

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

Regular Session

Tuesday

August 4, 2009

All Supervisors Present

Pledge of Allegiance to the Flag

The Chairman presented a resolution proclaiming August 2009 as Child Support Awareness Month in Stanislaus County.

Chiesa/Grover unan. Adopted the consent calendar

- ***A1** Approved the minutes of 07/21/2009
- ***A2a** Adopted and waived the second reading of Ordinance C.S. 1065 to Amend Chapter 11.08.020 of the Stanislaus County Code Title 11, Amending Parking Zones on Service Road, Riverside Drive, Fox Road, California Avenue, and Lester Road in the Stanislaus County unincorporated areas – Public Works ORD-55-K-3 2009-506
- ***A2b** Adopted and waived the second reading of Ordinance C.S. 1066 to Amend Title 11, Chapter 11.04.060 of the Stanislaus County Code, Adding Speed Zones on Tuolumne Road in the Denair Area and Frontage Road in the Valley Home Area – Public Works ORD-55-K-4 2009-507
- ***A3** Appointed Ana Rocha San Nicholas to the Salida MAC 2009-508
- ***A4** Proclaimed 08/09/2009 – 08/15/2009 as Community Health Centers Week 2009-509
- ***A5** Accepted the resignations of Julie Mendoza and Andrew Langtry from the Stanislaus Child Development Local Planning Council 2009-510
- ***B1** Accepted the staff report on the Federal Health Resources and Services Administration’s (HRSA) Site Visit for the Federally Qualified Health Center Look-Alike Recertification and approved the Proposed Action Plan to Address a Change in the Governance Structure of the Community Health Center Board; and, authorized the CEO, or his Designee, to submit the Proposed Action Plan to the Federal Health Resources and Services Administration – HSA 2009-511
- ***B2** Set a public hearing on 09/01/2009 at 9:15 a.m. pursuant to §1442.5 of the Health and Safety Code to consider changes to the Medically Indigent Adult program to include the reduction to the income limits at which patient cost sharing applies, the reduction in the Asset Limits for eligibility, a reduction to the Dental Scope of Benefits, and an increase in patient cost sharing specifically for major restorative dental services – HSA 2009-512
- ***B3** Accepted the Stanislaus County Treasury Pool’s June 2009 Monthly Investment Report as prepared by the Stanislaus County Treasurer-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 2009-513
- ***B4** Authorized the Sheriff to accept funding in the amount of \$49,259 from the California State Parks Off-Highway Motor Vehicle Recreation Division (OHV) Grants and Cooperative Agreements Program to enhance emergency response and safety at Frank Raines Regional Park and LaGrange Park in Stanislaus County; authorized the Sheriff to sign and administer the California State Parks Off-Highway Motor Vehicle Recreation Division (OHV) Grants and Cooperative Agreements Program for the Project Performance period from 07/02/2009

- through 06/30/2010; and, directed the Auditor-Controller to establish a budget with estimated revenue and appropriations in the amount of \$49,259 for FY 2009-2010 per the budget journal – Sheriff 2009-514
- ***B5** Approved the contract between the Victims’ Compensation and Government Claims Board and the DA’s Office in the amount of \$61,000; authorized the DA to sign the contract and approved the grant award agreement including any extensions or amendments; approved a formal resolution to be submitted to the Victims’ Compensation and Government Claims Board accepting the grant award; and, authorized the Auditor-Controller to increase revenues and appropriations by \$878 – DA 2009-515
 - ***B6** Approved the revised Stanislaus County Travel Policy effective 09/01/2009 – Auditor-Controller 2009-516
 - ***C1** Approved the conditional award of the contract in the amount of \$946,790 to Blaisdell Construction, Inc., of Redding, California for the construction of the Shiloh Road Bridge at Tuolumne River, Federal Aid Project STPLZ-5938(099), subject to receipt of appropriate insurance and bonds; authorized the Director of Public Works to execute a contract with Blaisdell Construction, Inc., for \$946,790 and to sign necessary documents; directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code, § 20142; upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities; and, authorized the Construction Manager to issue a Notice to Proceed contingent upon receipt of proper insurance and bonds – PW 2009-517
 - ***D1** Approved the finding that the City of Patterson's proposed sphere of influence expansion is logical and orderly; and, directed the CEO to notify the Local Agency Formation Commission (LAFCO) of the County's agreement with the expansion request – Planning 2009-518

Grover/O’Brien unan. **9:15 am** Finds that the notice of public hearing was published in compliance with §6066 of the Government Code; conducted a public hearing to receive comments regarding the FY 2009/2010 annual assessments; set the FY 2009/2010 annual assessments as shown on Exhibit “A” for CSA 10; made the Engineer’s Reports a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessments to the 2009/2010 Tax Roll – PW 2009-524

Grover/Monteith unan. **B7** Approved reduction-in-force of four filled full-time positions and one vacant funded position in the Sheriff’s Department budget effective 09/05/2009; and, amended the Salary and Position Allocation Resolution to reflect the changes as outlined in the Staffing Impacts section effective 09/05/2009 – Sheriff 2009-519

Monteith/O’Brien unan. **B8** Authorized the Behavioral Health Director to accept Mental Health Services Act Prevention and Early Intervention implementation funds; authorized the Behavioral Health Director or her designee to sign the subsequent amendment to agreement #07-77350-000 with the California Department of Mental Health to implement the Mental Health Services Act Prevention and Early Intervention plan; authorized the Behavioral Health Director or her designee to sign the agreement with the National Alliance for the Mentally Ill (NAMI); directed the Auditor-Controller to increase appropriations and estimated revenue to the Mental Health Services Act Fiscal Year 2009-2010 Proposed Budget in the amount of \$7,182,545 as detailed in the Budget Journal form; and, amended the Salary and Position Allocation Resolution to reflect the recommended changes outlined in this agenda item, effective the first pay period after Board of Supervisors’ approval – BHRS 2009-520

Grover/Monteith unan. **B9** Approved the elimination of services under the Substance Abuse and Crime Prevention Act (SACPA), more commonly known as Proposition 36; amended the Salary and Position Allocation Resolution to reflect the recommended changes outlined in this agenda item, effective the first pay period following Board of Supervisors approval; and, authorized the CEO and Behavioral Health Director to fulfill the operational activities associated with the implementation of the above recommendations – BHRS

2009-521

Grover/Monteith unan. **B10** Approved the final bridging design for design build construction of the new Animal Services Facility presented by RF & A Architects and as recommended by the project team consisting of new construction of 33,358 square feet including recommended site improvements in the base project; authorized the CEO to negotiate alternate pricing as deductive alternates for two construction elements (1) the interior finishes of the low cost spay and neuter clinic; and (2) 2,000 square feet of animal holding areas; authorized the staff to issue a Request for Proposals (RFP) for the Design-Build construction , pricing and alternate pricing of the new Animal Services Facility to the 16 pre-qualified General Contractors: Blach Construction of Stockton, California, Rising Sun Company of Exeter, California, Diede Construction, Inc. of Woodbridge, California, Menghetti Construction of Modesto, California, Zumwalt Construction of Fresno, California, Architerra Macrae Architects of Sebastopol, California, Flintco, Inc. of Folsom, California, BCM Construction Company, Inc. of Chico, California, Reeve-Knight Construction, Inc. of Roseville, California, Devcon Construction, Inc. of Stockton, California, Hilbers, Inc. of Yuba City, California, Integrated Builders Group, Inc. of El Dorado Hills, California, W.E. Lyons Construction of Oakland, California, J.L. Bray & Son, Inc. of Salida, California, Applegate Johnston, Inc. of Modesto, California, and Simile Construction Services, Inc. of Modesto, California, and for proposals to be submitted on 09/17/2009, no later than 4:00 p.m., and to return to the Board of Supervisors with a recommended contractor for this project; authorize the CEO and the Director of Animal Services to negotiate and execute a contract with a new non-profit Stanislaus Area Veterinarians for the Economically Disadvantaged (SAVED) for the provision of low-cost spay and neuter services for low-income residents to be provided in the low cost spay neuter clinic area recommended to be included in the new Animal Services Facility in accordance with the Request for Proposals (RFP) issued on 05/29/2009; authorized the CEO and the Director of Animal Services to continue to seek opportunities to partner with other local organizations, for the provision and supports of low cost spay neuter services to the community; authorized the siting of the new facility in the buffer of the Stanislaus County Public Safety Center, along Crows Landing Road and adopted the Mitigated Negative Declaration pursuant to CEQA Guidelines §15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis; adopted the Mitigation Monitoring Plan pursuant to CEQA Guidelines §15074(d); ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorders Office pursuant to Public Resources Code §21152 and CEQA Guidelines §15075; authorized the CEO to finalize the project financing plan with funding from the County's 2006 Tobacco Endowment Fund over a 25 year period, to be repaid by the County and the five partner cities, Modesto, Ceres, Hughson, Waterford and Patterson; and, authorized the CEO to negotiate, finalize and execute a Joint Powers Agreement between the County and the Cities of Ceres, Hughson, Modesto, Patterson and Waterford for the provision of Animal Services – CEO

2009-522

Recessed at 12:21 p.m.

Reconvened at 12:30 p.m.

Chiesa/O'Brien unan. **B11** Approved the 2009-2010 Proposed Capital Improvement Plan Preliminary Project List for FY 2009-10; directed staff to submit the Proposed Capital Improvement Plan Preliminary Project List to the County Planning Commission for findings of General Plan Consistency; and, authorized

staff to proceed with all the steps necessary to prepare the Proposed Capital Improvement Plan for the Board's final consideration and adoption in September 2009 – CEO 2009-523

Corr 1 Acknowledged receipt of the 2009-2010 Budget for the East Side Mosquito Abatement District.

Corr 2 Acknowledged receipt of the Turlock Irrigation District's 2008 Annual Report.

Corr 3 Referred to Behavioral Health and Recovery Services, the Auditor-Controller, and the Chief Executive Office, a copy of the Stanislaus County Audit Report for the Handicapped and Disabled Students Program from the California State Controller's Office.

Corr 4 Acknowledged receipt of claim and referred to the CEO-Risk Management Division the following claim: Forrest R. Meares.

Supervisor O'Brien requested that the County develop a better process for collecting supplemental property taxes resulting from parcel splits for subdivisions in years past.

Chairman DeMartini reported that the Westside Healthcare Advisory Taskforce will be holding their first event in Newman on 08/06/2009.

The CEO reported that the State has adopted a Budget. County staff is studying the full impacts of the budget on our local operations and anticipate that the total reduction in funding will be approximately \$30 million from the following areas: SB90 reimbursements, Prop 1A, CalWorks, RDA, Prop 36, MediCal Managed Care for Mental Health, 2009 Special Election and Williamson Act Subventions.

The Chairman announced that there will be a Special Joint Board of Supervisors/City of Patterson Council Meeting on 08/18/2009 at 6:00 p.m. at the Patterson City Council Chambers located at 1 Plaza, Patterson, CA.

Adjourned to closed session at 12:54 p.m. for conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: California Nurses' Association (CNA); Stanislaus County Employees Association (SCEA)/AFSCME Local 10; Service Employees' International Union (SEIU), Local 521; Committee of Interns and Residents (CAIR/CIR); County Attorneys' Association (CAA); Deputy Sheriffs' Association (DSA); Stanislaus County Sheriffs Supervisors' Association (SCSSA); Stanislaus County Deputy Probation Officers' Association; Stanislaus Regional Emergency Dispatchers' Association; Stanislaus County Group Supervisors' Association; Stanislaus County Sheriff Management Association; Stanislaus County District Attorney Investigators' Association; and, Stanislaus Sworn Deputy Association (SSDA). Government Code §54957.6.

Adjourned at 2:15 p.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.)