

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

Regular Session

Tuesday

July 13, 2010

All Supervisors Present

Pledge of Allegiance to the Flag

Adopt-a-pet presentation was given by Animal Services.

Tamir Luqman introduced Lilly Sarkizi who spoke about the process and the cost of the IHSS Fraud Unit.

Monteith/O'Brien unan. Adopted the consent calendar after removing from consent item **\*B3** Approval to Alter After Introduction Section 14 of an Ordinance to Amend Chapter 2.08 of the Stanislaus County Code Relating to the Chief Executive Officer, and Conforming Changes to Other Provisions of the County Code Relating to the Director of Public Works, Director of Parks and Recreation, the County Building Official, County Surveyor, and Floodplain Administrator – CEO

**\*A1** Approved the minutes of 06/29/2010

**\*A2a** Appointed John Robin and Phillip Manzano to the Advisory Board on Substance Abuse Programs 2010-436

**\*A2b** Appointed Jill Klajic to the Commission on Aging 2010-437

**\*A2c** Appointed Arby Hoobyar and Ed Perry to the Stanislaus County Agricultural Advisory Board 2010-438

**\*A2d** Appointed Joan Ahlstrand to the Stanislaus County Free Library Advisory Board 2010-439

**\*A2e** Appointed Kathy Anderson to the Stanislaus County Agricultural Advisory Board 2010-440

**\*A3a** Accepted the resignation of Corwin Harper from the Stanislaus Economic Development and Workforce Alliance 2010-441

**\*A3b** Accepted the resignation of John Swicegood from the South Modesto MAC 2010-442

**\*A3c** Accepted the resignation of Juan Ramirez from the Child Abuse Prevention Council 2010-443

**\*A4a** Commended David Dolinar, Deputy Executive Officer upon his retirement from the CEO-Risk Management Division 2010-444

**\*A4b** Commended Arnulfo "Arnie" Garcia upon his retirement from the Department of Parks and Recreation 2010-445

**\*A4c** Commended Thomas Brower upon his retirement from DER 2010-446

**\*A5a** Approved the consolidation with the Gubernatorial General Election to be held on Tuesday, 11/02/2010, the Municipal Election for the City of Newman 2010-447

**\*A5b** Approved the consolidation with the Gubernatorial General Election to be held on Tuesday, 11/02/2010, the Municipal Election for the City of Hughson 2010-448

**\*A5c** Approved the consolidation with the Gubernatorial General Election to be held on Tuesday, 11/02/2010, the Municipal Election for the City of Modesto 2010-449

**\*B1** Approved a \$50,000 capitalization threshold for intangible assets – Auditor-Controller 2010-450

**\*B2** Approved the substitution of the glazing subcontractor for Diede Construction, Inc. for the design-build construction of the new Animal Services Facility – CEO 2010-451

- \***B4** Approved the inclusion of the Former Army Plant Production Line Improvement Project (Riverbank) and the Non-Potable Water at Keystone Pacific Project (Patterson) into the 2010 Updated Comprehensive Economic Development Strategy (CEDS) Document as part of the Federal Economic Development Agency (EDA) Requirement for applying for Federal EDA Grant Funding – CEO 2010-452
- \***B5a** Approved the request from the Palacio Family to have exclusive use of Wincanton Park, Pavilion Area, on 07/24/2010, for a birthday celebration and picnic; and, directed the Palacio Family to adhere to the requirements set forth by the Department of Parks and Recreation - Parks and Recreation 2010-453
- \***B5b** Approved request from the Chris Ricci Presents, Inc. to have exclusive use of the Courthouse Lawn for the Tenth Annual Xclamation Festival beginning 12:01 a.m. on Saturday, 08/07/2010, and ending no later than 9:00 a.m. on Sunday, 08/08/2010; directed Chris Ricci Presents, Inc. to adhere to the requirements set forth by the Department of Parks and Recreation - Parks and Recreation 2010-454
- \***B6** Authorized the CEO to approve and sign the Probation Specialized Units Program Grant Application from the California Emergency Management Agency to provide Intensive Supervision Services to Domestic Violence Offenders; and, authorized the Chief Probation Officer to apply for a Probation Specialized Units Program Grant from the California Emergency Management Agency and to sign all necessary documents related to the Grant including contracts – Probation 2010-455
- \***B7** Authorized the Sheriff to enter into and sign an agreement with Turlock Irrigation District to provide security patrol services; and, authorized the Chairman to sign the Agreement with TID for the Sheriff's Department to provide security patrol services – Sheriff 2010-456

O'Brien/Chiesa unan. \***B3** Introduced and waived the first reading of the alteration of Section 14 of ordinance C.S. 1089 to amend Chapter 2.08 of the Stanislaus County Code relating to the CEO, and conforming changes to other provisions of the County Code relating to the Director of Public Works, Director of Parks and Recreation, the County Building Official, County Surveyor, and Floodplain Administrator – CEO ORD-55-M-4 2010-457

Chiesa/O'Brien unan. **B8** Declared an emergency as a result of a fire on 06/26/2010 which destroyed Barracks 1 and 2 at the Men's Honor Farm at 8224 West Grayson Road; authorized the Sheriff and the CEO to implement an immediate action plan to house inmates displaced as a result of a fire in Barracks 1 and 2 at the Men's Honor Farm; authorized the CEO, or his designee, to contract for professional services to assist with the negotiation of a settlement with the County's insurance carrier, the cost will be reimbursed by the insurance company; authorized the CEO Risk Management Division to negotiate an advance payment with the County's insurance carrier to fund initial project costs to ensure the safety and security of the site and to aid in the demolition, planning, and design services for a replacement facility; authorized the CEO to negotiate with the insurer for abatement, demolition and removal of debris from the site; and, authorized the Sheriff to designate a Transition Sergeant to coordinate transition activities, contingent upon funding approval from the County's insurance carrier – CEO 2010-458

DeMartini/Chiesa (4-1)(O'Brien opposed) **C1** Accepted the Public Works Master Plan/Needs Assessment; authorized the purchase of modular office space and furnishings for the Morgan Road location; directed the Auditor-Controller to establish the budget for Public Works' purchase of a modular building and associated furnishings for the relocation from Tenth Street Place to Morgan Road per the financial transaction sheet **and amended the amount of the budget to a maximum of \$125,000 for the modular building and directed the Director of Public Works to return to the Board if additional funds are needed**; and, authorized the Director of Public Works to negotiate a MOU for approximately

4,500 square feet of office space at 1010 10<sup>th</sup> Street, Third Floor, with the City of Modesto. The Director of Public Works corrected a statement made on page 3 of the agenda item regarding the moving of the permitting process to Morgan Road. He stated that Public Works would continue issuing permits and support the one-stop shop concept at 1010 10<sup>th</sup> Street, Third Floor – PW 2010-459

**Corr 1** Referred to the CEO, County Counsel, Community Services Agency, Chief Probation Officer, and Sheriff, a copy of portions of the Stanislaus County Civil Grand Jury 2009-2010 Report. M-39-L-8

**Corr 2** Referred to the Department of Public Works, the Department of Planning and Community Development, DER, and the Agricultural Commissioner and Sealer of Weights and Measures, a Notice of Petition for Temporary Change involving the transfer of water from the Merced Irrigation District to four State water contractor agencies from the State Water Resources Control Board.

**Corr 3** Referred to the CEO, DA and CSA a letter from the United Domestic Workers of America regarding the In-Home Supportive Services Fraud Unit.

**Corr 4** Referred to the Assessor and the Assessment Appeals Board a copy of the State Board of Equalization's 2008-09 Annual Report.

**Corr 5** Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance a letter from Zip Realty regarding layoffs of California employees on August 31, 2010.

**Corr 6** Referred to DER a Fact Sheet from the State Department of Toxic Substances regarding the Draft Removable Action Workplan for the Proposed Special Education and Alternative Educational School Site located on the northeast corner of the intersection of Hartley Street and Walnut Avenue in Patterson, CA.

**Corr 7** Referred to the Department of Public Works, the Department of Planning and Community Development, DER, and the Agricultural Commissioner and Sealer of Weights and Measures Petitions for Temporary Change Permits for the Friant Division of the Central Valley Project of California from the U.S. Department of the Interior.

**Corr 8** Referred to the Department of Planning and Community Development a copy of the June 2010 RCAC's Rural Review from the Rural Community Assistance Corporation.

**Corr 9** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Kimberly Smith; Rashana Paxton; Frank C. Carson; and, Chanshasha Pierce; Eric Anthony Pierce; and, Claude W. Sell.

The CEO reported on the State budget noting that the Legislature is in recess for the month of July and that the Democrat and Republican leadership are meeting separately to discuss the number of realignment proposals that will affect both the human services and public safety programs. CSAC's Realignment Taskforce will be meeting on 7/14/2010 and has been working in individual committees on the impacts and implications of the realignment proposals that are on the table. There are no definitive answers but we believe that realignment will be part of any budget solution. The County is working to ensure that counties will not be left the responsibility of fully funding all the realignment programs. The LAO's office proposal does have a shift of program responsibilities with accompanying shift of financial responsibility in the amount of \$4 to \$5 billion statewide. As county agencies we cannot afford to absorb our own diminished discretionary revenues and the additional cost due to the State of California failure to manage its own fiscal resources over the last several years.

Adjourned to closed session at 10:01 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; 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).

Adjourned at 11:25 a.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus  
State of California

BY: CHRISTINE FERRARO TALLMAN, 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.)