

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

Regular Session

Tuesday

March 3, 2015

Supervisor O'Brien absent

Pledge of Allegiance to the Flag

Invocation was given by Pastor Richard Hanshew from Sunshine Community Church.

John Mataka, President of the Grayson Neighborhood Council, stated that on 11/25/2014 he requested a formal investigation into missing weapons at the Sheriff's Department, and he has not received a response. He noted that he filed a complaint with the State Attorney General's office regarding this matter.

Rick Ferroni voiced concerns regarding a nuisance abatement issue on his neighbor's property on Elm St. in the Salida area.

Carmen Sabatino spoke regarding a deposition he gave regarding a lawsuit against the County.

Chiesa /Monteith (4-0)(O'Brien absent) Adopted the consent calendar

- \*A1 Approved the minutes of 02/10/2015
- \*A2 Approved the minutes for the Special Meeting on 02/06/2015
- \*A3a Appointed Tony Flores to the Mental Health Board 2015-59
- \*A3b Appointed Ana San Nicolas to the Oversight Board to the Successor Agency to the Stanislaus County Redevelopment Agency 2015-60
- \*A3c Appointed Ed Katen to the Stanislaus Economic Development and Workforce Alliance Board of Directors 2015-61
- \*A3d Appointed Bryan Whitemyer to the Emergency Medical Services Committee 2015-62
- A3e Appointed Stan Sinclear to the Agricultural Advisory Board 2015-63
- \*A4 Reappointed David Wilson to the Stanislaus Economic Development and Workforce Alliance Youth Advisory Council 2015-64
- \*A5a Accepted the resignation of Matthew Jacob from the Equal Rights Commission 2015-65
- \*A5b Accepted the resignation of Doug Miller from the Veterans Advisory Commission 2015-66
- \*A5c Accepted the resignation of Luis Molina from the Stanislaus Economic Development and Workforce Alliance Board 2015-67
- \*A5d Accepted the resignation of Amelia Henson from the Commission on Aging 2015-68
- \*A6 Approved a commendation for Edward Burroughs, Assistant County Counsel, upon his retirement from Stanislaus County 2015-69
- \*A7 Declared a vacancy and accepted the appointment of Jason Turner to the Knights Ferry Community Services District Board of Directors 2015-70
- \*A8 Declared a vacancy and accepted the appointment of Cheryl Titus to the Child Abuse Prevention Council 2015-71
- \*B1 Approved amendments to agreements with three providers of care for adults with serious mental illness in need of an institution for mental disease and one provider of care for adolescents with serious emotional disorders in need of a residential treatment center

- through the end of FY 2014-2015; and, authorized the Behavioral Health Director, or her designee, to sign the amendments with three providers of care for adults with serious mental illness and one provider of care for adolescents with serious emotional disorders – BHRS 2015-72
- \*B2 Authorized the General Services Agency (GSA) Purchasing Division to issue a RFP on behalf of the Community Services Agency for the provision of Sober Living Environment Services in Stanislaus County for the initial contract period of 07/01/2015 through 06/30/2016 with an option to renew the contract on a year-to-year basis up to a maximum of three additional years; and, eliminated local match requirements in the RFP for Sober Living Environment Services – CSA 2015-73
  - \*B3 Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 101 N. G Street, Empire, California, CE No. 14-0050 – DER 2015-74
  - \*B4 Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 5301 9<sup>th</sup> Street, Keyes, California, CE No. 13-0069 – DER 2015-75
  - \*B5 Approved the Stanislaus County California Children’s Services and Child Health and Disability Prevention Plans for FY 2014-2015; and, authorized the Chairman to sign the Certification Statements for the California Children’s Services and Child Health and Disability Prevention programs – HSA 2015-76
  - \*B6 Authorized the Mountain Valley Emergency Medical Services Agency to purchase 12-Lead Transmittal and Cardiac Analytics for upgraded Electrocardiogram (EKG) transmittal ability, funded from the System Enhancement Fund – HSA 2015-77
  - \*B7 Accepted the Stanislaus County Treasury Pool’s January 2015 Monthly Investment Report as prepared by the Stanislaus County Treasurer-Tax Collector’s Office and reviewed for conformity with the Stanislaus County Treasury Pool Investment Policy by the Treasurer-Tax Collector, and has been distributed to the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2015-78
  - \*B8 Authorized the Project Manager to process a Change Order with Hensel Phelps Construction Company for the lump sum amount not to exceed \$54,401 for the installation of a dry pipe pre-action fire suppression system for at the Central Control and Low Voltage Equipment Room in Project One (Maximum-Security, Medical/Mental Health Housing Units); and, directed the Auditor-Controller to make the necessary budget transfers between the construction and construction contingency accounts for the change order to Hensel Phelps Construction Company as outlined in the budget journal form – CEO 2015-79
  - \*C1 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 Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of 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 Hatch Channelization Phase II Project; and, authorized the Public Works Director to finalize the plans and specifications and advertise the project for construction – PW 2015-80
  - \*C2 Awarded a contract for all-inclusive consulting services to Drake Haglan and Associates of Modesto, California, in the amount of \$750,112 for the Golden State Boulevard, Golf Road, Berkeley Avenue Intersection Project in Stanislaus County, Turlock area, Federal

Project No. CML-5938 (183); and, authorized the Director of Public Works to execute a contract with Drake Haglan and Associates in the amount of \$750,112 and to sign necessary documents, including any amendments to the agreement not to exceed 10% – PW 2015-81

**\*C3** Introduced and waived the first reading of Ordinance C.S. 1157 to amend Title 11, Section 11.08.020: Red Curb Marking - Streets Designated, of the Stanislaus County Code, to include portions of Galaxy Way and Robertson Road in Stanislaus County, Modesto area; and, finds that the subject ordinance changes are not subject to CEQA (Public Resources Code, Sections 2100 et. Seq.) – PW ORD-55-T-4 2015-82

**\*C4** Approved the agreement with the City of Turlock to allow fueling of County Compressed Natural Gas Vehicles (CNG) by the County of Stanislaus' employees, agents, officers, or representatives at the City of Turlock's CNG Fueling Station; and, authorized the Director of Public Works to execute the agreement with the City of Turlock – PW C-5-E-18 2015-83

De Martini/Monteith (4-0)(O'Brien absent) **B9** Declared an emergency in accordance with Public Contract Code Section 22050 for repairs at the Fink Road Landfill; and, authorized the County Purchasing Agent to negotiate and execute an agreement with Judge Netting, Inc. of Costa Mesa, California to replace 740 linear feet of perimeter litter barrier fencing at the Fink Road Landfill – DER 2015-84

**Corr 1** Referred to County Counsel and the Agricultural Commissioner and Sealer of Weights and Measures, a copy of a Petition for Writ of Mandate contesting adoption by the California Department of Food and Agriculture of its Final Programmatic Environmental Impact Report for the Statewide Plant Pest Prevention and Management Program.

**Corr 2** Referred to the CEO, a letter from the Stanislaus County Office of Education regarding an offer to sell real property at 1317 Grandview Avenue in Ceres, CA.

**Corr 3** Referred to the Department of Environmental Resources, a letter from the California Water Boards regarding the City of Modesto wastewater change petition seeking to reduce the discharge of treated wastewater to San Joaquin River.

**Corr 4** Referred to the Agricultural Commissioner and Sealer of Weights and Measures; DER; and the Stanislaus Economic Development and Workforce Alliance, two letters from the Governor's Office of Emergency Services regarding the U.S. Department of Agriculture granting of a Secretarial disaster designation and the U.S. Small Business Administration's disaster declaration to Stanislaus County and other Counties due to the severity of the drought.

**Corr 5** Referred to the Department of Planning and Community Development, a letter from the U.S. Department of Housing and Urban Development regarding FY 2015 Community Development Block Grant and Emergency Solutions Grant allocations for Stanislaus County.

**Corr 6** Referred to the Fish and Wildlife Committee, a letter from the California Fish and Game Commission regarding the fifteen day continuation notice relative to amending the Deer Tagging and Reporting Requirements.

**Corr 7** Referred to the Stanislaus Economic Development and Workforce Alliance and the Alliance WorkNet, four letters from Centrex Revenue Solutions giving notice, per the Worker Adjustment and Retraining Notification Act (WARN Act), of their intent to reduce staffing at the American Medical Response Modesto office and the permanent layoff of employees at the 4701 Stoddard Road location.

**Corr 8** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Farmers Insurance Exchange as Subrogee of Martha Roget (amended); and, Darryl Jermaine Durham Sr.

Supervisor Chiesa noted that Supervisor O'Brien is absent due to County business. He questioned where the jobs are going in regards to the layoffs at the American Medical Response's Modesto office.

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 9:33 a.m. for Conference with Legal Counsel - Significant Exposure to Litigation: One case concerning a vehicle accident in the parking lot at Community Services Agency. Government Code Section 54956.9 (d)(2). Conference with Legal Counsel – Anticipated Litigation: One case. Government Code Section 54956.9 (d)(4).

**Closed Session Announcement:** Chiesa/Monteith (4-0)(O'Brien absent) In regard to the one case of significant exposure to litigation, the Board authorized counsel for the County to inform Monica Barber through her attorney that the County has determined, based upon the information available to the County, that Ms. Barber was not in the scope of employment at the time of the vehicle accident; and, therefore, declines to accept the tender of defense of the case Adame vs. Barber, Stanislaus County Superior Court, Case No. 2010801. 2015-85

Adjourned at 10:49 a.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.)