

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

May 15, 2012

A moment of silence was held in honor of the memory of Deputy District Attorney Frank Alvarez.

Commendations were presented to Douglas Chadwick, Dell Perales, Bea Mckenna, Marjorie Brooks and Magdalena Gonzalez as the 2012 Stanislaus County Outstanding Senior Citizens of the Year in Celebration of Older Americans Month.

The 2012 Stanislaus County Recycling Poster contest winners received their awards.

Ramon Bermudez spoke regarding the importance of the Senior Meals on Wheels Program and noted that this program is in need of funds and is accepting donations. He also spoke in remembrance of Deputy District Attorney Frank Alvarez.

Withdraw/Chiesa unan. Adopted the consent calendar after removing from the agenda items ***B1** Approval to Adopt a Resolution Supporting Assembly Constitutional Amendment (ACA) 23, an Amendment to the California Constitution Lowering the Voter Threshold to 55 Percent for Local Transportation Sales Tax Measures; and, ***B2** Approval to Amend the Master Agreement with Tetra Tech BAS, Inc., for Professional Design Services at the Geer Road Landfill – DER

***A1** Approved the minutes of 05/08/2012

***A2** Approved the request from the City of Newman to consolidate their Municipal Election with the 11/06/2012, Presidential General Election 2012-224

***A3** Commended Sonya Harrigfeld, Director of DER and the Department of Parks and Recreation upon her retirement 2012-225

***B3** Approved the award of the construction contract for the SBT Data Center Server Room Improvements (Bid Package 3) at 3705 Oakdale Road to Cheek Construction Management, Inc. of Ceres, California for the lump sum amount not to exceed \$626,322; approved the award of the contract for the back-up generator package to Energy Systems, Inc. (ES) of Stockton, California for the lump sum amount not to exceed \$250,962; directed staff to return to the Board at the next BOS meeting to award the contract for the infrastructure management system component package; authorized the Project Manager to issue the Notices to Proceed upon receipt of proper insurance and bonds; authorized the Project Manager to negotiate and sign contracts, work authorizations, and purchase orders for professional services needed in this phase of the project as long as they are within the approved project budget; authorized the Project Manager to negotiate and sign change orders up to \$25,000, consistent with the County's Change Order Policy for as long as these are within the previously approved project budget; and, directed the Auditor-Controller to increase appropriations and estimated revenue for this project per the Budget Journal form – CEO 2012-226

***C1** Introduced and waived the first reading of Ordinance C.S. 1119 amending Section 14.14.150.180 of the Stanislaus County Code relating to storm water management and

discharge control; and, finds that the ordinance is not subject to CEQA – PW
ORD-55-P-6 2012-227

- *C2** Awarded a contract for Bridge Engineering and Project Delivery Services to Dokken Engineering of Folsom, California in the amount of \$862,991 for the Santa Fe Avenue over Tuolumne River Bridge Replacement Project; authorized the Director of Public Works to execute a contract with Dokken Engineering in the amount of \$862,991 and to sign necessary documents; and, authorized the Director of Public Works to execute change orders in accordance with the Public Contract Code, Section 20142 – PW 2012-228

Chiesa/Monteith unan. **6:35 pm** Conducted the public hearing to reconsider an appeal of the Planning Commission's February 5, 2009, decision to deny Vesting Tentative Subdivision Map Application No. 2006-06, Knights Ferry Overlook to divide a 33.70 acre parcel to create 8 parcels ranging in size from 0.50 to 5.00 acres with a 12.03-acre "Remainder" located at the southeast corner of Cemetery and Frymire Roads, in the Knights Ferry area; and, **continued** the public hearing to 05/22/2012 at 9:10 a.m. – Planning
2012-231

Recessed at 8:11 p.m.

Reconvened at 8:22 p.m.

De Martini/Withrow unan. **B4** Adopted the revised retirement contribution rates based on the revised actuarial assumptions for FY 2012-2013 as recommended by the Board of Retirement; and, directed the Auditor-Controller to change the employer retirement contribution rates for the FY 2012-13 in accordance with the actuarial valuation of 06-30-2011 on the payroll check dated 08-08-2012 – StanCERA
2012-229

Withrow/Chiesa unan. **B5** Approved the Plans and Specifications for the 192-Bed Honor Farm Jail Bed Replacement Project prepared by Lionakis; approved the list of seven pre-qualified general contractors recommended by County staff as the result of the Request for Statement of Qualifications process approved by the Board on 12/06/2011: ACME Construction, Inc. of Modesto, CA; BROCC Constructors, Inc. of Loomis, CA; C.T. Brayton & Sons of Escalon, CA; Diede Construction, Inc. of Woodbridge, CA; Flintco Pacific, Inc. of Roseville, CA; JL Bray & Son, Inc. of Salida, CA; and, Roebbelen Construction, Inc. of El Dorado Hills, CA; authorized the Project Manager to issue a notice inviting bids for the construction of the project; set a due date of 06/27/2012 at 2:00 p.m., and authorized the Project Manager to modify the bid date if necessary; authorized the Project Manager to accept and open bids on 06/27/2012 immediately after 2:00 p.m., and return to the Board to recommend an award of the general construction contract to the lowest responsive bidder; authorized the Project Manager to issue a RFP for Code Required Testing Services; authorized the Project Manager to complete work underway with the City of Ceres related to the installation of water back-flow preventers at the Public Safety Center site; and subsequently issue a Notice Inviting Bids for the installation of back-flow preventers at the Public Safety Center site; and, authorized the Project Manager to negotiate and sign contracts, work authorizations, and purchase orders for professional services needed in the bid and award phase of the project as long as they are within the project budget approved by the Board – CEO
2012-230

Corr 1 Referred to the Fish and Wildlife Committee, a notice from the California Fish and Game Commission regarding proposed regulatory action relative to waterfowl hunting.

Corr 2 Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a letter from the Mi Pueblo Food Center regarding the closing of one of their grocery stores in

Modesto, CA commencing 07/09/2012, per the Worker Adjustment and Retraining Notification Act (WARN).

Corr 3 Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a letter from Hostess Brands regarding their filing of Chapter 11 relief on 01/11/2012, and the possible impact on their facilities at 2517 Yosemite Boulevard and 2101 Standiford Avenue, Suite A in Modesto. Hostess anticipates that all employees could be separated from service as early as 60 days from this conditional notice per the Worker Adjustment and Retraining Notification Act (WARN).

Corr 4 Referred to the Fish and Wildlife Committee, a notice from the California Fish and Game Commission regarding proposed regulatory action relative to Public Use of Department of Fish and Game Lands.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Cherrish McClain; Victor M. Garcia; Ravyn T. Simpson; Bryan Mathews; and, Lori Skustad.

Supervisor De Martini reported that last Thursday he was at Laird Park with the Parks Commission where extensive renovation is taking place utilizing private donations and no County funds.

Supervisor Withrow introduced his daughter Molly to the Board.

The CEO reported that the State Controller released his monthly report regarding the State's cash balance, receipts and disbursements for April and it showed a shortfall of \$2.44 billion less than what was projected. The Governor's May Revised Budget includes 5% pay deduction (furloughs) for State employees and a four day work week, which will likely need to be bargained with the various labor unions. CEO Nino stated that County Departments are reviewing the impacts of the Governor's May Revised for our County. It is estimated that the budget gap is \$15.7 billion. A 7% cut in hours proposed for IHSS recipients, reductions of \$396 million for MediCal payments to hospitals and nursing facilities, the remaining Redevelopment Agency funds in the amount of \$1.4 billion, \$300-400 million mortgage abuse settlements, Trial Court funding savings of \$125 million, and reductions in local CalWorks childcare costs of \$452 million (non-Prop 98 funds) would be used towards filling the State's budget gap. The FY 2012-13 State Budget assumes that the Governor's tax initiatives will pass, which would bring in approximately \$8.5 billion of new funding. There are "ballot trigger" cuts in case the initiatives do not pass that would total \$6.1 billion and would be implemented in January 2013. These trigger cuts would mainly impact education for K-14 in the amount of \$5.5 billion, UC and State Universities in the amount of \$250 million, and other agencies would receive smaller impacts.

Adjourned at 8:56 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.)