

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

Regular Session

Tuesday

September 9, 2008

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held in memory of John Shores, Planning Commissioner and Alejandro Rangel, Department of Public Works employee.

Monteith/DeMartini unan. Adopted the consent calendar after removing from consent item *C2 Approval to Award Contract to George Reed, Inc., of Modesto, California, for the Federal Regional Surface Transportation Road Resurfacing Program A, Federal Aid Project No. STPL-5938(151) and Increase Appropriations in the Project Account

- *A1 Approved the minutes of 08/26/08
- *A2 Set a public hearing on 09/30/08, at 9:15 a.m., to consider an appeal of the Planning Commission's denial of Use Permit Application No. 2007-27 - Wat Cambodian Buddhist Church 2008-625
- *A3 Accepted the resignation of John Shores from the Planning Commission 2008-626
- *A4a Appointed Joyce Plis to the Mental Health Board 2008-627
- *A4b Appointed Charmaine Monte to the Advisory Board on Substance Abuse Programs 2008-628
- *A4c Appointed Henry Castion, Sr. to the Keyes Fire Protection District Board of Directors 2008-629
- *A5 Approved the COI Code for the North County Corridor Transportation Expressway Authority 2008-630
- *A6a Proclaimed 09/21/08 - 09/27/08 as Fall Prevention Awareness Week 2008-631
- *A6b Proclaimed September 2008 as National Preparedness Month 2008-632
- *A6c Proclaimed 09/15/08 - 10/15/08 as National Hispanic Month 2008-633
- *A7 Accepted the Clerk-Recorder's Certified Statement of the Results of the Oak Valley Hospital District Special Election held on Tuesday, 08/26/08 and declared the results – Clerk-Recorder 2008-634
- *B1 Adopted the following 2008/2009 Property Tax Rates: 1% tax rate authorized by §93(b) and 135 of the Revenue and Taxation Code; adopted tax rates that are "...needed to make annual payments for the interest and principal on general obligation bonds or other indebtedness approved by the "voters" to be levied pursuant to Revenue and Taxation Code 93(a) and 93(c); adopted the Countywide Unitary Tax rate authorized by §100 of the Revenue and Taxation Code; and, adopted the .8714% tax rate for the territory formerly served by the lower San Joaquin Levee District – Auditor-Controller 2008-635
- *B2 Authorized HSA to submit an application to the National Association of County and City Health Officials (NACCHO) for the allocation of \$10,000 under the Office of the Surgeon General and Office of the Civilian Medical Reserve Corps for Capacity Building for 2008-2009; and, authorized HSA's Managing Director, or her Designee, to sign the grant agreement and accept the funds if awarded – HAS 2008-636
- *B3 Approved the closure of the Riverbank Library on 10/11/08, during the 32nd Annual Riverbank Cheese and Wine Exposition – Library 2008-637

- *B4 Authorized the County Librarian, or her Designee, to accept the traveling Abraham Lincoln Exhibit from the Gilder Lehrman Institute of American History for the month of June 2010; authorized the County Librarian, or her Designee, to accept a \$1,000 stipend to offset travel expenses related to attendance at a required exhibit orientation; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$1,000 as detailed in the Budget Journal form – Library 2008-638
- *B5 Approved request from the Stanislaus County PAL to have exclusive use of Seguesta Park’s open field every Saturday beginning 09/13/08 and ending on Saturday, 11/15/08, from 7:00 a.m. to 3:00 p.m. for their Salida Soccer League; directed the Stanislaus County PAL to adhere to the requirements set forth by the Department of Parks and Recreation; approved the waiver of fees for the exclusive use of Seguesta Park’s open field Stanislaus County PAL for their Salida Soccer League – Parks and Recreation 2008-639
- *B6 Accepted the Stanislaus County Treasury Pool’s July 2008 Monthly Investment Report, the report was 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 has been 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 – Treasurer-Tax Collector 2008-640
- *B7 Approved the reduction of the Tax Loss Reserve Funding level to 1% of secured taxes and assessments as provided in Revenue and Taxation Code 4703/Teeter Plan; and, authorized the Stanislaus County Auditor-Controller and Treasurer-Tax Collector to take such action as may be permitted by law to enact this change – Auditor-Controller 2008-641
- *B8 Authorized the issuance of a RFP for the purpose of identifying and assessing interested and capable licensed health plans to serve as the Local Initiative Medi-Cal Managed Care Health Plan for Stanislaus County; and, directed the Managing Director of HSA to make a recommendation to the Board subsequent to the assessment of the responses to the RFP – HAS 2008-642
- *C1 Authorized the Director of Public Works to sign a Consent to Common Use Agreement with TID for the Santa Fe Avenue Bridge Widening and Retrofit Phase 2 Project – PW 2008-643
- *C3 Approved Program Supplement Agreement No. 059-N for Federal Project No. STPL-5938(151) RSTP Roadway Resurfacing Program Fiscal Year 2007-2008 Phase 1; and, authorized the Director of Public Works to execute the Program Supplement Agreement – PW 2008-644
- *C4 Approved Amendment No. 2 to the agreement with GDR Engineering to include additional engineering services for the Salida Boulevard Corridor Plan Project; authorized the Director of Public Works to execute Amendment No. 2 to the agreement with GDR Engineering for the Salida Boulevard Corridor Plan Project; directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet – PW 2008-645
- *C5 Approved the modeling assumptions to be used in preparing a Project Study Report for transportation improvements involving State Route 165 and State Route 99 with the City of Turlock, County of Stanislaus, and the County of Merced – PW 2008-646

O’Brien/Monteith (4-0)(Grover abstained) *C2 Awarded contract in the amount of \$3,612,027.23 to George Reed, Inc., of Modesto, California, for the construction of the Federal Regional Surface Transportation Road Resurfacing Program A, Federal Aid Project No. STPL-5938(151); authorized the GSA Director/Purchasing Agent to execute a contract in the amount of \$3,612,027.23 with George Reed, Inc.; directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet; authorized the Director of Public Works to execute change orders in accordance with

Public Contract Code, §20142; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities – PW 2008-647

Grover/Monteith unan. **B9** Approved reduction-in-force of twenty-one filled positions in the Department of Child Support Services budget unit effective 11/07/08; approved the deletion of forty-one vacant positions in the Department of Child Support Services budget unit effective 11/07/08; and, amended the Salary and Position Allocation Resolution to reflect the recommended changes as outlined in the staff report – CEO 2008-648

Monteith/O'Brien unan. **9:15 am** Accepted and approved the recommended Final Budget for FY 2008-2009 from the CEO as detailed in the Final Budget Addendum; conducted the public hearing to receive public comment and input on the final recommended spending plan; authorized the CEO and the Auditor-Controller to make the necessary technical adjustments to implement the approved Final Budget; directed the CEO and the Auditor-Controller to prepare the Final Budget document in accordance with State law and submit it to the State Controller prior to 12/01/08; amended the Salary and Position Allocation Resolution to reflect the recommended changes as outlined in the Staffing Impacts section of this report and detailed in Attachment A to be effective with the start of the first pay period beginning 09/13/08, unless specified otherwise; approved contracts and/or agreements listed on Attachment B in cumulative amounts of \$100,000 or greater as of 07/01/03; approved decreasing designations for carryover appropriations in the General Fund by \$1,791,000 for a total of \$4,605,329 and in the Economic Development Bank by \$3,777,081 for a total of \$34,183 and increasing designations in the Community Development Fund by \$1,500,000; established a designation in the Special Revenue Fund of \$6,472,935 for Behavioral Health and Recovery Services for capital expenses associated with mental health services; and, re-establish appropriations in FY 2008-2009 for encumbrances and carry forward appropriations in all funds totaling \$24,984,259 2008-649

Corr 1 Referred to DER the Covanta Energy Corporation Form 10-Q for the second quarter ended 06/30/08.

Corr 2 Referred to the Agricultural Commissioner-Sealer of Weights and Measures and the Stanislaus Economic Development and Workforce Alliance six letters from the Governor's Office of Emergency Services regarding the U.S. Small Business Administration granting a Secretarial disaster designation and declaring Stanislaus County as a primary, and as a contiguous County, due to agricultural losses caused by drought and cold temperatures beginning in 10/15/07 and continuing.

Corr 3 Referred to the Agricultural Commissioner-Sealer of Weights and Measures and the Stanislaus Economic Development and Workforce Alliance two letters from the Governor's Office of Emergency Services regarding the U.S. Department of Agriculture granting of a Secretarial disaster designation for Stanislaus County as a primary and as a contiguous County due to the drought conditions beginning in 10/01/07 and continuing

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Esmeralda Cruz; Mercury Insurance/Teresa Tores; and, Christopher Van Sandt.

Supervisor DeMartini commented that the State being behind in adopting their budget is putting the County in fiscal limbo. He stated that the State needs to come up with a balanced budget without stealing local funding.

Chairman Mayfield asked about the County's use of natural gas for vehicles, and whether we have a natural gas fueling station. Matt Machado, Public Works Director, reported that the County has a compresses natural gas (CNG) fueling facility at the Morgan Road location which is used for fueling transit buses, heavy duty vehicles, and some pick-ups and cars. He noted that this year and last year, the County has spent nearly \$1 million each year on replacing heavy and light duty vehicles with CNG vehicles using Congestion Mitigation Air Quality (CMAQ) grant funding.

Chairman Mayfield asked County Counsel how much power the County has regarding the State budget. County Counsel noted that the County does not have any power to affect a change in the State budget.

The Chairman announced that there will be a Groundbreaking Celebration for the Stanislaus County Regional Water Safety Training Center at the Empire Community Park located at Yosemite Blvd and I Street in Empire on Friday, 9/12/08 at 6:00 p.m.

Adjourned at 9:55 a.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.)