary to modify services and adjust payment for services, budget permitting, throughout FY’s 2017-2018, 2018-2019, and 2019-2020 – BHRS 2017-568
- *B7 Approved the appointment of the top candidate to the position of Deputy Executive Officer with the Chief Executive Office at an annual salary of \$136,011.20, which is above the midpoint of the salary band – CEO 2017-569
- *B8 Approved the appointment above the midpoint of the salary band for the position of 10th Street Place Facility Manager in the Chief Executive Office – CEO 2017-570
- *B9 Approved the amended Stanislaus County Public Facilities Fee Administrative Guidelines; canceled the previously scheduled public hearing to consider the adoption of the revised County Public Facilities Impact Fees; and, approved to reinstate the Large Industrial Incentive Program effective upon BOS approval – CEO 2017-571
- *C1 Introduced and waived the first reading of Ordinance C.S. 1204 amending Stanislaus County Code Section 11.16.050 to repeal subsections 1 and 7, and amending Section 11.16.090 to add subsections O, P, & Q; and, finds that the this ordinance is not subject to the CEQA (Public Resources Code, Sections 2010 et. Seq.) – PW 2017-572

- *C2** Accepted the tenth and final update on the state of emergency repairs on Rodden Road at Lesnini Creek in accordance with Public Contract Code sections 20134 and 22050 to replace a failed box culvert; and, authorized the Public Works Director, or designee, to complete the remaining tasks, including but not limited to outstanding environmental mitigations which may be necessary to close the project with Caltrans and Federal Highway Administration – PW
2017-573
- *D1** Rescinded a portion of Williamson Act Contract No. 2003-4520, located west of Kaufman Road, south of Patterson Road, south of the City of Oakdale (APN: 063-029-039 and portions of APN: 063-029-008); finds that pursuant to Government Code Section 51257, determined that the following seven findings can be made based on the written evidence submitted by the applicant: (a) the new contract, or contracts, would enforceably restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County’s implementation of AB 1265; (b) there is no net decrease in the amount of the acreage restricted, in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; (c) at least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts; (d) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Government Code Section 51222; (e) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract, or contracts; (f) the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan; approved a new contract, or contracts, pursuant to Lot Line Adjustment Application No. PLN2015-0100, Lindy Farms; and, authorized the Director of Planning and Community Development to execute a new contract, or contracts – Planning
2017-574
- *D2** Rescinded a portion of Williamson Act Contract No. 1976-2390, located at 9713 Grayson Road, between Saylor and Sperry Roads (APN: 045-012-038); finds that pursuant to Government Code Section 51257, determined that the following seven findings can be made based on the written evidence submitted by the applicant: (a) the new contract, or contracts, would enforceably restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County’s implementation of AB 1265; (b) there is no net decrease in the amount of the acreage restricted, in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; (c) at least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts; (d) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Government Code Section 51222; (e) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract, or contracts; (f) the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan; approved a new contract pursuant to Lot Line

Adjustment Application No. PLN2017-0065, Piazza and Son; and, authorized the Director of Planning and Community Development to execute a new contract – Planning
2017-575

***D3** Finds that the condition and contingencies of the Tentative Certificate of Cancellation of a 3.56 acre portion of Williamson Act Contract No. 1971-0064, (original contract name: John C. DeBoer), located at 3780 Ladd Road, on the southeast corner of Ladd and Stoddard Roads, in the Salida Area, have been satisfied; and, directed the Clerk of the Board to execute and record the Certificate of Cancellation by 11/17/2017
– Planning 2017-576

6:35 p.m. The public hearing to consider the adoption of the Revised County Public Facilities Impact Fees was **canceled** by item *B-9 on today’s agenda.

Withrow/Monteith unan. **6:40 p.m.** Conducted a public hearing to consider the Planning Commission’s recommendation of approval of Ordinance Amendment Application No. PLN2017-0055 – Small Livestock Farming, an update to the Stanislaus County Zoning Ordinance, covering the entire Stanislaus County unincorporated area; finds the project is generally exempt for the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) and ordered the filing of a Notice of Exemption with the Stanislaus County Clerk-Recorder pursuant to CEQA Guidelines Section 15062; finds that there is no substantial evidence the project will have a significant effect on the environment and that the general exemption reflects Stanislaus County’s independent judgement and analysis; finds the project is consistent with the overall goals and policies of the Stanislaus County General Plan; approved Ordinance Amendment Application No. PLN2017-0055 – Small Livestock Farming as recommended by the Planning Commission with the exclusion of the amendment to Section 21.24.080(D) adding “pens, coops, cages, or similar housing used” and the exclusion of the language “except for commercial dairy, poultry, or hog operations” as added to Section 21.80.020; and, introduced, waived the reading, and adopted the ordinance amending Title 21 of the Stanislaus County Code relating to Small Livestock Farming
– Planning 2017-577 2017-578

Chiesa/Monteith unan. **B10** Authorized the Chief Operations Officer to initiate the Turlock Library Expansion Project and to issue a RFQ/RFP for design and planning services – CEO
2017-579

Olsen/DeMartini unan. **C3** Finds that the public interest and necessity require the Claribel Road at Roselle Avenue Intersection Road Widening Project; finds that the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; finds that the subject property, APN 075-025-011, described in the resolution attached to the agenda item, is necessary for the project; finds that the offer required by section 7267.2 of the Government Code has been made to the parcel owners, Joe L. Dutra, Jr. and Jill R. Dutra, of the property to be acquired; adopted a Resolution of Necessity, Attachment 1 of the agenda item; and, authorized County Counsel to initiate eminent domain proceedings to acquire the subject property – PW
2017-580

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 development within their district.

Corr 2 Referred to the Chief Executive Office and Environmental Resources, a copy of the 2017 Crows Landing Naval Base Easement, Annual Reserve Monitoring Report from the West Stanislaus Resource Conservation District.

Corr 3 Referred to the Clerk-Recorder and Registrar of Voters, resolutions from the Shiloh Elementary School District, Valley Home Joint School District, Sylvan Union School District, requesting the change of their governing board member elections from odd-numbered to even-numbered years.

Corr 4 Referred to the Department of Environmental Resources, two notices from the California Water Boards regarding the opportunity to comment regarding amendments to the water quality control plan for the Sacramento River and San Joaquin River Basins for the control of pyrethroid pesticide discharges and to add electrical conductivity water quality objectives San Joaquin River between the mouth of the Merced River and the Airport Way Bridge near Vernalis.

Corr 5 Designated Supervisor DeMartini as the Board member to serve on the Election Observer Panel for the Consolidated District Election on Tuesday, 11/07/2017.

Corr 6 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Rosa Anaya; Shawnta Lynell Eugenia James; Genevieve Ryanne Grayson; Gia Bella Grayson; Joe Dymke; Richard Olson; Christina DeFilippo; Georgia DeFilippo; Felicia Juarez; and, Ahmed Fara and Mufdhla Fara.

CEO Hayes reported that 859 bills have crossed Governor Brown's desk, in which 14% were vetoed and 741 were signed. He gave an update regarding Cannabis regulations at the state level, SB1 (Transportation Funding), SB2 (Building Homes and Jobs Act), SB3 (Veterans and Affordable Housing Bond Act of 2018), SB54 (Law Enforcement: Sharing Data), and SB649 (Wireless Telecommunications Facilities), AB758 (Tri-Valley-San Joaquin Valley Regional Rail Authority), and, AB1250 (Contracts for Personal Services).

Adjourned at 8:11 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.)

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STATE OF CALIFORNIA

October 17, 2017

There being no further business to come before this Board, the meeting adjourned at 8:11 p.m.

ATTEST: ELIZABETH A KING, Clerk
of the Board of Supervisors


Elizabeth A. King

COUNTERSIGNED BY:

Vito Chiesa, Chairman
of the Board of Supervisors


Vito Chiesa