

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

Regular Session

Tuesday

July 27, 2010

All Supervisors Present

Pledge of Allegiance to the Flag

A commendation was presented to Deputy Executive Officer David Dolinar upon his retirement from County service.

Chiesa/DeMartini unan. Adopted the consent calendar after removing from consent item ***B13** Consideration of a Request from the City of Modesto to Share the Cost of a “Measure M” Vote for the Parklawn Neighborhood to be Placed on the November 2, 2010 Ballot; and, removing from the agenda item ***B10** Approval to Set a Public Hearing for August 24, 2010, at 9:05 a.m., to Consider the Fiscal Year 2010-2011 Assessment for the Del Rio Heights Landscape Assessment District

DLA-1-8 2010-492

- *A1** Approved the minutes of 07/20/2010
- *A2a** Appointed Karen Kilbert to the Commission on Aging 2010-473
- *A2b** Appointed Dan Cummins to the Oak Valley Hospital District Board 2010-474
- *A3** Proclaimed August 2010 as Child Support Awareness Month in Stanislaus County – Child Support Services 2010-475
- *B1** Adopted a resolution to enter into the Mental Health Cooperative Agreement with the State Department of Rehabilitation for FY 2010-2011 for the provision of vocational rehabilitation services for persons with severe and persistent mental disabilities; and, authorized the BHRS Director, or her Designee, to sign agreement number 27921 with the State Department of Rehabilitation for FY 2010-2011, including forms CCC-307 and DR 325 – BHRS 2010-476
- *B2** Approved the Stanislaus County Legislative Platform for 2010 – CEO 2010-477
- *B3** Amended the Facility Use Guidelines for the United Community Center and Park in Grayson to allow modified rental rates for long term uses – CEO 2010-478
- *B4** Accepted the first update on the Immediate Action Plan to secure the Men’s Honor Farm as a result of the loss of Barracks 1 and 2 due to a fire on 06/26/2010 – CEO 2010-479
- *B5** Accepted a grant of \$50,000 from the Children and Families Commission for a Food Stamp Outreach and Enrollment Program; authorized the CSA Director, or her Assistant Director designee, to sign the grant agreement with the Children and Families Commission for the period of 07/01/2010 through 06/30/2010; and, authorized GSA to issue a RFP for Food Stamp Outreach and Enrollment Services – CSA 2010-480
- *B6** Approved a MOU between Stanislaus County and the American Red Cross-Stanislaus County to define the responsibilities for responding to disasters in Stanislaus County; and, authorized the CEO to sign the MOU between the County of Stanislaus and the American Red Cross-Stanislaus County for the period of 07/27/2010 through 07/27/2015 – CSA 2010-481
- *B7** Amended the agreement with the Stanislaus County Police Activities League for special youth recreation programs including the administration of the recreational swimming programs at the Regional Water Safety Training Center through FY 2010-2011; authorized the Director

of Parks and Recreation, or her designee, to sign the amendment; and, authorized the Director of Parks and Recreation, or her designee, to sign additional amendments during FY 2010-2011 providing that the total cost does not exceed the budgeted contract amounts – Parks and Recreation 2010-482

***B8** Approved the request from Soul Harvest Worship Center to have exclusive use of Salida Park for their Second Annual Community Event on 08/07/2010; directed Soul Harvest Worship Center to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for reservation and exclusive use – Parks and Recreation 2010-483

***B9** Approved of the Fox Grove Fishing Access Project and expenditure in the amount of \$228,276 pursuant to the Roberti-Z'berg-Harris Block Grant Program in the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Bond Act of 2002; and, directed the Stanislaus County Auditor-Controller to create a new fund, increase appropriations and estimated revenue in the amount of \$228,276, and make necessary budget adjustments per the financial transaction sheet – Parks and Recreation 2010-484

***B11** Approved a county-wide agreement with Pestmaster Services, Inc. of Bishop, California for pest control services; and, authorized the GSA Director/Purchasing Agent to execute the County-wide agreement, and any subsequent amendments to the County-wide agreement, on behalf of the County during the term of the agreement – GSA 2010-485

***B12** Accepted the Stanislaus County Treasury Pool's June 2010 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 of the Board to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2010-486

***C1** Approved the Alternatives to be studied for the State Route SR 99 – State Route 165 Project Study Report – PW 2010-487

***E1** Adopted the resolution authorizing the issuance and sale of Ceres Unified School District FY 2010-2011 Tax and Revenue Anticipation Notes; and, authorized the Chairman of the Board to sign the resolution – County Counsel 2010-488

DeMartini/Monteith unan. ***B13** Approved funding from the Community Support Fund up to 50% of the cost of a "Measure M" vote for the Parklawn Neighborhood, to be placed on the 11/02/2010 ballot – CEO 2010-489

O'Brien/Monteith unan. **9:05 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 2010-2011 annual assessments; set the FY 2010-2011 annual assessments as shown on Exhibit "A" for the following County Service Areas (CSA) and Landscape and Lighting Districts (LLD): CSA No. 4 - Bristol Glen (Salida), CSA No. 5 - Starlite Place (Keyes), CSA No. 7 - Modesto Auto Center (north Modesto), CSA No. 8 - Honey Bee Estates (Empire), CSA No. 9 - River/Souza (north Ceres), CSA No. 10 - Salida, CSA No. 11 - Gilbert Road (Oakdale), CSA No. 12 - Peach Blossom Estates (Oakdale-Riverbank), CSA No. 16 - Olive Ranch Estates (east Oakdale), CSA No. 18 - Atlas Park (east Oakdale), CSA No. 19 - Tuolumne-Gratton (Denair), CSA No. 20 - Summit (north Modesto), CSA No. 21 - Riopel (Denair), CSA No. 22 - Old School North (Denair), CSA No. 23 - Hillsborough-Schutz (east Oakdale), CSA No. 24 - Hideaway Terrace (Denair), CSA No. 25 - Suncrest II (Denair), CSA No. 26 - Keyes, Bret Harte LLD (south Modesto), Bystrum LLD (northwest Ceres), Howard/McCracken LLD (Westley area; I-5/McCracken interchange), Laurel LLD (south Ceres), Paradise South LLD (south Modesto), Riverdale LLD (south Modesto), Riverview LLD (south Modesto), and Shackelford LLD (south Modesto); made

the Engineer's Reports a part of the record of this proceeding; authorized the Auditor-Controller to add the annual assessments to the 2010-2011 Tax Roll; and, approved a resolution to levy FY 2010-2011, and each subsequent fiscal year in which the charges may validly be levied, benefit assessment rates for those districts as listed in Staff Recommendation No. 3 – PW 2010-490

DeMartini/Chiesa unan. **9:10 am** Conducted a public hearing to establish Fire Protection Facilities Fees for the Mountain View Fire Protection District based upon the fee study prepared for the Mountain View Fire Protection District, testimony, and other information received at the public hearing; and, authorized imposing the Fire Protection Facilities Fees set forth in the fee study and the agenda item on all building permits that are issued in the Mountain View Fire Protection District after 10/27/2010, in the fee amount that is in effect at the time the building permit is issued – OES/Fire Warden

DF-11-A-2 2010-491

Corr 1 Referred to HSA, a letter from the Children's Hospital and Research Center Oakland regarding the suspension of operations at the Modesto Children's Hospital and Research Center Oakland Specialty Care Center.

Corr 2 Referred to the Auditor-Controller, a copy of the East Side Mosquito Abatement District's Fiscal Year 2010-2011 Budget.

Corr 3 Referred to the Department of Public Works, and the Agricultural Commissioner and Sealer of Weights and Measures, a Program Update from the San Joaquin River Restoration Program regarding the Interim Flow Releases from Friant Dam.

Corr 4 Referred to the Department of Planning and Community Development, County Counsel, and the Chief Executive Office, a letter from California Rural Legal Assistance, Inc. regarding noncompliance of the Stanislaus County General Plan Housing Element.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Jaime Robles Cardenas; Michael David Ingraham; Larry Palleschi; and, Ana Pina.

The CEO reported that the State Legislature is in recess for the month of July, and that they will reconvene on 08/02/2010. He noted that the State has gone 27 days without a budget. The Governor has indicated that he will not sign a Budget unless he gets everything he wants. It is anticipated that beginning in October we will have a cash flow problem that could adversely affect many in the State. CSAC is continuing to work with the Senate on the Realignment Proposals. The Governor has asked the Air Resources Board to delay until September, the adoption of the Renewable Portfolio Standard, which would require 33% of power used by utilities to come from renewable resources such as wind and solar energy. AB 1770 (Galgiani), which would allow the County to charge a \$2.00 fee for certified copies of vital records to use for the administration of the Family Justice Center has passed the Senate Judiciary Committee. SCR No. 54 (Cogdill), which would name a portion of State Highway Route 108 as the Kirk Lindsey Memorial Highway, has passed out of the Senate and passed the Assembly Transportation Committee. County staff has been providing feedback to CSAC and the bill sponsor for SB 1174 (Wolk), the Future Sustainable Communities Pilot Project - planning for disadvantaged unincorporated communities. SB 1174 has the potential to create substantial unfunded mandates on local governments. He noted that at the federal level, climate change legislation appears to be dead for now. He reported that the House has appropriated \$220,000 for the radio interoperability project. The Senate Appropriations Subcommittee on Energy and Water has set aside \$223,000 for the Orestimba Creek Flood Control Project, and the House has identified \$800,000 for the Orestimba Creek Flood Control Project. Funding

for the Tuolumne River Regional Park and the Family Justice Center has not been included in any federal proposals at this time.

Adjourned at 9:39 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.)