

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

Regular Session

Tuesday

October 19, 2010

All Supervisors Present

Pledge of Allegiance to the Flag

Sheriff Sergeant John Walker and Deputy Sheriff Jesse Grogan were recognized for their act of courage and heroism during a residential fire at Tully Road and Fox Avenue in Hughson on August 30, 2010.

Sheridan Beuving, Chair of the Library Advisory Board, presented the 2010 Library Annual Report.

Diane Mejia spoke in support of the In-Home Supportive Services (IHSS) program. She noted that Merced County Board of Supervisors extended their labor contract with IHSS providers.

Delois Hamilton, an IHSS provider, voiced concerns regarding the proposal to decrease IHSS provider wages to \$8.00 an hour.

Lupe Sanchez, homemaker provider for IHSS, spoke in opposition to decreasing the IHSS provider wages. She noted that providers receive \$11.50 an hour in Monterey County.

Vernicia Williams spoke regarding her disabled cousin and the moral obligation of everyone to take care of each other.

Astrid Zuniga spoke regarding visits from the Special Investigative Fraud Unit for the IHSS program and their affect on clients. She asked that certain protocols be followed by the fraud unit when making home visits and that individuals be treated with respect.

Eva Garcia, provider for IHSS, stated that she lives 45 minutes away from Modesto, and that if her wages are decreased, she will not be able to go to work. She asked the Board to not lower the IHSS provider wages.

Cheryl Bianchi has been a caregiver for 26 years and is currently caring for 2 older women. She stated that she would loose her vehicle if the wages for the IHSS providers were decreased.

Mary Burch noted that she has disabled daughters that she cares for. She voiced complaints regarding the IHSS Special Investigative Unit, and spoke in opposition to decreasing IHSS provider wages from \$9.38 per hour to \$8.00 an hour.

Tamir Luqman explained how the IHSS recipients are assigned hours of assistance by the IHSS program in coordination with their doctor and social worker. He noted that the agency that gives recipients hours, is the same agency that takes the hours away. He spoke regarding the State's plan to cut hours by 3.6% across the board.

Michael Loza stated that he hasn't heard of any other county in the State that is lowering IHSS provider wages. He noted that the IHSS Program is essential, needed and valuable.

Matthew Maldonado noted that President Obama spent a day walking in a caregiver's shoes in Alameda County. He stated that an over assessment of hours is not considered fraud, and that reducing the IHSS provider wages will negatively impact sales tax.

Tammy Hall spoke regarding her daughter who is disabled and her need for a caregiver. She noted that she is already juggling bills and does not know how she will make it if the provider wages are decreased.

Frederick Muir, disabled with a broken neck from an auto accident, noted that this could happen to anyone. He spoke regarding his grandmother who broke her hip and her need for a caregiver as well. He asked the Board to please listen to the comments received regarding this issue.

Mami Hicks spoke regarding the importance of the IHSS Program for her disabled daughter. She noted that this program is a blessing and asked the Board to not take it away.

Carrie Young, staff representative for UDW, noted that she was a caregiver before she became a staff representative. She described what her clients' needs were while she worked as a provider.

Maria Eskimia, an IHSS provider, spoke regarding the importance of the IHSS program and the economic struggles that everyone is dealing with.

Chiesa/O'Brien unan. Adopted the consent calendar

- *A1 Approved the minutes of 10/05/2010
- *A2 Appointed Jeramy Young, Debra Brown and Dr. Gaither Loewenstein to the Stanislaus Economic Development and Workforce Alliance 2010-636
- *A3a Accepted the resignation of Paul Souza from the Empire Municipal Advisory Council 2010-637
- *A3b Accepted the resignation of Diane Stewart from the Stanislaus Economic Development and Workforce Alliance 2010-638
- *A3c Accepted the resignation of Debbie Parr-Noblitt and Jennifer Henk from the Stanislaus Child Development Local Planning Council 2010-639
- *A4 Approved a commendation for Lowell Clark and Family upon receiving the 2010 Annual Distinguished Citizens Award from the Greater Yosemite Council of Boy Scouts of America 2010-640
- *A5 Proclaimed 11/15/2010 as America Recycles Day in Stanislaus County – DER 2010-641
- *A6 Directed the Registrar of Voters to render specified election services to the City of Riverbank for a Special Municipal Election on 03/08/2011 2010-642
- *A7 Adopted the amendments to the Conflict of Interest Code of the City-County Capital Improvements and Financing Agency, a joint powers agency between the City of Modesto and the County of Stanislaus 2010-643
- *B1 Authorized the Agricultural Commissioner to sign the European Grapevine Moth (EGVM) contract for FY 2010-2011 with the California Department of Food and Agriculture; and, directed the Auditor-Controller to adjust appropriations and estimated revenue in the amount of \$24,393 as detailed in the Budget Journal Form – Agricultural Commissioner 2010-644
- *B2 Approved the Agreement with Golden Valley Health Centers, a California non-profit corporation, for mental health prevention and early intervention services through the end of FY 2010-2011; authorized the BHRS Director, or her Designee, to sign the agreement included in this agenda item; and, authorized the BHRS Director, or her Designee, to negotiate and sign amendments to the agreement included in this agenda item, to add

- services and payment for services up to \$75,000, budget permitting, throughout the fiscal year ending 06/30/2011 – BHRS 2010-645
- *B3 Approved the agreements for temporary physician services and an amendment to the agreement for mental health services through the end of FY 2010-2011 included in this agenda item; authorized the BHRS Director, or her Designee, to sign the agreements and the amendment included in this agenda item; authorized the BHRS Director, or her Designee, to negotiate and sign amendments to the agreements included in this agenda item, to add services and payment for services up to \$75,000, budget permitting, throughout the fiscal year ending 06/30/2011 – BHRS 2010-646
 - *B4 Accepted the eighth update on the status of the Immediate Action Plan to secure the Men’s Honor Farm in accordance with Public Contract Code §22050 for the abatement, demolition and clean-up of the destroyed barracks – CEO 2010-647
 - *B5 Approved the 2010 Equal Rights Commendations for Denise Hunt, Director of BHRS and Patricia Hill Thomas, Chief Operations Officer/Assistant Executive Officer – CEO 2010-648
 - *B6 Approved the MOU between the County of Stanislaus and the Stanislaus Family Justice Center; authorized the Chairman to sign the agreement; accepted a grant from the Department of Justice for the Stanislaus Family Justice Center; authorized the CEO to sign the award documents with the Department of Justice (DOJ) not to exceed \$675,000 for the period of 10/01/2010 through 09/30/2012; and, authorized the Auditor-Controller to establish an interest bearing Special Revenue Fund for appropriations and estimated revenues once the DOJ approves the revised budget – CEO 2010-649
 - *B7 Approved the request from On Your Mark Events Management to have exclusive use of Woodward Reservoir Regional Park for areas designated as racing routes, Bay View Boat Ramp, and Group Picnic Area on Sunday, 10/24/2010, beginning at 4:30 a.m. and ending no later than 3:00 p.m. for Central Valley No. 2 Triathlon; and, directed On Your Mark Events Management to adhere to the requirements set forth by the Department of Parks and Recreation 2010-650
 - *B8 Accepted the FY 2010-2011 Grant from the Department of Insurance for the DA’s Office Automobile Insurance Fraud Program totaling \$139,001; authorized the DA to sign the grant award agreement including any extension, or amendments; approved a formal resolution as required by the State to receive this grant funding; and, directed the Auditor-Controller to decrease appropriations and estimated revenue as detailed in the Budget Journal form – DA 2010-651
 - *B9 Approved the MOU for FY 2010-2011 between Stanislaus County and the Stanislaus Economic Development and Workforce Alliance regarding the implementation of countywide economic development activities; and, authorized the CEO, or his Designee, to sign the MOU in the amount of \$109,674 for FY 2010-2011 – CEO 2010-652
 - *C1 Approved and authorized the Chairman of the Board to execute the Memorandum of Agreement (MOA) between the City and County of San Francisco (CCSF) and Stanislaus County for the San Joaquin Pipeline System Project; adopted the findings of fact and law under CEQA, and the State CEQA Guidelines (Cal. Admin. Code Title 14, §15000 et seq.), in conjunction with the approval of the MOA between Stanislaus County and the City and County of San Francisco (CCSF), acting through its Public Utilities Commission (SFPUC); authorized the Chairman of the Board to grant at no cost to CCSF a permanent easement on River Road, in Stanislaus County, between San Francisco Public Utility Commission parcels 716-1 and 716-2; and, authorized the Public Works Director to accept all improvements with respect to work being performed by CCSF within the County right of way – PW 2010-653

***C2** Awarded a consulting contract for engineering services to Nolte Associates, Inc., not to exceed \$942,760 for the Crows Landing Road Seismic Bridge Replacement Project; authorized the Director of Public Works to execute a contract with Nolte Associates, Inc. not to exceed \$942,760 and to sign necessary documents; and, directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet – PW

2010-654

***D1** Introduced and waived the first reading of Ordinance C.S. 1086 amending Title 16 of the Stanislaus County Code, and adopting by reference the California Code of Regulations Title 24, 2010 Edition of the California Building Standards Code; set a public hearing on 11/09/2010, at 9:05 a.m., to waive the second reading and adopt Ordinance C.S. 1086; ordered the Clerk of the Board to give notice of the hearing as required by Government Code §50022.6, 6066 and to publish the ordinance in accordance with Government Code §25124(b); and, finds that C.S. 1086 is exempt under the provision of CEQA pursuant to State Guidelines §15061(b)(3) – Planning

ORD-55-N-1 2010-655

Recessed to sit as the Stanislaus County Redevelopment Agency at 7:34 p.m.

O'Brien/Monteith unan. **6:35 pm** Approved the consent calendar

6:35 pm *III-A Approved the minutes of 09/28/10

Monteith/Chiesa unan. **6:35 pm V-A** Conducted the public hearing for the 2010-2014 Implementation Plan for the Stanislaus County Redevelopment Agency Project No. 1; and, adopted the 2010-2014 Implementation Plan for the Stanislaus County Redevelopment Agency Project No. 1

2010-657

Chiesa/O'Brien unan. **6:35 pm VI-A** Finds that use of the Housing Fund to pay planning and administrative expenses are necessary for the production, improvement or preservation of low- and moderate-income housing; finds that the public infrastructure projects identified in the work program of the FY 2010-2011 Budget are a benefit to the project area; that no other reasonable means of financing the improvements are available to the community; and that payment of Capital Project Funds for the cost of improvements will assist in the elimination of one or more blighting conditions inside the project area and is consistent with the Agency's Implementation Plan; adopted the proposed Budget for FY 2010-2011 of \$4,390,251; and authorized the Agency's Executive Director to take all necessary steps to implement the Proposed Budget FY 2010-2011 including the negotiation and execution of contracts for programs or projects identified in the budget work program, but not to exceed the allocated budget amount

2010-658

Reconvened to sit as the Stanislaus County Board of Supervisors at 8:05 p.m.

Chiesa/DeMartini unan. **B10** Accepted the Mental Health Board Annual Report – BHRS

2010-656

Corr 1 Acknowledged receipt of the Central Valley Farmland Trust Fiscal Year 2010 Annual Report.

Corr 2 Acknowledged receipt of the Modesto Irrigation District 2009 Annual Report.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Nathan Cupit; Kenneth E. Gardner; Jorge Raul Serrano; Javier Arteaga; Jeanine Messmer/Richard Nacarato; and, Essam Alsumari.

Patricia Hill Thomas, Chief Operations Officer/Assistant Executive Officer, reported that staff is working on the FY 2011/2012 County Budget. She noted that the State FY 2010/2011 Budget was adopted 100 days late and that it is not balanced and leaves a \$10-12 billion shortfall. The State's Budget includes \$5.4 billion in new money assumed from the Federal government, \$2.7 billion in loans and one-time

money. There are concerns on how deferrals will affect counties and other local agencies including schools. The Governor added nearly \$1 billion in cuts, and some of these cuts will have an impact on the budget and services in Stanislaus County. She noted that staff will bring a First Quarter Fiscal Report to the Board on 11/02/2010. The State has made changes to the social services and mental health programs, and has cut 3.6% of hours across the board in IHSS. The Governor has vetoed the CalWorks Stage 3 childcare services, and eliminated over \$130 million for the mandated mental health program for the severely emotionally disturbed. She noted that the cash receipts were up by 15% at the State level. There is legislation at the State level regarding the Williamson Act, including \$10 million in subvention funding and changing the time period of Williamson Act contracts. Staff will continue to update the Board regarding the State's and County's budgets.

Patricia Hill Thomas announced that there will be a Grand Opening of the Stanislaus Family Justice Center on Friday, 10/22/2010 at 1:30 p.m., located at 1625 I Street in Modesto, CA.

Adjourned at 8:33 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.)