

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

Regular Session

Tuesday

March 26, 2013

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held for HSA employee Brenda Marple.

The Board recognized County Veterinarian Kwane Stewart for his service to the Stanislaus Animal Services Agency.

The Child Abuse Prevention Council gave a presentation regarding The Lisa Project.

Mary Burch spoke in support of a wage increase for In-Home Supportive Services (IHSS) Providers.

Mike Loza spoke regarding the Modesto Bee article concerning the highest paid County employees. He also spoke in support of a wage increase for IHSS Providers.

Withrow/Monteith unan. Adopted the consent calendar after removing from consent items **\*B5a** Approval to Set a Public Hearing on April 23, 2013, at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Establish New and Amend Existing Fees for the Department of Parks and Recreation; and, **\*B5b** Approval to Set a Public Hearing on April 23, 2013, at 9:05 a.m. to Introduce and Waive the First Reading of an Ordinance to Amend the Current Building Permit Fees Relating to Solar Energy and Other Renewable/Alternative Energy Systems – Planning and Community Development

**\*A1** Approved the minutes of 03/19/2013

**\*A2a** Proclaimed April 2013 as Child Abuse Prevention Month and April 26, 2013 as Children's Memorial Day 2013-118

**\*A2b** Proclaimed April 14-20, 2013 as National Library Week 2013-119

**\*B1** Approved and authorized the Agricultural Commissioner to sign the FY 2012-2013 amended County Egg Inspection contract with the California Department of Food and Agriculture – Ag Commissioner 2013-120

**\*B2** Authorized the Agricultural Commissioner, or his designee, to enter into and sign routine agreements and contracts with various federal and state agencies for FY 2013-2014 – Ag Commissioner 2013-121

**\*B3** Approved an agreement with the City of Newman for a reduction in the Fink Road Landfill's tipping fee during periods of diversion from the Waste-to-Energy Facility; and, authorized the Chairman to sign the agreement with the City of Newman – DER C-03-A-1 2013-122

**\*B4** Authorized the access and use of property near the Tuolumne River at the Geer Road Landfill to the United States Department of the Interior, U.S. Fish and Wildlife Service – DER 2013-123

**\*B6** Accepted the Stanislaus County Treasury Pools Annual Audit for year ending 06/30/2012 prepared by Brown Armstrong, CPA and reviewed for conformity with state law by the Stanislaus County Oversight Committee; accepted the Annual Certificates of Compliance from the Treasury Oversight Committee members for year-end 12/31/2012; and, accepted the Stanislaus County Treasury Pool Investment Policy, to be effective 04/01/2013, and

- delegate the Stanislaus County Treasurer the authority to invest funds as indicated in the Investment Policy as well as the authority to invest any other funds under the County control – T/TC 2013-124
- \*B7** Accepted the Stanislaus County Tobacco Endowment Investment Fund Audit for year-ending 06/30/2012 prepared by Brown Armstrong, CPA and reviewed for conformity with State Law by the Stanislaus County Oversight Committee – T/TC 2013-125
- \*B8** Accepted the Stanislaus County Treasury Pool’s February 2013 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 has been 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 2013-126
- \*B9** Adopt the County's recommended Final Capital Improvement Plan (CIP) for FY 2012-2013 now that the Stanislaus County Planning Commission has found it in conformance with the County's General Plan – CEO 2013-127
- \*B10** Authorized the Project Manager to award a Professional Services Agreement for professional architectural bridging design services to Aetypic, Inc. of San Francisco, CA for bridging documents for the design-build construction of the replacement of the roof and heating, ventilation and air conditioning (HVAC) system at the Juvenile Justice Center located at 2215 Blue Gum Avenue, Modesto, CA for the lump sum amount of \$180,000; authorized the Project Manager, at the County’s sole discretion, to amend the Professional Services Agreement with Aetypic, Inc. to use the design-bid-build delivery system methodology, for the lump sum amount of \$250,000 if beneficial to the project delivery; authorized the Project Manager to issue a Notice to Proceed to Aetypic, Inc., contingent upon receipt of executed contracts and proper certificates of insurance; directed the Auditor-Controller to transfer appropriations in the amount of \$4,100,000 from the CEO County Facilities budget to the Juvenile Justice Center Roofing and HVAC Project budget established by the Board on 11/13/2012; and, authorized the Project Manager to negotiate and sign contracts, work authorizations and purchase orders necessary for the Project as long as they are within the Project Budget – CEO 2013-128
- \*B11** Accept the status report of the emergency repair to the elevator located on the HSA campus at 830 Scenic Drive, Modesto in accordance with Public Contract Code Section 22050 – GSA 2013-129
- \*C1** Acting as a responsible agency for the proposed project, adopt the Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15074(B), by finding 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; and, directed the Department of Public Works to file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code – PW 2013-130
- \*C2** Approved the MOU between Reclamation District 2092 and Stanislaus County regarding Mid-San Joaquin River Regional Flood Management Plan (RFMP); authorized the Director of Public Works to sign the MOU on behalf of Stanislaus County; and, approved the use of up to \$5,000 of Community Development Funds shared equally between affected Supervisorial Districts 2, 3 and 5 for preliminary grant application efforts – PW DR-06-4 2013-131

Monteith/O'Brien unan. \***B5a** Set a public hearing on 04/23/2013, at 9:05 a.m., to introduce and waive the first reading of an ordinance to establish new and amend existing fees for the Department of Parks and Recreation  
ORD-55-Q-8 2013-132

Monteith/O'Brien unan. \***B5b** Set a public hearing on 04/23/2013, at 9:05 a.m., to introduce and waive the first reading of an ordinance to amend the current building permit fees relating to solar energy and other renewable/alternative energy systems – Planning  
ORD-55-Q-9 2013-133

De Martini/O'Brien unan. **B12** Approved the final bridging design for design-build construction of the Coroner Public Administration Facility, Video Visitation, and Medical Records Project at 700 17<sup>th</sup> Street, Modesto as presented by Pacific Design Associates, Inc. and as recommended by the Project Team; approved the issuance of a RFP for Design-Build Construction of the Project; approved the issuance of the Design-Build Construction RFP for the construction, pricing, and alternate pricing of the Coroner Public Administration Facility, Video Visitation, and Medical Records Project to the seven recommended pre-qualified Design-Build General Contractor Team: F&H Construction of Lodi, CA, Soltek Pacific Construction of San Diego, CA, Iolman Construction Services of Turlock, CA, Roebbelen Construction of El Dorado Hills, Ascent Builders Inc. of Sacramento, CA, Diede Construction Inc. of Woodbridge, CA and Acme Construction Company, Inc. of Modesto, CA; authorized the Project Manager to issue a RFP for Labor Compliance Program and return to the Board to award the recommended contract for services concurrent with the future award of construction contract; 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 approved project budget – CEO 2013-134

**Corr 1** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: National Commercial Services, Inc.; Shahrokh Sorori; and, Juan Manuel Lopez.

Chairman Chiesa reported that the State Water Resources Control Board's hearing was well attended last week. This hearing pertained to their proposal to require the Merced, Tuolumne, and Stanislaus rivers to dedicate 35 percent of unimpaired flow to fish and wildlife from February to June each year. He noted that this proposal could have a profound negative impact on Stanislaus County and the importance of staying engaged with this issue.

Supervisor De Martini noted that at last night's meeting the City of Ceres took the same position as Stanislaus County, and adopted a resolution protesting the State Water Resources Control Board's proposal.

CEO Nino reported that the Chairman sent a letter supporting SB 191 (Padilla) which would indefinitely extend the authorization for counties to collect Maddy funds for emergency pediatric trauma services. The Chairman also sent a letter in support of AB 195 (Hall) which would extend the sunset provision on the design-build process to July 2020. She noted that both of these bills are included in the County's Legislative Platform. State Legislators left for Spring break last week and will not return until 04/01/2013. At the federal level, both the House and the Senate passed a Continuing Resolution through 09/30/2013 for the federal budget. The Senate Environment and Public Works Committee marked up and approved the Water Resources Development Act of 2013 (SB 601) which reauthorizes the ongoing water infrastructure programs run by the Army Corp of Engineers. Staff will watch this legislation to see how it applies to the Orestimba Creek Flood Control Project.

The Chairman announced that there will be a State Route 219 Kiernan Avenue Widening Project Groundbreaking Ceremony today 03/26/2013 at 11:00 a.m. on Morrow Road, Modesto, CA.

Adjourned at 10:01 a.m.

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

BY: ELIZABETH A. 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.)