

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

Regular Session

Tuesday

July 14, 2009

All Supervisors Present

Pledge of Allegiance to the Flag

Jerry Powers, Chief Probation Officer, gave a presentation regarding 07/19/2009 through 07/25/2009 as Probation Services Week in Stanislaus County, and Chairman DeMartini presented a resolution to the Probation Department Employees of the Year.

Stanislaus County Superintendent of Schools Tom Changnon gave a presentation titled "Reflection of School Year and What We are Doing in the Future".

Chiesa/Grover unan. Adopted the consent calendar

- *A1 Approved the minutes of 06/30/2009
- *A2 Approved the consolidation of the City of Riverbank's election with the Consolidated District Election to be held on 11/03/2009 2009-464
- *A3a Appointed Jaime Lomeli, Jr. to the South Modesto Municipal Advisory Council 2009-465
- *A3b Appointed Connie Fiscalini Pires to the Stanislaus County Free Library Advisory Committee 2009-466
- *A3c Appointed Josh Weimer and Bill Bassitt to the Economic Development Action Committee 2009-467
- *A4 Accepted the resignation of Ronald Swift from the Patterson Cemetery District Board of Trustees 2009-468
- *B1 Approved the renewal of the agreement with Camille Holmes, Ph.D. to provide childcare consultation and supervision of parent mentors; and, authorized the BHRS Director, or her designee, to sign the agreement – BHRS 2009-469
- *B2 Authorized the Director of DER, or her designee, to accept Beverage Container Recycling Funds from the California Department of Conservation for FY 2009-2010 to promote beverage container recycling and litter clean-up on behalf of the unincorporated areas of Stanislaus County; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$29,896 for FY 2009-10 as detailed in the Budget Journal – DER 2009-470
- *B3 Approved the final completion and acceptance of the construction of the Regional Water Safety Training Center Empire Community Pool Project by Diede Construction, Inc. of Lodi, California; authorized the Project Manager on behalf of the Board of Supervisors to sign a deductive change order in the amount of \$37,923; approved the final contract with Diede Construction, Inc. of Lodi, California, for the final contract cost of \$2,260,135; and, authorized the Project Manager, on behalf of the Board of Supervisors as the awarding authority, to sign the completion documents, record the Notices of Completion, release retention and process all remaining close out activities for the above contracts and the project – CEO 2009-471
- *B4 Approved the list of Independent and Personal Services Contractor Agreements between the Stanislaus County Health Services Agency and various contractors for FY 2008-2009 and FY 2009-2010 in excess of \$100,000; authorized the HSA Managing Director, or her designee, to sign the agreements; and, authorized the HSA Managing Director, or her

- designee or successor, to negotiate and sign individual amendments to the agreements, not to exceed \$75,000 – HAS 2009-472
- *B5** Approved the request from the Church of Jesus Christ of Latter Day Saints, Modesto 12 Spanish Branch to have exclusive use of the Kiwanis Camp from Friday, 07/24/2009, beginning at 10:00 a.m. to Saturday, 07/25/2009, ending no later than 5:00 p.m. for their Youth and Family Overnight Camping Activities; directed the Church of Jesus Christ of Latter Day Saints, Modesto 12 Spanish Branch to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for reservations and exclusive use – Parks and Recreation 2009-473
- *B6a** Approved the request for exclusive use of Salida Park from the Holy Family Catholic Church from 08/15/2009, beginning at 12:00 p.m. (noon) to Sunday, 08/16/2009, ending no later than 11:00 a.m. for their 11th Annual Parish Festival; directed the Holy Family Catholic Church to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for reservations and exclusive use – Parks and Recreation 2009-474
- *B6b** Approved the request for exclusive use of Salida Park, Northwest Turf Area, from the First Congregational Church of Salida on the following Thursdays 07/30/2009, 08/13/2009, and 08/27/2009 each day beginning at 5:00 p.m. and ending no later than 9:00 p.m. for their Salida Christian Community, “Music Concerts in the Park” Series; directed the First Congregational Church of Salida to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for reservations and exclusive use – Parks and Recreation 2009-475
- *B6c** Approved the request for exclusive use of Salida Park from the Salida Civic Association on 08/22/2009, beginning at 8:00 a.m. and ending no later than 4:00 p.m. for their 10th Annual Town and Country Parade and Festival; directed the Salida Civic Association to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for reservations and exclusive use – Parks and Recreation 2009-476
- *B7** Directed the Auditor-Controller to establish a budget for Community Development Block Grant-Recovery Act Funds (CDBG-R) to increase appropriations and estimated revenues in the amount of \$669,134 as detailed in the Budget Journal form – Planning 2009-477
- *B8** Authorized the Auditor-Controller to establish budget for Homelessness Prevention and Rapid Re-Housing Program (HPRP) to increase appropriations and estimated revenue in the amount of \$1,023,163 as detailed in the Budget Journal form; and, authorized the Director of Planning and Community Development to execute the related HPRP program implementation agreements and contracts with Children's Crisis Center (CCC), Community Housing and Shelter Services (CHSS), Inter-Faith Ministries, Salvation Army, We Care, and related partner City Consortia Agreements, in an amount not to exceed the grant amount – Planning 2009-478
- *B9** Directed the Auditor-Controller to increase appropriations and estimated revenues in the amount of \$79,000 from the Public Facility Fees (PFF) for the Probation Department to complete a Cisco Voice-Over Internet Protocol (VoIP) Project, as detailed in the Budget Journal form; and, approved the use of \$79,000 of Public Facility Fees (PFF) for partial funding of the Probation Department Voice-Over Internet Protocol (VoIP) Project – Probation 2009-479
- *B10** Approved the contract #09-11305 with the California Department of Public Health Services for the continuation of the Immunization Assistance Program for the period of 07/01/2009 through 06/30/2010; and, authorized the HSA Managing Director, or her designee, to sign and execute the contract – HSA 2009-480

- ***B11** Approved the contract with the California Department of Public Health for the STD Community Intervention Program (SCIP) and Chlamydia Screening Project (ClaSP); and, authorized the HSA Managing Director, or her designee, to sign and execute this contract – HSA 2009-481
- ***C1** Approved the Purpose and Need Statements for the State Route SR 99 – State Route 165 Project Study Report – PW 2009-482
- ***C2** Finds that all street improvements including the storm drain system required for Vesting Tentative Parcel Map No. 2004-30 have been constructed to the satisfaction of Stanislaus County; and, accepted all street improvements including the storm drain system required by Vesting Tentative Parcel Map No. 2004-30 for maintenance by Stanislaus County within the proposed development and the Galaxy Way and Spyres right-of-way in the north Modesto area – PW 2009-483
- ***D1** Adopted a resolution approving the easement proposal to the California Department of Conservation California Farmland Conservancy Program for the Ulm Farm Conservation Easement; and, certified that the easement proposal meets the eligibility criteria set forth in California Public Resources Code 10251 – Planning 2009-484
- ***IXA** Authorized the Chairman to sign a letter of support for funding for the San Joaquin River National Wildlife Refuge for land acquisition – CEO

Grover/Monteith unan. **A5** Approved changing the location of the Board of Supervisors’ Meeting on 08/18/2009 to the City of Patterson for a Special Joint Board of Supervisors-City Council Meeting – CEO 2009-485

O’Brien/DeMartini (3-2)(Chiesa and Grover opposed) **B12** Adopted and waived the second reading of Ordinance C.S. 1063 approving the Reinvestment Plan for the Riverbank Reinvestment Project, Amendment No. 1, that adds an additional 175 acres of unincorporated territory to the Riverbank Redevelopment Project Area in accordance with California Health and Safety Code §33213; and, **amended** the item to request that the Riverbank City Council consider adding County representation to their Redevelopment Agency – CEO ORD-55-K-1 2009-487
2009-488

Corr 1 Referred to the Chief Executive Officer, Sheriff, Chief Probation Officer, County Counsel and Elections, a copy of the 2008-2009 Civil Grand Jury Report regarding the Sheriff’s Department; Correctional Facilities Inspections; and, Monterey Park Tract Community Services District.

Corr 2 Referred to the Agricultural Commissioner/Sealer of Weights and Measures, five letters from the State Water Resources Control Board regarding orders approving petitions for Temporary Change to authorize the transfer of water to the 2009 Drought Water Bank.

Corr 3 Referred to the Agricultural Commissioner/Sealer of Weights and Measures, a letter from the State Water Resources Control Board regarding a notice of petition for Temporary Change to authorize the transfer of water from the City of Sacramento and Sacramento Suburban Water District to the 2009 Drought Water Bank.

Corr 4 Referred to Public Works, a letter from the Shell Pipeline Company LP regarding pipeline safety and the options for securing information about the location of pipelines within Stanislaus County.

Corr 5 Referred to Public Works, a letter from the U.S. Surface Transportation Board regarding the abandonment of a 5.18 mile line of railroad known as the McHenry Industrial Lead.

Corr 6 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Derrick J. Thomas; Antonio Pena; Francisco E. Vivero; and, Livia Ghisletta.

Supervisor Grover reported that at the monthly Mayor's Meeting, which was attended by mayors of Patterson, Modesto, Turlock, Ceres and Newman, they endorsed the idea of proceeding with the Stanislaus County Growth Management Strategy.

Chairman DeMartini participated in the City of Patterson's Centennial Parade on the 4th of July, and noted that there will be another parade commemorating their centennial on Labor Day.

The CEO reported that Senator Feinstein is calling for forms to be filled out for SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) and that there is a proposal to do an 18-month extension to the existing reauthorization bill. He noted that the State is still in deadlock regarding the budget, but that it is anticipated that they will make progress in the next few days. He reported that SB 684 (negative bailout) passed out of the Assembly Local Government Committee last week and has been referred to the Assembly Appropriations Committee, and that SB 532 (State Highway Routes 108 and 201) is moving forward. An agenda item will come before the Board on 7/21/09 requesting support of SB 532.

Supervisor Grover and the CEO spoke regarding the extension of SAFETEA-LU by 18 months and how this will give the County additional opportunities to expend Highway 132 West funds.

Adjourned to closed session at 10:04 a.m. for conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: Stanislaus Sworn Deputies Association. Government Code §54957.6.

Adjourned at 11:01 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.)