

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

Regular Session

Tuesday

June 24, 2014

All Supervisors Present

Pledge of Allegiance to the Flag

Carmen Sabatino read a press release from 2002 regarding the DA and Sheriff investigations. He stated that he will send the Board regular newsletters on current issues.

Emerson Drake spoke in support of the new Common Core curriculum standards. He noted that the U.S. is 25<sup>th</sup> in math and 16<sup>th</sup> overall against other industrial nations. He also spoke regarding the District Attorney's office and school dropout rates. He requested that the school dropout rate be tracked.

Chiesa/Withdraw unan. Adopted the consent calendar after removing from consent items **\*B1** Approval to Renew Agreements for Indigent Defense Legal Services with Grisez, Orenstein & Hertle, and Perry & Associates; **\*B5** Approval to Accept Fiscal Year 2011-2012 Purchasing Card Audit Reports Prepared by the Auditor-Controller's Office, **\*B11** Approval of the 2014-2015 Provider Agreements for Congregate Meals, Home-Delivered Meals, and Senior Community Service Employment Services Funded by Federal Older Americans Act Funding; and, **\*C1** Approval to Adopt Plans and Specifications for the Parklawn Neighborhood Sewer Improvements - Phase 2, State Water Resources Control Board Project and Award the Construction Contract to DSS Company dba Knife River Construction of Stockton, California

**\*A1** Approved the minutes of 06/17/2014

**\*A2** Authorized the Chairman of the Stanislaus County Board of Supervisors to sign and submit property owner ballots in support of the Fire Suppression Assessment for the Keyes Fire Protection District for those properties owned by Stanislaus County 2014-301

**\*A3** Proclaimed July 2014 as "Parks Make Life Better" Month 2014-302

**\*A4** Accepted the resignation of Catherine Szakmary from the Mental Health Board 2014-303

**\*A5a** Reappointed Sherman Boone and Jim Mortensen to the Agricultural Advisory Board 2014-304

**\*A5b** Reappointed Raymond Ratto to the City-County Airport Advisory Committee 2014-305

**\*A5c** Reappointed Jeff Davis, Natasha Roof, Linda Barr, Lori Schumacher, and Jamie Culbertson to the Child Abuse Prevention Council 2014-306

**\*A5d** Reappointed Sherman Boone and Susan Harper to the East Stanislaus Resource Conservation District Board of Directors 2014-307

**\*A5e** Reappointed Anastacia Reeder and Marian Fritzemeier to the Stanislaus Child Development Local Planning Council 2014-308

**\*A5f** Reappointed Eileen Melson and Mark Fahlen, M.D. to the Community Health Center Board 2014-309

**\*A5g** Reappointed Michael Lynch and Jeff Grover to the Stanislaus County Employees Retirement Board 2014-310

**\*A5h** Reappointed Joseph Madden, Douglas L. Miller, Richard Edgecomb, and Richard Olacio Gaytan to the Veterans Advisory Commission 2014-311

**\*A5i** Reappointed Kathy Sniffen and Eileene King to the Commission on Aging 2014-312

**\*A5j** Reappointed John William Bairos to the Oakdale Rural Fire Protection District Board of Directors 2014-313

- \***A5k** Reappointed Dennis Hartman and David K. Bryson to the Denair Fire Protection District Board of Directors 2014-314
- \***A5l** Reappointed Frank Lucas to the Turlock Rural Fire Protection District Board of Directors 2014-315
- \***A5m** Reappointed Robert Ott and Hans Wagner to the Woodland Avenue Volunteer Fire Protection District Board of Directors 2014-316
- \***A5n** Reappointed Angela Sue Henderson to the Library Advisory Board of Directors 2014-317
- \***A5o** Reappointed Robert C. Kimball to the West Stanislaus Fire Protection District Board of Directors 2014-318
- \***A6** Consolidated the Municipal Elections with the Tuesday, 11/04/2014 Gubernatorial General Election for the Cities of Hughson, Newman, Riverbank, and Turlock 2014-319
- \***B2** Authorized the Director of the Alliance Worknet, or his designee, to receive and expend Program Year 2014-2015 Workforce Investment Act (WIA) funds in accordance with the approved Stanislaus County Strategic Five-Year Local Plan; authorized the Director of the Alliance Worknet, or his designee, to sign all WIA-related sub-grant agreements, and any modifications or adjustments as required by the State of California; authorized the Director of the Alliance Worknet, or his designee, to receive and expend Program Year 2014-2015 contracted StanWORKs funds as authorized by the Director of CSA; and, authorized the Director of the Alliance Worknet, or his designee, to enter into and sign agreements and contracts to expend Program Year 2014-2015 WIA funds and contracted StanWORKs funds – Alliance Worknet 2014-320
- \***B3** Authorized the Auditor-Controller to loan funds under Government Code 23010 for operational expenses to: Oakdale Rural Fire District in an amount not to exceed \$1,598,000 (or 85% of anticipated revenue in the amount of \$1,880,000) and to Stanislaus Consolidated Fire Protection District in an amount not to exceed \$7,254,424 (or 85% of anticipated revenue in the amount of \$8,534,616) – Auditor 2014-321
- \***B4** Accepted the Accountant’s Report on the Stanislaus County Treasurer’s Statement of Assets as of 03/24/2014 as prepared by the Auditor-Controller’s Office in conformance with Government Code Section 26920 and 26922; and, the Statement of Assets was reviewed in conformity with Stanislaus County Treasury Pool Investment Policy Government Code Section 53601 – Auditor 2014-322
- \***B6** Approved of the fourth amendment to the agreement with ABM Engineering Services Company, a California Corporation for the provision of facility maintenance, engineering and light security services through 09/30/2014 at the Ceres Recovery Center; and, authorized the BHRS Director, or her designee, to sign the fourth amendment to the agreement with ABM Engineering Services Company, a California Corporation for the provision of facility maintenance, engineering and light security services through 09/30/2014 – BHRS 2014-323
- \***B7** Approved the Personal Service Agreement with Matthew Innes in the amount of \$63,000 for the term of 07/01/2014 – 06/30/2015, for Deferred Maintenance projects management services; and, authorized the Purchasing Agent to sign the Personal Service Agreement – GSA 2014-324
- \***B8** Authorized the CEO to notify the Stanislaus County Employees’ Retirement Association (StanCERA) of the termination of an agreement between the County and StanCERA dated 06/27/2006 related to retirement costs and health benefits – Risk Management 2014-325
- \***B9** Authorized the Treasurer/Tax Collector to sign an Agreement with the State of California Employment Development Department for wage, claim, employer, and client address data to enhance revenue recovery services for the period of 07/01/2014 through 06/30/2017 – T/TC 2014-326

**\*B10** Accepted the Stanislaus County Treasury Pool’s May 2014 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 2014-327

**\*B12** Authorized the CEO and the Director of BHRS to negotiate and execute a new Provider Agreement and execute the new Provider Agreement for Fee for Service Inpatient Psychiatric Services for the period of 07/01/2014 through 06/30/2016; and, authorized the BHRS Director, or her designee, to sign the agreement for Fee for Service Inpatient Psychiatric Services with Doctors Medical Center (DMC) effective 07/01/2014 through 06/30/2016 – BHRS 2014-328

Withrow/Monteith unan. **\*B1** Authorized the CEO to finalize and execute the agreements for the period of 07/01/2014 through 06/30/2017, with the law firm of Grisez, Orenstein & Hertle, and the law firm of Perry & Associates for the continued provision of legal representation of indigents which the Public Defender is unable to represent due to conflict of interest – CEO 2014-329

O’Brien/Chiesa unan. **\*B5** Accepted FY 2011-2012 Purchasing Card Audit Reports prepared by the Auditor-Controller’s Office; and, **amended** the item to direct the CEO to prepare a written report for the Board regarding the findings of the audit, if reimbursements were made, his evaluation on whether the Purchasing Card Policy needs to be changed, and determine what measures need to be taken to ensure the Policy is properly enforced – Auditor 2014-330

O’Brien/Chiesa unan. **\*B11** Approved the 2014-2015 provider agreements with Howard Training Center for congregate meals, home-delivered meals, and nutrition education funded by Federal Older Americans Act Funding; authorized the Director of the Department of Aging and Veterans Services to sign these agreements and any subsequent amendments with Howard Training Center; and, **amended** the item to continue to a future Board meeting the consideration of a provider agreement with SER-Jobs for Progress, San Joaquin Valley, for the provision of senior employment services – Aging & Veterans 2014-331

Chiesa/De Martini unan. **\*C1** Adopted the Plans and Specifications for the Parklawn Neighborhood Sewer Improvements - Phase 2 project; approved the conditional award of the contract in the amount of \$2,338,670.75 to DSS Company dba Knife River Construction of Stockton, California, for the construction of the Parklawn Neighborhood Sewer Improvements - Phase 2, subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with DSS Company dba Knife River Construction, for \$2,338,670.75 and sign necessary documents; authorized the Construction Manager to issue a Notice to Proceed, contingent upon receipt of proper insurance and bonds; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code, Section 20142; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities – PW 2014-332

Monteith/Withrow unan. **A7** Accepted the Clerk-Recorder’s Certified Statement of the results of the Gubernatorial Primary Election held on Tuesday, 06/03/2014; and, declared the results of the election pursuant to the Clerk-Recorder’s Certified Statement of Vote – C/R 2014-333

Withrow/Chiesa unan. **9:05 a.m.** Conducted the public hearing to consider adjustments to the Stanislaus County franchise maximum rates for solid waste collection services; and, approved the proposed adjustments to the Stanislaus County franchise maximum rates for solid waste collection services in Franchise Areas 1, 2, 3, and 4 – DER 2014-334

Monteith/Withrow unan. **9:10 a.m.** Closed the 30-day public comment period to consider approval of the Substantial Amendment to the Neighborhood Stabilization Program (NSP) 1 and NSP 3 Annual Action Plans; conducted the public hearing; approved the Substantial Amendment to NSP 1 and NSP 3 Annual Action Plans adding demolition as an eligible activity; and, authorized staff to submit Substantial Amendment to the Department of Housing and Urban Development (HUD) – Planning 2014-335

**Corr 1** Referred to the Alliance WorkNet and the Stanislaus Economic Development and Workforce Alliance, a letter from Emanuel Medical Center regarding Tenet Healthcare Corporation's acquisition of the Emanuel Medical Center, Inc. (EMC) located at 825 Delbon Avenue in Turlock, CA.; approximately 1,130 employees will be permanently separated from service on 07/31/2014 and it is expected that most, if not all, of the affected employees will be offered employment by Tenet; and, affected employees will receive 60 days advance notice of their separation from EMC.

**Corr 2** Referred to the Assessor and the CEO, a letter from the Hughson Unified School District regarding their intent to sell surplus property on the corner of 7<sup>th</sup> Street and Whitmore Avenue in Hughson, CA.

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claim: Victoria FitzGerald.

Supervisor Chiesa reported that yesterday he, along with Supervisor Withrow, Keith Boggs, Jack Doering, Jami Aggers, Walt Ward, and Sarge Green met with two San Joaquin County Supervisors, and the principal authors of AB-1739 (Dickinson) and SB-1168 (Pavely) regarding groundwater management and governance. He noted that it was a good discussion regarding a complicated issue, and that he will continue to keep the Board updated.

Chairman De Martini reported that as of the beginning of June 2014, StanCERA has \$1.75 billion, a new record high. Their earnings for the first 11 months of this year were \$210 million, after paying \$85 million in benefits. The return on investment is 16.02%. It is anticipated that at the end of this month, StanCERA will be 82% funded.

Prior to adjourning into Closed Session an opportunity was given to the public to address matters listed under Closed Session.

Adjourned to closed session at 10:19 a.m. for Conference with Labor Negotiator - Agency Negotiators: 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 (SCDAIA); and, Stanislaus Sworn Deputy Association (SSDA). Government Code Section 54957.6. Conference with Legal Counsel - Existing Litigation: One case: Theresa Gunter v. County of Stanislaus, Stanislaus County Superior Court Case No. 684825. Government Code Section 54956.9 (d)(1).

Adjourned at 12:35 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.)