

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

Regular Session

Tuesday

June 14, 2016

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor Jim Applegate with Redeemer Church.

Chiesa/O'Brien unan. Adopted the consent calendar

\*A1 Approved the minutes of 06/07/2016

\*A2a Adopted and waived the second reading of ordinance C.S. 1171 to amend Stanislaus County Code Section 3.40.010 to change the Sick Leave Policy for Department Heads and Management Employees to a pay period accrual basis ORD-55-W-2 2016-287

\*A2b Adopted and waived the second reading of ordinance C.S. 1172 to amend Stanislaus County Code Section 3.36.050 to remove the authority for Department Heads and Management Employees to have a negative vacation balance ORD-55-W-3 2016-288

\*A3 Approved request from the City of Oakdale to consolidate their Municipal Election with the Tuesday, 11/08/2016 Presidential General Election 2016-289

\*A4 Approved request from the City of Turlock to consolidate their Municipal Election with the Tuesday, 11/08/2016 Presidential General Election 2016-290

\*A5 Approved request from the City of Waterford to consolidate their Municipal Election with the Tuesday, 11/08/2016 Presidential General Election 2016-291

\*A6 Appointed David Voortman to the Knights Ferry Municipal Advisory Council 2016-292

\*B1 Approved a second amendment to the agreement with AspiraNet for the provision of psychiatric hospital diversion and crisis intervention to children and adolescents for FY 2015-2016; and, authorized the BHRS Director, or designee, to sign the amendment to the agreement with AspiraNet for the provision of psychiatric hospital diversion and crisis intervention to children and adolescents for FY 2015-2016 – BHRS 2016-293

\*B2a Approved an agreement with Sierra Vista Child and Family Services to provide Early Psychosis Intervention for the FY 2016-2017; and, authorized the BHRS Director, or designee, to sign the agreement, and any amendments adding services and payment for services up to \$75,000, with Sierra Vista Child and Family Services to provide Early Psychosis Intervention – BHRS 2016-294

\*B2b Approved an agreement with Golden Valley Health Centers to provide Behavioral Health Services in a primary care setting for the FY 2016-2017; and, authorized the BHRS Director, or designee, to sign the agreement, and any amendments adding services and payment for services up to \$75,000, with Golden Valley Health Centers to provide Behavioral Health Services in a primary care setting – BHRS 2016-295

\*B2c Approved an agreement with Telecare Corporation to operate Josie's Recovery Access Center for mental health services for the FY 2016-2017; and, authorized the BHRS Director, or designee, to sign the agreement, and any amendments adding services and payment for services up to \$75,000, with Telecare Corporation to operate Josie's Recovery Access Center – BHRS 2016-296

- \*B3 Approved the District Attorney’s Office Unserved/Underserved Victim Advocacy and Outreach Program to accept and receive the grant award from the California Governor’s Office of Emergency Services; authorized the DA to sign any extension, or amendments for this grant; directed the Auditor-Controller to increase estimated revenue and appropriations in the Unserved/Underserved Advocacy and Outreach Program budget unit as detailed in the budget journal attached to the agenda item; and, amended the Salary and Position Allocation Resolution to reflect the changes detailed in the Staffing Impact Section of the agenda item to be effective the beginning of the pay period following approval of the agenda item – DA 2016-297
- \*B4 Approved the use of the E-Payment Process of the Accela Citizen Access Online Permitting Software System, in use by the Planning and Community Development Department, for the Office of Emergency Services/Fire Warden, Fire Prevention Bureau – OES 2016-298
- \*B5 Approved the 2016 agreement between the 38<sup>th</sup> District Agricultural Association-Stanislaus County Fair Board and Stanislaus County for the Sheriff to provide security at the Fair; and, authorized the CEO to sign the agreement on behalf of the County – Sheriff 2016-299
- \*B6 Authorized the CEO and Auditor-Controller, prior to year-end, to increase appropriations and estimated revenue by \$155,249 in the BHRS Alcohol and Drug Program budget; authorized the CEO and Auditor-Controller, prior to year-end, to increase appropriations by \$81,250 in the CEO-Risk Management Professional Liability Self-Insurance division, funded by retained earnings; authorized the CEO and Auditor-Controller, prior to year-end, to transfer \$60,000 from Fixed Assets to Other Charges in the DA-Criminal Division budget; authorized the CEO and Auditor-Controller, prior to year-end, to increase appropriations and estimated revenue by \$40,000 in the Public Defender budget; and, authorized the CEO and Auditor-Controller, prior to year-end, to transfer \$57,000 from Fixed Assets to Salaries and Benefits in the Sheriff-Administration budget and transfer \$80,000 from Other Charges to Fixed Assets in the Sheriff-Detention budget – Sheriff 2016-300
- \*B7 Approved a Master Agreement with Pride Industries of Rocklin, CA in the amount of \$4,659,300 effective 07/01/2016 through 06/30/2020, with two one-year renewal options, for contract janitorial services for County-occupied buildings; and, authorized the Purchasing Agent to sign the Master Agreement, projects, and any subsequent amendments to the Master Agreement on behalf of the County – GSA 2016-301
- \*B8 Authorized the Project Manager to enter into an agreement with Delta Wireless, Inc. to expand the Distributed Antenna System (DAS) at the Public Safety Center AB 900 Phase II Project One and Three for a not to exceed amount of \$154,743; authorized the Project Manager to take all actions necessary to negotiate and finalize the agreement; authorized the Project Manager to issue a Notice to Proceed upon receipt of proper insurance and bonds; and, authorized the Project Manager to sign change orders within the approved budget up to \$25,000, consistent with the County’s Change Order Policy – CEO 2016-302
- \*C1 Approved the Stanislaus County 25-Year Countywide Transportation Financial Expenditure Plan; and, adopted a resolution approving the Countywide Transportation Financial Expenditure Plan – PW 2016-303
- \*D1 Set a public hearing for 06/28/2016 at 9:10 a.m. to consider approval of Williamson Act Cancellation Application No. PLN2016-0046, McHenry Bridge, a request to cancel a portion of Williamson Act Contract No. 75-1846, as part of the Stanislaus County Public Works Department’s McHenry Bridge Improvement Project; and, authorized the Clerk of the Board to publish notice of hearing as required by law – Planning 2016-304

**Amended Item 9:05 a.m.** Public Hearing to Consider the Adoption of the Recommended Proposed Budget for Budget Year 2016-2017 and Related Actions, to take **two votes as follows:** 2016-305

**First Vote:** Withrow/Chiesa unan. Approved Staff Recommendations Nos 1-7 as follows: (1) accepted the 2016-2017 Recommended Proposed Budget from the CEO; (2) conducted the scheduled public hearing to receive public comment and input on the proposed spending plan; (3) adopted the 2016-2017 Recommended Proposed Budget; (4) authorized the CEO and the Auditor-Controller to make the necessary technical adjustments to implement the approved Recommended Proposed Budget; (5) **amended** and approved Staff Recommendation No. 5 as follows: “Amend the Salary and Position Allocation Resolution to reflect the recommended changes for the 2016-2017 Recommended Proposed Budget (as outlined in the Staffing Impacts section and detailed in Attachment B, of the agenda item, with one change in Sheriff - Operations, to replace one new Deputy Sheriff Position with a Manager I to support the County Security Program) to be effective with the start of the first pay period following 07/01/2016, unless otherwise noted”; (6) approved contracts and/or agreements listed on Attachment C of the agenda item, in cumulative amounts of \$100,000 or greater since 07/01/2014, and authorized the GSA Director/Purchasing Agent or Department Head to sign; and, (7) directed the CEO to prepare the Recommended Final Budget and set the public hearing for consideration of the Final Budget on 08/30/2016, at 9:05 a.m. – CEO

**Second Vote:** Chiesa/Withrow (4-1)(Monteith opposed) Added Staff Recommendation No. 8 and authorized the use of \$876,000 of Appropriations for Contingencies to provide one-time local match to Public Works - Road and Bridge fund for the purpose of leveraging Federal funding for projects throughout the County, as detailed in the 2016-2017 Recommended Proposed Budget, resulting in equal savings to the planned use of the Public Works - Road and Bridge fund balance – CEO

O’Brien/DeMartini unan. **B9** Approved the expanded Library operating hours effective 07/08/2016 as detailed in Attachment 1 of the agenda item – Library 2016-306

O’Brien/Withrow unan. **Authorization for an Item Too Late for the Agenda** – Authorized adding an Item Too Late for the Agenda regarding declaring an emergency pursuant to Government Code Section 54952.2(b)(2), the Board finds that there is a need to take immediate action to declare an emergency in accordance with Public Contract Code Sections 20134 and 22050 for emergency repairs at the HSA due to flooding; and, the need for action came to the attention of the County on Sunday, 06/12/2016, after the Board agenda was posted on Friday, 06/10/2016 – CEO 2016-307

Withrow/DeMartini unan. **Item Too Late for the Agenda** – Approved Staff Recommendation Nos. 1-11; (1) declared an emergency in accordance with Public Contract Code Section 22050 to contract for emergency repairs at the HSA Central Unit Building at 830 Scenic Avenue, Modesto, CA; (2) approved staff’s recommendation to act in accordance with the Public Contract Code Sections 20134 and 22050 in order to make the immediate and required repair/remediation as a result of water intrusion and damage at the HSA Central Unit and to move key contents and equipment to an alternate location; (3a) finds that the damages occurred at HSA Central Unit at 830 Scenic Avenue, Modesto, CA, as a result of a water leak that was discovered on Sunday, 06/12/16, which occurred due to the failure of a heating circulation pump on the mechanical equipment level above third floor that serves the Central Unit building; (3b) finds that the repair is necessary to permit the continued conduct of essential County operations or services; and, (3c) finds that the emergency will not allow for a delay that would result if the project was competitively bid and that the action to immediately repair/remediate the building on an emergency basis is necessary; (4) acknowledged and ratified the immediate remediation actions already taken to mitigate the flooding

performed by Coit Restoration Services of Modesto, CA and Belfor USA Group, Inc. of Modesto, CA; (5) directed the Chief Operations Officer, or her designee, to serve as Project Manager for all aspects of this remediation project; (6) authorized the Project Manager to negotiate and execute an agreement with Belfor USA Group, Inc., an approved contractor of the County's insurer, to complete the emergency abatement, demolition and clean-up of the site; (7) authorized the Project Manager to order any action appropriate to repair the water damage, and to take any directly related and immediate action required by that emergency, and to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let a contract; (8) finds that the remediation and repairs from water intrusion and damage at the HSA Central Unit is exempt from the CEQA pursuant to CEQA Guidelines section 15269 (b), and directed staff to prepare and file a Notice of Exemption; (9) directed the Chief Operations Officer to report to the Board of Supervisors on the status of the emergency project at its next regularly scheduled meeting and every 14 days thereafter, as required by the Public Contract Code until the repairs are completed; (10) directed the County's Risk Manager, or his designee, to make the claims regarding the HSA Central Unit water intrusion incident and damages to all applicable insurers; and, (11) acknowledged that time is of the essence, as the HSA Central Unit has to relocate the clinical and support services impacted by this event pending the immediate remediation of the damage and perform the required repairs, which will allow them to continue to meet their mission of providing health care services in our community – CEO

2016-308

**Corr 1** Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a WARN letter from Centrex regarding the closure of their office located at 4701 Stoddard Road, Modesto, CA on 12/31/15 and their intent to retain certain employees who will work remotely from home until 12/30/16.

**Corr 2** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Jason Wayne Wright; Gina Wright; and, Elaine Hernandez.

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 11:42 a.m. for Conference with Legal Counsel - Existing Litigation: One Case: Sandra Gutierrez v. Sweena Pannu, et al, Stanislaus County Superior Court Case No. 2008632. Government Code Section 54956.9 (d)(1). Public Employee Appointment: Title: Chief Executive Officer. Government Code Section 54957(b).

**Closed Session Announcement:** Chiesa/Monteith unan. Authorized and directed County Counsel to negotiate an amended Employment Agreement with CEO Risen for approval by the Board of Supervisors.

2016-309

Adjourned at 12:35 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.)