

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

Regular Session

Tuesday

February 4, 2014

All Supervisors Present

Pledge of Allegiance to the Flag

Frank Johnson from the NAACP gave a presentation and received a resolution proclaiming February 2014 as African-American History Month.

Chairman De Martini delivered the 2014 State of the County Address.

Recessed at 9:38 a.m.

Reconvened at 9:45 a.m.

Carmen Sabatino spoke regarding the formation of the Water Advisory Committee and the individuals nominated to serve on this committee. He also spoke regarding the DA's office budget and the cost of conducting wiretaps, and the cost of the Sheriff's Department legal fees and settlements.

Emerson Drake spoke regarding the past Salida Now initiative and the recent City of Modesto decision concerning Wood Colony. He voiced concerns regarding some individuals nominated to serve on the Water Advisory Committee.

Withdraw/Monteith unan. Adopted the consent calendar after removing from consent item ***B5** Approval of Agreements with the Deputy Sheriff's Association, Stanislaus County Sheriff's Supervisor Association, Stanislaus County District Attorney Investigators' Association, Stanislaus County Probation Corrections Officers Association, and Stanislaus County Deputy Probation Officers Association for the Conversion of the Employer Paid Member Contributions to Salary as a Result of the Public Employees' Pension Reform Act

***A1** Approved the minutes of 01/28/2014

***A2** Proclaimed March 2014 as American Red Cross Month 2014-39

***B1** Approved by unanimous vote to modify the audit period for the Burbank-Paradise Fire Protection District required financial audit report to a biennial audit period – A/C
DF-06-A-26 2014-40

***B2** Approved by unanimous vote to modify the audit period for the Denair Fire Protection District required financial audit report to a biennial audit period – A/C DF-13-A-20 2014-41

***B3** Approved the Stanislaus County Americans with Disabilities Act Title II and Civil Rights Title VI Statement Policies; and, appointed Christine Ferraro Tallman as the Americans with Disabilities Act Title II and Civil Rights Title VI Coordinator for Stanislaus County – CEO
2014-42

***B4** Approved the final acceptance and completion of the Psychiatric Health Facility at 1904 Richland Avenue, Ceres, CA with Simile Construction Service, Inc. of Modesto, California; approved the final contract with Simile Construction Service, Inc. of Modesto, California as follows: Original Contract of \$1,623,600 plus Change Orders of \$113,481 for a total contract cost of \$1,737,081; authorized the Project Manager, on behalf of the Board of Supervisors as the Awarding Authority, to sign the completion documents, record the

Notice of Completion, release retention less withholdings, and process all remaining close out activities for the above contract and the Psychiatric Health Facility located at 1904 Richland Avenue, Ceres, CA; and, authorized the Chairman to send a letter of appreciation to Simile Construction Service, Inc. and Pacific Design Associates, Inc. for the successful completion of the new facility – CEO 2014-43

- ***B6** Approved the formation of Turlock City/Stanislaus County Liaison Committee; appointed Supervisor Chiesa, Supervisor Withrow, and the CEO as the Stanislaus County representatives to the Committee; and, directed the COB to amend the 2014 Board of Supervisors Committee Assignments to add the Turlock City/ Stanislaus County Liaison Committee – CEO C-5-E-15 2014-44

Chiesa/O'Brien (4-1)(Monteith opposed)***B5** Approved the conversion of the Employer Paid Member Contribution to salary using the current overall average member contribution for all public safety bargaining units resulting in a corresponding increase in salary of 13.37% for all employees in the Deputy Sheriff-Custodial, Sergeant, Sergeant-Custodial, and Criminal Investigator I/II classifications and resulting in a corresponding average reduction of 13.37% in County paid retirement contributions; approved the conversion of the Employer Paid Member Contribution to salary using the current member contribution resulting in a corresponding increase in salary of 8.5% for all employees in the Deputy Probation Officer I/II/III, Supervising Probation Officer, Supervising Probation Corrections Officer, and Probation Corrections Officer I/II/III classifications and resulting in a corresponding reduction of 8.5% in County paid retirement contributions; authorized the CEO or designee and all parties to sign agreements outlining the recommended changes; authorized the CEO and Auditor-Controller to implement all terms and conditions of the approved agreements in compliance with applicable State and Federal Laws; and, amended the Salary and Position Allocation Resolution to reflect the recommended changes, as outlined in the Staffing Impacts section of agenda item per Attachment A to be effective with the start of the first pay period beginning on or after 02/08/2014 – CEO 2014-45

Amended Item A3 Approval of Appointments to the Stanislaus County Water Advisory Committee and Nominations and Appointments of the Two At-Large Members; and, Approval to Amend the Committee Bylaws, **to take three votes as follows:**

First Vote: Chiesa/Withrow unan. **A3** Approved Staff Recommendations Nos. 1-5 and 7 as follows: appointed Donald Peterson, Louis Brichetto, Neil Hudson, Forrest White, Robert Santos, Francisco Canela, Larry Byrd, Thomas Smith, Richard Gemperle, Jim Mortensen, Sean Roddy, Bill Zoslocki, Raynold Kablanow, Michael Lynch and Chris Vierra to the Stanislaus County Water Advisory Committee; and, approved amendments to the Committee bylaws

Second Vote: O'Brien/Chiesa unan. **A3** Appointed Alfred Bairos as an At-Large Member to the Stanislaus County Water Advisory Committee

Third Vote: Chiesa/O'Brien unan. **A3** Appointed Cooper Rossiter as an At-Large Member to the Stanislaus County Water Advisory Committee BD-86-2 2014-46

Corr 1 Referred to the Fish and Wildlife Commission, a notice from the California Fish and Game Commission regarding the proposed regulatory action relating to Mammal Hunting Regulations for the 2014-15 season.

Corr 2 Referred to the Treasurer-Tax Collector, the Annual Report of the California County Tobacco Securitization Agency for the Fiscal Year Ended 06/30/2013.

Corr 3 Referred to the Department of Planning and Community Development, a letter from the Office of Historical Preservation regarding placement of the Bald Eagle Ranch House on the National Register of Historic Places.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Trevor Scott Wilkins and Brian K. Hixon.

Supervisor Chiesa reported that Lake Mead, which serves as Las Vegas' only water source, has dropped 20 feet and they expect it to drop another 20 feet. Las Vegas reuses 93% of their water. They have added 400,000 people over the last decade and they reduced their water use over that time by 33%.

Adjourned to closed session at 10:49 a.m. for Conference with Legal Counsel - Anticipated Litigation: One Case. Government Code Section 54956.9 (d)(4). Conference with Legal Counsel - Significant Exposure to Litigation: Two cases. One matter related to the claim of Raul Vela filed on August 13, 2013; one matter concerning a claim by Protect Our Water and Environmental Resources that water well permits were issued without compliance with the California Environmental Quality Act. Government Code Section 54956.9 (d)(2).

Adjourned at 11:40 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.)