

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

Regular Session

Tuesday

November 25, 2008

Chairman Mayfield absent

Pledge of Allegiance to the Flag

A presentation was made recognizing Stanislaus County's Safety Program and Leadership.

Debra Harper requested that the County give out accurate information.

O'Brien/Grover (4-0)(Mayfield absent) Adopted the consent calendar

- \*A1 Approved the minutes of 11/18/2008
- \*A2 Accepted the resignation of Ken Bays from the West Stanislaus Resource Conservation District Board of Directors 2008-794
- \*A3 Appointed, in-lieu of election, Jeff Mello to the WestSide Community Healthcare District Board of Directors 2008-795
- \*B1 Accepted the Auditor-Controller's report on Stanislaus County's revolving funds as of 06/30/08 2008-796
- \*B2 Approved a General Operating Limit of \$281,464,477 using the population and inflation methodology; and, approved annual appropriations of tax revenues for FY 2008-2009 limits for applicable Lighting Districts governed by the Board in accordance with the provisions of Proposition 4 and Proposition 111 – Auditor-Controller 2008-797
- \*B3 Authorized the BHRS Director to accept Mental Health Services Act Prevention and Early Intervention funds in the amount of \$510,200 per year (\$2,040,800 total) for FY 2008-2009 through 2011-2012; authorized the BHRS Director, or her Designee to assign the Mental Health Services Act Prevention and Early Intervention Funds to the California Department of Mental Health for administration pursuant to the existing Mental Health Services Act agreement; authorized the authorized the BHRS Director, or her Designee to sign the Assignment Agreement and the subsequent amendment to the Mental Health Services Act agreement #07-77350-000 with the California Department of Mental Health; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$510,200, as detailed in the Budget Journal form – BHRS 2008-798
- \*B4 Authorized the BHRS Director to accept additional Mental Health Services Act Community Services and Support funds; authorized the BHRS Director, or her Designee, to sign the subsequent amendment to the Mental Health Services Act agreement #07-77350-000 with the California Department of Mental Health; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$380,260, as detailed in the Budget Journal form – BHRS 2008-799
- \*B5 Approved the closure of County offices on 12/26/2008 and 01/02/2009; and, approved employees, not otherwise required to work, the option of working in their assigned duties, or using vacation or compensatory time off on 12/26/2008 and 01/02/2009 – CEO 2008-800
- \*B6 Approved holding a public dedication ceremony on 12/30/2008, at 3:30 p.m., for Ryan's Reading Tree at the Stanislaus County Library - Modesto Library Children's Room; authorized the CEO to provide for the appropriate items needed for this public event to recognize the generous and private donation of Ryan's Reading Tree to the community and

the Stanislaus County Library; and, directed staff to prepare letters of appreciation to the Dickerson family and others who have contributed so generously to this effort – CEO

2008-801

- \*B7** Approved the agreement with the California Department of Health Care Services (DHCS) to ensure the privacy and security of Medi-Cal Personally Identifiable Information (PII); and, authorized the Director of CSA or her Assistant Director Designee to sign the agreement and any amendments for the period 11/01/2008 through 06/30/2010 – CSA 2008-802
- \*B8** Approved an amendment to the Master Agreement with Stearns, Conrad, and Schmidt, Consulting Engineers, Inc., dba SCS Engineers, to increase the total not to exceed amount to \$1,751,755 for additional environmental monitoring, testing, and reporting services at the Fink Road and Geer Road Landfills, and operations, maintenance, and monitoring services at Geer Road Landfill for FY 2008-2010; authorized the Chairman to amend the Master Agreement #A00625; authorized the Director of DER or her Designee to sign Project Authorization PA08-004-SMG for an amount not to exceed \$115,868; authorized the Director of DER or her Designee to sign additional individual Project Authorizations during FY 2008-2010, up to \$100,000, but not to exceed the total contract amount of \$1,751,755; and, directed the Auditor-Controller to increase appropriations in the amount of \$404,307 per the Budget Journal – DER 2008-803
- \*B9a** Approved the request from the City of Modesto for use of the Courthouse lawn on Saturday, 12/06/2008, from 2:00 p.m. to 9:00 p.m., for their Annual Celebration of Lights Parade; approved the waiver of fees for the reservation, exclusive use, and electrical usage; and, directed the City of Modesto to adhere to the requirements set forth by the Department of Parks and Recreation 2008-804
- \*B9b** Approved the request from the Stanislaus County District Attorney’s Victim Services Division for use of the Courthouse lawn on Tuesday, 12/09/2008, from 5:00 p.m. to 9:00 p.m., for their 11th Annual Homicide Victims’ Memorial Tree Lighting Ceremony and Candlelight Vigil; approved the waiver of fees associated with placement, repairing and removal of tree lights, and any associated costs for equipment, materials and supplies; and, directed the Stanislaus County District Attorney’s Victim Services Division to adhere to the requirements set forth by the Department of Parks and Recreation 2008-805
- \*B10** Accepted the Stanislaus County Treasury Pool’s October 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 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 2008-806
- \*B11** Approved the design, plans and specifications to improve and upgrade the electronic security and fire alarm systems at the Juvenile Justice Center prepared by AVS Engineers, Inc.; authorized the CEO to issue a notice inviting bids on 11/19/2008 for the construction phase of the project, and for the Project Manager to modify the bid date if necessary; and, authorized the Project Manager to accept and open bids on 01/21/2009, immediately after 2:00 p.m. and to return to the Board to recommend a contract award to the lowest responsible bidder – CEO 2008-807
- \*B12** Accepted the FY 2008 grant from the State Office of Homeland Security to enhance local Homeland Security efforts; authorized HSA to administer the Metropolitan Medical Response System program; directed the Auditor-Controller to establish a new Special Revenue Fund Budget Unit in the amount of \$1,499,660 and establish appropriations consistent with the Budget Journal, rolling over funds at fiscal year end; and, directed the Auditor-Controller to transfer \$99,816.40 of FY 2007 Homeland Security Grant into Fixed Assets to support the FY 2008 grant projects as detailed in the Budget Journal – OES

- \*B13** Awarded the construction contract for the tenant and site improvements of the unfinished space of the 5th Floor of the 12th Street Office Building to the lowest responsible bidder, Simile Construction Service, Inc., of Modesto, CA, for the lump sum amount of \$395,000; authorized the Project Manager to issue a Notice to Proceed contingent upon receipt of proper insurance and bonds; authorized the Project Manager to negotiate and sign contracts and work authorizations necessary to manage the construction phase including construction management, professional services, and other project related expenses as necessary to manage the project as long as the costs are within the project budget as approved by the Board of Supervisors; accepted the formalized agreement between the DA and the Hi-Tech Crimes Unit for the interim use of office space to support multi-jurisdictional investigations; authorized the Project Manager to issue a RFQ for on-call services; and, directed the Auditor-Controller to decrease appropriations in the amount of \$276,447 for the CEO Criminal Justice Facilities Fund as detailed in the Budget Journal form – CEO 2008-809
- \*B14** Authorized the Chief Probation Officer to apply for the Juvenile Accountability Block Grant for gang intervention from the State Corrections Standards Authority and to sign all necessary documents related to the grant; and, approved a resolution as required by the Corrections Standards Authority authorizing the Chief Probation Officer to apply for the Juvenile Accountability Block Grant for gang intervention – Probation 2008-810
- \*C1** Approved a resolution adopting Stanislaus Council of Governments Non-Motorized Transportation Plan as the Stanislaus County Bicycle Transportation Plan – PW 2008-811
- \*C2** Approved the purchase agreements to acquire road right-of-way easement for the Las Palmas Avenue at Elm Avenue Intersection Project (parcel owners Phillip and Elizabeth Carlson, APN: 048-004-001; Ronald Fantozzi, APN: 047-036-007; and Burta L. Herger, APN: 048-003-005); authorized the Chairman to execute the agreements; 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 \$22,954, payable to Fidelity National Title Company, for the purchase amount of \$18,454 and \$4,500 for estimated escrow fees and title insurance – PW 2008-812
- \*D1** Set a public hearing for 12/16/2008, at 6:40 p.m., to consider GPA #2008-05, a minor text amendment to add the Stanislaus County Multi-Jurisdictional Hazard Mitigation Plan to the Safety Element of the General Plan – Planning 2008-813

Monteith/Grover (4-0)(Mayfield absent) **A4** Accepted the Clerk-Recorder's Certified Statement of the Results of the Presidential General Election held on Tuesday, 11/04/2008; and, declared the results of the election – Clerk-Recorder 2008-814

Grover/Monteith (3-1)(O'Brien opposed)(Mayfield absent) **B15** Directed staff to develop a RFP for Stanislaus County Refuse Removal in Franchise Area #3; authorized the Director of DER or her Designee to sign a contract with HF&H, LLC, for refuse rate consulting services to include assisting staff with finalizing a franchise agreement, scope of work, proposed contract, bid documents, and a RFP for Area #3 in the amount of \$33,415; and, authorized the Director of DER or her Designee to sign amendments to the contract for an overall total not to exceed \$38,427 – DER 2008-815

**Corr 1** Referred to DER, Form 10-Q from Covanta Energy Corporation for the 3rd Quarter ended September 30, 2008, regarding the Stanislaus Waste-to-Energy Financing Agency and Covanta Stanislaus, Inc.

**Corr 2** Referred to Planning, Public Works and CEO-OES, a letter from the Federal Emergency Management Agency regarding information on properties within Stanislaus County that are located within an identified Special Flood Hazard Area.

**Corr 3** Acknowledged receipt of a letter from the Stanislaus County Superintendent of Schools regarding the 2008 Williams/Valenzuela Report for Stanislaus County Schools.

**Corr 4** Referred to the CEO, a letter from the City of Modesto and the City of Ceres regarding animal control services in Stanislaus County.

**Corr 5** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Seren Oldham; Tajinder Singh Aujla; and, Jefferson W. Hester.

Supervisor Grover reported that he, Mayor Ridenour, and other service provider representatives, attended a meeting with the United Way yesterday regarding how the United Way can be more involved in how government services are being provided to the community.

Vice-Chairman DeMartini noted that he went on a ride-along with the Sheriff's Department canine unit on Saturday night, and he complimented the Sheriff's Department on their fine work.

The CEO reported that the State legislature is now in Special Session and that the estimated State deficit for FY 2008/2009 is \$11.2 billion for the remaining seven months of this fiscal year, and for FY 2009/2010 the estimated deficit has grown to \$28 billion. The Governor's proposal includes some very significant increases in revenue including 1.5% increase in sales tax over a 3 year period; a 9.9% oil severance tax; the expansion of sales tax to approximately 6 different services; a nickel a drink alcohol beverage tax; and, tripling the car tax. He noted that it is unlikely that the Legislature will take any action until the new legislators are seated. He stated that this is a very difficult time in the State legislature and that most of the proposals will have an adverse affect on local governments and schools ability to deliver services. He noted that he will keep the Board updated regarding the State Budget crisis.

Adjourned to closed session at 10:03 a.m. for conference with Legal Counsel - Anticipated Litigation - One Case. Government Code §54956.9(c). Conference with Legal Counsel - Existing Litigation: Clark & Sullivan Builders, Inc. vs. County of Stanislaus, Stanislaus County Superior Court Case No. 612057. Government Code §54956.9(a).

Adjourned at 11:32 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.)