

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

Regular Session

Tuesday

September 29, 2015

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor James M. Anderson from Christian Love Baptist Church.

David Cipponeri from Sons of Italy, Modesto Lodge, accepted a resolution proclaiming October 2015 as Italian-American Heritage Month.

District Attorney Birgit Fladager introduced “Honor” the District Attorney’s Facility Dog from Canine Companion.

Annette Patton, Animal Services Agency Executive Director, presented Stanislaus Animal Services Agency’s 2014-2015 Annual Report.

Milton O’Haire, Agricultural Commissioner, presented the 2014 Stanislaus County Agricultural Crop Report.

Chiesa/Monteith unan. Adopted the consent calendar after removing from the consent agenda items ***B8** Approval of a Contract with the California Department of Public Health for the Women, Infants, and Children (WIC) Supplemental Nutrition Program, from October 1, 2015 through September 30, 2019; ***B9** Approval of Commendations for the 2015 Dale Butler Equal Rights Award Recipients; and, ***B10** Approval of the Final Acceptance of the Sheriff Coroner’s Facility Project with Simile Construction Service, Inc. of Modesto, California; and Related Actions

***A1** Approved the minutes of 09/22/2015

***A2** Accepted the resignation of Charlie Grom from the Mental Health Board 2015-450

***B1** Authorized the Agricultural Commissioner to sign the Enforcement Evaluation and Improvement Project Agreement for FY 2015-2016; and, authorized the Auditor-Controller to adjust appropriations and estimated revenue in the amount of \$68,075.26 as detailed on the budget journal for FY 2015-2016 – Agricultural Commissioner 2015-451

***B2** Accepted the second update on the state of the emergency repairs at County Center II in accordance with Public Contract Code Sections 20134 and 22050 to repair electrical power supply and replace an emergency generator and other equipment to restore essential County operations – CEO 2015-452

***B3** Adopted a resolution of intent to participate in the Great California ShakeOut Annual Statewide Earthquake Drill – OES 2015-453

***B4** Adopted a resolution proclaiming the week of 10/19/2015–10/25/2015 as Second Chance Week in Stanislaus County, in conjunction with national and statewide events promoting reuse and recycling activities – DER 2015-454

***B5** Approved the acceptance of four Library Services and Technology Act (LSTA) grants from the California State Library in the total amount of \$17,550; and, authorized the County Librarian or her designee to sign the necessary documents to accept the grants – Library 2015-455

- *B6 Accepted the Stanislaus County Treasury Pool’s August 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 to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2015-456
- *B7 Approved Contract # 15-10459 with the California Department of Public Health Services for the continuation of the Immunization Assistance Program for the period of 07/01/2015–06/30/2017; and, authorized the HSA Managing Director, or her designee, to sign and execute the contract and any subsequent contracts or amendments thereafter – HSA 2015-457
- *B11 Approved the award of a construction contract for the Crisis Stabilization Unit (CSU) Project at 1904 Richland Avenue, Ceres, California to Simile Construction Service, Inc. of Modesto, California for the lump sum amount of \$927,000; authorized the Project Manager to negotiate and sign contracts, work authorizations and purchase orders for professional services necessary for the Project as long as they are within the Project Budget; 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 issue a Notice to Proceed upon receipt of proper insurance, bonds and other contractual requirements; and, directed the Auditor-Controller to adjust the budget as detailed in the budget journal form – CEO 2015-458
- *C1 Approved Amendment No. 1 to the Professional Design Services Master Agreement with ENGEO, Inc. in the amount of \$250,000 and extend the agreement for an additional 24 months to expire on 10/21/2017; approved Amendment No. 1 to the Professional Design Services Master Agreement with Wallace-Kuhl & Associates in the amount of \$250,000 and extend the Agreement for an additional 24 months to expire on 10/21/2017; and, authorized the Public Works Director to sign the amendments – PW 2015-459
- *C2 Approved the purchase of one set of four Stertil-KONI ST1085-2FRA mobile column lifts, one SKY250 and components, and one ECOLIFT and components from Stertil-KONI in the amount of \$266,367.15 from Municipal Maintenance Equipment, Inc; and, authorized the Purchasing Agent to issue a purchase order for the equipment using the Houston-Galveston Area Council (HGAC) cooperative purchasing contract – PW 2015-460
- *D1 Rescinded a portion of Williamson Act Contract No. 1974-1808, located on Carver Road (APN: 004-075-041), west of the Community of Del Rio; pursuant to Government Code Section 51257, determined that the following seven findings can be made based on the written evidence submitted by the applicant: (a) the new contract would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of AB 1265; (b) there is no net decrease in the amount of the acreage restricted; in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; (c) at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; (d) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222; (e) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; (f) the lot line adjustment is not

likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan; approved a new contract pursuant to Lot Line Adjustment PLN2014-0126, Girdner; and, authorized the Director of Planning and Community Development to execute a new contract – Planning
2015-461

DeMartini/Chiesa (4-0) (O'Brien abstained) ***B8** Approved Contract # 15-10120 with the California Department of Public Health for the Women, Infants, and Children (WIC) Supplemental Nutrition Program, from 10/01/2015–09/30/2019; and, authorized the HSA Managing Director, or her designee to sign and execute the contract and subsequent amendments – HSA
2015-462

Chiesa/O'Brien unan. ***B9** Approved resolutions commending Christine Ferraro Tallman, Ruben Imperial, and JoAnn Sarhad on being selected as the 2015 recipients of the Stanislaus County Dale Butler Annual Equal Rights Awards – CEO
2015-463

O'Brien/Monteith unan. ***B10** Approved the final acceptance and completion of the construction of the Sheriff Coroner's Facility Project located at County Center III with Simile Construction Service, Inc. of Modesto, California; approved the final contract with Simile Construction Service, Inc. of Modesto, California as follows: original contract amount \$4,074,000 plus change orders, \$387,562, for a total contract amount of \$4,461,562; and, authorized the Project Manager, on behalf of the Board of Supervisors as the Awarding Authority, to sign completion documents, record the Notice of Completion, release retention less withholdings, and process all remaining close out activities for the contract and Sheriff Coroner's Facility project – CEO
2015-464

Monteith/Chiesa (3-2)(O'Brien and DeMartini opposed) **B12** Accepted the FY 2015-2016 Mental Health Services Act (MHSA) Plan Update; authorized the use of Stanislaus County's California Housing Finance Agency funds in the amount of \$490,000 in partnership with the City of Modesto and Community Transitional Resources, a local non-profit, for the Permanent Supportive Housing and Community Resource Center Project to be located at 522 East Granger Avenue, Modesto, California; authorized the BHRS Director to direct funds held at the California Housing Finance Agency (CalHFA) for the development of the Granger Avenue Supportive Housing and Community Resource Center Project; and, authorized the BHRS Director to submit a letter to the City of Modesto informing them of the County's intent to authorize the release of CalHFA funds for the Granger Avenue Project – BHRS
2015-465

Corr 1 Designated Supervisor DeMartini as the Board member to serve on the Election Observer Panel for the Consolidated District Election on Tuesday, 11/03/2015.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Angelica Sanchez; Yolanda Kaiser; and, Gabriela Sosa.

The Chairman announced that the Summit on Homelessness in Stanislaus County "Finding Our Way Home" will be on Thursday, 10/01/2015 from 8:00 a.m. - 5:00 p.m., Modesto Centre Plaza, 1000 L Street, Modesto. He also announced that there will be a Public Dedication of the New Sheriff-Coroner's Facility on Tuesday, 10/06/2015 at 10:00 a.m., 921 Oakdale Road, Modesto.

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 12:03 p.m. for Conference with Legal Counsel - Existing Litigation: One Case: Irina Engert, et al. v. Stanislaus County, et al., United States District Court, Eastern District of California Case No. 1:13-CV-00126-LJO-BAM. Government Code Section 54956.9 (d)(1)

Adjourned at 12:41 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.)