

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

Regular Session

Tuesday

February 11, 2014

All Supervisors Present

Pledge of Allegiance to the Flag

Chairman De Martini spoke about the Adopt a Pet program and Stanislaus Animal Services staff presented a cat and dog that are eligible for adoption.

Carmen Sabatino voiced concerns regarding the use of wiretaps by DA's office. Supervisor Chiesa noted that he spoke with the DA and learned that all wiretap requests go through the DA's office regardless of where they are initiated. The wiretaps conducted in 2012 were requested by the DEA, MPD, and Sheriff's office. He noted that the cost is born by the organization that asks for it.

Vernon Lee Price provided an article regarding Homelessness to Advocacy. He also voiced complaints regarding BHRS.

O'Brien/Chiesa unan. Adopted the consent calendar after removing from consent items **\*B2** Approval to Terminate the Memorandum of Understanding between the City of Turlock and Stanislaus County for Assembly Bill 939 Waste Reduction and Recycling Program Services Effective August 12, 2014 – DER; and, **\*B4** Approval of Matters Related to the Opening of the Psychiatric Health Facility (PHF) and Adjacent Crisis Intervention and Crisis Emergency Response Team Facility (CERT) at the Ceres Recovery Center by Designating the PHF as a Facility for 72 Hour Treatment and Evaluation and Approval to Use Project Savings to Complete the Adjacent Modular Facility for CERT – BHRS/CEO

**\*A1** Approved the minutes of 02/04/2014

**\*A2a** Accepted the appointment of Norik Naraghi to the Eastside Water District Board of Directors  
2014-47

**\*A2b** Accepted the appointment of John Morris to the El Solyo Water District Board of Directors  
2014-48

**\*A3** Appointed David White to the Stanislaus Economic Development Action Committee  
2014-49

**\*B1** Authorized the Agricultural Commissioner to sign the Asian Citrus Psyllid Agreement for FYs 2013-2014 and 2014-2015 with the California Department of Food and Agriculture; and, authorized the Auditor-Controller to adjust appropriations and estimated revenue in the amount of \$56,893 per the Budget Journal for FY 2013-14 – Ag Commissioner  
2014-50

**\*B3** Declared 67 County vehicles and miscellaneous equipment as surplus and authorized these assets to be auctioned; and, directed the Auditor-Controller to deposit all receipts from the sale of these assets, net of GSA-Fleet Services costs, in to departmental accounts as appropriate to the fixed asset location of the asset – GSA  
2014-51

**\*C1** Approved Amendment No. 7 to the Professional Design Services Agreement for all-inclusive engineering services with NorthStar Engineering Group, Inc., in the amount of \$73,623, for a total not to exceed amount of \$379,098.30, for the Crows Landing Road at West Main Street Intersection Upgrade Project; and, authorized the Director of Public Works to execute the amendment with NorthStar Engineering Group, Inc., in the amount of \$73,623, and to sign necessary documents – PW  
2014-52

**\*C2** Awarded a contract for design and architectural services to LDA Partners of Stockton, CA, in the amount of \$1,045,000, for Public Works Maintenance/Repair Shop and Office Space; authorized the Director of Public Works to execute a contract with LDA Partners in the amount of \$1,045,000, and to sign necessary documents, including any amendments to the contract, not to exceed 10%; and, authorized the Auditor-Controller to increase appropriations in the Road and Bridge Operations budget in the amount of \$685,000, per the financial transaction sheet – PW 2014-53

**\*D1** Set a public hearing on 02/25/2014, at 9:05 a.m., to consider the Planning Commission's recommendation for approval of Rezone Application No. PLN2013-0092 - E & J Gallo Winery, a request to amend the zoning designation of 4.59± acres from R-2 (Medium Density Residential) to M (Industrial) located on various parcels on the west side of Santa Rita Avenue, south of Yosemite Boulevard (Hwy 132) and north of Tenaya Drive, in the Sphere of Influence of the City of Modesto, and to consider the introduction and waiving of the reading, and adoption of the proposed rezone upon approval; and, authorized the Clerk of the Board to publish a notice of hearing as required by law – Planning ORD-55-S-3 2014-54

O'Brien/Chiesa unan. **\*B2** Terminated the MOU between the City of Turlock and Stanislaus County for the Use and Distribution of Funds Assembly Bill 939 Source Reduction and Recycling Account; and, directed the Director of DER to provide notice to the City of the termination effective 08/12/2014 – DER C-5-E-16 2014-55

Chiesa/Withrow unan. **\*B4** Authorized by resolution the Psychiatric Health Facility (PHF), located at 1904 Richland Avenue, Ceres, California, as a designated facility for the detention, supervision, care, and treatment of persons who are mentally disordered, or who are alleged to be such, in accordance with Welfare and Institutions Code Sections 5150 and 7100, effective 03/01/2014; authorized the Project Manager to use cost savings from budgeted Psychiatric Health Facility project funds in the amount of \$45,000 and to increase revenue and appropriations in the Mental Health Fund to fund startup costs for the equipment purchase and utilities installation of the Crisis Intervention and Crisis Emergency Response Team (CERT) Modular Facility at 1904 Richland Avenue, Ceres, California; authorized the Project Manager to properly classify the approved project expenses for the CERT Modular Facility, as within the Board of Supervisors project budget; directed the Auditor-Controller to decrease fixed asset appropriations and to increase operating transfers out by \$45,000 in the PHF Capital Project Fund; directed the Auditor-Controller to increase operating transfers in by \$45,000 and to increase fixed assets appropriations in the Mental Health Fund as outlined in the budget journal; directed the Auditor-Controller to transfer existing appropriations in the amount of \$120,000 from services and supplies to fixed assets in the Mental Health Fund to the capital acquisition of the Modular Facility for the Crisis Intervention Program and Crisis Emergency Response Team as identified in the budget journal; and, authorized the Project Manager to negotiate and sign change orders up to \$25,000, consistent with the County's Change Order Policy, as long as they are within the previously approved project budget – BHRS/CEO 2014-56

O'Brien/Chiesa unan. **9:05 a.m.** Conducted a public hearing to consider Planning Commission's recommendation for approval of Ordinance Amendment Application No. 2012-01 – Historical Site District; adopted the Negative Declaration 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 Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; finds that the project is consistent with the overall goals and

policies of the Stanislaus County General Plan; approved Ordinance Amendment Application No. 2012-01 – Historical Site District; and, introduced, waived the reading, and adopted Ordinance C.S. 1142 – Planning  
ORD-55-S-2 2014-58 & 2014-59

Monteith/Withrow unan. **B5** Approved actions related to the AB 900 Phase II Public Safety Center Expansion Project; approved the recommended list of pre-qualified Design-Build teams as a result of the Request for Statements of Qualifications process approved by the Board of Supervisors on 10/29/2013 for Project One (Housing and Medical/Mental Health Facility) and Project Three (Intake, Release, Transportation) as follows: Sundt Layton, A Joint Venture of Sacramento, California; Balfour Beatty Construction Group, Inc. of Emeryville, California; Hensel Phelps Construction Co. of San Jose, California; McCarthy Building Companies, Inc. of Roseville, California; Clark Construction Group - California, LP of Oakland, California; Acme Construction Co., Inc. of Modesto, California; and Roebbelen / Tishman Joint Venture of El Dorado Hills, California; approved the recommended list of pre-qualified Design-Build teams as a result of the Request for Statements of Qualifications process approved by the Board of Supervisors on 10/29/2013 for Project Two (Day Reporting Center): C.T. Brayton & Sons, Inc. of Escalon, California; JL Bray & Son, Inc. of Salida, California; Sundt Layton, A Joint Venture of Sacramento, California; F&H Construction of Lodi, California; Diede Construction, Inc. of Woodbridge, California; Kitchell of Sacramento, California; Simile Construction Service, Inc. of Modesto, California; Acme Construction Co., Inc. of Modesto, California; and Huff Construction Company, Inc. of Modesto, California; approved the Bridging Documents/Performance Criteria and Concept Drawings for the AB 900 Phase II Jail Expansion Project for Project One (Housing and Medical/Mental Health Facility), Project Two (Day Reporting Center), and the County-Funded Project Three (Intake, Release, Transportation), as prepared by the HOK/LDA Design Team and as recommended by the Project Team and subject to final approval by the State Agencies; authorized the Project Manager to finalize all elements of the base design, incorporating final changes required by the State Fire Marshal relating to the construction of the Public Safety Center Expansion; authorized the Project Manager to issue a Request for Proposals for the design-build construction of Project Two (Day Reporting Center); to set a proposal due date of 3/19/2014 no later than 2:00 p.m., and authorized the Project Manager to modify the proposal due date if necessary; authorized the Project Manager to return to the Board of Supervisors to recommend a conditional award of the design-build construction contract subject to final approval by the State Agencies of a contract to the recommended Proposer for Project Two; authorized the Project Manager to issue a Request for Proposals for the design-build construction of Project One (Housing and Medical/Mental Health Facility) and Project Three (Intake, Release, Transportation); to set a proposal due date of 3/27/2014 no later than 2:00 p.m., and authorized the Project Manager to modify the proposal due date if necessary; authorized the Project Manager to return to the Board of Supervisors to recommend three finalist Proposers to move forward to the final selection process; authorized a \$50,000 stipend to the two finalist Design-Build Proposals not selected; 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  
2014-57

**Corr 1** Referred to the Fish and Wildlife Committee, a notice from the California Fish and Wildlife Department soliciting comments regarding the Townsend’s big-eared bat as a candidate species under the California Endangered Species Act.

**Corr 2** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Tina Valenzuela and Michael Rosas.

The Chairman announced that there will be a dedication and open house of the Stanislaus County Psychiatric Health Facility on Tuesday, 02/25/2014, 1:30 - 3:00 p.m., located at 1904 Richland Avenue, Ceres, CA.

Adjourned to closed session at 11:35 a.m. for Conference with Legal Counsel - Significant Exposure to Litigation: One Case. Government Code Section 54956.9 (d)(2). Conference with Labor Negotiator - Agency Negotiators: Stan Risen, Nancy Bronstein and Jody Hayes. Labor Organization: Stanislaus Sworn Deputy Association (SSDA). Government Code Section 54957.6.

Adjourned at 12:30 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.)