

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

June 17, 2014

Recessed to Closed Session at 5:02 p.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. Conference with Real Property Negotiator: Property: Stanislaus Medical Arts Building, 700 17th Street, Modesto, California; Agency Negotiators: Stan Risen and Patricia Hill Thomas. Negotiating Party: Dr. Gurpreet Singh, and other interested purchasers. Under Negotiation: Both Terms of Payment and Price. Government Code Section 54956.8.

Adjourned from Closed Session at 6:10 p.m.

Reconvened at 6:30 p.m. for Regular Session

Closed Session Announcement: O'Brien/Monteith unan. The Board rejected all bids received for purchase of the Medical Art Building due to failure to meet the established minimum price, and authorized the agency negotiators to continue to develop and negotiate options for the disposition of the property with any and all interested potential purchasers

Supervisor Chiesa recognized Karenee Demery upon being named the 2013-2014 California Collegiate Athletic Association (CCAA) Female Athlete of the Year, and the National Soccer Collegiate Coaches Association Player of the Year.

Susie Mihaltan from CSA received her 25 year Employee Service Award.

Kate Selover spoke regarding the current labor negotiations and in support of restoring the 5% employee salary deduction.

Virginia Ehrler, representing AFSCME Local 10, spoke in support of restoring the 5% salary deduction for employees.

Gabe Miramontes spoke regarding the current union negotiations and in support of a salary increase.

George Medina noted that the economy is doing better. He spoke in support of restoring the 5% salary deduction and an additional wage increase.

Withdraw/Chiesa unan. Adopted the consent calendar

- *A1 Approved the minutes of 06/10/2014
- *A2 Accepted the resignation of L. B. Haney from the Empire Sanitary District Board of Directors 2014-283
- *A3 Declared a vacancy on the Stanislaus County Mental Health Board 2014-284
- *A4 Approved a request from the City of Oakdale to Consolidate their Municipal Election with the Tuesday, 11/04/2014 Gubernatorial General Election 2014-285
- *B1 Approved the Medicare Improvements for Patients and Providers Act (MIPPA) Contract MI-1314-30 with the California Department of Aging; and, authorized the Director of the Department of Aging and Veterans Services to sign the contract, and any subsequent amendments to contract MI-1314-14 for FY 2013-2014 and 2014-2015 – Aging & Veterans 2014-286
- *B2 Approved the second amendment to the multi-year agreement between BHRS and the State of California Department of Health Care Services for the provision of alcohol and other drug services for FY 2010-2011 through FY 2013-2014 to increase the funding and modify the terms and conditions for FY 2013-2014; and, authorized the BHRS Director, or her designee, to sign the second amendment to the agreement – BHRS 2014-287
- *B3 Approved Performance Agreement 13-90343 with the California Department of Health Care Services that sets forth conditions BHRS must meet to receive Mental Health Services Act, Projects for Assistance in Transition from Homelessness (PATH), Community Mental Health Services Grant (MHBG) and realignment funds to provide community mental health services for FY 2013-2014; authorized BHRS Director, or her designee, to sign performance agreement 13-90343 with the California Department of Health Care Services for FY 2013-2014, including the certification from CCC-307; and, adopted a Resolution to enter into Performance Agreement 13-90343 with the California Department of Health Care Services that sets forth conditions BHRS must meet to receive realignment funds to provide community mental health services for FY 2013-2014 – BHRS 2014-288
- *B4 Authorized the Sheriff to utilize the transportation services of the Los Angeles County Sheriff's Department Statewide Transportation Bus System for the transport of inmates; and, approved the agreement and authorized the Chairman to sign the agreement with the County of Los Angeles for the transportation of inmates throughout the State of California – Sheriff 2014-289
- *B5 Approved initiating the surplus and disposition plan of the former Honor Farm located at 8224 West Grayson Road, Modesto, California 95358; authorized the Project Manager to adjust, finalize and record the necessary lot line adjustment for development of the former Honor Farm parcel in preparation for the surplus property disposition process; accepted the engineering report prepared by Black Water Consulting Engineers, Inc., in association with R.B. Welty Engineering, Inc., for the decommissioning of the former Honor Farm property and active Wastewater Treatment Facility; authorized the Project Manager to proceed with all actions necessary to perform various maintenance and decommissioning activities for the site to prepare the property for disposition, as long as project costs are within the Project Budget; approved the use of up to \$300,000 in FY 2014-2015 of existing appropriations from deferred maintenance funds in the CEO-Plant Acquisition Budget for the costs of maintenance and decommissioning activities, consistent with the recommendation in the engineering report; directed the Auditor-Controller to perform an operating transfer out from the CEO-Plant Acquisition Budget in the amount of up to \$300,000 and to transfer in to the Honor Farm Wastewater Treatment Facility Capital Project Budget, and to increase appropriations in the Honor Farm Wastewater Treatment Facility Capital Project fund for associated project costs; authorized the Project Manager to negotiate and sign contracts, work authorizations and purchase orders necessary for the

Project as long as they are within the Project Budget; and, authorized the Project Manager to negotiate and sign change orders up to \$25,000, consistent with the County's Change Order Policy, and as long as they are within the Project Budget – CEO 2014-290

- *B6** Approved the restoration of 3% of the current 5% salary deduction along with a corresponding reduction of 24 hours of Special Accrued Leave Time (SALT) for all Unrepresented Confidential and Management Employees, and Elected Officials effective the first full pay period following 07/01/2014; approved the elimination of the remaining salary deduction and all remaining hours of Special Accrued Leave Time (SALT) for all Unrepresented Confidential and Management Employees, and Elected Officials effective the first pay period following 07/01/2015; approved a 1% increase in base salary for all Unrepresented Confidential and Management Employees, and Elected Officials effective the first pay period following 07/01/2016; authorized the CEO and County Auditor-Controller to implement all terms and conditions of the approved salary restoration schedule and salary increase in compliance with applicable State and Federal Laws; and, amended the Salary and Position Allocation Resolution to reflect the recommended changes of the 1% salary increase to base salary for all Unrepresented Confidential and Management Employees, and Elected Officials to be effective with the start of the first pay period following 07/01/2016 – CEO 2014-291
- *C1** Approved the FY 2014-2015 Transit Transportation Development Act Claim in the amount of \$4,920,852; and, authorized the Director of Public Works to execute and submit the claim to the Stanislaus Council of Governments (StanCOG) – PW 2014-292
- *C2** Adopted the Plans and Specifications for the Stanislaus County 2014 Slurry Seal Project; approved the award of the contract in the amount of \$286,667.13 to California Pavement Maintenance Company, of Sacramento, CA for the Stanislaus 2014 Slurry Seal Project, subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with California Pavement Maintenance Company, for \$286,667.13 and sign necessary documents; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code, Section 2014; and, authorized the Construction Manager to issue a Notice to Proceed contingent upon receipt of proper insurance and bonds – PW 2014-293
- *C3** Approved the purchase of the Road Easement on the parcel identified as Assessor's Parcel Number (APN): 056-027-009; and, authorizee the Chairman of the Board to execute the agreement – PW 2014-294

Monteith/Withrow unan. **B7a** Accepted the Update on the Strategic Plan for 24/7 Secure Mental Health Services – BHRS 2014-295

Withrow/Chiesa unan. **B7b** Adopted the FY 2014-2015 Mental Health Services Act (MHSA) Annual Update and Three-Year Program and Expenditure Plan; authorized the Behavioral Health Director to sign and submit the Fiscal Year 2014-2015 MHSA Annual Update and Three-Year Program and Expenditure Plan to the Mental Health Services Oversight and Accountability Commission (MHSOAC); authorized the Auditor-Controller to sign the Annual Update and Three-Year Program and Expenditure Plan certifying that the fiscal requirements on the certification form have been met; authorized funding for California Mental Health Services Authority (CalMHSA) for Statewide Prevention and Early Intervention Programs in the amount of \$232,931; and, authorized the Behavioral Health Director, or her designee, to sign the agreements discussed in this agenda item, and any amendments to add services and payment for services up to \$75,000 per agreement, budget permitting, throughout Budget Year 2014-2015 – BHRS 2014-296

O'Brien/Monteith unan. **B8** Approved the conditional award of a design-build construction contract, subject to final State approval for the AB 900 Phase II Public Safety Center Jail Expansion, for Project One (Maximum-Security, Mental Health Units) to Hensel Phelps of San Jose, California for the lump sum amount, not to exceed \$64,943,000 pursuant to the County's basis of award; approved the award of a design-build construction contract for the County funded companion project for the Public Safety Center Jail Expansion for Project Three (Intake, Release, Transportation Facility) to Hensel Phelps of San Jose, California for the lump sum amount, not to exceed \$17,749,000 pursuant to the County's basis of award; 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 use up to \$200,000 from the Project Three contingency account to authorize final design changes that ensure Project Three (Intake, Release, Transportation) is constructed consistent with the Neighborhood Plan and achieves its intended purpose, as long as it is within the approved project budget; authorized the Project Manager to issue a Notice to Proceed upon receipt of proper insurance and bonds for each of the Projects; authorized the Project Manager to issue Change Order One for Project Three (Intake, Release, Transportation) to Hensel Phelps, for the completion of a geotechnical soils report in the amount of \$16,000 for the proposed foundation design requirements for the design-build construction at the Public Safety Center site; authorized the CEO 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 of Supervisors; and, authorized the Project Manager to negotiate and sign change orders up to \$25,000, consistent with the County's Change Order Policy, and as long as they are within the previously approved project budget
– CEO 2014-297

Chiesa/Withrow (4-1)(O'Brien opposed) **B9** Authorized the Auditor-Controller to make the necessary adjustment up to \$9,200 at year-end to fund the Cost Allocation Plan Charges in the Sheriff - Court Security Budget – Sheriff 2014-298

Monteith/Withrow unan. **B10** Accepted the first update on the status of the emergency repairs at the Gallo Center for the Arts, Inc. in accordance with Public Contract Code Sections 20134 and 22050 to repair water damage and restore essential operations – CEO 2014-299

Corr 1 Referred to DER, Public Works, and, the Agricultural Commissioner and Sealer of Weights and Measures, two letters from the State Water Resources Control Board regarding a Notice of Petition for temporary change to transfer water.

Corr 2 Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Office of the Governor regarding a proclamation calling for the Statewide General Election on Tuesday, 11/04/2014.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Mayra Lomeli; Javier Solis; and, EAN Holdings LLC.

CEO Risen reported that last Thursday, Sheriff Christianson gave Chairman De Martini, Modesto Bee Editor Joe Kieta, and himself a tour of the jail facilities. He noted that they have done an excellent job in maintaining the old facility and that all who participated in the tour were very impressed. CEO Risen also reported that last Sunday the legislature passed the State Budget. The Budget includes the repayment of \$100 million to local governments for pre-2004 mandates, in which over \$70 million is owed to counties. There is a trigger that if additional revenue is received, the State will repay more of the back payments that are due to local governments. The State has begun an early repayment of the Highway User Tax

Account (HUTA) loan, which will benefit our transportation projects. In addition, the State Budget includes funding for SB1022 grants for jail construction.

Adjourned at 8:54 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.)