

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

Regular Session

Tuesday

May 5, 2009

All Supervisors Present

Pledge of Allegiance to the Flag

Dr. Wallace Carroll accepted the proclamation for May 2009 as Asthma Awareness Month and gave a presentation regarding asthma in Stanislaus County.

Karen Servas presented information regarding Americorp Week and members of the Americorp accepted the proclamation.

Amparo Contreas gave a presentation regarding May 2009 as Donate Life Month and accepted the proclamation.

Monteith/Chiesa unan. Adopted the consent calendar

- \*A1 Approved the minutes of 04/28/09
- \*A2a Adopted and waived the second reading of Ordinance C.S. 1054 to establish and amend Agricultural Registration Fees for the Department of Agriculture and Weights and Measures ORD-55-J-1 2009-282
- \*A2b Adopted and waived the second reading of Ordinance C.S. 1056 to amend existing fees for the Department of Environmental Resources ORD-55-J-3 2009-283
- \*A2c Adopted and waived the second reading of Ordinance C.S. 1055 to amend existing fees in the Probation Department ORD-55-J-2 2009-284
- \*A3a Appointed John Ramos to the Stanislaus County Planning Commission 2009-285
- \*A3b Appointed Sussana Ontiveros to the Youth Advisory Council of the Stanislaus Economic Development and Workforce Alliance Board 2009-286
- \*A4 Accepted the resignation of Jack Leguria from the Economic Development Action Committee 2009-287
- \*A5 Proclaimed May 2009 as Mental Health Month 2009-288
- \*B1 Approved the commendations for Stanislaus County Outstanding Senior Citizens in celebration of Older Americans Month in May – Aging and Veterans Service 2009-289
- \*B2 Approved the Stanislaus County Refugee Social Services (RSS) Plan for Fiscal Years 2009-2012; and, authorized GSA Purchasing Division to issue a RFP on behalf of CSA for the provision of employable services to Stanislaus County refugees for the contract period of 10/01/2009 through 06/30/2011 with an option to extend the agreement(s) an additional year through 06/30/2012 – CSA 2009-290
- \*B3a Approved request from the City of Modesto to have exclusive use of the Courthouse Lawn beginning at 10:00 a.m. and ending at 3:00 p.m. on Saturday, 05/16/2009 for their 14th Annual Family Cycling Festival; directed the City of Modesto to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for exclusive use and reservation for the Courthouse lawn – Parks and Recreation 2009-291
- \*B3b Approved request from the 4-H Youth Development Program of Stanislaus County to have exclusive use of the Kiwanis Camp from Friday 05/15/2009, beginning at 8:00 a.m. to Sunday, 05/17/2009, ending at 5:00 p.m. for their 4-H Primary Camp; directed the 4-H

- Youth Development Program of Stanislaus County to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for exclusive use and reservation for the Kiwanis Camp – Parks and Recreation 2009-292
- \*B3c Approved request from the Hobie Class Association of North America, Division 3 to have exclusive use of Woodward Reservoir, Fisher Point, from Thursday, 05/14/2009, beginning at 4:00 p.m. to Monday, 05/18/2009, ending at 12:00 p.m. for the 18th Annual Regatta; directed the Hobie Class Association of North America, Division 3 to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the fees for exclusive use, reservation, vehicles, vessels, and camping for the use of Woodward Reservoir, Fisher Point – Parks and Recreation 2009-293
  - \*B3d Approved request from the Church of Jesus Christ Latter Day Saints to have exclusive use of Woodward Reservoir, Muir Point Camping Area from Thursday, 05/14/2009, beginning at 4:00 p.m. to Sunday, 05/17/2009, ending at 12:00 p.m. for their Father and Son Overnight Camping Event; directed the Church of Jesus Christ Latter Day Saints to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for exclusive use, reservation, horses, dogs and non-motorized watercraft for the Woodward Reservoir, Muir Point Camping Area – Parks and Recreation 2009-294
  - \*B4 Authorized the Sheriff to submit a Law Enforcement Grant application to the California State Parks Off-Highway Motor Vehicle (OHV) grant program for increased Law Enforcement services at Frank Raines Regional Park and La Grange Park in Stanislaus County; and, adopted a resolution to apply for the California State Parks Off-Highway Vehicle (OHV) grant – Sheriff 2009-295
  - \*B5 Adopted a resolution as required by the Corrections Standards Authority authorizing the Chief Probation Officer to submit and sign Stanislaus County’s application for Approval of the County’s Comprehensive Multi-Agency Juvenile Justice Plan modification and related contracts, amendments or extension with the State of California in order to accept Year Nine Juvenile Justice Crime Prevention Act Funding in the Amount of \$1,328,839 for FY 2009-2010 – Probation 2009-296
  - \*B6 Adopted the Board of Supervisors’ Priority Goals and Proposed Outcomes for Fiscal Year 2009-2010 – CEO 2009-297
  - \*C1 Pursuant to the Street and Highway Code §8333(c), finds that the proposed 15-foot Oakdale Irrigation District (O.I.D.) Irrigation Easement located on the southerly side of Lots 9-17 Hillsborough Estates Subdivision No. 2 in Volume 43 of Maps, Page 63 in Stanislaus County is not required for street or highway purposes; finds there are no in-place utility facilities in the abandonment area that will be affected by the abandonment; and, adopted the resolution vacating the 15-foot easement – PW 2009-298
  - \*C2 Approved the FY 2008-2009 Transportation Development Act Claim; authorized the Director of Public Works to execute and submit the claim to StanCOG; and, amended the Stanislaus County Bicycle Transportation Plan to include the Howard Road Bike Trail – PW 2009-299

Chiesa/Grover unan. **9:15 am** Approved resetting the public hearing to consider an appeal of the Planning Commission’s decision of approval for Use Permit Application No. 2008-10, Turlock Golf Center from 05/05/2009 at 9:15 a.m. to 05/19/2009 at 6:35 p.m. – Planning 2009-306

**Recessed to sit as the Stanislaus County Redevelopment Agency at 9:25 a.m.**

Grover/O’Brien (4-0)(Chiesa abstained) **9:20 am** Adopted the consent calendar after removing from consent item **\*III-A** Approval of the Minutes of December 9, 2008 2009-308

**9:20 am \*VI-A** Authorized the Executive Director to request repayment of the principle and waive payment of accrued interest related to a loan made to the Stanislaus-Ceres Redevelopment Commission (SCRC) on 7/12/1991 in the amount of \$64,694 2009-307

Grover/Monteith (4-0)(Chiesa abstained) **9:20 am \*III-A** Approved the minutes of 12/09/2008

Grover/Monteith (4-1)(DeMartini opposed) **9:20 am VI-B** Accepted the revised Preliminary Redevelopment Plan for the Crows Landing Air Facility Project Area; directed staff to prepare a Redevelopment Plan for a Draft Environmental Report; authorized the Agency transmittal of information to taxing agencies and officials; and, directed Agency staff and consultants to commence preparation of a Draft Environmental Report 2009-309

**Reconvened to sit as the Stanislaus County Board of Supervisors at 9:42 a.m.**

Grover/Monteith unan. **B7** Authorized the development and joining of a Consortium organization as a Nonprofit Public Benefit Corporation under §501(c)(3) of the Internal Revenue Code and §214 of the California Revenue and Taxation Code, for the purpose of Graduate Medical Education; and to transfer the Sponsorship of the Stanislaus Family Medicine Residency Program to the Consortium; authorized the CEO or his Designee to approve the Articles of Incorporation and initial bylaws of the Consortium organization on behalf of Stanislaus County; authorized the CEO to appoint representatives to fill the seats on the Consortium Board of Directors designated for Stanislaus County in accordance with the bylaws of the Consortium organization; authorized the CEO or his Designee to perform activities necessary to cause the transfer of the sponsorship of the Stanislaus Family Medicine Residency Program to the Consortium organization; authorized the CEO or his designee to enter Affiliation Agreements with the Consortium, as applicable and as may be necessary for Accreditation, funding and expense sharing arrangements, and management and employment arrangements; and, authorized the CEO or his Designee to amend the existing contract for legal services with Davis Wright Tremaine LLP increasing the maximum amount payable by \$100,000 for continued legal services to the county and the Consortium for this effort, to be funded from existing budgeted appropriations – CEO 2009-300

Chiesa/Grover unan. **B8** Approved the Integrated Behavioral Healthcare Program expansion in the Federally Qualified Health Center Look-Alike primary care clinic system of HSA; authorized the Managing Director of HSA to take those reasonable actions necessary to implement the above recommendation, including execution of an agreement for Psychiatric services not to exceed \$185,000 through 06/30/10; and, directed the Auditor-Controller to increase the appropriations and estimated revenue as detailed in the budget journal – HAS 2009-301

Grover/O'Brien unan. **B9** Authorized the Alliance Worknet Director to accept the American Recovery and Reinvestment Act (ARRA) funds in the following amounts, Youth \$3,885,095; Adults \$1,673,335; Dislocated Workers \$3,249,149; authorized the Alliance Worknet Director to sign modifications to the Local Workforce Investment Act Five-Year Plan necessary to substantiate use of the additional funds; and, directed the Auditor-Controller to increase appropriations and estimated revenue as detailed in the budget journal – Alliance Worknet 2009-302

Monteith/Grover unan. **B10** Accepted the Stanislaus County Transit Needs Assessment Recommendations and Implementation Plan; and, authorized the County Transit Manager to forward the Stanislaus County Transit Needs Assessment Recommendations and Implementation Plan and supporting documents to the Stanislaus Council of Governments (StanCOG) for their consideration – PW 2009-303

**Recessed at 11:25 a.m.**

**Reconvened at 11:37 a.m.**

Grover/Monteith unan. **B11** Accepted the CEO's Third Quarter Financial Report for FY 2008-2009; authorized the use of \$474,116 in Appropriations for Contingencies as recommended in the Third Quarter Financial Report by 4/5 Vote of the Board of Supervisors; authorized the CEO and the Auditor-Controller to make the necessary adjustments, transfers, and other technical adjustments as recommended; authorized the Auditor-Controller to make the necessary year-end closing entries as approved by the Chief Executive Officer; **amended** Staff Recommendation No. 5 to amend the Salary and Position Allocation Resolution as outlined in Attachment A effective the start of the 05/09/2009 pay period to include the amended Staff Recommendation 6; **amended** Staff Recommendation No. 6 to approve the reduction-in-force of one filled position, Planning Building Permits Budgets effective 06/20/2009; **removed** Staff Recommendation No. 7; authorized the CEO to suspend the County's Pay-for-Performance Bonus Program effective 07/01/2009 for Unrepresented Management and Classified Employees in FY 2009-2010; authorized the CEO to suspend the County's Professional Development Program effective 06/01/2010 for Unrepresented Management and Classified Employees in FY 2009-2010; approved contracts and/or agreements listed on Attachment B in cumulative amounts of \$100,000 or greater since 07/01/2003; set a public hearing for the consideration and adoption of the FY 2009-2010 Proposed Budget on 06/09/2009 at 9:30 a.m., and continue to 06/10/2009 at 9:00 a.m., and 06/11/2009 at 9:00 a.m., if necessary; directed the Clerk of the Board to advertise the public hearing; and, authorized the Clerk of the Board to make appropriate changes to the public notice if fee increases are proposed as part of the budget process – CEO 2009-304

Chiesa/O'Brien unan. **D1** Approved the Amendment to the Consolidated Plan FY 2007-2012 and Annual Action Plan FY 2008-2009; directed the CEO to sign the Substantial Amendment to the Consolidated Plan 2008 Action Plan for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) (HUD-40119); directed the CEO to sign the application for Federal Assistance (SF-424); and, directed the CEO to sign the General Consolidated Plan and the HPRP Certifications – Planning 2009-305

**Corr 1** Referred to the Department of Public Works and the Department of Planning and Community Development, a copy of the Annual Report of the Development Fees from the Oakdale Fire Protection District.

**Corr 2** Referred to the Alliance WorkNet and the Stanislaus Economic Development and Workforce Alliance, a letter from Governor Schwarzenegger regarding the American Recovery and Reinvestment Act (ARRA) funds for the Workforce Investment Act for summer youth programs.

**Corr 3** Referred to the Agricultural Commissioner and Sealer of Weights and Measures, a letter from Downey/Brand Attorneys LLP regarding a petition for Temporary Transfer of River Garden Farms Co. to the 2009 Drought Water Bank.

**Corr 4** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Ofelia Pinmental and Gary Adams.

The CEO presented information regarding the H1N1 Influenza 2009 Incident. Dr. Walker and Chief Hinshaw gave an update on the current status of the H1N1 Influenza 2009 Incident and the efficiency of the EOC process. The EOC is in the recovery phase and has ramped down their process.

Grover/Monteith unan. **IX-A** Approved transfer from Appropriation for Contingencies not to exceed \$100,000 for expenses required to support the activation of the Emergency Operations Center for the Spring 2009 H1N1 Influenza 2009 Incident; directed the Auditor-Controller to establish a budget not to

exceed \$100,000 for the H1N1 Influenza 2009 Incident for expenses required to support the activation of the Emergency Operations Center; and, authorized the CEO to direct the use of these funds as necessary to support the activation period and seek any and all reimbursement opportunities for this incident – CEO  
2009-310

DeMartini/Chiesa unan. **IX-B** Authorized the Chairman to sign a letter of support of the West Side Theatre Foundation’s application for a full-power non-commercial educational FM radio channel to serve the Gustine and Newman communities – CEO  
2009-311

Adjourned to closed session at 12:21 p.m. for Public Employment: Performance Evaluation – County Counsel. Government Code §54957(b).

Adjourned at 1:28 p.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus  
State of California

BY: CHRISTINE FERRARO TALLMAN, 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.)