

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

Regular Session

Tuesday

January 12, 2016

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor Jeff Pishney from Love Modesto.

Carmen Sabatino spoke regarding a public records request he made regarding the expenses related to the Korey Kauffman case. He also spoke regarding the limited newspaper coverage of the trial. He stated that he will be asking for more information in the coming weeks.

Chiesa/Withrow unan. Adopted the consent calendar

- *A1 Approved the minutes of 01/05/2016
- *A2 Accepted the resignation of Henry Jackson from the Stanislaus County Local Task Force on Solid Waste Management 2016-21
- *A3a Appointed Yvette McShan to the Stanislaus County Equal Rights Commission 2016-22
- *A3b Appointed Sharon Young to the Emergency Medical Services Committee 2016-23
- *A4 Proclaimed February 2016 as Black History Month in Stanislaus County 2016-24
- *A5 Approved the 2016 Stanislaus County Board of Supervisors Committee Assignments 2016-25
- *B1 Approved an agreement with Harder+Company Community Research for the provision of Strategic Plan Services as a result of a Request for Proposal process, in the amount not to exceed \$148,380; and, authorized the County Librarian, or her designee, to sign the agreement, and any amendments thereto, with Harder+Company Community Research to provide Strategic Plan Services – Library 2016-26
- *B2 Accepted the donation of a mural to the Nick W. Blom Salida Regional Library from the Friends of the Salida library – Library 2016-27
- *B3 Approved the revised Driver Authorization and Performance Policy effective 01/12/2016 – Risk Management 2016-28
- *B4 Approved the addition of one Confidential Assistant IV and one Confidential Assistant III to the Stanislaus County Employees’ Retirement Association (StanCERA); and, amended the Salary and Position Allocation Resolution to add the new positions, as outlined in the Staffing Impacts section of the agenda item, effective the first pay period following Board of Supervisors approval – CEO 2016-29
- *B5 Accepted the sixth update on the Temporary Water Assistance Program in Stanislaus County; and, approved continuing the Countywide declaration of a local emergency due to a multi-year drought – OES 2016-30
- *B6 Approved amendments to agreements with California Psychiatric Transitions Inc., Telecare Corporation Treatment Facilities, and Mar-Ric Jones Care Home for FY 2015-2016; and, authorized the BHRS Director, or her designee, to sign the amendments with California Psychiatric Transitions, Inc., Telecare Corporation Treatment Facilities, and Mar-Ric Jones Care Home for FY 2015-2016 – BHRS 2016-31
- *B7 Approved the two-year joint MOU with the California Department of State Hospitals (DSH) and California Mental Health Services Authority (CalMHSA); and, authorized the BHRS

Director, or her designee, to sign the two-year joint MOU with DSH and CalMHSA
– BHRS 2016-32

***C1** Awarded a contract to Diede Construction in the amount of \$14,801,903.73 for the construction of the Morgan Road Heavy Equipment Shop/Administration Building Project; authorized a contract with Harris and Associates in the amount of \$480,010 for construction inspection and management services for the Morgan Road Heavy Equipment Shop/Administration Building Project; authorized the purchase of furniture with Hayworth Inc. through the US Communities Government Purchasing Alliance in the amount of \$223,550.27 for furniture for the Morgan Road Heavy Equipment Shop/Administration Building Project; authorized the Public Works Director to negotiate and execute change orders in accordance with Public Contract Code, Sections 20137 and 20142; upon project completion, authorized the Public Works Director to accept the completed improvements and perform all necessary closeout activities; approved the Outside Service Agreement for Water and Sewer Service to 1716 Morgan Road between the City of Modesto and Stanislaus County; authorized the CEO to execute the Outside Service Agreements between the City of Modesto and Stanislaus County; directed the Auditor-Controller to increase appropriations in the amount of \$15,658,176.78 as detailed in the Budget Journal form; and, authorized the Public Works Director to take any and all appropriate actions to carry out the purpose and intent of these recommendations – PW

C-6-K-6 2016-33

***C2** Approved the agreements for the acquisition of a parcel, for the Hatch Road Channelization Phase II Project, identified as APN 018-065-001 (portion), grantor: Bruce L. Baldwin and Sharon K. Baldwin, husband and wife as joint tenants, as to an undivided ½ interest for the Right of Way; and Ronald E. Baldwin, as Successor Trustee of the Ronald E. and Alice Q. Baldwin Living Trust, utd 8-7-99, as to an undivided ½ interest; authorized the Chairman to execute the Agreement for Acquisition of Property; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW

2016-34

***C3** Approved the agreements for the acquisition of a parcel, for the Hatch Road Channelization Phase II Project, identified as: APN 018-065-021 (portion), grantor: William G Johnson, an unmarried man for the Right of Way; authorized the Chairman to execute the Agreement for Acquisition of Property; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW

2016-35

Withrow/Chiesa unan. **E1** Finds that the adoption of the proposed Ordinance C.S. 1170 is exempt from CEQA pursuant to State CEQA Guidelines section 15061(b)(3), specifically, this ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment because it is essentially a textual amendment specifically enumerating currently prohibited activities and does not authorize the construction of any new structures or other physical changes to the environment; and, introduced and waived the first reading of Ordinance C.S. 1170 amending Chapter 9.86 of the County Code to specifically prohibit cannabis activities within the unincorporated areas of Stanislaus County – County Counsel
ORD-55-W-1 2016-39

The Chairman announced that he will form an Ad Hoc Committee to address cannabis regulations.

Recessed at 12:00 p.m.

Reconvened at 12:10 p.m.

Continued to the 1/26/2016 Board meeting item **B8** Approval of the Annual Progress Report for the Stanislaus County Employee Mentor Program and Present a Proclamation Acknowledging the Month of January 2016 as Mentoring Awareness Month in Stanislaus County, Consistent with the National Mentor Month Distinction – CEO 2016-36

Withrow/O'Brien unan. **B9** Proclaimed the month of January 2016 as Human Trafficking Awareness Month in Stanislaus County – CSA 2016-37

Continued to the 1/26/2016 Board meeting item **B10** Approval to Accept a Report on the Initial Implementation and Impact of Proposition 47 on Law Enforcement Services in Stanislaus County – CEO 2016-38

Corr 1 Referred to the Agricultural Commissioner and Sealer of Weights and Measures, a letter from the Governor's Office of Emergency Services regarding the U.S. Department of Agriculture Secretarial disaster designation of primary and contiguous counties, including Stanislaus County, due to agricultural losses caused by the drought beginning 01/02/2015, and continuing.

Corr 2 Referred to the Agricultural Commissioner and Sealer of Weights and Measures and the Stanislaus Economic Development and Workforce Alliance, a letter from the Governor's Office of Emergency Services regarding the U.S. Small Business Administration declared the primary and contiguous counties, including Stanislaus County, as disaster areas due to agricultural losses caused by the drought beginning 01/02/2015, and continuing.

Corr 3 Referred to the Fish and Wildlife Committee, a notice from the Fish and Game Commission regarding the proposed regulatory action relating to mammal regulations for the 2016-17 seasons.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Becky Young and Josiah Skutley.

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 12:24 p.m. for Public Employee Appointment: Title: Clerk of the Board of Supervisors. Government Code Section 54957(b). Conference with Labor Negotiator - Agency Negotiators: Stan Risen, Jody Hayes and Nancy Bronstein. Labor Organizations: County Attorney's Association (CAA). Government Code Section 54957.6. Conference with Legal Counsel - Existing Litigation: One Case: County of Stanislaus v. City of Modesto, Stanislaus County Superior Court Case No. 667397. Government Code Section 54956.9 (d)(1).

Closed Session Announcement: Withrow/Chiesa unan. The Board of Supervisors appointed Elizabeth King as the Clerk of the Board of Supervisors effective on the retirement of Christine Ferraro Tallman on March 5, 2016. The Board also authorized and directed the Chief Executive Officer and County Counsel to negotiate a starting salary and return to the Board of Supervisors for approval. 2016-40

Adjourned at 1:47 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.)