

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

Regular Session

Tuesday

April 8, 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.

The 2014 Child Abuse Prevention Council's Annual Report and the April 2014 Child Abuse Awareness Month proclamation were presented.

Carmen Sabatino spoke regarding State law and the County's policy concerning the political activities of employees, and voiced concerns regarding the campaign activities of the District Attorney's office.

Dave Geer voiced concerns regarding the Common Core State Standards, the national education initiative. He noted that some parents are opting their children out of these standards across the nation and locally.

Withrow/O'Brien unan. Adopted the consent calendar after removing from consent items ***B4** Approval to Accept the County Volunteer Program Annual Report for Calendar Year 2013 and Proclaim the Week of April 6, 2014 to April 12, 2014 as Stanislaus County Volunteer Week, in Conjunction with National Volunteer Week; and, ***C2** Approval of the Grant Agreement for the Clean Water State Revolving Fund Project No. C-06-7870-10, Agreement No. 13-827-550 from the State Water Resources Control Board for the Planning, Design and Construction of the Parklawn Sewer Project, and Approval to Enter into an Agreement with the City of Modesto for the Operation and Maintenance of the Constructed Sewer System for the Parklawn Neighborhood

***A1** Approved the minutes of 04/01/2014

***A2a** Adopted and waived the second reading of Ordinance C.S. 1146 to establish new and amend existing fees for the Department of Parks and Recreation ORD-55-S-6 2014-150

***A2b** Adopted and waived the second reading of Ordinance C.S. 1148 to amend Title 11, Section 11.08.020: Red Curb Marking – streets designated, of the Stanislaus County Code, to include Bangs Avenue in the Modesto Area – PW ORD-55-S-8 2014-151

***A3** Appointed Ryan Rice to the Keyes Community Services District Board of Directors
2014-152

***A4** Proclaimed May 12-16, 2014 as Bike to Work Week 2014-153

***A5** Proclaimed April 2014 as California Safe Digging Month 2014-154

***B1** Awarded a contract to Stephens Construction, Inc., for the replacement of the boilers at the Public Safety Center, 250 E. Hackett Rd., Modesto, in the amount of \$103,950; authorized the Purchasing Agent to execute the contract with Stephens Construction, Inc. and to sign any necessary documents on behalf of the County; and, authorized the Purchasing Agent to execute change orders in accordance with Public Contract Code, Section 20142 – GSA
2014-155

***B2** Awarded a contract to Champion Industrial Contractors, Inc., for the replacement of two chillers at 801 11th Street, Modesto, in the amount of \$252,000; authorized the Purchasing Agent to execute the contract with Champion Industrial Contractors, Inc. and to sign any necessary documents on behalf of the County; and, authorized the Purchasing Agent to

execute change orders in accordance with Public Contract Code, Section 20142 – GSA
2014-156

- *B3** Approved submission of an application for the 2014 NACO Achievement Award for the CSA/Valley Recovery Resources project; authorized the Chairman to sign the application on behalf of the Board prior to the submittal deadline of 04/14/2014; and, authorized the CEO to finalize and submit the application to NACO no later than 04/14/2014 – CEO
2014-157
- *C1** Adopted the Plans and Specifications for the Claribel Road Widening Project, Federal Project No. CML-5938 (184) / RPSTPLE-5938(214) / RPSTPL-5938(215); approved the conditional award of the contract in the amount of \$6,388,839.20 to George Reed, Inc. of Modesto, CA for the construction of the Claribel Road Widening project, subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with George Reed, Inc., for \$6,388,839.20 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
2014-158
- *C3** Approved implementation of a passenger incentive program to encourage passengers to ride public transit services offered in the County to improve ridership on all routes – PW
2014-159
- *C4** Adopted a resolution certifying the mileage in Stanislaus County’s maintained mileage road system to be 1,512.78 miles as of 12/31/2013 – PW
2014-160
- *C5** Authorized the Department of Public Works to negotiate a contract with Storer Transit Systems, Inc. to operate Stanislaus Regional Transit (StaRT) services for five years commencing on 7/01/2014 and terminating on 06/30/2019, with one one-year extension option; and, authorized the Director of Public Works to sign and execute all necessary documents – PW
2014-161

Monteith/Chiesa unan. ***C2** Authorized the Director of Public Works to sign the Grant Agreement for the Clean Water State Revolving Fund Program from the State Water Resources Control Board for the planning, design and construction of the Parklawn Sewer Project; authorized the Director of Public Works to enter into and sign the agreement with the City of Modesto for the Operation and Maintenance of the sewer system for the Parklawn Neighborhood; and, acknowledged that the payment amount listed in the agenda item to the City of Modesto for connection fees was a typographical error, the correct amount is \$1,596,000 as listed in the agreement with the City of Modesto and attached to the agenda item – PW
2014-163

O’Brien/Withrow unan. ***B4** Accepted the County Volunteer Program Annual Report for Calendar Year 2013; and, proclaimed the Week of 04/06/2014 to 04/12/2014 as Stanislaus County Volunteer Week in conjunction with National Volunteer Week – CEO
2014-162

Monteith/Chiesa (4-0)(O’Brien abstained) **9:05 a.m.** Closed the 30-day public comment period to consider approval of the FY 2014-2015 Annual Action Plan; conducted the public hearing to consider approval of the FY 2014-2015 Annual Action Plan; authorized the Director of Planning & Community Development to sign the Application for Federal Assistance (SF424); authorized the Director of Planning & Community Development to sign the Community Development Block Grant (CDBG), the Emergency Solutions Grant (ESG), and Home Investment Partnerships (HOME) Certifications; authorized the Chairman to sign the FY 2014-2015 Allocation Agreements with each Stanislaus Urban County member; authorized the Director of Planning and Community Development to execute any related program

agreements, contracts, or other documentation required for implementation of CDBG, ESG, HOME, Neighborhood Stabilization Programs (NSP), CalHome, and any other programs identified in the FY 2014-2015 Annual Action Plan; this authorization includes the use of any program income in accordance with applicable program guidelines; and, authorized the Planning and Community Development Department to incorporate any comments received prior to the close of the public comment period and during the public hearing in the final FY 2014-2015 Annual Action Plan – Planning 2014-165

O'Brien/Withrow unan. **9:10 a.m.** Conducted a public hearing, pursuant to Section 1442.5 of the Health and Safety Code, to consider approval to adjust the Income Limit for the Medically Indigent Adult program's Hardship Eligibility category; and, approved the adjustment to the Age-Band Income Limits for the Hardship Eligibility category as set for in agenda item, effective 05/01/2014 – HSA 2014-166

Withrow/Chiesa unan. **B5** Accepted the following audited financial reports for fiscal year ended 06/30/2013, prepared by Brown Armstrong Accountancy Corporation: Annual Financial Report and Single Audit Report – Auditor-Controller 2014-164

Corr 1 Acknowledge receipt of the annual audit by Brown Armstrong Accountancy Corporation of the CSA's Child Care and Development Stage 2 and Stage 3 Contracts.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Ricardo Madrigal; Daniel Evangelista; and, Michele Crook-Tymco Electric.

Adjourned to closed session at 10:23 a.m. for Conference with Legal Counsel - Existing Litigation: One Case: Nicholas Honchariw v. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 680924. Government Code Section 54956.9 (d)(1).

Closed Session Announcement: O'Brien/Chiesa unan. Authorized counsel for the County to defend the appeal of the dismissal of claim in inverse condemnation by Nicholas Honchariw, and to file a cross-appeal of the decision to deny the County's motion for attorney fees for filing and maintaining a frivolous lawsuit, in the case of Nicholas Honchariw v. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 680924 2014-167

Adjourned at 11:20 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.)