

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

May 18, 2010

Commendations were presented to the 2010 Stanislaus County Outstanding Senior Citizens of the Year in celebration of Older Americans Month.

The 2010 Stanislaus County Recycling Poster Contest winners were announced and recognized.

Grace Lieberman, Executive Director of the Stanislaus Arts Council, thanked the Board for all that they do for the County, and in particular for their support of the Stanislaus Arts Council.

Chiesa/Monteith unan. Adopted the consent calendar after removing from consent items \***A2d** Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1077 to Increase Existing Fees Collected By the Sheriff's Department for Carry Concealed Weapons Permits; and, \***B6** Authorization for the Health Services Agency to Support Olivia Tong's Application for an H-1B VISA (U.S. Work Permit)

\***A1** Approved the minutes of 05/04/2010

\***A2a** Adopted and waived the second reading of Ordinance C.S. 1074 to amend existing fees collected by the Department of Environmental Resources to include a new fee for the Aboveground Petroleum Storage Act (APSA) Program                    ORD-55-L-7    2010-281

\***A2b** Adopted and waived the second reading of Ordinance C.S. 1075 to adopt new fees and increase existing fees for the Department of Public Works Engineering Division  
ORD-55-L-8    2010-282

\***A2c** Adopted and waived the second reading of Ordinance C.S. 1076 to adopt a Parking Penalties Schedule and increase existing parking penalties collected by the Sheriff's Department  
ORD-55-L-9    2010-283

\***A2e** Adopted and waived the second reading of Ordinance C.S. 1080 to amend subsection "A" of Section 20.52.200, Dedications, of Title 20 of the Stanislaus County Code – Public Works  
ORD-55-L-13    2010-284

\***A2f** Adopted and waived the second reading of Ordinance C.S. 1081 to amend subsection "A" of Section 20.16.090, Improvements Required, of Title 20 of the Stanislaus County Code – Public Works  
ORD-55-L-14    2010-285

\***A2g** Adopted and waived the second reading of Ordinance C.S. 1087 to increase existing fees collected by the Sheriff's Department for fingerprint processing    ORD-55-L-10    2010-286

\***A3a** Appointed Maria Ontiveros to the Stanislaus County Mental Health Board  
2010-287

\***A3b** Appointed Lourdes Uranday, Greg Vincelet, and Michael Frantz to the Stanislaus Economic Development and Workforce Alliance Board  
2010-288

\***A4a** Commended the Association of Fundraising Professionals Yosemite Chapter upon the celebration of their 50th Year Anniversary  
2010-289

\***A4b** Commended King Kennedy Memorial Center Board of Directors upon the celebration of the 40th Annual Juneteenth Celebration  
2010-290

\***A5** Directed the Registrar of Voters to render specified election services to the City of Hughson for a Special Municipal Recall Election on 08/24/2010                    C-9-B-1    2010-291

- \*B1 Approved and authorized the Agricultural Commissioner to sign the FY 2010-2011 Cantaloupe Surveillance contract with the California Cantaloupe Advisory Board – Agricultural Commissioner 2010-292
- \*B2 Adopted the Property Tax Administration Cost Recovery Plan; approved the report determining the Property Tax Administration Costs for FY 2008-2009 are \$7,168,770 and establishing the proportion of said costs attributable to incorporated cities and other jurisdictions in FY 2009-10; and, authorized the collection of said costs pursuant to the provisions of the Revenue and Taxation Code §95.3 and 97.75, and Stanislaus County Ordinance Code §4.44.010 – Auditor 2010-293
- \*B3 Authorized the Auditor-Controller to advance funds to Oakdale Rural Fire District for operational expenses under Government Code §23010 in an amount not to exceed \$1,445,000 – Auditor DF-8-B-21 2010-294
- \*B4 Approved the amendment to the contract for 07/01/2009 through 06/30/2011 between the Victim Compensation and Government Claims Board and the DA’s Office for a paralegal to track, research and report on restitution to victims of violent crimes; authorized the DA to sign the contract and approve the grant award agreement including any extensions, or amendments; approved a formal resolution to be submitted to the Victim Compensation and Government Claims Board accepting the grant award – DA 2010-295
- \*B5 Approved the donation of various medical equipment to Loma Linda Global Health Institute – GSA 2010-296
- \*B7 Approved the request from Bonita Elementary School, Newman-Crows Landing Unified School District, to have exclusive use of Bonita Pool in Crows Landing on Friday, 05/21/2010 from 9:00 a.m. to 3:30 p.m. for their Third Annual End of the Year Reading Incentive Pool Celebration; directed Bonita Elementary School, Newman-Crows Landing Unified School District, 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 of Bonita Pool – Parks and Recreation 2010-297
- \*B8 Approved a resolution in support of the Stanislaus Arts Council's submission of a grant application to the California Arts Council for \$15,000; and, recognized that the Executive Director of the Stanislaus Arts Council will execute the 2010-2011 State-Local Partnership Grant contracts contingent upon approval of the grant by the California Arts Council – CEO 2010-298
- \*B9 Approved the increase in appropriations in the Health Services Agency Public Health FY 2009-2010 Budget by \$162,963 for the California Children’s Services Program funded by departmental fund balance; and, directed the Auditor-Controller to increase appropriations as detailed on the budget journal form – HAS 2010-299
- \*B10 Authorized the Chairman to sign a letter of support of the Del Puerto Healthcare District's Low Interest Loan Application Request for Clinical Facilities Construction Funding to the USDA – CEO 2010-300
- \*C1 Approved Amendment No. 4 to Agreement No. 2004-1 with BKF Engineers for additional engineering service for the improvements at the Geer Road at Santa Fe Avenue and Hatch Road at Santa Fe Avenue Intersection Improvement Projects; authorized the Director of Public Works to execute the amendment; and, directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet – PW 2010-301
- \*C2 Adopted the results of the ballot procedure which failed to approve the formation of CSA 28-Grayson in compliance with Proposition 218 (Support: 25.216, Protest 29, Incomplete: 3, Weighted Ballots arrived too late to count: 2) – PW CSA-28-3 2010-302

O'Brien/DeMartini unan. **6:35 p.m. (A)** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1078 to increase the existing used book fees for the Stanislaus County Library  
ORD-55-L-11 2010-307

Chiesa/O'Brien unan. **6:35 p.m. (B)** Conducted a public hearing and introduced and waived the first reading of Ordinance C.S. 1082 to establish new fees and amend existing fees for planning services  
– Planning ORD-55-L-15 2010-308

DeMartini/Monteith unan. **6:35 p.m. (C)** Conducted a public hearing and introduced and waived the first reading of Ordinance C.S. 1083 to establish new fees and amend existing fees for building permits  
– Planning ORD-55-L-16 2010-309

Monteith/Chiesa (4-1)(DeMartini opposed) **6:40 p.m. Continued** to 06/08/2010, at 9:00 a.m., the public hearing to consider the introduction, waiving of the reading, and adoption of Planning and Community Development Department Ordinance Amendment No. 2009-01, an Ordinance Adding Subsection "G" to Section 21.20.030 of Title 21 of the Stanislaus County Code Relating to Truck Parking in the Agricultural Zone – Planning  
ORD-55-M-2 2010-310

**Recessed at 7:54 p.m.**

**Reconvened at 8:01 p.m.**

O'Brien/Chiesa (4-1)(DeMartini opposed) \***A2d** Adopted and waived the second reading of Ordinance C.S. 1077 to increase existing fees collected by the Sheriff's Department for Carry Concealed Weapons Permits – Sheriff  
ORD-55-L-10 2010-303

Chiesa/Monteith (3-2)(O'Brien and DeMartini opposed) \***B6** Authorized HSA to support Olivia Tong's application for an H-1B Visa (U.S. Work Permit); and, authorized HSA to pay the required \$1,500 for the immigration and naturalization service (INS) filing fee – HAS  
2010-304

Chiesa/Monteith unan. **B11** Authorized the CEO, or his Designee, and the Managing Director of HSA, or her Designee, to fulfill the operational and contractual responsibilities to implement the closure of the Stanislaus County Sponsored Stanislaus Family Medicine Residency Program effective at the close of 06/30/2010; authorized the CEO, or his designee, and the Managing Director of HSA, or her designee, to fulfill the operational and contractual responsibilities to support the opening of the Valley Family Medicine Residency Program by the Valley Consortium for Medical Education, including requesting that the State of California amend and transfer the Song-Brown Healthcare Workforce Training Act grants (#08-9031 and #09-9036) for FY 2010-2011 and FY 2011-2012 to the Valley Consortium for Medical Education; approved the reduction-in-force of thirty filled full-time allocated positions and the deletion of three full-time allocated vacant positions from the HSA Clinic and Ancillary division budget as outlined in Attachment A effective at the close of 06/30/2010; and, amended the Salary and Position Allocation Resolution to reflect the changes as outlined in the Staffing Impact section of the report effective 07/01/2010 – HSA  
2010-305

Monteith/Chiesa unan. **B12** Approved reduction-in-force of six filled full-time positions and the deletion of eleven vacant positions from the HSA Budget, as outlined in the Staff Impacts section, effective 08/14/2010; amended the Salary and Position Allocation Resolution to reflect the reduction-in-force and eleven vacant position deletions as outlined in the Staffing Impacts section of the report, effective 08/14/2010; amended the Salary and Position Allocation Resolution to reflect the technical staffing adjustments effective upon Board of Supervisors' approval; and, authorized the CEO and the Managing

**Corr 1** Referred to the Fish and Wildlife Committee, a letter from the State of California Fish and Game Commission regarding the rejection of the petition to list the American Pika as a threatened species.

**Corr 2** Acknowledged receipt of the 2009 Annual Report from Community Hospice.

**Corr 3** Referred to the Department of Public Works, DER, and the Agricultural Commissioner and Sealer of Weights and Measures, a notice from the Central Valley Regional Water Quality Control Board regarding the proposed permit renewal for the Sacramento Regional County Sanitation District's Regional Wastewater Treatment Plant discharge to the Sacramento River.

**Corr 4** Acknowledged receipt of the 2009 Annual Report from the California Partnership for the San Joaquin Valley.

**Corr 5** Referred to the Department of Public Works, DER, and the Agricultural Commissioner and Sealer of Weights and Measures, a letter from MBK Engineers regarding the Merced Irrigation District Petition for Temporary Transfer to various water districts including the Oak Flat Water District.

**Corr 6** Referred to the Department of Public Works, DER, and the Agricultural Commissioner and Sealer of Weights and Measures, a notice from the State Water Resources Control Board regarding the South Sutter Water District Petition for Temporary Transfer to various water districts including the Oak Flat Water District.

**Corr 7** Referred to the CEO, a letter from the Mountain-Valley Emergency Medical Services Agency regarding the Joint Exercise Powers Agreement.

**Corr 8** Referred to the Department of Public Works, a notice from the U.S. Surface Transportation Board regarding the granting of the City of Modesto's request for a 180-day extension of the interim trail use/rail banking negotiation period.

**Corr 9** Referred to the Department of Public Works, a notice regarding the public review period of the Delta Wetlands Project Draft Environmental Impact Report ending on June 28, 2010.

**Corr 10** Referred to BHRS, a letter from the California Mental Health Planning Council regarding information on establishing Crisis Residential Facilities.

**Corr 11** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Robert Rowe; Elinar Joseph Casas; and, Luis Rosales.

Supervisor O'Brien spoke regarding the difficulty in approving the reductions-in-force, and said that he feels for those employees and families that are impacted.

Supervisor DeMartini noted that this is the last week of the "Bikes & Hikes for Your Health" sponsored by the West Side Health Care Task Force and the City of Patterson's Parks Department. The last hike will be this Saturday at 10:00 a.m. in the Del Puerto Canyon.

The CEO also spoke regarding the difficult and painful decisions concerning budget and staffing cuts that are affecting peoples' lives. He reported that the Governor has released his May Revised Budget, which

attempts to address a State budget shortfall of \$19.1 billion for 2010-11, with \$12.4 billion in cuts, \$3.3 billion in federal funds, \$1.2 billion in alternative funding and \$2.1 billion in fund shifts and other revenue. Highlights from the May Revised include: the elimination of CalWORKS, redirecting \$602 million of mental health realignment money to social services (Child Welfare and Food Stamps); borrowing of \$650 million of unallocated HUTA funds; suspension of AB 3632 mandated (support for children with disabilities) – they will most likely pass on those responsibilities to the local school systems; \$1.4 million in Medi-Cal savings through cost containment; savings of \$750 million in the IHHS Program by negotiating with the stakeholders; the transfer of 15,000 nonviolent felons to County jails; no Williamson Act restoration; and, the reimbursement for the 2009 Special Election. The CEO noted that the May Revised does not have a lot of substance, and that neither party supports the proposal. He anticipates that it will be a very long summer before the State adopts a budget, and that the State will issue Revenue Anticipation Notes in early July 2010.

Adjourned at 8:37 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.)