

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

Regular Session

Tuesday

October 28, 2008

Chairman Mayfield and Supervisor Grover absent

Pledge of Allegiance to the Flag

O'Brien/Monteith (3-0)(Mayfield and Grover absent) Adopted the consent calendar

- *A1 Approved the minutes of 10/21/08
- *A2a Accepted the resignation of Melda Gaskins from the Advisory Board on Substance Abuse Programs 2008-732
- *A2b Accepted the resignation of Charline Speck from the Economic Development Action Committee 2008-733
- *A3 Proclaimed the month of November 2008 as Adoption and Permanency Awareness Month 2008-734
- *A4 Commended Flory Industries upon being named to the Ag Hall of Fame 2008-735
- *B1 Approved the Area Agency on Aging FY 2007-08 Area Plan Year-End Report on the 2005-2009 Planning and Service Area (PSA) Plan; authorized the Chairman to sign the Report Transmittal Letter to the California Department of Aging; and, returned the signed Transmittal Letter to the Area Agency on Aging – AAA 2008-736
- *B2 Approved the Public Safety Augmentation Fund Annual Financial Review for the period ending 6/30/2008 – Auditor-Controller 2008-737
- *B3 Approved the Public Facilities Fees Annual Financial Report for FY ending 6/30/2008 – Auditor-Controller M-64-H-15 2008-738
- *B4 Accepted the Stanislaus County Treasury Pool's September 2008 Monthly Investment Report as prepared by the Treasure-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 – T/TC 2008-739
- *B5 Approved the list of independent agreements between the Stanislaus County HSA and various contractors for FY 2008-09; authorized the HSA Managing Director, or her Designee, to sign the agreements included in this agenda item; authorized the HSA Managing Director, her Designee or Successor, to negotiate and sign individual amendments to the agreements, not to exceed \$75,000 – HAS 2008-740
- *B6 Authorized staff to prepare and the Chairman to sign the response to the State of California, Corrections Standards Authority Letter of Intent to Award Conditional Funding for the AB900 Phase I Jail Construction by 10/30/2008 – CEO 2008-741
- *C1 Finds that all subdivision improvements required for the Varni Brothers Vesting Tentative Parcel Map by the Subdivision Improvement Agreement, executed by John D. Varni, Sr., and Fred A. Varni, and the Stanislaus County Board of Supervisors, on 06/13/2006 have been constructed to the satisfaction of Stanislaus County; finds that the said agreement was recorded on 06/15/2006, as Document No. 2006-0089880-00, and filed with the Stanislaus County Clerk Recorders Office; accepted all streets, avenues, roads, and the drainage system within Varni Brothers Vesting Tentative Parcel Map 2001-30 for maintenance by Stanislaus County; pursuant to §66499.7(a) of the Subdivision Map Act, authorized the release of Performance Bond No. 5016486 issued by Bond Safeguard Insurance Company

in the amount of \$189,866 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. 5016486 issued by Bond Safeguard Insurance Company in the amount of \$94,933 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 \$94,933 be prepared by a title company, be to the benefit of Stanislaus County, and state that there are no liens of record – PW 2008-742

***C2** Approved the purchase agreement to acquire road right-of-way easement for the Las Palmas Avenue at Sycamore Avenue Intersection Project, Parcel Owners Phillip D. Cearley, Sr., Deeda M. Cearley, and Catherine Gibb (APN: 048-002-010); authorized the Chairman to execute the agreement; directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet; and, directed the Auditor-Controller to issue a warrant in the total amount of \$17,126, payable to Fidelity National Title Company, for the purchase amount of \$15,626 and \$1,500 for estimated escrow fees and title insurance – PW 2008-743

Monteith/O'Brien (3-0)(Mayfield and Grover absent) **B7** Introduced and waived the first reading of Ordinance C.S. 1046 relinquishing responsibility for enforcement of the Mobile Home Parks Act and the Special Occupancy Parks Act and repealing in its entirety Chapter 16.100 of the Stanislaus County Code relating to mobile home parks; authorized the Director of DER to notify the California Department of Housing and Community Development (HCD) of the County's relinquishment of its responsibility to enforce the Mobile Home Parks Act and the Special Occupancy Parks Act; and, authorized the Director of DER to remit mobile home park fees and transfer all mobile home park records to HCD in accordance with California Code of Regulations, Title 25, Article 1, §1005 – DER ORD-55-I-2 2008-744

Monteith/O'Brien (3-0)(Mayfield and Grover absent) **B8** Accepted the Children and Families Commission's 2007-08 Report to the Community 2008-745

Corr 1 Referred to CEO-OES, a copy of the "Protecting Communities and Saving Forests" booklet from the Forest Foundation.

Corr 2 Referred to Planning and Community Development and the Department of Public Works, a letter from Stewards of the Range regarding the coordination authority of local governments which allows them to have equal input into land use planning and policy matters with federal and state agencies.

Corr 3 Acknowledged receipt of claim and referred to the CEO-Risk Management Division the following claim: Ronald Schacht.

Vice-Chairman DeMartini reported that the retirement system lost another \$125 million in September, bringing the losses to \$306 million for the year due to the economy. He noted that this is a conservative portfolio, but that the entire broad spectrum of the market has gone down. The Retirement Board will be meeting today to review asset allocations and the performance of fund managers. He noted that the retirement fund is reasonably sound.

Patty Hill Thomas, Assistant CEO, reported that the First Quarter Financial Report for FY 2008/09 will be brought to the Board next Tuesday, and that it will address issues relating to the State Budget. She noted that the State Budget is still out of balance and that the Governor has called a special session of the legislature on 11/5/08. The Governor is looking at creating a commission for tax considerations. She noted that the County is concerned about our local and national economy, as well as the State budget.

Patty Hill Thomas, Assistant CEO, announced that the Stanislaus County 7th Annual Community Retreat will be held on Saturday, November 1, 2008 (8:00 a.m. - 1 p.m.) at the Stanislaus County Agricultural Center, located at 3800 Cornucopia Way, Modesto, CA 95358.

Adjourned at 9:42 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.)