

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

Regular Session

Tuesday

June 5, 2012

All Supervisors Present

Pledge of Allegiance to the Flag

Chiesa/Monteith unan. Adopted the consent calendar after removing from the agenda \***B-2** Approval to Authorize the Auditor-Controller to Advance Funds to Stanislaus Consolidated Fire Protection District for Operational Expenses Under Government Code Section 23010 in an Amount Not to Exceed \$6,938,018 – Auditor-Controller 2012-281

\***A1** Approved the minutes of 05/22/2012

\***A2** Adopted and waived the second reading of ordinance C.S. 1120 Amending Provisions of Stanislaus County Code Title 18, Chapter 12, Hunting in Recreation Areas, and Chapter 20, Enforcement and Violations - Parks and Recreation ORD-55-P-7 2012-262

\***A3** Amended the by-laws of the Tuolumne River Regional Citizen's Advisory Committee BD-55-16 2012-263

\***A4** Accepted the resignation of George Boodrookas from the Economic Development Action Committee 2012-264

\***A5** Appointed Rosemary Banuelos to the Housing Authority of Stanislaus County 2012-265

\***B1** Approved contracting with certified accounting firm of Brown Armstrong Certified Public Accountants to conduct the annual County audit for FY ending 06/30/2012; and, authorized the Purchasing Agent to negotiate and sign the final master agreement and any amendments and future projects relating thereto – Auditor-Controller 2012-266

\***B3** Approved the agreement with the California Department of Mental Health for State Hospital bed usage during FY 2011-2012; and, authorized the BHRS Director, or her designee, to sign the agreement and any subsequent amendments that do not impact the approved budget during FY 2011-2012 – BHRS 2012-267

\***B4** Declared the list of County vehicles and heavy equipment as surplus and authorized the sale; and, directed the Auditor-Controller to deposit proceeds from the sale to the Department of Public Works, account 5121-0042100-46000 – GSA 2012-268

\***B5** Authorized the BHRS Director to accept funding from the California Emergency Management Agency (Cal EMA) Grant #AF11 01 500 for Residential Substance Abuse Treatment (RSAT) Aftercare Treatment Services (ATS) Pilot Program for period of 04/0/2012 to 09/30/2013; and, directed the Auditor-Controller to increase appropriations and estimated revenue by \$14,815 in the Stanislaus Recovery Center budget to reflect the new revenue source per the budget journal form – BHRS 2012-269

\***B6** Accepted the Stanislaus County Treasury Pool's April 2012 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 2012-270

\***B7** Approved the conditional award of the contract in the amount of \$228,500 to the Boart Longyear Company of Glendale, Arizona, for the construction of the Geer Road Landfill Groundwater Plume Investigation Project subject to receipt of appropriate insurance and bonds; authorized the Director of DER, or her designee, to execute a contract with Boart

Longyear Company, for \$228,500, and to sign necessary documents; authorized the Director of DER, or her designee, to execute to execute change orders in accordance with Public Contract Code, Section 20137; and, upon Project completion, authorized the Director of DER, or her designee, to accept the completed improvements and perform all necessary closeout activities – DER 2012-271

- \*B8** Approved the extension to the current agreement between the County and Acclamation Insurance Management Services to provide Third Party Administrator Services in the Workers' Compensation Program on a month-to-month basis effective 07/01/2012; and, authorized the Purchasing Agent to negotiate and sign an amendment to the agreement with Acclamation Insurance Management Services in substantially the form with the agenda item – CEO 2012-272
- \*B9** Approved the contract between the Victim Compensation and Government Claims Board and the District Attorney's Office in the amount of \$63,853; authorized the DA to sign the contract and approve the grant award agreement including any extensions, or amendments; and, approved a formal resolution to be submitted to the Victim Compensation and Government Claims Board accepting the grant award – DA 2012-273
- \*B10** Approved the agreement with Edward W. Deuel and Richard C. Wemmer to Conduct Critical Incident Reviews of "Line of Duty Deaths" involving Sheriff employees Mary Donahou and Deputy Robert Paris; and, authorized the CEO and the Sheriff, or his designee, to sign the agreement – Sheriff 2012-274
- \*B11** Authorized the Director of the Alliance Worknet, or his designee, to receive and expend Program Year 2012-2013 WIA funds in accordance with the approved Stanislaus County Strategic Five-Year Local Plan; authorized the Director of the Alliance Worknet to sign all WIA-related sub-grant agreements, and any modifications or adjustments as required by the State of California; authorized the Director of the Alliance Worknet, or his designee, to receive and expend Program Year 2012-2013 contracted StanWORKS funds as authorized by the Director of the CSA; and, authorized the Director of the Alliance Worknet, or his designee, to enter into and sign agreements and contracts to expend Program Year 2012-2013 WIA funds and contracted StanWORKS Funds – Alliance Worknet 2012-275
- \*B12** Approved budget adjustments in BHRS Managed Care and Public Guardian budgets for FY 2011-2012; directed the Auditor-Controller to increase appropriations by \$300,000 in the Managed Care Services budget to reflect increased use of the Departmental Fund Balance per the budget journal form; and, directed the Auditor-Controller to increase appropriations by \$15,000 in the Public Guardian budget to reflect increased use of Departmental Fund Balance per the budget journal form – BHRS 2012-276
- \*B13** 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; adopted the Mitigation Monitoring Plan pursuant to CEQA Guidelines Section 15074(d); ordered the filing of a Notice of Determination with the County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; accepted the conditional award of \$80,000,000 from the State of California Corrections Standards Authority under the Assembly Bill (AB) 900 Phase II Jail Construction Financing Program for the design build construction of the Stanislaus County Public Safety Center Expansion/Jail Construction Project; authorized the Project Manager in collaboration with County Counsel, and outside legal counsel to negotiate the terms of Construction Agreement, the Project Delivery and Construction Agreement, and Site Access Agreements between Stanislaus County and the State Public Works Board, the Department of Corrections and Rehabilitation, and

Corrections Standards Authority of the State of California for the design-build construction of new jail beds; authorized the Auditor-Controller to make any required transfers of the County's cash match of \$9,500,000 to meet funding guidelines under the AB 900 Jail Financing Program; and, authorized the Project Manager to negotiate and sign contracts, work authorizations, and purchase orders for professional services needed in this phase of the project as long as they are within the project budget – CEO 2012-277

**\*C1** Approved the conditional award of the contract in the amount of \$3,519,211.85 to Knife River Construction of Stockton, California for the construction of the RSTP Road Resurfacing Program Phase D Project, Federal Project No. STPL-5938(198), subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with Knife River Construction, for \$3,519,211.85 and to sign necessary documents; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code, Section 20142, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities; and, authorized the Construction Manager to issue a Notice to Proceed contingent upon receipt of proper insurance and bonds – PW 2012-278

**\*C2** Approved to initiate proceedings to revert to acreage the Del Rio Lago Subdivision Final Map as shown in Book 43 of Maps, at page 85, Stanislaus County Records; directed the Director of Public Works to obtain the necessary information to initiate and conduct proceedings pursuant to County Code, Chapter 20.32; set a public hearing on 06/26/2012 at 9:10 a.m., to adopt a resolution approving the reversion to acreage of the Del Rio Lago Subdivision Final Map, with notice to be given pursuant to County Code section 20.12.110. Find that the project is categorically exempt pursuant to California Environmental Quality Act Guidelines Section (15305(c) (Class 5 Categorical Exemption) – PW 2012-279

Withdraw/De Martini unan. **9:05 am** Conducted the scheduled public hearing at 9:05 a.m. on 06/05/2012, to receive public comment and input on the proposed spending plan; accepted and adopted the Recommended Proposed Budget for Budget Year 2012-2013; authorized the CEO and the Auditor-Controller to make the necessary technical adjustments to implement the approved Recommended Proposed Budget; approved the modification of public operating hours in the Planning Department from 8:00 a.m. – 5 p.m. to 8:30 a.m. – 4:30 p.m.; approved contracts and/or agreements listed on Attachment B in cumulative amounts of \$100,000 or greater since 07/01/2010, and authorized the GSA Director/Purchasing Agent to sign; amended the Salary and Position Allocation Resolution to reflect the recommended changes for the 2012-2013 Recommended Proposed Budget, (as outlined in the Staffing Impacts section of the agenda item and detailed in Attachment A) to be effective with the start of the first pay period beginning after 07/01/2012; and, directed the CEO to prepare the Recommended Final Budget and set the Public Hearing for consideration of the Final Budget on 09/11/2012 at 9:05 a.m. and, if necessary, continue to 09/12/2012 and 09/13/2012, at 9:00 a.m. – CEO 2012-280

**Corr 1** Referred to the Department of Public Works, DER and Agricultural Commissioner and Sealer of Weights and Measures a letter from the California Water Boards regarding notice of petitions from the Department of Water Resources and the U.S. Bureau of Reclamation for temporary change to transfer water for use by the Central Valley Project.

**Corr 2** Referred to the Department of Public Works, DER and Agricultural Commissioner and Sealer of Weights and Measures, a letter from the California Water Boards regarding notice of petition from the U.S. Bureau of Reclamation for change to transfer water for modifications on the San Joaquin River..

**Corr 3** Referred to the Department of Public Works, DER and Agricultural Commissioner and Sealer of Weights and Measures, a letter from the California Natural Resources Agency regarding notice of petitions from the Department of Water Resources and the U.S. Bureau of Reclamation for temporary transfer of water to facilitate exchanges of State Water Project and Central Valley Project south of the Delta.

**Corr 4** Referred to the DER, a report from the California State Controller regarding the Stanislaus County Audit from 07/01/2006 through 06/30/2009, regarding reimbursements claims for costs of the State Water Resources Control Board's Local Oversight Program

**Corr 5** Referred to the Auditor-Controller, a letter from the Oakdale Fire Protection District requesting dry-period financing for anticipated revenue in fiscal year 2012-2013.

**Corr 6** Referred to the Agricultural Commissioner and Sealer of Weights and Measures, a letter from the California Emergency Management Agency denying the County's request for Disaster Assistance Act funding for damages sustained during March 2011 storm event.

**Corr 7** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Kevin Arman Mansourian; Ronald Shimon; Motor Parts Dist; Jaime Carranza, AKA Jaime Fernandez; Darren and Gail Schafer; and, Ron Sorensen.

The Chairman announced that there will be a Swearing in Ceremony for Chief Probation Officer Jill Silva on Friday, 06/08/2012 at 3:00 p.m. in the Basement Chambers at 1010 10<sup>th</sup> Street, Modesto, CA

Adjourned at 10:25 a.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus  
State of California

BY: CHRISTINE FERRARO TALLMAN, 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.)