

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

Special and Regular Session  
Supervisor Withrow absent  
Pledge of Allegiance to the Flag

Tuesday

April 19, 2016

**Convened at 5:32 p.m.** for Special Session

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

**Recessed to closed session at 5:32 p.m.** for Conference with Legal Counsel - Significant Exposure to Litigation: One Case. Government Code Section 54956.9 (d)(2).

**Supervisor Withrow arrived at 5:39 p.m.**

**Adjourned closed session at 6:15 p.m.**

**Reconvened at 6:32 p.m.** for Regular Session

Invocation was given by Reverend Jeffrey Woods with Barnabas Leadership Foundation.

A presentation regarding Operation 9-2-99, the Tuolumne River Clean-up Project was made and the Chairman presented Chris Guptil a Certificate of Appreciation for his leadership and work on this project.

Bob Fores and Armando Flores spoke regarding the 5<sup>th</sup> Annual Bike for Mom activity being held on 5/7/2016 at Johansen High School. They spoke regarding the health benefits of bike riding and invited all to participate.

Susan Beasley, Executive Director of the Parent Resource Center, noted that April is Child Abuse Prevention Month. She encouraged all to spend time with your family and model positive parenting.

O'Brien/Withrow unan. Adopted the consent calendar after removing from consent item **\*A4** Approval of a Commendation for Tom and Karyn Gallo Upon Being Named the 2016 Business Honorees of the Year by the Central Valley Sons of Italy Foundation

**\*A1** Approved the minutes of 04/05/2016

**\*A2a** Accepted the resignation of Natascha Roof from the Stanislaus County Child Abuse Prevention Council 2016-172

**\*A2b** Accepted the resignations of Jerald Rhine and Sheila Kendall from the Mental Health Board 2016-173

**\*A3a** Appointed Dean Riddle to the Monterey Park Tract Community Services District Board of Directors 2016-174

**\*A3b** Appointed Ron Richardson to the Denair Community Services District Board of Directors 2016-175

**\*A3c** Appointed Dorothy Finnegan to the Stanislaus County Free Library Advisory Board 2016-176

- \*A5 Authorized the Chairman to sign and submit Property Owner ballots in support of the proposed annexation of territory into County Service Area No. 27 – Empire for property owned by Stanislaus County 2016-177
- \*A6 Adopted the amended Conflict of Interest Code for the Hart-Ransom Union School District 2016-178
- \*B1 Approved a County-wide standard organizational Conflict of Interest policy, consistent with applicable law, regarding the ability of a person or entity to submit a proposal as a construction contractor (“Bidder”) for all County construction projects, however procured; and, approved a Conflict of Interest policy, as required under California Public Contract Code section 22162, consistent with applicable law, regarding the ability of a person or entity to submit a proposal as a design-build entity or to join a design-build team (“Proposer”) for all County design-build projects procured pursuant to California Public Contract Code section 22160, et seq. – CEO 2016-179
- \*B2 Set a public hearing on 05/10/2016 at 9:05 a.m. to introduce and waive the first reading of an ordinance to amend existing fees for the County Clerk-Recorder – Elections Division ORD-55-W-5 2016-180
- \*B3 Authorized the Project Manager to execute a Change Order with Hensel Phelps Construction Company not to exceed \$1,300,000 for the Public Safety Center Expansion AB 900 Phase II Project One, within the approved project budget, to upgrade the Boosted Water System at the Public Safety Center; authorized the Project Manager to request a reimbursement from the State of California for costs associated with the Boosted Water Upgrade; directed the Auditor-Controller to transfer funds from the approved Construction Contingency to the Construction Account for the recommended Change Order and its related contingency in accordance with the recommendation and the Budget Journal; authorized the Project Manager to negotiate any additional actions within the approved project budget to complete the Boosted Water System Upgrade; and, approved a 39-day non-compensable time extension for AB 900 Project One and Project Three to Hensel Phelps for the upgrades to the Boosted Water System at the Public Safety Center – CEO 2016-181
- \*C1 Adopted a resolution urging the State to provide new sustainable funding for State and Local transportation infrastructure – PW 2016-182
- \*C2 Adopted a resolution certifying the mileage in Stanislaus County’s maintained mileage road system to be 1,510.53 miles as of 12/31/2015 – PW 2016-183
- \*C3 Approved the Professional Design Services Master Agreements with BaseCamp Environmental, Inc., North State Resources, Inc., Dokken Engineering, and Firstcarbon Solutions to provide on-call environmental services for various Department of Public Works and Department of Planning and Community Development projects through 04/19/2019, each at an amount not to exceed \$1,000,000; authorized the Public Works Director and the Planning and Community Development Director to sign the agreement; and, authorized the Public Works Director and the Planning and Community Development Director to sign future amendments during the life of the agreement and within the approved compensation limits – PW 2016-184

- \*C4 Adopted the Plans and Specifications for the Regional Surface Transportation Program (RSTP) Road Resurfacing Program Phase J Project, Federal Project No. STPL-5938 (228); approved the contract in the amount of \$1,065,275.29 to Bay Cities Paving and Grading, Incorporated of Concord, California, for the construction of the RSTP Road Resurfacing Program Phase J Project, Federal Project No. STPL-5938(228); authorized the Director of Public Works to execute a contract with the Bay Cities Paving and Grading, Incorporated, for \$1,065,275.29 and sign necessary documents; authorized the Construction Manager to issue a Notice to Proceed, subject to receipt of proper insurance and bonds; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with the Public Contract Code, Section 20142 and 20137; upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2016-185
- \*C5 Adopted the Plans and Specifications for the Regional Surface Transportation Program (RSTP) Road Resurfacing Program Phase K Project, Federal Project No. STPL- 5938 (229); awarded a contract in the amount of \$1,496,000 to George Reed Incorporated of Modesto, California, for the construction of the RSTP Road Resurfacing program Phase K Project, Federal Project No. STPL-5938(229); authorized the Director of Public Works to execute a contract with George Reed Incorporated, for \$1,496,000 and sign necessary documents; authorized the Construction Manager to issue a Notice to Proceed, subject to receipt of proper insurance and bonds; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with the Public Contract Code, Section 20142 and 20137; upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2016-186
- \*C6 Adopted the Mitigated 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, 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; directed the Department of Public Works to file a Notice of Determination with the Stanislaus County Clerk Recorder's office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; approved the preliminary plans for the Tegner Road over Turlock Irrigation District Lateral No. 5 Bridge Replacement Project, Federal Project Number BRLO-5938 (192); authorized the Public Works Director to finalize the plans and specifications and advertise the project for construction; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2016-187
- \*C7 Awarded a Contract for All-Inclusive Engineering Services to AECOM of Sacramento, California, in the amount of \$295,340, for the Crows Landing Corridor Multimodal Visioning Plan; authorized the Director of Public Works to execute a contract with AECOM in the amount of \$295,340 and to sign necessary documents; directed the Auditor-Controller to increase appropriations and revenue as detailed in the Budget Journal; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2016-188

- \***C8** Approved the purchase agreement for the acquisition of the property for the Santa Fe Avenue Over the Tuolumne River Bridge Replacement Project, Grantor: Alderwoods Group (California) Inc., A California Corporation by Merger with Whitehurst-Lakewood Memorial Park and Funeral Service, a California Corporation, Assessor's Parcel Number: 018-001-074 (portion); authorized the Chairman to execute the agreement for acquisition of properties; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2016-189
- \***D1** Set a public hearing for 05/03/2016 at 9:10 a.m. to consider Planning Commission's recommendation for approval of Rezone Application No. PLN2015-0027, Valley BMW/KIA, a request to rezone a 9+/- acre parcel from A-2-10 (General Agriculture) to Planned Development (P-D) and to subdivide the property into five parcels, for the development of two auto dealerships and the future development of similar auto related uses, located at 4761 McHenry Avenue (State Route 108), between Kiernan Avenue and Bangs Avenue, north of the City of Modesto; and to consider the introduction and waiving of the reading of an ordinance for the proposed rezone upon approval; and, authorized the Clerk of the Board to publish notice of hearing as required by law – Planning  
ORD-55-W-6 2016-190

Chiesa/DeMartini Unan. \***A4** Approved a commendation for Tom and Karyn Gallo upon being named the 2016 Business Honorees of the Year by the Central Valley Sons of Italy Foundation 2016-191

DeMartini/Withrow unan. **B5** Authorized the Project Manager to negotiate and execute a 10-year lease with Sylvan Square LLC, to lease 37,547 square feet of space at Sylvan Square, which is within available funding for the Stanislaus Veterans Center and for the Department of Aging and Veterans Services, the CSA-Adult Protective Services program; authorized the Project Manager to negotiate and execute sub leases within the Facility to non-profit organizations; authorized the County to be the lead fiscal agency and a co-tenant of the Veterans Hall; authorized the Project Manager to negotiate and finalize an Operating Agreement between the County, Veterans Advisory Commission, City of Modesto and Veterans Foundation of Stanislaus County; authorized the Project Manager to take the actions necessary, within the approved funding plan to complete the Project; and, authorized the Project Manager to plan a public dedication ceremony in collaboration with the County's partners in this effort – CEO  
C-6-L-1 2016-193

**Recessed at: 8:03 p.m.**

**Reconvened at: 8:17 p.m.**

O'Brien/Withrow unan. **B4** Approved a resolution authorizing the conditional award of a design-build construction contract, subject to final State of California approval for the SB 1022 Public Safety Expansion Project for the REACT Center to Roebbelen Contracting Inc. for the not to exceed amount of \$32,448,277; authorized the Project Manager to take all actions necessary to finalize the Construction Agreements to meet the requirements of the State Agencies; authorized the Project Manager to issue a Notice to Proceed upon State approval to proceed and upon the receipt of proper insurance and bonds for the Project; authorized the Project Manager to plan and conduct a public groundbreaking ceremony, to coincide with the commencement of construction; authorized the Project Manager to negotiate and sign contracts, work authorizations and purchase orders for professional services needed in the design-build construction phase of the project, as long as they are within the project budget approved by the Board; and, authorized the Project Manager to negotiate and sign change orders up to \$25,000, consistent within the County's Change Order Policy, and as long as they are within the previously approved project budget – CEO  
2016-192

**Corr 1** Acknowledged receipt of a copy of the Stanislaus Community Foundation's 2015 Annual Report.

**Corr 2** Referred to the Fish and Wildlife Committee, a 15 day continuation notice from the California Fish and Game Commission for the proposed mammal regulations for the 2016-2017 season regarding Big Horn Sheep, Antelope and Elk.

**Corr 3** Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a letter from Sutter Health Memorial Medical Center regarding the postponement of the reduction-in-force of one employee from 05/01/2016-06/01/2016.

**Corr 4** Referred to DER, a letter from the California Water Boards regarding the transfer/exchange of water involving various water agencies within California.

**Corr 5** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claim: Joshua Tigner representing Foster Farms.  
CEO Risen gave an update regarding SB1157 which would impact video visitation and facility requirements for jails.

Chairman Monteith announced that there will be a Board of Supervisors Workshop on 04/22/2016 from 9:00 a.m. to 2:00 p.m. at the Salida Fire Station No. 14 located at 5551 Ciccarelli Road, Salida, CA.

Adjourned at 8:51 p.m.

ATTESTED: ELIZABETH A. KING, Clerk  
of the Board of Supervisors  
of the County of Stanislaus  
State of California

BY: PAM VILLARREAL, 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.)