

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

December 22, 2009

A moment of silence was held in memory of Don Peterson of Peterson Consulting.

Two adoptable pets were shown by the Department of Animal Services and the Adopt a Pet program was discussed.

Chiesa/Grover unan. Adopted the consent calendar

- \*A1 Approved the minutes of 12/15/2009
- \*A2 Adopted and waived the second reading of Ordinance C.S. 1068 Amending Stanislaus County Code Chapter 9.90 Relating to the Stanislaus County Community Health Center Board – HSA BD-82-6 ORD-55-L-1 2009-835
- \*A3a Reappointed Charmaine Monte to the Advisory Board on Substance Abuse Programs 2009-836
- \*A3b Reappointed Catalina Elsasser to the Stanislaus County Animal Advisory Board 2009-837
- \*A3c Reappointed Peter Katsufakis, Gerald Merchant and Tom Hallinan to the Stanislaus County Assessment Appeals Board 2009-838
- \*A3d Reappointed Bruce Merchant, Greg Gaudio, Marianne Rucker and Diane Haugh to the Earl Pride Scholarship Committee 2009-839
- \*A3e Reappointed Cleve Morris, Thomas Burns, Robert Wikoff, Niamh Harrington and John Cremin to the Emergency Medical Services Committee 2009-840
- \*A3f Reappointed Leslie Beggs to the Stanislaus County Equal Rights Commission 2009-841
- \*A3g Reappointed Rod Hawkins, Michael Pratt and Rick Fortado to the Fire Code Board of Appeals 2009-842
- \*A3h Reappointed Jose Aldaco, Kathleen Cleek and Nick Candea to the Stanislaus County Local Task Force on Solid Waste Management 2009-843
- \*A3i Reappointed Richard Carpenter, Charmaine Lazar, Michael Kummer and Andrew Van Allen to the Stanislaus County Hazardous Waste Management Advisory Committee 2009-844
- \*A3j Reappointed Valerie Mitchell, Marie Cochran, Joan Blackwell and Roberta Ferraro-Foster to the In-Home Supportive Services Advisory Committee 2009-845
- \*A3k Reappointed John P. Doering, Bruce Ramsey and Jeffrey Olson to the Law Library Board of Trustees 2009-846
- \*A3l Reappointed John J. Ramos to the Stanislaus County Planning Commission 2009-847
- \*A3m Reappointed Newmon Fink to the Tuolumne River Regional Park Citizens Advisory Committee 2009-848
- \*A3n Reappointed Diana Haile and Jack W. Stott to the Housing Authority of the County of Stanislaus 2009-849
- \*A3o Reappointed Lee Shearer, Richard Muniain and Carol Davis to the Knights Ferry Cemetery District Board of Directors 2009-850
- \*A3p Reappointed Sarah Bradley Huff and Joe S. Rocha to the Hills Ferry Cemetery District Board of Directors 2009-851

- \*A3q Reappointed Patrick Alves and Steve Amador to the Storm Drain District No. 8 Board of Directors 2009-852
- \*A3r Reappointed Thomas Maring, Matthew Boulware and Ray Murphy to the West Stanislaus Resource Conservation District Board of Directors 2009-853
- \*A3s Reappointed William Pringle, Carl A. Ott, Kandis Schmidt and Fred Wilder to the Eastside Mosquito Abatement District Board of Directors 2009-854
- \*A3t Reappointed Dan Peterson to the Turlock Mosquito Abatement District Board of Directors 2009-855
- \*A4 Appointed Jenny Kenoyer to the Commission on Aging 2009-856
- \*A5 Proclaimed January 2010 as Mentor Appreciation Month in Stanislaus 2009-857
- \*A6 Accepted the resignation of Cherrie Renfro and Christy Streit from the Empire Sanitary District Board of Directors 2009-858
- \*B1 Approved the Public Facilities Fees Annual Financial Report for Fiscal Year Ending 06/30/2009 – Auditor-Controller M-64-I-3 2009-859
- \*B2 Accepted update on emergency contract to repair the 12th Street Office Building in accordance with Public Contract Code §22050 – CEO 2009-860
- \*B3 Authorized the CEO, or his designee, to negotiate and enter into agreement(s) for the use of parking spaces in County-owned parking facilities to the extent that capacity exceeds County needs, as determined through monitoring and evaluation of County usage; and, authorized the CEO, or his designee, to modify the number of spaces within the terms of any Parking License Agreement upon a minimum of 30 days notice based on the needs of the County and the licensed user(s) – CEO 2009-861
- \*B4 Authorized the CEO to complete and submit an application to the California Energy Commission Energy Efficiency Conservation Block Grant (EECBG); authorized the CEO to sign and submit the grant application and supporting documents to the California Energy Commission; finds that the recommended actions are exempt from the provisions of CEQA; and, approved the Energy Efficiency Conservation Block Grant (EECBG) Resolution – CEO 2009-862
- \*B5 Authorized the Chairman to enter into a twelve month exclusive right to negotiate agreement with Sol Orchard, LLC for a potential solar farm ground lease on the Geer Road Landfill – CEO 2009-863
- \*B6 Approved CSA’s FY 2009-2010 contract amendment with Kelly Services, Inc. for the provision of employment placement services for the period of 07/01/2009 through 09/30/2010; authorized the Director of CSA, or her Assistant Director designee, to sign the contract amendment not to exceed the total amended contract amount; and, directed the Auditor-Controller to make the necessary adjustments to the CSA Program Services and Support budget as detailed in the Budget Journal form – CSA 2009-864
- \*B7 Approved entering an agreement with the California Secretary of State which will reimburse the County for the expenses associated with complying with the requirements of §303(a) of the Help America Vote Act of 2002; authorized the Clerk-Recorder to negotiate, award and execute all agreements for the VoteCal Statewide Voter Registration System Project; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$20,000 as detailed in the Budget Journal – Clerk Recorder-Elections 2009-865
- \*B8 Approved the Professional Services Contracts between the Stanislaus County Office of Emergency Services/Fire Warden and contractor for Fire Prevention Services; approved the Office of Emergency Services to enter into a Personal Services Contract for National Incident Management System (NIMS) trainer; and, authorized the CEO, or his designee, to sign the contracts – OES 2009-866

- \***B9** Authorized GSA to issue an invitation to bid for the purchase of an Explosive Ordinance Disposal (EOD) Robot for the Sheriff's Department Bomb Team, funded through Homeland Security Grant Funds – OES 2009-867
- \***B10** Authorized the use of \$137,281 of Emergency Services Public Facilities Fees (PFF) to fund the Office of Emergency Services Voice-Over Internet Protocol (VoIP) project; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$137,281 from Public Facility Fees (PFF) for the Office of Emergency Services to complete a VoIP project, as detailed in the Budget Journal form – OES 2009-868
- \***B11** Accepted the Stanislaus County Treasury Pool's November 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 2009-869
- \***B12** Approved a project to acquire equipment, and install the equipment through a minor renovation of the Health Services Agency Public Health Laboratory for a total cost not to exceed \$216,000, to test and monitor public health data; authorized the Purchasing Agent to issue a purchase order to Roche Diagnostic Corporation for the sole-source purchase, as approved by the State of California–California emergency Management Agency Grants Management Division for FY 09 State Homeland Security Grant Program of a polymerase chain reaction (PCR) system; authorized the purchase of up to \$65,585 in associated equipment and supplies, including reagents, probes, and primers, for the direct operation of the polymerase chain reaction system by the Chief Executive Office and the Stanislaus County Office of Emergency Services for use by the Health Services Agency's Public Health Laboratory; authorized the CEO to issue a request for proposals (RFP) for a licensed contractor for the minor renovations needed at the Public Health Lab to accommodate the installation of the equipment; authorized the Project Manager to issue a notice inviting proposals on 01/04/2010; authorized the Project Manager to modify the issuance date if necessary; to accept and open the proposals on 02/09/2010, immediately after 2:00 p.m.; and to return to the Board of Supervisors to recommend a contract to the lowest responsible bidder; authorized the Project Manager to sign agreements for professional services, construction management, and other related project costs consistent with available project funds; approved the use of up to \$66,431 of Public Facility Fees (PFF) for partial funding of the anticipated renovation costs associated with the tenant improvements at the Health Services Agency's Public Health Laboratory; approved the use of up to \$28,569 of Health Services Agency Public Health Laboratory fund balance for partial funding of the minor renovation costs at the Health Services Agency Public Health laboratory; and, directed the Auditor-Controller to establish a new Capital Projects Budget and to increase appropriations and estimated revenue as detailed in the Budget Journal form – CEO 2009-870
- \***C1** Approved the use of up to \$12,431 of the Community Development Fund to partially fund the amended Martin Luther King Jr. Drive Sidewalk Project; and, directed the Auditor-Controller to make the necessary budget adjustments, per the financial transaction sheet – PW 2009-871
- \***D1** Accepted the Stanislaus County Redevelopment Agency Fiscal Year 2008-2009 Financial Report and Annual Audit as prepared; accepted the Fiscal Year 2008-2009 Redevelopment Agency Activities Report; and, authorized the submittal of both reports to the California State Department of Housing and Community Development – Planning 2009-872

**\*D2** Approved the listed 2010 Williamson Act Contracts; authorized the Chairman to sign the listed contracts; and, directed the Clerk of the Board to forward the listed contracts to the Clerk-Recorder's Office prior to 01/01/2010 for recording – Planning 2009-873

O'Brien/DeMartini unan. **B13** Approved the contract with Mountain Valley Emergency Medical Services Agency to administer local Emergency Medical Services for FY 2010-2011 and to provide advance notice of intent to terminate the Joint Powers Agreement to be effective no later than 06/30/2011; authorized the Managing Director of the HSA, or her designee, to enter the agreement with Mountain Valley Emergency Medical Services to administer local Emergency Medical Services for FY 2010-2011; authorized the CEO, or his designee, to exercise the termination notice provisions of the Joint Exercise of Powers Agreement with the Counties of Alpine, Amador, Calaveras, and Mariposa to be effective no later than 06/30/2011; authorized the Managing Director of the HSA, or her designee, to enter an agreement for consulting services to assist with the needs assessment and development of a recommendation and implementation plan to either develop a County operated Emergency Medical Services Agency to be organizationally structured within the Health Services Agency's Public Health division or a Joint Powers Agency or other appropriate regional alternative that provides for local control and management – HSA 2009-874

Chiesa/Grover unan. **B14** Authorized the CEO and the Director of BHRS to negotiate and execute a new Provider Agreement for Fee for Service Inpatient Psychiatric Services with Doctors Medical Center of Modesto effective 01/01/2010 through 06/30/2012; authorized the CEO and the Director of BHRS to negotiate and execute a Settlement and Release Agreement for previous claims with DMC of Modesto effective 12/23/2009; authorized the CEO to negotiate and execute the second amendment to the Omnibus Agreement with DMC effective 01/01/2010; authorized the CEO to negotiate and execute the second amendment to the In-Patient Hospital Services Agreement with DMC effective 01/01/2010; approved the termination of the Physician Services Agreement with DMC of Modesto for the provision of psychiatrists' services, effective 12/31/2009; approved the termination of the prior Provider Agreement with DMC of Modesto for Acute Psychiatric Services effective 12/31/2009; authorized and directed the CEO to execute, acknowledge and deliver the Agreements in the name and on behalf of the County; and to accept on behalf of the County any further amendments to the Agreements so long as the further revisions do not materially modify the terms thereof or the conditions set forth in this approval and authorization; and, authorized and directed the CEO to take such steps, to waive such conditions in whole or in part, to do other acts and things, and to execute and deliver such documents, including the Agreements and related agreements, exhibits, schedules and similar instruments, that are contemplated by, consistent with and that do not materially modify the terms of the Agreements heretofore approved, as he may deem necessary or appropriate to carry out the terms and provisions of this approval and authorization and to otherwise consummate the transactions authorized thereby – CEO 2009-875

**Corr 1** Referred to the Fish and Wildlife Committee, a notice from the Department of Fish and Game regarding their intent to recommend the J-18 Pacific-Grizzly Flat Apprentice Either-Sex Deer Hunt to the Fish and Game Commission.

**Corr 2** Provided to the Library, a copy of the book, "Tackle Climate Change – Use Wood" from the California Forestry Association.

**Corr 3** Acknowledged receipt of the Comprehensive Annual Financial Report for Fiscal Years Ended June 30, 2009 and 2008 from the Stanislaus County Employees' Retirement Association.

**Corr 4** Referred to the Department of Public Works and the San Joaquin Valley Rail Committee, a notice from the California High-Speed Rail Authority regarding a public open house about the San Jose to Merced Section High-Speed Train.

Supervisor Monteith reported that he, along with David Jones, Director of Communication and Legislative Affairs, and Larry Haugh, Auditor-Controller, attended Don Peterson's funeral last Friday. He spoke highly of Don Peterson and of his contribution to local government.

Supervisor Chiesa reported that he and Matt Machado, Public Works Director, have been attending the Central Valley Regional Rail Policy Advisory Committee meetings, which is a working group that is looking at the high speed rail route between Merced and Sacramento and also the Altamont over to San Jose. He noted that there will be a public scoping meeting on 01/28/2010, 3:00 p.m. to 7:00 p.m. at the Center Plaza regarding the Merced to Sacramento route.

Chairman DeMartini noted that this was his last meeting as the Board's Chairman, and that he looks forward to the 2010 State of the County speech from the new Chairman.

The CEO thanked Chairman DeMartini for leading the Board meetings in 2009 and announced that the next Board of Supervisors meeting will be on 01/12/2010 at 9:00 a.m.

Adjourned to closed session at 9:52 a.m. for conference with Legal Counsel - Anticipated Litigation: One Case. Government Code §54956.9(c).

Adjourned at 10:42 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.)