

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

September 1, 2015

Invocation was given by Reverend Rick Fritzeimer from Youth for Christ.

Carmen Sabatino noted that he sent a letter to the Attorney General regarding the Korey Kauffman case. He read a list of the homicide cold cases in Stanislaus County, and voiced complaints about the DA's office.

Susan Beasley invited everyone to attend the 24th Annual International Heritage Festival on 10/03/2015 at the MJC East Campus. She also invited the community to attend the Modesto Architectural Festival that starts on 9/12/2014 at the Modesto Library.

Monteith/O'Brien unan. Adopted the consent calendar

- \*A1 Approved the minutes of 08/25/2015
- \*B1 Approved by unanimous vote to modify the audit period for the Crows Landing Community Service District required financial audit report to a biennial audit period – Auditor-Controller  
DCS-11-23 2015-406
- \*B2 Authorized the Auditor-Controller to loan funds under Government Code 23010 for operational expenses to Oakdale Rural Fire District in an amount not to exceed \$1,598,000 (or 85% of anticipated revenue in the amount of \$1,880,000) who recommends that the Board approve the dry funding loan retroactive to 07/01/2015 – Auditor-Controller  
DF-8-C-1 2015-407
- \*B3 Accepted the responses to the Grand Jury Final Report with any modifications made after consideration by the Board of Supervisors and authorized the Chairman to forward the response to the Presiding Judge of the Superior Court by 09/16/2015; and, directed the CEO to ensure that the recommended actions by the Board of Supervisors be followed and completed by the subject County Departments and report back to the Board as appropriate – CEO  
M-39-N-2 2015-408
- \*B4 Approved an agreement with ASPIRAnet, a California Non-Profit Corporation, for the provision of Time Limited Intensive Family Reunification Services, as a result of a Request for Proposal process for such services; and, authorized the CSA Director, or her designee, to sign the agreement, and any amendments up to \$75,000, with ASPIRAnet for the provision of Time Limited Intensive Family Reunification Services – CSA  
2015-409
- \*B5 Authorized the Purchasing Agent to sign the sublease agreement and any additional renewals with Modesto Executive Air Charter (Sky Trek Aviation) for all of the space at Hangar No. 5 – Sheriff  
2015-410
- \*B6 Authorized the Sheriff to apply for, sign and accept, if awarded, the San Joaquin Valley Air Pollution Control District Public Benefit Grant for the purchase of three alternative fuel vehicles for increased Law Enforcement services at Frank Raines Regional Park, La Grange Park, Woodward Reservoir, Modesto Reservoir and other areas in Stanislaus County; adopted a resolution authorizing the Sheriff to prepare and submit the application

and sign all applicable documents with the San Joaquin Valley Air Pollution Control District; and, authorized the Sheriff and Auditor-Controller to accept the funding from the San Joaquin Valley Air Pollution Control District and to increase appropriations and revenue by \$62,169 in the Sheriff Operations budget once the grant is awarded – Sheriff  
2015-411

**\*C1** Adopted the Plans and Specifications for the Central Avenue at East Taylor Road North Intersection project; approved the award of a contract in the amount of \$576,992 to George Reed Incorporated, Modesto, California, for the construction of the Central Avenue at East Taylor North Intersection Project, Federal Aid Project No. HSIPL-5938(197), subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with George Reed Inc., for \$576,992 and sign necessary documents; authorized the Construction Manager to issue a Notice to Proceed, contingent upon receipt of proper insurance and bonds; authorized the Director of Public Works to execute change orders up to 10% of the contract amount in accordance with Public Contract Code, Section 20142 and 20137; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities – PW  
2015-412

**\*C2** Declared three forty foot Orion V Series buses as surplus and retroactively authorized these assets to be sold to Transit Sales International aka Complete Coach Works; and, directed the Auditor-Controller to deposit all receipts from the sale of these assets to the Public Works Transit fund – PW  
2015-413

Monteith/DeMartini unan. **A2** Accepted the County Clerk-Recorder's Certified Statement of the results of the Burbank-Paradise Fire Protection District Special Election held Tuesday, 08/25/2015; and, declared the results of the election pursuant to the County Clerk-Recorder's Certified Statement of Vote  
– Clerk-Recorder DF-06-A-28 2015-414

Monteith/DeMartini unan. **B7 Continued to the 09/29/2015** Board meeting, the agenda item to consider the adoption of the FY 2015-2016 Mental Health Services Act (MHSA) Plan Update – BHRS  
2015-415

O'Brien/DeMartini unan. **C3** Approved Stanislaus County withdrawing as a member of the Gomes Lake Joint Powers Agreement, effective 07/01/2016 – PW  
C-5-F-2, DI-03-24, DR-03-19, DR-04-28 2015-416

Chiesa/DeMartini unan. **Authorization for an Item Too Late for the Agenda** – Authorized adding an Item Too Late for the Agenda regarding declaring an emergency pursuant to Government Code Section 54954.2(b)(2), the Board finds that there is a need to take immediate action to declare an emergency in accordance with Public Contract Code Sections 20134 and 22050 for emergency repairs and replacement of necessary equipment at County Center II, Modesto, CA due to failure of an Automatic Transfer Switch and emergency back-up generator; and, the need for action came to the attention of the County on Friday, 08/28/2015, after the Board agenda was posted on Friday, 08/28/2015 – CEO  
2015-417

O'Brien/Monteith unan. **Item Too Late for the Agenda** – Declared an emergency in accordance with Public Contract Code Section 22050 to contract for emergency repairs at County Center II, Modesto, CA; approved staff's recommendation to act in accordance with the Public Contract Code Section 20134 and 22050 in order to make the immediate repairs at County Center II; finds that (a) the damages occurred at County Center II as a result of the failure of an Automatic Transfer Switch and emergency back-up generator on 08/28/2015; (b) the repair is necessary to permit the continued conduct of essential County operations or services; and, (c) the declaration of an emergency will avoid the delay that would result if

the project were competitively bid, and the action to immediately repair the County's impacted systems on an emergency basis is necessary; acknowledged and ratified all immediate repair and replacement actions already taken to mitigate the electrical and other systems damage, performed by Industrial Electrical Company, Access Electric, Thyssen Krupp, Elevator Industries and Modesto Irrigation District, and any others not yet identified; directed the Chief Operations Officer to serve as Project Manager for all and all aspects of this repair and replacement project; pursuant to Public Contract Code Sections 20123 and 22050(b), authorized the Project Manager to take any and all actions appropriate to repair and replace the electrical and other systems (telecommunications and data related systems) and to take any directly related and immediate action required by that emergency, and to procure the necessary equipment to include a generator and other equipment, services and supplies for those purposes, without giving notice for bids to let a contract; and, required the CEO to report to the Board of Supervisors on the status of the emergency project at its next regularly scheduled meeting and every 14 days thereafter, as required by the Public Contract Code until the repairs are completed – CEO 2015-418

**Corr 1** Referred to the Auditor-Controller, a copy of the East Side Mosquito Abatement District's FY 2015-2016 Annual Budget.

**Corr 2** Referred to the Fish and Wildlife Committee, two letters from the State Fish and Game Commission regarding proposed regulatory actions to Transgenic Definition; Application and Fee Regulations and relating to Freshwater Sport Fishing Regulations.

**Corr 3** Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a letter from the Silgan Containers Manufacturing regarding the temporary layoffs at its facility located at 3250 Patterson Road in Riverbank, CA beginning on 10/25/2015 and employees are expected to be recalled in January 2016.

**Corr 4** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: David Mao; Cidro Mijares and USAA; and, Emanuel William Tucker.

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 11:09 a.m. for Conference with Legal Counsel – Existing Litigation: One case: County v. City of Modesto, Stanislaus County Superior Court Case No. 667397. Government Code Section 54956.9 (d)(1).

Adjourned at 12:21 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.)