

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

October 29, 2013

A commendation was presented to representatives from the Vision Services Plan (VSP) in recognition of their Outreach Program.

Denise Hunt and Mary Ann Lee presented the Stanislaus County Children and Families Commission 2012-2013 Activities Report.

Emerson Drake spoke regarding the previous and current elections for the Modesto Irrigation District Board of Directors.

Monteith/O'Brien unan. Adopted the consent calendar

- ***A1** Approved the minutes of 10/15/2013
- ***A2** Approved the 2014 Meeting Calendar for the Board of Supervisors 2013-514
- ***A3a** Appointed Annette Patton and Emily Herrera to the Earl Pride Scholarship Committee 2013-515
- ***A3b** Appointed Murray Day to the City of Newman Oversight Board 2013-516
- ***B1** Approved FY 2013-2014 Contract Amendment No. 1 to the C3AP-3063 contract with the California Department of Education (CDE) for the administration of the Child Care and Development Block Grants; and, authorized the CSA Director, or her Assistant Director Designee, to sign the contract amendment and any other amendment to add services and payments – CSA 2013-517
- ***B2** Adopted a resolution proclaiming 11/15/2013 as America Recycles Day in Stanislaus County, a nationally recognized day to encourage Americans to recycle – DER 2013-518
- ***B3** Approved the recommended health insurance rates as provided in Attachment A of the agenda item to be charged in the employee medical, dental and vision self-insurance programs for calendar year 2014; approved a recommendation to establish a maximum 2% administrative fee that may be equally charged to non-County employee participants in the health insurance program; and, authorized the County Risk Manager, on an annual basis, to evaluate and purchase stop-loss insurance coverage consistent with the annual financial goals established for the self-insurance program – Risk Management 2013-519
- ***B4** Accepted the Stanislaus County Treasury Pool's September 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 2013-520
- ***B5** Approved the distribution of excess proceeds from the 02/29/2012 sale of tax-defaulted properties; and, authorized the Auditor's Office to issue checks totaling \$19,192.56 per the list of claims included in the agenda item for excess proceeds submitted in accordance with Revenue and Taxation Code section 4675 – T/TC 2013-521

- ***B6** Authorized the Treasurer-Tax Collector to sell the tax-defaulted properties by sealed bid for the stated minimum bid price as described on the list included in the agenda item; and, authorized the Treasurer-Tax Collector to re-offer the parcel which did not obtain the minimum bids during the previous sale at a price which is deemed appropriate by the Treasurer-Tax Collector – T/TC 2013-522
- ***B7** Authorized the Treasurer-Tax Collector to sell the tax-defaulted properties for the minimum bids as described on the list included in the agenda item; authorized the Treasurer-Tax Collector to re-offer those parcels which did not obtain the minimum bids during previous sale at a price which is deemed appropriate by the Treasurer-Tax Collector; and authorized the Treasurer-Tax Collector to exempt those parcels which are owned by the Federal, State and Local Governments from the Tax Sale – T/TC 2013-523
- ***B8** Authorized the Treasurer-Tax Collector and the Chairman to sign the MOU between the Superior Court of Stanislaus County and the Treasurer-Tax Collector Department for collection services – T/TC 2013-524
- ***B9** Approved the County’s Recommended Proposed Capital Improvement Plan Project List for FY 2013-2014; directed staff to submit the Proposed Capital Improvement Plan Project List to the County’s 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 2013-525
- ***C1** Approved an amendment to the Professional Design Services Agreement for right-of-way services to Nolte Associates, Inc. in the amount of \$115,926 for a total not to exceed amount of \$1,064,991 for the Crows Landing Road Seismic Bridge Replacement Project; and, authorized the Director of Public Works to execute the amendment with Nolte Associates, Inc. in the amount of \$115,926 and to sign necessary documents – PW 2013-526

O’Brien/Monteith unan. **A4a** Appointed in lieu of election Robert Renstead to the Ceres Fire Protection District Board of Directors – C/R 2013-527

O’Brien/Monteith unan. **A4b** Appointed in lieu of election Raymond Camagna and Gus Villarreal to the Hughson Fire Protection District Board of Directors – C/R 2013-528

O’Brien/Monteith unan. **A4c** Appointed in lieu of election Thomas Burns, David Boyd and Gerald DeBoer to the Salida Fire Protection District Board of Directors – C/R 2013-529

O’Brien/Monteith unan. **A4d** Appointed in lieu of election Martin Avila and Edward Amador, Jr. to the Westport Fire Protection District Board of Directors – C/R 2013-530

O’Brien/Monteith unan. **A4e** Appointed in lieu of election Dolleen Haskell, Brendt Noon and Clifford Howse, Jr., to the Knights Ferry Municipal Advisory Council – C/R 2013-531

O’Brien/Monteith unan. **A4f** Appointed in lieu of election Katherine Borges, Brad Johnson and Amanda Sorenson to the Salida Municipal Advisory Council – C/R 2013-532

O’Brien/Monteith unan. **A4g** Appointed in lieu of election Silvia Camarillo, Matthew Harrington and Rebecca A. Harrington to the South Modesto Municipal Advisory Council – C/R 2013-533

O’Brien/Monteith unan. **A4h** Appointed in lieu of election Kirk Jensen to the Central California Irrigation District Board of Directors – C/R 2013-534

O'Brien/Monteith unan. **A4i** Appointed in lieu of election Herman Doornenbal, Jr., Steve Webb and Jack D. Alpers to the Oakdale Irrigation District Board of Directors – C/R 2013-535

O'Brien/Monteith unan. **A4j** Appointed in lieu of election David R. Fantozzi and David Reichmuth to the Patterson Irrigation District Board of Directors – C/R 2013-536

O'Brien/Monteith unan. **A4k** Appointed in lieu of election Charles Fernandes to the Turlock Irrigation District Board of Directors – C/R 2013-537

O'Brien/Monteith unan. **A4l** Appointed in lieu of election Charles Thornsberry, L.B. Haney and Louise Little to the Empire Sanitary District Board of Directors – C/R 2013-538

O'Brien/Monteith unan. **A4m** Appointed in lieu of election Lana Moore and Gary Dew to the Salida Sanitary District Board of Directors – C/R 2013-539

O'Brien/Monteith unan. **A5a** Approved appointments in-lieu of election and vacancies: Eric R. Ulrick and Brendt Noon, Jr. to the Knights Ferry Community Services District Board of Directors – C/R 2013-540

O'Brien/Monteith unan. **A5b** Approved appointments in-lieu of election and vacancies: Grady L. Jordan and Bettie Yelder to the Monterey Park Tract Community Services District Board of Directors – C/R 2013-541

O'Brien/Monteith unan. **A5c** Approved appointment in-lieu of election and vacancies: Ida Tucker to the Westley Community Services District Board of Directors – C/R 2013-542

O'Brien/Monteith unan. **A5d** Approved appointments in-lieu of election and vacancies: Nancy E. Osmundson and Kathrin Hart to the Denair Municipal Advisory Council – C/R 2013-543

O'Brien/Monteith unan. **A5e** Approved appointment in-lieu of election and vacancies: Harinder Grewal to the Keyes Municipal Advisory Council – C/R 2013-544

O'Brien/Monteith unan. **A5f** Approved appointments in-lieu of election and vacancies: Nancy E. Osmundson and Kathrin Hart to the Valley Home Municipal Advisory Council – C/R 2013-545

O'Brien/Monteith unan. **A6a** Approved appointments in-lieu of election where no candidates filed for the Crows Landing Community Services District Board of Directors – C/R 2013-546

O'Brien/Monteith unan. **A6b** Approved appointments in-lieu of election where no candidates filed for the Grayson Community Services District Board of Directors – C/R 2013-547

O'Brien/Monteith unan. **A6c** Approved appointments in-lieu of election where no candidates filed for the Riverdale Park Community Services District Board of Directors – C/R 2013-548

O'Brien/Monteith unan. **A6d** Approved appointments in-lieu of election where no candidates filed for the Empire Municipal Advisory Council – C/R 2013-549

O'Brien/Monteith unan. **A6e** Approved appointments in-lieu of election where no candidates filed for the Hickman Municipal Advisory Council – C/R 2013-550

O'Brien/Monteith unan. **A6f** Approved appointments in-lieu of election where no candidates filed for the West Stanislaus Irrigation District Board of Directors – C/R 2013-551

De Martini/Withrow unan. **B10** Finds that adopted of the proposed ordinance regulation groundwater resources is categorically exempt under CEQA pursuant to Section 15307 of Title 4, Chapter 3 of the California Code of Regulations, and directed staff to file a Notice of Exemption with the Stanislaus County Clerk-Recorder; introduced and waived the first reading of Ordinance C.S. 1138 regulating the mining and exporting of groundwater within the County of Stanislaus; amended the Salary and Position Allocation Resolution effective the first pay period following Board approval to add one Manager IV position to DER in the capacity as Water Resources Manager; directed the Auditor-Controller to increase revenue and appropriations in the DER budget in the amount of \$77,700 for six month's cost of the new position, funded by a transfer from Appropriations for Contingencies; and, directed staff to initiate the formation of a Water Advisory Committee for Stanislaus County to be brought back for approval by the Board of Supervisors – CEO ORD-55-R-7 2013-552

Recessed at 11:05 a.m.

Reconvened at 11:14 a.m.

Matt Pettus from the Stanislaus County Deputy Sheriff Association spoke regarding item *B3 on today's agenda. He voiced concerns that increasing the employee health insurance rates will further impact the issue of retention and recruitment of Deputy Sheriffs.

O'Brien/Monteith unan. **B11** Authorized the Project Manager to submit Performance Criteria and Concept Drawings for State review of the County's AB 900 Phase II Jail Expansion Project for Project One (Housing and Medical/Mental Health Facility) and Project Two (Day Reporting Center), as prepared by the HOK/LDA Design Team to the following State agencies, Board of State and Community Corrections, State Fire Marshal, Department of Corrections and Rehabilitation and Department of Finance; authorized the Project Manager to submit to the State Agencies the Preliminary Staffing and Operational Program Statement for Projects One and Two, the updated AB 900 Budget Summary Table, and the Construction Management Plan for the successful delivery of the Public Safety Center Expansion Project; approved the resolution required by the State for submission of the Performance Criteria and Concept Drawings and the required supporting plans; authorized the Project Manager upon the completion of the design of the County funded Project Three (Intake/Release/Transportation Facility), its Operational Plan to submit to the Board of State and Community Corrections and State Fire Marshal for routine regulatory review; and, authorized the Project Manager to complete and issue and Request for Statements of Qualifications for the Pre-Qualification of Design-Build Teams for the Public Safety Center Expansion for Project One (Housing and Medical/Mental Health Facility), Project Two (Day Reporting Center), and Project Three (Intake/Release/Transportation) as prepared by the HOK/LDA Design Team – CEO 2013-553

Corr 1 Referred to the Department of Environmental Resources, notices that the San Joaquin Valley Unified Air Pollution Control District will hold public hearings on 11/14/2013, at 9:00 a.m., to consider amendments to Rule 4702 regarding internal combustion engines, and Rule 4308 regarding boilers, steam generators and process heaters.

Corr 2 Referred to the Alliance WorkNet and the Stanislaus Economic Development and Workforce Alliance, a letter from Post Foods, LLC regarding the permanent layoff of 49 employees at their facility

located at 901 East Whitmore Avenue, Modesto, California per the Worker Adjustment and Retraining Notification (WARN) Act.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claim: Michael V. Purnell.

Supervisor De Martini reported that Patterson Health and Fitness won the West Side Health Care Task Force annual biggest loser weight loss contest. This contest is part of the Health Care Task Force's initiative for a healthier lifestyle.

The Chairman announced that there will be a Special Meeting of the Board of Supervisors on 10/30/2013 at 2:00 p.m. for a Closed Session regarding labor negotiations.

Recessed to sit as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority at 12:08 p.m.

O'Brien/Monteith unan. Approved the IHSS Public Authority consent calendar XI. *II-A Approved the minutes of 07/23/2013

Recessed to Closed Session at 12:10 p.m. for Conference with Labor Negotiator: Agency Negotiators: Stan Risen and Jody Hayes. Labor Organization: United Domestic Workers. Government Code Section 54957.6.

Reconvened to sit as the Stanislaus County Board of Supervisors at 1:05 p.m.

Adjourned to closed session at 1:05 p.m. for Conference with Legal Counsel - Existing Litigation: One Case: James Anderson, et al. v. Stanislaus County, et al., Stanislaus County Superior Court Case No. 668505. Government Code Section 54956.9 (d)(1).

Adjourned at 2:10 p.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.)