

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

Regular Session

Tuesday

August 13, 2013

All Supervisors Present

Pledge of Allegiance to the Flag

A commendation was presented to Monica Nino, Chief Executive Officer, for her service to Stanislaus County.

Strategic Business Technology (SBT) Staff were recognized for the successful move of the SBT Data Center.

Astrid Zuniga, In-Home Supportive Services (IHSS) Provider, spoke regarding the importance of the IHSS program which allows individuals to continue to live in their home. She spoke in support of a wage increase for IHSS Providers.

Anita Rodriguez, IHSS Provider, noted that she cares for her son and a woman who has multiple sclerosis. She spoke regarding the personal care and housekeeping that she provides, and stated that she needs a raise.

Allen Bruce, IHSS Provider, spoke regarding the services he provides for his client. He noted the increased cost of living and asked the Board to consider a raise for IHSS Providers.

Withdraw/O'Brien unan. Adopted the consent calendar

**\*A1** Approved the minutes of 08/06/2013

**\*A2a** Appointed David K. Bryson to the Denair Fire Protection District Board of Directors  
2013-401

**\*A2b** Appointed Susan Harper to the East Stanislaus Resource Conservation District Board of Directors  
2013-402

**\*A2c** Appointed Steve Green to the Stanislaus Consolidated Fire Protection District Board of Directors  
2013-403

**\*A2d** Appointed Leng Power to the Stanislaus County Equal Rights Commission  
2013-404

**\*B1** Awarded an agreement to Telecare Corporation, the successful respondent to RFP No. 13-06-SS, to operate a Psychiatric Health Facility (PHF) at 1904 Richland Ave., Ceres, CA; and, authorized the Director of BHRS, or her designee, to sign the agreement with Telecare Corporation to operate a PHF at 1904 Richland Ave., Ceres, CA – BHRS  
2013-405

**\*B2** Authorized CSA to be open to the public on Saturdays for scheduled Welfare to Work appointments at the Community Services Facility beginning September 2013 through December 2014 – CSA  
2013-406

**\*B3** Approved the plans and specifications for the Juvenile Justice Center Roofing and Heating, Ventilation and Air Conditioning Replacement Project located at 2215 Blue Gum, Ave., Modesto as prepared by Aetypic, Incorporated; approved the list of fourteen pre-qualified general contractors recommended by County Staff as the result of the Request for Statement of Qualifications process approved by the Board of Supervisors on 05/21/2013: Acme Construction Company, Inc. of Modesto, CA; Best Contracting Services, Inc. of Union City, CA; Champion Industrial Contractors, Inc. of Modesto, CA; Diede Construction Inc. of Woodbridge, CA; DDK Mechanical, Inc. of Sacramento, CA; Design

Build Solutions, Inc. of Cleveland, Ohio; F&H Construction of Lodi, CA; EMCOR Services, Mesa Energy Systems of Rancho Cordova, CA; Iomlan Construction Services, Inc. of Oakdale, CA; JL Bray and Son, Inc. of Salida, CA; Roebbelen Contracting, Inc. of El Dorado, Hills, CA; Roofing Constructors, Inc. DBA Western Roofing Service of San Leandro, CA; Southwest Construction & Property Management of San Bruno, CA; and, Zovich & Sons, Inc. of Hayward, CA; approved the list of eight pre-qualified roofing subcontractors and fourteen pre-qualified mechanical subcontractors recommended by County Staff as the result of the Request for Statement of Qualifications process approved by the Board of Supervisors on 05/21/2013; authorized the Project Manager to issue a notice inviting bids for the construction of the project; set a bid due date of 09/25/2013 at 2:00 p.m., and authorized the Project Manager to modify the bid date if necessary for the successful delivery of the project and to return to the Board of Supervisors to recommend the award of a general construction contract; and, authorized the Project Manager to negotiate and sign contracts, work authorizations, and purchase orders for professional services needed in the bid and award phase of the project as long as they are within the project budget approved by the Board of Supervisors – CEO 2013-407

**\*B4** Appointed Dale Skiles as the Stanislaus County Fire Warden and the Assistant Director of OES effective 08/13/2013; appointed Dale Skiles as the CEO's representative to the Emergency Medical Services Committee to fill the unexpired term of Chief Gary Hinshaw which ends on 12/31/2014; and, authorized the CEO to appoint Dale Skiles at the top of the Salary Band for Fire Warden/Assistant Director of OES upon his transfer of employment from Modesto Regional Fire Authority to Stanislaus County – CEO 2013-408

**\*B5** Approved the plans and specifications for the Psychiatric Health Facility at 1904 Richland Avenue, Ceres, CA as prepared by Pacific Design Associates; approved the list of thirteen pre-qualified general contractors recommended by County Staff as the result of the Request for Statement of Qualifications process approved by the Board of Supervisors on 04/16/2013: Acme Construction Company, Inc. of Modesto, CA; BMY Construction Group, Inc. of Fresno, CA; Cal Electro, Inc. of Redding, CA; CMC-Construction Management Corp. of Modesto, CA; Danco Builders Northwest of Arcata, CA; Diede Construction of Woodbridge, CA; F & H Construction of Lodi, CA; Iomlan Construction Services, Inc. of Oakdale, CA; J.I. Garcia Construction, Inc. of Fresno, CA; Pacific-Mountain Contractors of CA, Inc. of Concord, CA; Roebbelen Contracting, Inc. of El Dorado Hills, CA; Similie Construction Service, Inc. of Modesto, CA; and, Zovich & Sons, Inc. of Hayward, CA; authorized the Project Manager to issue a notice inviting bids for the construction of the project; set a due date of September 18, 2013 at 2:00 p.m., and authorized the Project Manager to modify the bid date if necessary; authorized the Project Manager to accept and open bids on 09/18/2013, immediately after 2:00 p.m. and return to the Board of Supervisors to recommend an award of the general construction contract to the lowest responsive responsible bidder; authorized staff to take all necessary actions to surplus and donate outdoor play equipment no longer needed and located within the secure project boundary of Psychiatric Health Facility at 1904 Richland Avenue, Ceres to Valley Recovery Resources, a nonprofit organization, located in Modesto, CA; authorized the Project Manager to undertake the immediate purchase of furnishings, fixtures and equipment for the Project in the not to exceed amount of \$150,000, as provided within the Project Budget previously approved by the Board of Supervisors on 04/16/2013; directed the Auditor-Controller to increase revenue and appropriations in the amount of \$265,000 for the full replacement of the heating, ventilation and air conditioning system and a bid alternate to perform a full roof replacement, from carryover funds previously allocated by the Board of Supervisors for the Behavioral Health and Recovery Services final budget for

Fiscal Year 2012-2013; and, authorized the Project Manager to negotiate and sign contracts, work authorizations, and purchase orders for professional services needed in the bid and award phase of the project as long as they are within the project budget approved by the Board of Supervisors – CEO 2013-409

- \*C1** Finds that the territory more particularly described in Exhibit “A” (Legal description and map) is owned by the proponents and that their ownership represents 100% of the total assessed valuation of said territory; finds that the area included in the Legal Description of Fresh Point Foods is located in the unincorporated territory of Stanislaus County and that it is not within the boundary of any other Lighting District; finds that Stanislaus County Code, section 20.56.210 (Street Lights), requires the installation of street lights to county standards in areas designated as residential, commercial and industrial on the land use element of the General Plan; finds that the subdivider/developer was required to install street lights per Condition of Approval No. (n) for the Staff Approval 2010-37 for Fresh Point Foods; finds that pursuant to Streets and Highways Code section 19056, territory owned by a subdivider/developer that comes under the terms of a county ordinance requiring the installation of a street lighting system (i.e. Stanislaus County Code, section 20.56.210 Streetlights) shall be exempt from Streets and Highway Code requirements for petition, notice, hearing, and election requirements; finds that the annexation will not produce a change in assessment methodology for the Golden State Lighting District and that parcels in the new territory shall be subject to that pre-existing methodology; finds that the assessment formula for the Golden State Lighting District is sufficient to adequately assess the annexed parcels for the cost of services received; approved the annexation of Fresh Point Foods into the Golden State Lighting District; declares that all services being provided by the Golden State Lighting District will be extended fully to the territory included in Fresh Point Foods annexation and that said services shall commence within the 2013-2014 Fiscal Year; ordered that Assessor Parcel Number (APN) 045-052-034 shall be added to the Fiscal Year 2014-2015 annual assessments; directed the Department of Public Works to forward a certified copy of the resolution ordering the annexation, and all other required documents, along with the processing fee to the State Board of Equalization; directed the Clerk of the Board to send a certified copy of the resolution ordering the annexation to the following offices: the Department of Public Works, Assessor, Elections, Auditor-Controller, and the Clerk Recorder – PW DL-33-9 2013-410
- \*C2** Approved the conditional award of the contract in the amount of \$1,074,449 to Chester Bross Construction, of Valley Springs, CA for the construction of the Hatch Road at Carpenter Road Intersection project, subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with Chester Bross Construction for \$1,074,449 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 2013-411
- \*C3** Awarded a contract for Project Approval and Environmental Documentation (PA&ED) bridge engineering services to HDR Engineering, Inc. of Folsom, CA in the amount of \$493,275 for the Tim Bell Road over Dry Creek bridge replacement project; and, authorized the Director of Public Works to execute a contract with HDR Engineering, Inc. in the amount of \$493,275 and sign necessary documents, including any amendments to the agreement not to exceed 10% – PW 2013-412
- \*C4** Approved the purchase agreement for the acquisition of a portion of the parcel identified as: Assessor's Parcel Number (APN): 074-015-006 (portion); authorize the Chairman of the

Board to execute the purchase agreement; and, authorized the Director of Public Works to sign and cause to record the Grant Deed on behalf of Stanislaus County as authorized by Board Resolution No. 2011-141 executed on 03/08/2011 – PW 2013-413

- \*C5 Approved the findings of the Initial Study and adopt a Mitigated Negative Declaration for the Crows Landing Road Bridge Project 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; approved the build alternative of the Crows Landing Road Bridge as indicated on the 30% Plans as prepared by Nolte Vertical 5; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21125 and CEQA Guidelines Section 15075 – PW 2013-414

**Corr 1** Referred to the Department of Public Works and the Department of Environmental Resources, a Notice of Public Hearing from the San Joaquin Valley Unified Air Pollution Control District regarding a hearing on the adoption of the proposed 2013 Plan for the Revoked 1-hour Ozone Standard.

**Corr 2** Referred to the Agricultural Commissioner and Sealer of Weights and Measures, Alliance WorkNet, and the Stanislaus Economic Development and Workforce Alliance, two letters from the Governor's Office of Emergency Services regarding the U.S. Department of Agriculture and the U.S. Business Administration declaration of disasters for Stanislaus County, as a contiguous county, due to drought conditions.

Supervisor De Martini reported that the West Side Health Care Task Force will have their 5<sup>th</sup> Health Summit on 08/22/2013 at noon at the West Side Theater in Newman. He noted that the Task Force is holding a biggest loser weight contest with 8 teams participating including the cities of Newman, Patterson and Gustine and 2 school districts.

Adjourned to closed session at 9:32 a.m. for Conference with Labor Negotiator - Agency Negotiators: Monica Nino, Stan Risen, Nancy Bronstein and Jody Hayes. Labor Organizations: California Nurses' Association (CNA); Stanislaus County Employees Association (SCEA)/AFSCME Local 10; Service Employees' International Union (SEIU), Local 521; County Attorneys' Association (CAA); Deputy Sheriffs' Association (DSA); Stanislaus County Sheriffs Supervisors' Association (SCSSA); Stanislaus County Deputy Probation Officers' Association (SCDPOA); Stanislaus Regional Emergency Dispatchers' Association (SREDA); Stanislaus County Probation Corrections Officers' Association (SCPCOA); Stanislaus County Sheriff Management Association (SCSMA); Stanislaus County District Attorney Investigators' Association (SCDAIS); and, Stanislaus Sworn Deputy Association (SSDA). Government Code Section 54957.6.

Adjourned at 10:50 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.)