

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

Regular Session

Tuesday

February 3, 2009

All Supervisors Present

Pledge of Allegiance to the Flag

Jerry Powers, Chief Probation Officer, introduced the Probation Department's new drug detection canine and gave a demonstration of the dog's ability to detect narcotics.

Grover/Monteith unan. Adopted the consent calendar after removing from consent item ***B2** Approval of a Sole Source Procurement for Interoperable Communication Equipment from Tait Radio Communications Using Homeland Security Grant Funds – OES

***A1** Approved the minutes of 01/27/09

***A2a** Appointed Mike Van Winkle to the Economic Development Action Committee

2009-87

***A2b** Appointed Eric M. Parsons to the Advisory Board on Substance Abuse Programs 2009-88

***A2c** Appointed Jimmy Blair to the Stanislaus County Children's Council 2009-89

***A3a** Proclaimed February 2009 as Spay and Neuter Month and 02/24/09 as Spay Day 2009-90

***A3b** Proclaimed 03/8/09–03/14/09 as Portuguese Immigrant Week 2009-91

***B1** Approved and authorized the Chairman and the CEO to sign the Annual Equal Rights/Non-Discrimination Commitment Statement – CEO 2009-92

***B3** Authorized the purchase of a patient tracking system from a sole source vendor for the five local hospitals using Homeland Security Grant funds; authorized the Purchasing Agent to issue a purchase order to Sydion, LLC in the amount of \$195,379; and, directed the Auditor-Controller to transfer \$20,000 fixed asset account special police equipment to fixed asset account computer equipment, as detailed in the Budget Journal – OES

2009-93

***C1** Finds that all subdivision improvements required for the Olive Ranch Estates Phase I and Phase II Subdivision by the Subdivision Improvement Agreement, executed by Lance Jagger of Country Oak Properties and the Stanislaus County Board of Supervisors on 12/05/2000 have been constructed to the satisfaction of Stanislaus County; finds that said agreement was recorded on 12/06/2000 as Document No. 2000-0103882-00, and filed with the Stanislaus County Clerk Recorder's Office; accepted all streets, avenues, roads, and the drainage system within Olive Ranch Estates Phase I and Phase II for maintenance by Stanislaus County; pursuant to §66499.7(a) of the Subdivision Map Act, authorized the release of Bond No. 876633S issued by The Insko Dico Group in the amount of \$15,000 for the 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. 876633S issued by The Insko Dico Group in the amount of \$7,500 for labor and materials for the improvements; the mechanic's Lien Guarantee must be dated a minimum of 61 days after the filing of the appropriate Notice of Completion, be prepared by a title company, be to the benefit of Stanislaus County, and state that there are no liens of record; and, authorized the Auditor-Controller to remove the direct assessments for parcel 010-068-007 from the tax roll for the years 2002 through 2007 – PW 2009-94

***D1** Rescinded a portion of Williamson Act Contract No. 1972-0715 (Armstrong Road, in Crows Landing) and all of Williamson Act Contract No. 2007-0012 (Moran Road, in Crows Landing); approved new contracts pursuant to minor Lot Line Adjustment 2008-19 - Escobar and authorized the Planning Director to execute new contracts; finds the new contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years; finds there is no net decrease in the amount of the acreage restricted; in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; finds at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; finds after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in §51222; finds the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; finds the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; and, finds the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan – Planning 2009-95

Chiesa/Monteith unan. ***B2** Authorized the sole source procurement of interoperable communication equipment using Homeland Security Grant funds; and, authorized the Purchasing Agent to issue a purchase order to Tait Radio Communications in the amount of \$267,174 – OES

2009-96

O'Brien/Grover unan. **B4** Accepted the Sheriff's Regional Training Division 2008 Progress Report

2009-97

Corr 1 Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a second letter from Varco Pruden Buildings, Inc. regarding their plans to permanently close their manufacturing plant located at 530 S. Tegner Road in Turlock, CA. The anticipated closure date was 06/30/09, but is now scheduled to occur on 03/31/09 per the Worker Adjustment and Retraining Notification (WARN) Act.

Corr 2 Acknowledged receipt of claim and referred to the CEO-Risk Management Division the following claim: David Nelson.

Supervisor Grover reported that he along with Chairman DeMartini, CEO Robinson, and David Jones will be going to Washington D.C. tomorrow to discuss the County's Legislative Platform with our Federal Representatives. He also reported that last Wednesday he went with a group of representatives from all eight valley counties to Sacramento to address valley issues.

The CEO expressed appreciation to Chief Powers and Sheriff Christianson for their exceptional presentations this morning. He spoke regarding the transition of the Regional Training Center, and noted that the success of the Training Center is due to Sheriff Christianson and Lt. Gordon's efforts. He reported that there is still not an adequate State Budget in place, and that County staff has researched the impacts if the State defers payments and determined the following costs to the County: one month deferral = \$11.76 million; three month deferral = \$27.9 million; and, seven month deferral = \$53.48 million. The proposed State Budget cuts would cost the County \$7.7 million. The Chairman has sent a letter to all of our local State representatives outlining what the budget impacts will be for the County and

what the effects will be on our ability to provide services to our residents. Chairman DeMartini asked if the State budget will impact Federally funded programs that require a State match. The CEO responded that he does not anticipate that these Federal funds will be affected in the short term, but that the Federal government could take action if the State is non-compliant over an extended period of time.

Supervisor Chiesa announced that there will be a Groundbreaking Ceremony for the Keyes Improvement Project on Saturday, 02/07/09 at 10:00 a.m. located at Bonita Ranch Park at Lucinda and 10th Streets in Keyes, CA. He invited the public to attend this event.

Adjourned to closed session at 9:35 a.m. for conference with Legal Counsel - Existing Litigation - Two Cases: Robert K. Homan v. Doctors Medical Center, et al., Stanislaus County Superior Court Case No. 373147; and Building Industry Association of Central California v. County of Stanislaus, Stanislaus County Superior Court Case No. 622705. Government Code §54956.9 (a); and, conference with Legal Counsel - Anticipated Litigation: One Case. Government Code §54956.9 (c).

Adjourned at 11:00 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.)