

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

Regular Session

Tuesday

March 31, 2015

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor Darrell Cummings from Christ Community Church.

Chairman Withrow presented a resolution proclaiming April 12-28, 2015 as Library Week in Stanislaus County to Diane McDonnell, County Librarian.

Christine Huber from CSA and Jeff Anderson from Sierra Vista Child and Family Services gave a presentation regarding April 2015 as Child Abuse Prevention Month in Stanislaus County. Chairman Withrow presented the proclamation to Belinda Rolicheck, Executive Director of Haven Women's Center.

Debra Harper voiced concerns regarding her healthcare and her suspension from the Stanislaus County libraries, including the Law Library.

David Froba spoke on behalf of the Stanislaus Audubon Society and announced that there will be a movie showing at the State Theatre on 4/12/2015, at 3:00 p.m., about local wildlife located within 40 miles of Modesto.

Katherine Borges, from the Salida MAC, gave a presentation and spoke regarding their program in Salida that combats graffiti.

Chiesa/Monteith unan. Adopted the consent calendar after removing from consent items ***B9** Approval for the Sheriff to Apply for the Mentally Ill Offender Crime Reduction Grant from the Board of State and Community Corrections to Provide Services for Adult Mentally Ill Offenders – Sheriff; and, ***B13** Approval to Accept the California Office of Emergency Services Grant for the Law Enforcement Specialized Units Program for Calendar Years 2015-2017 – Sheriff

***A1** Approved the minutes of 03/17/2015

***A2a** Appointed Katrina Kidd to the Stanislaus County Economic Development Action Committee
2015-109

***A2b** Appointed Judith Martinez to the Stanislaus County Equal Rights Commission 2015-110

***A3** Accepted the appointment of Julie Sesser to the Child Abuse Prevention Council 2015-111

***A4** Accepted the dissolution of the State Council on Development Disabilities Area Board 6 per
Assembly Bill 1595 BD-07-18 2015-112

***A5** Approved the consolidation of the Municipal Elections for the City of Modesto and Modesto
High School District Board of Education Members with the Consolidated District Election
to be held on 11/03/2015 2015-113

***A6a** Proclaimed 04/05/2015 through 04/11/2015 as Safety Seat Checkup Week 2015-114

***A6b** Proclaimed 05/01/2015 through 05/04/2015 as American Cancer Society's Paint the Town
Purple Event 2015-115

***A6c** Proclaimed 05/11/2015 through 05/16/2015 as Salvation Army Week 2015-116

- *A7 Approved the commendation for the UC Cooperative Extension, Stanislaus County Program, upon the celebration of their 100th Anniversary 2015-117
- *B1 Approved an agreement with Telecare Corporation, for the provision of Mental Health Services Act (MHSA) Community Services and Supports Outreach and Engagement Services to underserved/unserved adults, as a result of a RFP process for such services for a total amount not to exceed \$315,000 for the period of 04/01/2015 through 06/30/2017; and, authorized the BHRS Director, or her designee, to sign the agreement, and any amendments thereto, with Telecare Corporation to provide MHSA Community Services and Supports Outreach and Engagement Services to underserved/unserved adults – BHRS 2015-118
- *B2 Approved an agreement with Catholic Charities of the Diocese of Stockton, a California Non-Profit Corporation for the provision of Mental Health Services Act (MHSA) Prevention and Early Intervention Services addressing Community Capacity Building, as a result of a RFP process for such services, for an amount not to exceed \$300,000 for the period of 07/01/2015 through 06/30/2017; approved an agreement with Peer Recovery Art Project, Inc., a California Non-Profit Corporation for the provision of MHSA Prevention and Early Intervention Services addressing Adult Resiliency and Social Connectedness, as a result of a RFP process for such services, for an amount not to exceed \$255,980 for the period of 04/01/2015 through 06/30/2017; approved an agreement with Stanislaus County Office of Education, a California Government entity for the provision of MHSA Prevention and Early Intervention Services addressing School Behavioral Health Integration, as a result of a RFP process for such services, for an amount not to exceed \$192,500 for the period of 04/01/2015 through 06/30/2017; and, authorized the Behavioral Health Director, or her designee, to sign the agreements, and any amendments thereto, with Catholic Charities of the Diocese of Stockton, Peer Recovery Art Project, Inc. and Stanislaus County Office of Education to provide MHSA Prevention and Early Intervention Services – BHRS 2015-119
- *B3 Accepted the County Volunteer Program Annual Report for Calendar Year 2014; and, proclaimed the week of 04/12/2015 – 04/18/2015 as Stanislaus County Volunteer Week – CEO 2015-120
- *B4 Authorized the Project Manager to increase the project budget for furniture, fixtures and equipment to support the operational needs of the Sheriff-Coroner at County Center III in the amount of \$79,851 funded by Public Facilities Fees (PFF); directed the Auditor-Controller to increase revenue and appropriations in the amount of \$79,851 through an operating transfer out of PFF into the Sheriff’s Coroner Facility Capital Project fund as outlined in the budget journal form; and, authorized the Project Manager to plan and host an appropriate public dedication open house for the opening of the Sheriff’s Coroner Facility at County Center III – CEO M-64-J-10 2015-121
- *B5 Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 507 Kerr Avenue, Modesto, California, CE No. 13-0026 – DER 2015-122
- *B6a Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the nuisance at 1717 Donald Street, Modesto, California, CE No. 13-0169–DER 2015-123
- *B6b Adopted the recommended decision of the Nuisance Abatement Hearing Board regarding the nuisance at 716 Turner Street, Modesto, California, CE No. 14-0056 – DER 2015-124
- *B7 Accepted the final update on the status of the emergency repairs at the Fink Road Landfill, in accordance with Public Contract Code Section 22050, to replace 740 linear feet of perimeter litter barrier fencing – DER 2015-125

- ***B8a** Set a public hearing on 04/28/2015, at 9:05 a.m., to introduce and waive the first reading of an ordinance to establish new fees, and amend or eliminate existing fees for the Department of Environmental Resources ORD-55-T-6 2015-126
- ***B8b** Set a public hearing on 04/28/2015, at 9:05 a.m., to introduce and waive the first reading of an ordinance to establish new fees and amend existing fees for the Department of Public Works ORD-55-T-7 2015-127
- ***B8c** Set a public hearing on 04/28/2015, at 9:05 a.m., to introduce and waive the first reading of an ordinance to amend existing fees for the Department of Planning and Community Development ORD-55-T-8 2015-128
- ***B10** Approved the appointment of Anuj Bhatia, DrPH to the position of Manager IV (Public Health) with the Health Services Agency at an annual salary of \$104,000 which is above the mid-point of the salary band – HSA 2015-129
- ***B11** Approved a resolution identifying the terms and conditions for response to fire incidents outside of Stanislaus County when OES/Fire Warden is compensated or reimbursed for such response – OES 2015-130
- ***B12** Approved an agreement (Authorization To Order) with AT&T via the State of California Master Services Agreement CALNET 3 for network and telecommunications services for a term ending 06/30/2018, with two optional one-year extensions at the same rates; and, authorized the County Purchasing Agent to sign the Authorization To Order Forms – SBT 2015-131
- ***B14** Authorized the Project Manager to negotiate and execute a contract with Double B Demolition, Inc. for demolition and removal of the former Honor Farm Barracks 4, Guard Shack and Paint Booth structures for the lump sum amount not-to-exceed \$49,440; authorized the Project Manager to issue a Notice to Proceed upon receipt of proper insurance and bonds for the Demolition and Removal project; authorized the Project Manager to negotiate and sign change orders up to \$25,000 consistent with the County's Change Order Policy, as long as they are within the previously approved project budget; authorized the Project Manager to negotiate and sign contracts, work authorizations and purchase order for professional services needed in the construction phase of the project, as long as they are within the previously approved project budget; and, authorized the Project Manager to take all of the necessary actions to close out and complete the County's activities at the former Honor Farm property and deliver the former Honor Farm property to Camp Taylor as long as project costs are within the Project Budget – CEO 2015-132
- ***B15** Authorized the Project Manager to process a Change Order with Hensel Phelps Construction Company for the lump sum amount not to exceed \$70,000 for installation of security glazing at cell doors and detention room areas in Project One (Maximum-Security, Medical/Mental Health Units); authorized the Project Manager to process a Change Order with Hensel Phelps Construction Company for the lump sum amount not to exceed \$49,147 to complete the kitchen and server area in Project One (Maximum-Security, Medical/Mental Health Units); approved a twenty-day time extension to the construction contract with Simile Construction Services, Inc. for coordination of Project Three's final design and Project Two's exterior and block changes; authorized the Project Manager to plan and conduct appropriate public dedication ceremonies for the newly constructed Project Two (Day Reporting Center) upon its completion; 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 previously approved 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, as long as they are within the previously approved project budget – CEO

2015-133

- *B16** Accepted the Stanislaus County Treasury Pool's Annual Audit for year-ending 06/30/2014 prepared by Brown Armstrong, Certified Public Accountants and reviewed for conformity with State Law by the Stanislaus County Treasury Oversight Committee; accepted the Annual Certificates of Compliance from the Treasury Oversight Committee members for year-ending 12/31/2014; and, accepted the Stanislaus County Treasury Pool Investment Policy, to be effective 04/01/2015, and delegated the Stanislaus County Treasurer the authority to invest funds as indicated in the Investment Policy as well as the authority to invest any other funds under the County control – T/TC 2015-134
- *B17** Accepted the Stanislaus County Tobacco Endowment Investment Fund Audit for year-ending 06/30/2014 prepared by Brown Armstrong, CPAs and reviewed for conformity with State Law by the Stanislaus County Treasury Oversight Committee – T/TC 2015-135
- *B18** Accepted the Stanislaus County Treasury Pool's February 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 distributed to the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman of the Board of Supervisors to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2015-136
- *B19** Approved an agreement between the County and Ascendant Healthcare to provide clinical data management services from 04/01/2015 through 12/31/2017; approved an agreement between the County and Ascendant Healthcare for memorialization of health insurance management services from 04/01/2015 through 12/31/2017; approved an agreement between the County and Stanislaus County Partners in Health for access and management of the medical provider network from 04/01/2015 through 12/31/2017; and, authorized the Purchasing Agent to sign the approved agreements – Risk Management 2015-137
- *C1** Adopted a resolution certifying the mileage in Stanislaus County's maintained mileage road system to be 1,510.72 miles as of 12/31/2014 – PW 2015-138
- *C2** Authorized the Director of Public Works to apply for and accept, if awarded, the San Joaquin Valley Air Pollution Control District Public Benefit Grant for the purchase of five alternative fuel vehicles on behalf of the Department of Public Works; and, adopted a resolution authorizing the Director of Public Works to prepare and submit the application and sign all applicable documents with the San Joaquin Valley Air Pollution Control District – PW 2015-139
- *D1** Opened the 30-day public comment period to consider approval of the FY 2015-2020 Regional Consolidated Plan (Con Plan); the FY 2015-2016 Annual Action Plan (AAP); and the FY 2015-2020 Regional Analysis of Impediments (AI) to Fair Housing Choice; and, set a public hearing for 05/05/2015, at 9:05 a.m., to close the public comment period and consider approval of the FY 2015-2020 Regional Consolidated Plan (Con Plan); the FY 2015-2016 Annual Action Plan (AAP), and the FY 2015-2020 Regional Analysis of Impediments (AI) to Fair Housing Choice – Planning 2015-140
- *D2** Set a public hearing on 04/21/2015, at 6:35 p.m., to consider the Planning Commission's recommendation for approval of GPA and Rezone Application 2014-0080, Salida Market, a request to amend the General Plan designation of Medium Density Residential to Planned Development and zoning designation of C-2 (General Commercial) to P-D (Planned Development) of a .33± acre parcel to replace a 4,406 square foot building with an 8,761 square foot building to be used as a retail market at 4600 Broadway Avenue, in the Downtown Salida area; adoption of a Negative Declaration; and to consider the introduction, waiving of the reading, and adoption of an ordinance for the proposed rezone

ordinance upon approval; and, authorized the Clerk of the Board to publish notice of hearing as required by law – Planning ORD-55-U-1 2015-141

***D3** Set a public hearing on 04/21/2015, at 6:40 p.m., to consider the Planning Commission's recommendation for approval of GPA and Rezone Application No. PLN2014-0077, BPL Properties, a request to amend the General Plan designation of Agriculture and zoning designation of A-2-40 (General Agriculture) of a 1.5± acre parcel to P-D (Planned Development), to modify the current legal non-conforming use to allow uses consistent with the C-2 (General Commercial) zoning district and construction of an additional 6,500 square foot building on property located at 5801 McHenry Avenue, at the northwest corner of Highway 108 (McHenry Avenue) and St. Francis Avenue, south of Ladd Road, north of the City of Modesto; adoption of a Negative Declaration; and to consider the introduction, waiving of the reading, and adoption of an ordinance for the proposed rezone ordinance upon approval; and, authorized the Clerk of the Board to publish notice of hearing as required by law – Planning ORD-55-U-2 2015-142

***D4** Accepted the Final Report of the Stanislaus County Regional Sustainability Toolbox Grant; and, authorized the Planning Director to submit the final report and final invoice to the Strategic Growth Council – Planning 2015-143

Chiesa/Monteith unan. ***B9** Authorized the Sheriff to apply for the Adult Mentally Ill Offender Crime Reduction (MIOCR) Grant; authorized the Sheriff to sign the grant agreement including any extension, amendments or agreements related to the Mentally Ill Offender Crime Reduction Grant; and, approved a formal resolution to be submitted to the Board of State and Community Corrections authorizing the Sheriff to apply for and provide matching contributions for the MIOCR grant – Sheriff 2015-144

Chiesa/Monteith unan. ***B13** Authorized the Sheriff to accept the grant from the California Office of Emergency Services for the Law Enforcement Specialized Units Program totaling \$566,925 for calendar years 2015-2017; and, authorized the Sheriff to negotiate, enter into, and sign a contract with Haven Women's Center of Stanislaus – Sheriff 2015-145

De Martini/Monteith unan. **B20** Accepted the update on Stanislaus County Focus on Prevention, a county-wide transformation process, to improve the quality of life for residents and families across the County; approved the agreement for independent contractor services with the Center for Collective Wisdom, for Facilitation Services for Phase I of the Focus on Prevention to provide support for the Stewardship Council, Action Councils and County backbone support, provide training and implement Initiative-wide learning and assessment; and, authorized the Chairman of the Board to sign the agreement with the Center for Collective Wisdom, not to exceed \$148,000 for Phase I of the Focus on Prevention, effective through 12/2015 – CEO 2015-146

Chiesa/O'Brien unan. **B21** Authorized the BHRS Director to rehire Dr. Dao Tran following her retirement, as a full time County Psychiatrist on 03/21/2015 prior to the 180 day sit out period as required by the Public Employees' Pension Reform Act of 2013; and, certified that the appointment of Dr. Tran as a County Psychiatrist is necessary to fill a critically needed position before 180 days have passed – BHRS 2015-147

O'Brien/Chiesa unan. **B22** Accepted the HSA's 2015 Annual Public Health Report to the Board of Supervisors – HSA 2015-148

Corr 1 Referred to the Fish and Wildlife Committee, a letter from the California Fish and Game Commission regarding rulemaking hearings concerning the Central Valley Salmon.

Corr 2 The Board acknowledged receipt of the State Board of Equalization Annual Report for FY 2013-2014.

Corr 3 Referred to the CEO and the Stanislaus Animal Services Agency, a letter from the People for the Ethical Treatment of Animals regarding the Stanislaus Animal Services Agency's practice of spaying/neutering and releasing stray cats to the community.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: LLuvia Viera; Gretchen Arbini; Amarie Pecot, a minor; Daniel Medrano; Safeco Insurance A/S/O Dena Torres; Garth David Holden; SASCO; Alan Abel; and, Carrie Lyall.

CEO Risen reported that last week the State Legislature approved emergency drought relief bills AB 91 and AB 92, which allocated \$1 billion in funds to address drought and reinforce local water infrastructure. He noted that Chairman Withrow, Assistant Executive Officer Keith Boggs, and Walt Ward, Water Manager will be going to Sacramento to get a better understanding of what these bills mean to Stanislaus County.

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 10:45 a.m. for 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. Under Negotiation: Both Terms of Payment and Price. Government Code Section 54956.8.

Closed Session Announcement: O'Brien/Chiesa unan. Authorized sale of property to Dr. Gurpreet Singh for \$1 million, pending completion of conditions of sale contained in Purchase and Sale Agreement; authorized Addendum for use of a parking lot on the property by Dr. Singh pending conclusion of Dr. Singh's purchase of the property; authorized payment to licensed real estate broker, Brekke Real Estate, Inc.; and, authorized the Chief Operations Officer to take all actions necessary to complete the sales of the property – CEO

2015-149

Adjourned at 11:28 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.)