

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

July 1, 2008

Grover/DeMartini unan. Adopted the consent calendar

- *A1 Approved the minutes of 06/24/08
- *A2a Adopted and waived the second reading of ordinance C.S. 1044 to amend Stanislaus County Code §2.08.050 to authorize the CEO to oversee County operations and activities on non-County owned property – County Counsel ORD-55-H-6 2008-492
- *A2b Adopted and waived the second reading of ordinance C.S. 1041 to amend transit fares for Stanislaus Regional Transit (StaRT) – PW ORD-55-H-3 2008-493
- *A3 Accepted the resignation of Jack Wilkey from the Turlock Rural Fire Protection District Board of Directors 2008-494
- *A4a Appointed Annie Henrich to the Stanislaus County Mental Health Board 2008-495
- *A4b Appointed Maria Halstead, Leonard Harrington and Rob Santos to the Stanislaus Economic Development and Workforce Alliance Board 2008-496
- *A4c Appointed Terrance P. Withrow to the Woodland Avenue Volunteer Fire Protection District Board of Directors 2008-497
- *A5 Consolidated the City of Hughson’s General Municipal Election with the Presidential General Election to be Held on Tuesday, 11/04/08 2008-498
- *A6 Proclaimed 07/7-13/08 as Healthy Air Living Week 2008-499
- *B1 Authorized the Director of the Department of Aging and Veteran Services (Area Agency on Aging)(AAA) to sign contracts and any subsequent amendments to contracts AP-0809-30, HI-0809-30, and TV-0809-30 with the California Department of Aging for the approval of Older Americans Act (OAA) and Community-Based Service Programs (CBSP) Aging Program Contracts – Aging and Veterans Services 2008-500
- *B2 Authorized the Director of the Department of Aging and Veteran Services (Area Agency on Aging)(AAA) to sign grant agreements and any subsequent amendments for Older Americans Act (OAA) and Community-Based Service Programs (CBSP) Services for FY 2008-2009 with contracting service providers – AAA 2008-501
- *B3 Approved funding an Economic Development Bank Proposal from the Economic Development Bank for FY 2007-2008 in the amount not to exceed \$500,000 for generating and retention project in the City of Riverbank for a Job Generating and Retention Project; authorized the CEO, or his Designee, to execute an agreement with the jurisdiction receiving funding from the Economic Development Bank for the FY 2007-08 funding cycle; and, authorized the Auditor-Controller to establish any and all necessary protocols for the administration, tracking, disbursement and reimbursement of funds – CEO 2008-502
- *B4 Authorized the CEO-Office of Emergency Services to apply for the FY 2008-2009 Hazardous Materials Emergency Preparedness Grant – CEO-Office of Emergency Services 2008-503
- *B5 Approved the extension to the timeframe of three-year plan for Child Abuse Prevention Intervention and Treatment, Community-Based Child Abuse Prevention and Promoting Safe and Stable Families programs; authorized the Chairman to sign the Notice of Intent

- Regarding Child Abuse Prevention Intervention and Treatment, Community-Based Child Abuse Prevention and Promoting Safe and Stable Families Plan for Stanislaus County; approved the intent to contract with public or private nonprofit agencies to provide services; and, sign the Notice of Intent Regarding Child Abuse Prevention Intervention and Treatment, Community-Based Child Abuse Prevention and Promoting Safe and Stable Families contracts for Stanislaus County – CSA 2008-504
- *B6** Approved dissolving the Juvenile Hall Service League; authorized the Auditor-Controller to rename the Juvenile Hall Service League to the Juvenile Justice Delinquency Prevention Commission fund; and, authorized the Juvenile Justice Delinquency Prevention Commission to receive and distribute funds for the Juvenile Justice Delinquency Prevention Commission Fund, and the Judge Gerald V. Underwood Scholarship Fund – Probation
BD-50-15 2008-505
- *B7** Approved request from the Modesto Area Jaycees for use of the Courthouse lawn on Friday, 07/04/08, from 6:00 a.m. until 2:00 p.m. for the 134th Annual Fourth-of-July Parade Celebration; direct the Modesto Jaycees to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for the exclusive use of the Courthouse lawn – Parks and Recreation 2008-506
- *B8** Approved and authorized the Chairman to sign the following FY 2008-2009 contracts with the California Department of Food and Agriculture: Petroleum Products and Weighmaster Inspection and Red Imported Fire Ant Program – Agricultural Commissioner 2008-507
- *B9** Authorized the Director of the Alliance Worknet, or his designee, to receive and expend Program Year 2008-2009 Workforce Investment Act (WIA) funds in accordance with the approved Stanislaus County Strategic Five-Year Local Plan not to exceed \$100,000; authorized the Director of the Alliance Worknet, or his designee, to enter into and sign agreements and contracts to expend WIA funds; and, authorized the Director of the Alliance Worknet to sign all WIA-related sub-grant agreements, and any modifications or adjustments as required by the State of California – Alliance Worknet 2008-508
- *B10** Authorized an increase to the Employee Mileage Reimbursement Rate to 58.5 cents per mile effective 07/01/08 – Auditor-Controller 2008-509
- *B11** Authorized the CEO and the Auditor-Controller prior to year-end, to increase appropriations in the CEO-Risk Management Division Dental Self-Insurance budget in an amount not to exceed \$178,000; authorized the CEO and the Auditor-Controller prior to year-end, increase revenue in the CEO-Risk Management Dental Self Insurance by \$140,635 and authorized the use of \$37,365 of departmental retained earnings; and, authorized the CEO and the Auditor-Controller prior to year-end, to increase both appropriations and estimated revenue in the CEO Risk Management Division Purchased Insurance budget in an amount not to exceed \$1,100,000 - Risk Management 2008-510
- *C1** Finds that all subdivision improvements required for the Subdivision, Marquette Estates, by the Subdivision Improvement Agreement, executed by Greg Avery, and the Stanislaus County Board of Supervisors, on 06/06/06 have been constructed to the satisfaction of Stanislaus County; finds that the said agreement was recorded on 06/07/06, as Document No. 2006-0085288-00 and filed with the Stanislaus County Clerk Recorder’s Office; accepted all streets, avenues, roads, and the drainage system within Marquette Estates Subdivision, Marquette Estates, for maintenance by Stanislaus County; pursuant to §66499.7(a) of the Subdivision Map Act, authorized the release of Performance Bond No. 568296S issued by The Insko Insurance Services, Inc. in the amount of \$318,522.00 for faithful performance of the Subdivision Improvement Agreement; pursuant to §66499.7(b) of the Subdivision Map Act, upon receipt of a Mechanic's Lien Guarantee, authorized the release of Labor and Materials Bond No. 568296S, issued by The Insko Insurance Services, Inc. in the amount of \$159,261.00 for payment of labor and materials; and, the Mechanic's Lien Guarantee must

be dated a minimum of 61 days after the filing of the appropriate Notice of Completion; be in the amount of \$31,852.20, be prepared by a title company, be to the benefit of Stanislaus County, and state that there are no liens of record – PW 2008-511

- *C2 Approved the addition of the following improvement projects and anticipated project costs to the list of Public Facility Fee Regional Transportation Impact Fee (RTIF) element project: North County Transportation Corridor in the amount of \$4,900,000; Claribel Widening of McHenry Avenue to Oakdale Ave. in the amount of \$1,100,000; Las Palmas Avenue at Elm Avenue a traffic signal in the amount of \$1,500,000; and, Las Palmas Avenue at Sycamore Avenue a traffic signal in the amount of \$1,500,000; for a project total of total \$9,000,000; and, approved the deletion of the following improvement projects and anticipated costs from the list of Public Facility Fee RTIF element project: Kiernan Avenue at Tully Road for a traffic signal in the amount of \$2,525,000; Kiernan Avenue at Carver Road for a traffic signal in the amount of \$2,525,000; and, Kiernan Avenue at Stoddard Avenue for a traffic signal in the amount of \$ 950,000 for a Sub-total of \$6,000,000 with the previously unallocated RTIF funds \$3,000,000 for a total of \$9,000,000 – P M-64-H-8 2008-512
- *C3 Set a public hearing on 07/22/08, at 9:10 a.m., regarding FY 2008/2009 assessments for various county service areas and landscape and lighting districts; and, ordered the Clerk of the Board of Supervisors to publish a notice of such hearing pursuant to §6066 of the Government Code – PW 2008-513
- *C4 Finds the project is consistent with the overall goals and policies of the Stanislaus County General Plan; adopted the Mitigated Negative Declaration pursuant to CEQA Guidelines §15074(B), by finding on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis; and, ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code §21125 and CEQA Guidelines §15075 – PW 2008-514

DeMartini/Grover unan. **B12** Accepted the report of the DA regarding the Real Estate Fraud Prosecution Trust Fund pursuant to California Government Code §27388, sub-sections (d)(1) and (d)(2); and, approved the continuation of this program and current funding levels in FY2008-2009 with any changes considered as part of the Proposed Budget adoption – DA 2008-515

Monteith/O'Brien unan. **B13** Accepted the Consumer Fraud Report for the District Attorney's Office 2008-516

Grover/O'Brien (4-1)(Monteith opposed) **B14** Approved the Stanislaus County 20-Year Countywide Transportation Financial Expenditure Plan; adopted a resolution approving the Transportation Financial Expenditure Plan; and, **amended** the item to remove Staff Recommendation No. 3 – CEO 2008-517

Corr 1 Acknowledged receipt of the Turlock Irrigation District Annual Report 2007 "Renewing the Vision".

Corr 2 Acknowledged receipt of the San Joaquin Valley Air Pollution Control District's 2008-2009 Adopted Budget.

Corr 3 Referred to the CEO, a letter from the City of Ceres requesting support in designating the northern areas of the City that is currently in the 95351 ZIP Code to be consolidated into the 95307 (Ceres) ZIP Code.

Corr 4 Referred to the Alliance Worknet, and the Stanislaus Economic Development and Workforce Alliance, a letter from Indalex Aluminum Solutions updating their plans to discontinue and close their Modesto facility located on 4555 North Star Way, Modesto, CA 95356, the termination of employees is expected to take place beginning July 18, 2008, per the Worker Adjustment and Retraining Notification (WARN) Act.

Corr 5 Referred to HSA, a copy of the report ‘California’s Family Pact Program: County Successes and Challenges’ from the Bixby Center for Global Reproductive Health.

Corr 6 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Denise Seymour; and, Debra L. Harper.

Supervisor O’Brien reported that he recently spent time in the DA’s office and that things are going well. He noted that the investment in technology is very important in the DA’s office in order to handle the case load.

The CEO reported that the State Legislature still has not adopted a budget for FY 2008/2009. He commented on Correspondence No. 3 regarding the zip code for the northern parts of the City of Ceres, and noted that he will bring an item to the Board requesting support for the City of Ceres continued efforts, but not specifically supporting a particular outcome.

The Chairman announced that there will be a special meeting – Defensive Driving and Injury and Illness Prevention Program – on Tuesday, 07/01/08 immediately following closed session in the Chamber Conference Room, Basement at 1010 Tenth Street, Modesto, CA.

Recessed to Closed Session at 9:48 a.m. for Conference with Legal Counsel - Existing Litigation: One Case: City of Patterson v. Stanislaus County, Stanislaus County Superior Court Case No. 626800. Government Code §54956.9. Conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: Operating Engineers (OE3), Local 3; California Nurses’ Association (CNA); Stanislaus County Employees Association (SCEA)/AFSCME Local 10; Service Employees’ International Union (SEIU), Local 535; Committee of Interns and Residents (CAIR/CIR); County Attorneys’ Association (CAA); Deputy Sheriffs’ Association (DSA); Stanislaus County Sheriffs Supervisors Association (SCSSA); Stanislaus County Deputy Probation Officers Association; Stanislaus Regional Emergency Dispatches’ Association; Stanislaus County’s Group Supervisor Association; and, Management and Confidential Employees. Government Code §54957.6

Recessed to Special Meeting: Defensive Driving and Injury and Illness Prevention Program Training at 10:31 a.m.

Adjourned at 12:04 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.)