

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

Regular Session

Tuesday

February 9, 2010

All Supervisors Present

Pledge of Allegiance to the Flag

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

Employee Service Award for thirty-five years of service was presented to Edwin Espinosa from DER. Employee Service Awards for thirty years of service were presented to Phyllis Camboia from CSA; Guadalupe Garza from CSA; and, Connie Watson from the Sheriff's Department. Employee Service Award for 25 years of service was presented to Maria De Anda from CSA.

County Safety Officer David Becker and CEO Robinson presented the CEO Department's Safety Incentive Program.

Chiesa/DeMartini unan. Adopted the consent calendar after removing from the agenda item \*C2 Approval to Adopt the Negative Declaration for the McHenry Avenue Widening - Phase 1 (Ladd Rd to Hogue Rd) Project 2010-072

\*A1 Approved the minutes of 02/02/2010

\*A2 Adopted and waived the second reading of Ordinance C.S. 1071 to increase the Clerk Recorder base recording fee from \$4.00 to \$10.00 per first page – Clerk Recorder  
ORD-55-L-4 2010-065

\*B1 Approved the donation of gastrointestinal medical equipment to DMC; and, authorized the acceptance of the donation of one sigmoidoscopy cart from DMC – GSA 2010-066

\*B2 Accepted the final update of the emergency contract to repair the 12<sup>th</sup> Street Office Building in accordance with Public Contract Code §22050 – CEO 2010-067

\*B3 Awarded the contract for the Comprehensive General Plan Update to ICF Jones & Stokes; authorized the Director of Planning and Community Development to negotiate and execute the contract with ICF Jones & Stokes for a cost not to exceed \$826,403 and to sign any necessary documents relating to the contract; authorized the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet; and, authorized the Director of Planning and Community Development to approve change orders to cover contingencies not to exceed a combined total of \$40,000 – Planning 2010-068

\*B4 Appointed for the 2010 term of the Stanislaus County Discipline/Equal Employment Opportunity (EEO) Grievance Appeals Board: Marcia Cunningham, Director of SBT as the Department Head Member; Debbie Hiebert, Stanislaus County Employees Association (SCEA) as the Employee Member; and, Local Attorney Darrell Champion to serve as the Chairperson; appointed Alternates to the panel as follows: Local Attorneys Dave Walker and Jeffrey R. Olson to serve as Alternate Chairpersons; Annette Patton, Director of Animal Services and Jerry Powers, Chief Probation Officer, as Department Head Alternates; and, David Hutchinson, DA Investigators Bargaining Unit as the First Alternate Employee Member; Edward Malberg, Group Supervisors Bargaining Unit as the Second Alternate Employee Member; Grant Beard, Deputy Sheriff Custodial Bargaining Unit as the Third Alternate Employee Member and Christina Chavez, Stanislaus Regional

Emergency Dispatchers Association (SREDA) as the Fourth Alternate Employee Member  
– CEO 2010-069

- \*C1 Adopted a Resolution of Necessity to acquire real property or interest in real property by Eminent Domain for the State Route 219 Widening Project, parcel owner Beverly Irene Tillema, Trustee, for APN: 046-006-033; and, made the findings contained therein – PW 2010-070
- \*C3 Finds that Ordinance C.S. 1072 is not subject to the CEQA (Public Resources Code, §2100 et. seq.); introduced and waived the first reading of Ordinance C.S. 1072 amending Title 11, Section 11.08.020 of the Stanislaus County Code, adding no parking zones on Reno Avenue, Santa Fe Avenue and Eleanor Avenue in the Stanislaus County unincorporated areas – PW ORD-55-L-4 2010-071

**Corr 1** Referred to the Fish and Wildlife Committee, a letter from the State of California Fish and Game Commission regarding a notice of proposed regulatory action relating to the barramundi fish.

**Corr 2** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Stefani May; Julie Sweetser; Jonathan Romero; Ronald Scott Jr.; and, Earl L. Betts.

The CEO reported that this Friday is the deadline to introduce bills for consideration by the State Legislature. He noted that Senator Steinberg is taking a leadership role regarding proposed changes to the State Budget. There is a concern that the revised budget would threaten transportation programs by authorizing local governments to raise revenue to backfill a shift away from sales tax to excise tax in the transportation area. This would improve the State's general fund position, but would put local governments in the position of having to impose a local tax to support transit programs. The Governor did not have a local tax as part of his budget proposal. SB85 (Negative Bailout) is still in the Senate Local Government Committee. County staff is continuing to work on a Federal Legislative Platform and forming a County Platform as well.

The Chairman announced that there will be a Stanislaus County Board of Supervisors Planning Workshop on Friday, 02/12/2010 at 8:00 a.m. - 3:00 p.m. at the Martin Petersen Event Center, 720 12th Street, Modesto, CA; and, the Stanislaus County 8th Annual Community Conference on Tuesday, 02/09/2010 at 6:00 p.m. - 8:30 p.m. and Wednesday, 02/10/2010 at 6:30 p.m. - 8:30 p.m. at the County Center III Learning Center, 912 Oakdale Road, Modesto, CA 95358.

Adjourned to closed session at 9:52 a.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 (SCDPOA); Stanislaus Regional Emergency Dispatchers' Association (SREDA); Stanislaus County Group Supervisors' Association (SCGSA); Stanislaus County Sheriff Management Association (SCSMA); Stanislaus County District Attorney Investigators' Association (SCDAIA); Stanislaus Sworn Deputy Association (SSDA); and, United Domestic Workers (UDW). Government Code §54957.6. Conference with Legal Counsel - Existing Litigation: Two Cases: Building Industry Association of Central California v. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 622705; and, James Wells, et al. v. County of Stanislaus, et al., United States District Court, Eastern District of California, Case No. 1:08-CV-01146-OWW-GSA. Government Code §54956.9(a). Conference with Legal Counsel - Anticipated Litigation: One Case. Government Code §54956.9(c).

**Closed Session Announcement:** O'Brien/Chiesa unan. Authorized the County to defend and indemnify City of Waterford employees Steve Green and Matthew Erickson in the case James Wells, et al. v. County of Stanislaus, et al., United States District Court, Eastern District of California, Case No. 1:08-CV-01146-OWW-GSA

Adjourned at 11:44 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.)