

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

Regular Session

Tuesday

September 9, 2014

Supervisor Chiesa absent

Pledge of Allegiance to the Flag

A moment of silence was held for County employee Koeurn Phe from the Alliance Worknet.

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.

Debra Harper spoke regarding the need for mental health services for the homeless population, and the importance of treating customers with respect. She voiced concerns regarding the health care she has received.

Susan Mendieta Beasley invited everyone to attend the Modesto Architectural Festival, a week-long event that starts on Saturday, 9/13/2014, at 9:30 a.m. at the Modesto Library. She also invited the community to attend the International Heritage Festival on 10/04/2014, between 11:00 a.m. - 5:00 p.m., at the MJC East Campus.

Withdraw/O'Brien (4-0)(Chiesa absent) Adopted the consent calendar after removing from consent item ***B6** Approval to Authorize the Auditor-Controller to Act as a Final Authority to Approve or Deny Loan Applications for the Emergency Domestic Water Well Financial Assistance Pilot Program

***A1** Approved the minutes of 08/26/2014

***A2a** Appointed Brad Koehn to the Turlock Rural Fire Protection District Board of Directors
2014-451

***A2b** Appointed John Martin to the Salida Municipal Advisory Council
2014-452

***A2c** Appointed David Darmstandler to the Stanislaus Economic Development and Workforce Alliance Board of Directors
2014-453

***A2d** Appointed Peter J. Dean to the Stanislaus County Hazardous Waste Management Advisory Committee
2014-454

***A3** Accepted the resignation of Joseph Mesa from the Child Abuse Prevention Council
2014-455

***A4** Proclaimed September 2014 as National Preparedness Month
2014-456

***B1** Approved the final acceptance and completion of the Water System Upgrades for the Public Safety Center backflow preventers by Taylor Backhoe Service, Inc., of Merced, California; approved the final contract with Taylor Backhoe Service, Inc. as follows: original contract amount of \$279,500 plus change orders, \$27,819 for a total contract amount of \$307,319; and, authorized the Project Manager, or her designee, on behalf of the Board as the Awarding Authority, to sign the completion documents, record the Notice of Completion, release retention, and process all remaining close out activities for the above contracts and the project – CEO
2014-457

***B2** Authorized the GSA Purchasing Division to issue a RFP on behalf of BHRS who is partnering with CSA for the provision of specialty mental health services which includes intensive case coordination, intensive home based services, child and family team meetings and therapeutic foster care services for the contract period of 01/01/2015 through 06/30/2016

- with an option to renew the agreement on a year-to-year basis up to a maximum of four additional years – BHRS 2014-458
- *B3 Approved the Performance Agreement with the California Department of Health Care Services that sets forth conditions that BHRS must meet to receive funding from the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, Community Mental Health Services Grant, and realignment funds to provide community mental health services for FY 2014-2015; authorized the BHRS Director, or her designee, to sign the Performance Agreement 14-90356 with the California Department of Health Care Services for FY 2014-2015, including the certification from CCC-307; and, adopted a resolution to enter into the Performance Agreement 14-90356 with the California Department of Health Care Services that sets forth conditions that BHRS must meet to receive realignment funds to provide community mental health services for FY 2014-2015 – BHRS 2014-459
 - *B4 Accepted the seventh update on the status of the emergency repairs at the Gallo Center for the Arts, Inc. in accordance with the Public Contract Code Sections 20134 and 22050 for the Emergency Repairs to repair water damage and restore essential operations – CEO 2014-460
 - *B5 Approved the California Department of Public Health contract #14-10033 for the Childhood Lead Poisoning Prevention Program and the funding allocation for the period 07/01/2014 through 06/30/2017; and, authorized the HSA Managing Director, or her designee, to sign the contracts and amendments thereafter with the California Department of Public Health – HSA 2014-461
 - *B7 Authorized CSA to participate in the Work Number Express Service Online Employment Verification System Pilot Program; and, authorized the Chairman to sign the MOU between Stanislaus County, the California Department of Social Services, and Talx Corporation – CSA 2014-462
 - *C1 Adopted the Plans and Specifications for the Regional Surface Transportation Program (RSTP) Phase H project; approved the award of a contract in the amount of \$769,919.20 to Bay Cities Paving and Grading Inc. of Concord, California, for the construction of the RSTP Road Resurfacing Program Phase H Project, Federal Aid Project No. STPL-5938(221), subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with Bay Cities Paving and Grading, for \$769,919.20 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 20137; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities – PW 2014-463
 - *C2 Adopted the Plans and Specifications for the Regional Surface Transportation Program (RSTP) Phase I project; approved the award of a contract in the amount of \$1,153,663.75 to Bay Cities Paving and Grading Inc. of Concord, California, for the construction of the RSTP Road Resurfacing Program Phase I Project, Federal Aid Project No. STPL-5938(220), subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with Bay Cities Paving and Grading Inc., for \$1,153,663.75 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 up to 10% of the contract amount in accordance with Public Contract Code, Section 20142 and 20137; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities – PW 2014-464

- *C3 Finds that the closure of Morrow Road at Kiernan Avenue is necessary for the protection of the public; approved a resolution to close Morrow Road at Kiernan Avenue (SR219); finds this action is exempt from CEQA under the CEQA Guideline 14 CCR 15301 (e); and, directed staff to file a Notice of Exemption in accordance with Guidelines Section 15303 – PW 2014-465
- *C4 Accepted the Empire Community Storm Drainage Report; approved the initiation of the Proposition 218 proceedings for the annexation of Phase 1B, 2 and 3 into CSA No. 27 (Empire) to fund a portion of needed capital and ongoing maintenance; directed the Public Works Department to prepare and file the required Engineer's Report; and, approved the use of Stanislaus County Community Development funds in the amount of \$20,000 for cost associated with the annexation – PW CSA-27-4 2014-466
- *D1 Rescinded a portion of Williamson Act Contract No. 1977-2517, located at 3818 Roberts Road, west of Faith Home Road and east of the Ceres Main Canal, in the Ceres area; pursuant to Government Code Section 51257, determined that the following seven findings can be made based on the written evidence submitted by the applicant: (a) the new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of AB 1265; (b) there is no net decrease in the amount of the acreage restricted; in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; (c) at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; (d) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222; (e) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; (f) the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan; rescinded a portion of Williamson Act Contract No. 1977-2517, located at 3818 Roberts Road, west of Faith Home Road and east of the Ceres Main Canal, in the Ceres area; approved a new contract pursuant to Minor Lot Line Adjustment PLN2014-0045, Rossi; and authorized the Director of Planning and Community Development to execute a new contract – Planning 2014-467

Withrow/Monteith (O'Brien opposed)(Chiesa absent) **9:05 a.m.** Closed the 30-day public comment period and conducted the public hearing to consider approval of a Citizen Participation Plan for U.S. Department of Housing and Urban Development (HUD) Grants; authorized staff to incorporate any comments received prior to the close of the public comment period and during the public hearing, in the final Citizen Participation Plan; and, adopted the Citizen Participation Plan and authorized staff to submit to the Department of Housing and Urban Development (HUD) – Planning 2014-471

Withrow/Monteith (3-1)(O'Brien opposed)(Chiesa absent) ***B6** Authorized the Auditor-Controller, or designee to act as a final authority to approve or deny loan applications for the Emergency Domestic Water Well Financial Assistance Pilot Program – CEO 2014-468

Monteith/Withrow (4-0)(Chiesa absent) **B8** Approved the selection and award of a professional services agreement for architectural services to Hellmuth, Obata & Kassabaum, Inc. (HOK) of San Francisco, California, as a result of a Request for Proposals process for the Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center Project, pursuant to the State Award of SB 1022 Lease Revenue Bond funding, and approval to initiate bridging architectural services for the design-build construction of the REACT Center Project for the lump sum amount not to exceed \$2,200,000; authorized the Project Manager to issue the Notices to Proceed to HOK to initiate architectural services, contingent upon proper receipt of an executed agreement and certificate of insurance; authorized the Project Manager to adjust the REACT Center Project budget to fully fund the costs of architectural services and transmit the updated budget to the Board of State and Community Corrections (BSCC) for the SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program \$40 million award for the design-build construction of the REACT Center Project; directed the Auditor Controller to transfer appropriations in the amount of \$158,000 from the fixed asset account to the services and supplies account, as indicated in the budget journal form within the previously approved project budget; and, authorized the Project Manager to negotiate and sign contracts, work authorizations and purchase orders for professional services needed in this design phase of the project, as long as they are within the approved project budget – CEO

2014-469

Withrow/O'Brien (4-0)(Chiesa absent) **B9** Authorized HSA to pursue an Intergovernmental Transfer (IGT) with the California Department of Health Care Services; authorized the HSA Managing Director or her designee to negotiate and execute an Intergovernmental Agreement regarding the transfer of Public Funds with the California Department of Health Care Services in the approximate amount of \$6,000,000 and related documents; authorized the HSA Managing Director or her designee to negotiate and execute an Intergovernmental Transfer Assessment Fee Agreement with the California Department of Health Care Services in the amount of approximately \$1.2 million from the Health Services Agency to the California Department of Health Care Services, and related documents; authorized the HSA Director or her designee to negotiate and execute an Amendment to the Health Plan-Provider Agreement with Health Net to disburse an approximate amount of \$6.2 million to the Health Services Agency to support health services for Medi-Cal beneficiaries and other underserved populations, and any related documents; authorized the HSA Director or her designee to negotiate and execute an Amendment to the Health Plan-Provider Agreement with Health Plan of San Joaquin to disburse an approximate amount of \$5.4 million to the Health Services Agency to support health services for Medi-Cal beneficiaries and other underserved populations, and any related documents; and, authorized HSA to pursue Intergovernmental Transfer arrangements for further fiscal years and enter necessary agreements – HSA

2014-470

Corr 1 Referred to the CEO, a notice from the San Joaquin Valley Air Pollution Control District regarding a public hearing on 09/18/2014, to consider the adoption of a "Supplemental Document" to address Clean Air Act requirements.

Corr 2 Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a letter from the Ball Corporation regarding the layoff of 159 employees at their Ball Metal Food & Household Products Packaging Division, Americas, 300 West Greger Street, Oakdale, CA beginning on 10/24/2014 per the WARN Act.

Corr 3 Referred to the Auditor-Controller, a copy of the El Soyo Water District's audit report for years ended 12/31/2013 and 2012.

DW-11-33

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the

following claims: Jose Carlos Jr. Sosa Santos; Karen Vaughn; Baljit (Bobby) Athwal; Navneet Athwal; Daljit Athwal; and Karan, Inc., dba Pop-N-Cork; and, Nariman Khatta.

Bruce Hammerstrom spoke regarding a Claim for Refund of Taxes that he filed in 2007 and on 05/27/2014.

CEO Risen announced that the Stanislaus County Employee Mentor Program is a 2014 CSAC Challenge Award Recipient. He congratulated Keith Boggs and Norma Baker of the CEO's office, as well as all the dedicated Mentors, for this outstanding acknowledgement of the great work performed in this program.

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

Pursuant to Government Code Section 54953(b), Supervisor Chiesa participated in the Closed Session portion of the meeting via teleconferencing from: 2300 N Street NW, Room 3180, Washington, DC. This location is accessible to the public. Public comment from this location was allowed prior to Closed Session. The Notice and Agenda were posted at the teleconference location.

Adjourned to closed session at 10:26 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.

Adjourned at 11:55 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.)