

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

Regular Session

Tuesday

September 25, 2012

All Supervisors Present

Pledge of Allegiance to the Flag

Jessica Hill, Director of Development for the Habitat for Humanity of Stanislaus County, accepted the resolution proclaiming 10/01/2012 as World Habitat Day.

Phoebe Seaton spoke regarding Item *D2 on today's agenda concerning the Airport and Parklawn Sewer Improvement Projects.

Monteith/Withrow unan. Adopted the consent calendar after removing from consent item *B7 Approval of an Agreement with the California Department of Public Health for the USDA/Nutrition Education Obesity Prevention Grant from October 1, 2012 through September 30, 2016, and Related Budget and Staffing Adjustments; and, after removing from the agenda item *D2 Approval of a Negative Declaration Pursuant to the California Environmental Quality Act, Approval to Adopt Plans and Specifications for the Airport and Parklawn Neighborhood Sewer Improvement Projects, and Set the Bid Opening Date for the Parklawn Neighborhood Sewer Improvement Project

*A1 Approved the minutes of 09/18/2012

*A2a Appointed Shannyn McDonald, Miranda Stiers and Cam Quach to the Child Abuse Prevention Council of Stanislaus County 2012-480

*A2b Appointed Darryl Curry to the Emergency Medical Services Committee 2012-481

*A2c Appointed Marian Fritzemeier and Neepha Xaynouvong to the Stanislaus Child Development and Local Planning Council 2012-482

*A2d Appointed Douglas Estermann to the Keyes Fire Protection District Board of Directors 2012-483

*A3 Accepted the resignation of Christine Applegate from the Stanislaus County Children and Families Commission and the Earl Pride Scholarship Committee effective 11/02/2012 2012-484

*A4 Adopted the amendments to the Conflict of Interest Code for Denair Fire Protection District; Local Agency Formation Commission; Turlock Mosquito Abatement District; West Stanislaus Resource Conservation District; Denair Unified School District; and, Hughson Unified School District 2012-485

*A5 Adopted the amendments to the Stanislaus County Conflict of Interest Code 2012-486

*A6 Proclaimed the Week of 09/30/2012 through 10/06/2012 as Stanislaus County Diversity Awareness Week 2012-487

*B1 Approved the amendment to the C2AP-2068 and the C3AP-2066 contracts with the California Department of Education for administration of the Child Care and Development Block Grants; authorized the CSA Director, or her Assistant Director Designee, to sign the contract amendments and any other amendments to add services and payments up to \$100,000 per agreement; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$1,693,313 for FY 2012-2013 per the Budget Journal – CSA 2012-488

*B2 Approved the agreement with Holt of California for preventative and remedial maintenance of heavy equipment at the Fink Road Landfill, at a cost not to exceed \$600,000 for

09/18/2012 through 06-30-2016; authorized the Director of DER, or her designee, to sign Agreement No. A011212; and, authorized the Director of DER, or her designee, to sign amendments to the Agreement for an overall total not to exceed \$690,000, which includes contingency funding of up to \$90,000 which equates to a maximum of 15% of the total contract amount – DER 2012-489

- *B3** Accepted the Stanislaus County Treasury Pool’s August 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 2012-490
- *B4** Authorized the Director of Parks and Recreation to sign the FY 2012-2013 State grant project agreements and accepted grant funds from the California Department of Parks and Recreation in the amount of \$454,911 for ground operations of the Off-Highway Vehicle Areas for Frank Raines and La Grange Regional Parks; authorized the Director of Parks and Recreation to sign the FY 2012-2015 State grant project agreements and accepted grant funds from the California Department of Parks and Recreation in the amount of \$511,194 for development improvements associated with the Frank Raines Water System Improvement Project; authorized the Director of Parks and Recreation, or her designee, to approve and sign any amendments to the State grant project agreements; and, directed the Auditor-Controller to increase appropriations and estimated revenue per the Budget Journal – Parks and Recreation 2012-491
- *B5** Approved Barham, Inc’s substitution of the mechanical subcontractor for the construction of the Strategic Business Technology Center Server Room Improvement Project at 3705 Oakdale Road; and, approved Barham, Inc’s substitution of the insulation subcontractor for the construction of the Strategic Business Technology Center Server Room Improvement Project at 3705 Oakdale Road – CEO 2012-492
- *B6** Authorized BHRS to issue a RFP for outpatient and school based services that are currently provided by a contract in place in excess of five years – BHRS 2012-493
- *C1** Approved the agreement with NV5 to perform Construction Management Services for the State Route 99/State Route 219 (Kiernan Avenue) Interchange Project; authorized the Director of Public Works to execute the agreement with NV5 for \$4,371,275.91 and to sign necessary documents; and, authorized the Director of Public Works to extend the agreement if deemed necessary – PW 2012-494
- *D1** Rescinded a portion of Williamson Act Contract Nos. 2006-0013 and 1972-1119 (located on Montpelier Road, east of Hall Road and south of E. Keyes Road, in the Denair area); approved a new contract pursuant to Minor Lot Line Adjustment 2012-05 – Montpelier Farming Corporation/California Royale, LLC; authorized the Director of Planning and Community Development to execute a new contract; and, approved and established the following findings: (a) the new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 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 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 – Planning
2012-495

Withdraw/Chiesa ***B7** Approved contract No. 12-10184 with the California Department of Public Health for the USDA/Nutrition Education Obesity Prevention grant from 10/01/2012 through 09/30/ 2016; authorized the HSA Managing Director, or her designee, to sign and execute the contract and any amendments; directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$362,403 for the HSA per the Budget Journal form; and, amended the Salary and Position Allocation Resolution to reflect the recommended changes as outlined in the Staffing Impacts Section of the agenda item, to be effective the start of the first pay period after Board approval – HSA 2012-496

De Martini/Withdraw unan. **9:05 am** Conducted the public hearing to receive public comment and input on the Stanislaus County District Attorney and Stanislaus County Sheriff’s Department FY 2012-2013 expenditure plans for the State Supplemental Law Enforcement Services Fund (SLESF); and, approved the Stanislaus County DA and Stanislaus County Sheriff’s Departments FY 2012-2013 expenditure plans for the State Supplemental Law Enforcement Services Fund (SLESF) – Sheriff 2012-500

Monteith/Chiesa unan. **B8** Authorized the Director of the Department of Aging and Veterans Services (Area Aging on Aging) to sign the agreement and any subsequent amendments for Older Americans Act (OAA) Congregate Meals and Home-Delivered Meals Programs for 10/01/ 2012 through 06/30/2013; accepted the results of the Agreed-Upon Procedures (audit) conducted by Brown Armstrong, CPAs, of the Howard Training Center and Area Agency on Aging; approved issuing a RFP for OAA Title III C-1 Congregate Meals and Title III C-2 Home-Delivered Meals Programs for FY 2013-2014; authorized GSA Purchasing Agent to issue a notice inviting proposals on 01/07/2013 for OAA Title III C-1 Congregate Meals and Title III C-2 Home-Delivered Meals Programs for FY 2013-2014, beginning 07/01/2013; and, authorized to accept and open Proposals on 02/21/2013, immediately after 2:30 p.m., and return to the Board to recommend an award – Aging and Veterans Services 2012-497

De Martini/Chiesa unan. **B9** Approved Staff Recommendations Nos. 1-3 and 5-6 as follows: Approved the proposed policy direction for new five-year Ambulance Provider Agreement, to improve response time compliance, define service delivery support arrangements, and integrate emergency dispatch services, as outlined in Attachment A of the agenda item; authorized the Executive Director of Mountain Valley Emergency Medical Services Agency (MVEMSA) to negotiate on behalf of Stanislaus County, the details of the proposed terms of ambulance provider agreements, and if necessary to complete negotiations, to extend the existing agreements for a period of one hundred eighty days beyond the current term; reaffirm the existing exclusive and non-exclusive zones, and the response time expectations within the established categories of Urban, Suburban, Rural and Wilderness based upon the updated Map Grid referenced in Attachment A of the agenda item, as approved by the Stanislaus County EMSC; authorized the HSA Managing Director, or her designee, to negotiate and enter a contract, and if applicable amendments, for the engagement of an expert to advise on the planning and implementation of the integrated Call-taking and Dispatch plan; and, directed the Auditor-Controller to increase appropriations for the Health Services Agency per the budget journal, to support the engagement of the subject matter expert – HAS 2012-498

Recessed 10:57 a.m.

Reconvened 11:05 a.m.

Withdraw/Monteith unan. **B10** Approved the County's Recommended Proposed Capital Improvement Plan Project List for FY 2012-2013; directed staff to submit the Proposed Capital Improvement Plan Project List to the County Planning Commission for findings of General Plan Consistency; and, authorized staff to proceed with all steps necessary to prepare the Recommended Final Capital Improvement Plan for the Board's final consideration and adoption – CEO 2012-499

Corr 1 Referred to the Agricultural Commissioner/Sealer of Weights and Measures and the Department of Public Works, a letter from the Central Valley Regional Water Quality Control Board requesting comments on the proposed amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins for the control of discharges for the herbicide diuron.

Corr 2 Referred to the Department of Public Works and the Department of Planning and Community Development, a newsletter from the Pipeline Association for Public Awareness.

Corr 3 Referred to the Auditor-Controller, a copy of the East Side Mosquito Abatement District's budget for fiscal year 2012-2013.

Corr 4 Referred to the Alliance WorkNet and the Stanislaus Economic Development and Workforce Alliance, a letter from the Lawrence Livermore National Laboratory regarding the reduction in force of 126 employees at their site on 7000 East Avenue, Livermore, CA commencing on 11/15/2012.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Tammy Lynn Swickard; John A. Riess; Valdemar Garcia; and, David J. Jones.

CEO Nino reported that the State Legislature is out of session until the Special Session on health care begins in December. She noted that last week Congress was finishing up pre-election business and preparing to recess until 11/06/2012.

Adjourned at 11:22 a.m.

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

BY: Elizabeth King, 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.)