

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

Special and Regular Sessions
Supervisor DeMartini absent
Pledge of Allegiance to the Flag

Tuesday

March 18, 2008

Special Session convened at 4:02 p.m.

Recessed to Closed Session at 4:03 p.m. for Public Employee Appointment/Interviews: Title: County Counsel. Government Code §54954.5(e). 2008-156

Supervisor DeMartini arrived at 4:26 p.m.

Reconvened at 6:30 p.m. for Regular Session

Closed session announcement: Grover/O'Brien unan. Appointed Assistant County Counsel John Doering to serve as the next County Counsel for the County of Stanislaus for a 4-year term effective upon the retirement of the current County Counsel; and, directed the CEO to present an action item setting forth the salary for Mr. Doering on the Board's agenda next week

A moment of silence was observed in memory of Delores Kelly, Former Assistant Director of BHRS.

The CEO presented a resolution commending Deputy Executive Officer Eileen Melson upon her retirement.

Miguel Donoso spoke regarding Community Development Block Grant funding.

Juan Mercado spoke regarding the need for improvements in the Bret Harte area including storm drains, sidewalks and parks.

Grover/Monteith (3-2)(O'Brien and DeMartini opposed) **6:35 pm** Conducted the public hearing to consider and approve: the establishment of a \$1,000 annual maximum dental benefit for MIA Program patients and the elimination by the HSA Clinic and Ancillary division and the MIA Program of providing at no cost, mental health benefits and services including prescription drugs; and, authorized the HSA Managing Director to fulfill the operational activities associated with the implementation of the above recommendations – HAS 2008-190

Monteith/DeMartini unan. Adopted the consent calendar

*A1 Approved the minutes of 3/4/08

*A2 Adopted and waived the second reading of Ordinance C.S. 1031 to amend §11.08.020 of the Stanislaus County Code, adding a no parking zone on Farrar Avenue in the Modesto area
ORD-55-G-5 2008-157

*A3a Accepted the resignation of Jan Moore from the Salida Municipal Advisory Council
2008-158

*A3b Accepted the resignation of Doris Foster from the Stanislaus County Children's Council
2008-159

- *A4 Appointed Mark Loeser, Raul Garcia and Laura Ochoa-Sanchez to the Stanislaus County Children’s Council 2008-160
- *A5 Proclaimed the week of 3/17/08 - 3/21/08 as Oakdale High School Sober Graduation Awareness Week in Stanislaus County 2008-161
- *A6 Authorized the Chairman to sign and vote the Proposition 218 Ballots in support of the property owner assessment for the formation of CSA No. 26 – Keyes and Consolidation of CSA No. 6 – Raymond Tract, CSA No. 13 – La Jolla, and CSA No. 17 – Sunray Estates and the method of calculation for the annual assessments 2008-162
- *A7 Approved the consolidation of the Keyes Community Services District Election with the 6/3/08 Statewide Direct Primary Election 2008-163
- *A8a Approved a commendation for Kathy Walke upon her retirement from the Stanislaus County Probation Department 2008-164
- *A8b Approved a commendation for Gary C. Dial upon his retirement from the Stanislaus County Treasurer-Tax Collector’s Office 2008-165
- *A9 Appointed William Crampton to the Stanislaus Consolidated Fire Protection District 2008-166
- *B1 Accepted the following audited financial reports for a the FY ended 6/30/07 prepared by Brown Armstrong Accountancy Corporation: Annual Financial Report - Stanislaus County; Report to Management & Required Communication; Single Audit Report; Annual Financial Report – Health Services Agency Clinic and Ancillary Services Enterprise Fund; and, Report to Management & Required Communication – HSA Clinic and Ancillary Services Enterprise Fund – Auditor-Controller 2008-167
- *B2 Adopted a resolution to modify the existing public facility fee installment payment program to allow qualifying non-residential business expansion projects to participate in the program – CEO M-64-H-6 2008-168
- *B3 Acknowledged the request from the City of Patterson to postpone the final Crows Landing Development Project Report until after a decision has been made by the California Transportation Commission regarding State Infrastructure Bond funding allocations; and, authorized staff to reschedule the final Crows Landing Development Project Report – CEO 2008-169
- *B4 Adopted the Board of Supervisors priority goals, measures, and expected outcomes for FY 2008-09 and target outcomes for FY 2011-12 to support the Board of Supervisors’ priorities; and, directed County Department Heads to begin implementation of the goals, measures and expected outcomes on 7/1/08 – CEO 2008-170
- *B5 Approved a personal services contract with Dave Young as Director of Animal Services and authorized the CEO to sign the agreement not to exceed the contract amount of \$118,560 for the period 3/29/08 through 3/29/09 – CEO 2008-171
- *B6 Awarded the contract for design and construction management services for a base liner system at Fink Road landfill, Landfill 2 – Cell Number 5, to Shaw Environmental, Inc., in the amount of \$219,698; authorized the Director of DER, or her Designee, to sign the contract; and, authorized the Director of DER, or her Designee, to sign amendments to the contract for an overall total not to exceed \$252,653 which includes contingency funding of up to \$32,955 which is equal to a maximum of 15% of the total contract amount – DER 2008-172
- *B7 Accepted a grant from the US Attorney’s Office for “Project Safe Neighborhoods”; authorized the DA to sign and administer the grant; and, directed the Auditor-Controller to increase estimated revenue and appropriations in the amount of \$90,000 according to the budget journal – DA 2008-173
- *B8 Authorized the DA, on behalf of the Stanislaus Family Justice Center, to apply for a grant entitled “Rural Domestic Violence, Dating Violence, Sexual Assault and Stalking

Assistance Program” from the US Department of Justice, to enhance assistance to victims and prosecution of these crimes which occur in rural areas of Stanislaus County – DA
2008-174

- *B9** Approved the Independent Contractor Agreements between HSA and various contractors for FY 2007-08; authorized the HSA Managing Director, or her Designee, to sign the agreements; and, authorized the HSA Managing Director, or her Designee or Successor, to negotiate and sign individual amendments to the agreements, not to exceed \$75,000 – HAS
2008-175
- *B10** Amended the Salary and Position Allocation Resolution to place the classification of County Veterinarian to Salary Band G1 (\$105,560.00 - \$158,350.40 annually) effective the start of the 3/29/08 pay period; and, authorized the Animal Services Director to appoint Dr. Kwane Stewart to the position of County Veterinarian at a salary of \$72.12 per hour which exceeds the mid-point of Band G1 – CEO
2008-176
- *B11** Approved the appointment of Gary Caseri to the position of County Agricultural Commissioner and Sealer of Weights and Measures for a four-year term; and, authorized the starting salary for Gary Caseri to the position of County Agricultural Commissioner and Sealer of Weights and Measures above the midpoint of Salary Band F (\$60.10/hr) – CEO
2008-177
- *B12** Approved the provisions contained within the tentative agreement reached between the County and the California Nurses’ Association (CNA) representing the Registered Nurses’ Bargaining Unit; amended the salary and position allocation resolution to reflect the changes included in the tentative agreement; and, authorized the Chairman and all parties to sign the agreement – CEO
2008-178
- *B13** Approved the restructure of the Public Works’ and Strategic Business Technology’s Geographic Information System (GIS) and Information Technology Divisions; and, amended the Salary and Position Allocation Resolution to reflect the changes detailed in the Staffing Impact Section of the item effective the start of the 3/29/08 pay period – PW
2008-179
- *B14** Approved the amended Bylaws for the Stanislaus County Integrated County Justice Information System (ICJIS) Commission; approved the Conflict of Interest Codes for the Stanislaus County ICJIS Commission; and, approved the appointed voting members of the Stanislaus County ICJIS Commission – CEO
BD-80-4 2008-180
- *B15** Appointed for the 2008 term of the Stanislaus County Discipline/Equal Employment Opportunity (EEO) Grievance Appeals Board: Vanessa Czopek, Stanislaus County Librarian as the Department Head Member; Juan Alanis, Stanislaus County Deputy Sheriffs Association (SCDSA) as the Employee Member; and Local Attorney Darrell Champion to serve as the Chairperson; appointed alternates to the panel as follows: Local Attorneys Dave Walker and Jeffery Olson to serve as Alternate Chairpersons; Matthew Machado, Director of Public Works as the Department Head Alternate; and, Maisy Avila, Service Employees’ International Union (SEIU) as the First Alternate Employee Member; Kevin Bertalotto, Stanislaus County District Attorney Investigators Association (SCDAI) as the Second Alternate Employee Member; Rodrigo Rodriquez, Stanislaus County Employees Association (SCEA) as Third Alternate Employee Member; and Ed Malberg, Stanislaus County Group Supervisors Association (SCGSA) as Fourth Alternate Employee Member – CEO
2008-181
- *B16** Adopted a resolution authorizing the lease to purchase of the modular classroom for the Ray Simon Regional Criminal Justice Training Center as approved in the 2007-2008 Mid-Year Budget – Sheriff
2008-182

***B17** Approved Public Works' expenditure plan for the proposed County-Wide Transportation Sales Tax Program for projects in the unincorporated areas of Stanislaus County; and, authorized the Director of Public Works to submit the expenditure plan to StanCOG for inclusion in the region's Final Expenditure Plan – PW 2008-183

***C1** Approved the purchase agreement to acquire road right-of-way for Geer Road at Whitmore Avenue Traffic Signal Project (Parcel Owner Mohamed Mohsin, APN: 018-055-001); authorized the Chairman to execute the agreement; directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet; directed the Auditor-Controller to issue a warrant in the total amount of \$28,600, payable to Fidelity National Title Company, for the purchase amount of \$27,100 and \$1,500 for estimated escrow fees and title insurance – PW 2008-184

***C2** Adopted the results of the ballot procedure (support: 3 ballots, 4,741.88 weighted votes; protest: 14 ballots, 17,225.19 weighted votes; incomplete: 3 ballots, 3,715.20 weighted votes), for the formation of the Salida Boulevard Landscape and Lighting District in compliance with Proposition 218; finds that a simple majority of the assessment ballots received protested the proposed method for calculating the annual assessment; and therefore, the Board did not approve the formation of the Salida Boulevard Landscape and Lighting District- PW DLA-4-3 2008-185

***E1** Finds that the ordinance implementing the Thirty-Year Land Use Restriction Initiative (Measure E) is not subject to CEQA (Public Resources Code §21000 et seq.); and, introduced, waived the reading and adopted Ordinance C.S. 1032 to implement the provisions of the Thirty-Year Land Use Restriction Initiative (Measure E) approved by the voters of Stanislaus County on 2/5/08 - County Counsel ORD-55-G-6 2008-186 & 2008-187

Recessed at 8:01 p.m.

Reconvened at 8:08 p.m.

O'Brien/Monteith unan. **B18** Approved the reduction-in-force of nine filled full-time positions and the deletion of three vacant positions in the Department of Planning and Community Development Building Permits Division budget unit as outlined in the Staffing Section of this report effective 5/18/08; and, amended the salary and position allocation resolution to reflect the changes as outlined in the Staffing Impacts Section of this report effective 5/18/08 – Planning 2008-188

Grover/DeMartini unan. **B19** Accepted the final report from HFS Consultants on the HSA Strategic Planning and Financial Evaluation Project; approved the reduction-in-force and deletion of five filled full-time positions and the deletion of five vacant full-time positions, effective 4/18/08, as outlined in Table 2 of the report; amended the salary and position allocation resolution to reflect the recommended changes as outlined in Table 2 of the report; approved an additional 5% license pay for registered nurses in a Management job classification to recognize the ability to provide back-up nursing care to patients; and, authorized the CEO and Managing Director of HSA to fulfill the operational activities associated with implementation of the above recommendations – HAS 2008-189

Corr 1 Referred to County Counsel and the Department of Planning and Community Development, a letter from Dennis Jackman regarding the impact of Measure E upon the Salida Now Initiative.

Corr 2 Referred to the Agricultural Commissioner and Sealer of Weights and Measures and UC Cooperative Extension, a letter from Congressman Cardoza regarding water, agricultural labor and the Farm bill and their potential impact on California's agriculture.

Corr 3 Referred to the Auditor-Controller, a letter from Turlock Rural Fire Department requesting to replace their annual audit with a five-year audit cycle.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Birdwell Properties, LLC; George Patterson; Sandra Arauza; Jonathan Valenzuela; Jose Rosales; Calvin and Janice Curtin; Annabella Mayorga; Gregory Ralph Diaz; and, Roman Perez.

Supervisor O'Brien noted that he, Supervisor Grover, and the CEO traveled to Washington D.C. last week to meet with our Federal legislators regarding the Orestimba Creek, Tuolumne River Regional Park, and Public Safety Interoperability Projects.

Leg A. The CEO gave a verbal follow-up report regarding the facility lease by BHRS at 1100 Kansas Avenue, Modesto, CA

Adjourned at 8:46 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.)