

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Board of Supervisors

BOARD AGENDA # *A-3

Urgent

Routine

AGENDA DATE July 19, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Declare a Vacancy on the State Council on Developmental Disabilities Area Board 6

STAFF RECOMMENDATIONS:

1. Declare vacant the seat of Lisa Archibeques vacant due to a conflict of interest on the State Council on Developmental Disabilities Area Board 6.
2. Direct staff to post vacancy.

Contact Person: Christine Ferraro Tallman

Telephone Number: 209-525-4494

FISCAL IMPACT:

There is no fiscal impact associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2011-432

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow
and approved by the following vote,
Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:



ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk

File No.



State Council on Developmental Disabilities Area Board 6

2529 W. March Lane, Ste. 105, Stockton, CA 95207-8270
(209) 473-6930, 473-6932 (fax)
E-mail: ab6@scdd.ca.gov Website: www.areaboard6.ca.gov

July 7, 2011

Stanislaus County Board of Supervisors
c/o Board of Supervisor's Clerk- Christine Ferraro-Tallman
1010 Tenth Street Suite 6500
Modesto, CA 95354

Area Boards on developmental disabilities are established under State law as a program of the State Council on Developmental Disabilities to protect and advocate for the rights of persons with developmental disabilities.

Area Board 6 serves Amador, Calaveras, San Joaquin, Stanislaus, and Tuolumne counties.

BOARD MEMBERS

Brad Putz
Chairperson

Jill Ames
Robert Balderama
Gary Del Nero
Mary Dye
Ericka Kubitz
Anna Newman
Brad Putz
Paula Weihrouch
Kerstin Williams

Dena Hernandez
Executive Director

Dear Christine,

Area Board 6 appreciates the Board of Supervisor's appointment of Lisa Archibeque to our board. However, after talking to Ms. Archibeque, it appears that her appointment would violate Welfare and Institution Code 4546(g)(1) which states:

"In order to prevent any potential conflicts of interest, voting members of area boards shall not be employees of a state, local or private agency or facility that provides service to a person with a developmental disability, or be members of the governing board of any entity providing this service, when the service is funded in whole or part with state funds".

According to Ms. Archibeque, she is employed at DRAIL (Disability Resource Agency on Independent Living) in Modesto. DRAIL receives Federal and State funds and can provide service(s) to people with developmental disabilities.

As area boards do not have the power to un-appoint a person, I was directed to inform the Stanislaus Board of Supervisor's of this conflict. Ms. Archibeque is welcome to attend the board meetings but would not be able to vote on action items.

Thank you for your time and attention to this matter.

Dena M. Hernandez
Executive Director

BOARD OF SUPERVISORS
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