

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

Regular Session

Tuesday

December 7, 2010

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held for Starrett Kreissman, former Stanislaus County Librarian.

The Red Ribbon Week 2010 Best Decorated School Contest Awards were presented to: 1st place winners: Las Palmas Elementary School; Norman Glick Middle School; and, Grace Davis High School; 2nd place winners: Fox Road Elementary School; Dan Savage Middle School; and, Hughson High School; and, 3rd place winners: Lakewood Elementary School; Mark Twain Junior High School; and, Patterson High School.

Debra Harper spoke regarding her medical care, and showed a slide of her head CAT Scan to the Board.

O'Brien/Monteith unan. Adopted the consent calendar

*A1 Approved the minutes of 11/30/2010

*A2a Adopted and waived the second reading of Ordinance C.S. 1093 adopting §11.08.130 of the Stanislaus County Code, adding a tow-away zone on various county roadways beginning in the Turlock area – PW ORD-55-N-2 2010-725

*A2b Adopted and waived the second reading of Ordinance C.S. 1094 to amend Title 11, §11.08.070 of the Stanislaus County Code, amending a no parking zone on Marshall Street in the Turlock area – PW ORD-55-N-3 2010-726

*A3a Appointed Marvin Patton and Anastacia “Pam” Reeder to the Stanislaus Child Development Local Planning Council 2010-727

*A3b Appointed Willis Eddie Brown to the Empire Sanitary District Board of Directors 2010-728

*A4a Adopted the Amendments to the Conflict of Interest Code of the Riverbank Unified School District 2010-729

*A4b Adopted the Amendments to the Conflict of Interest Code for Stanislaus County 2010-730

*A5a Commended Chairman Jeff Grover upon the completion of his service on the Stanislaus County Board of Supervisors 2010-731

*A5b Commended Auditor-Controller Larry Haugh upon his retirement from Stanislaus County 2010-732

*A5c Commended Assessor Doug Harms upon his retirement from Stanislaus County 2010-733

*B1 Authorized the CEO to enter into a three-year agreement for State Government Relations Services with Peterson Consulting, Inc. and Shaw/Yoder/Antwih, Inc; and, authorized the CEO and Purchasing Agent to sign the agreement – CEO 2010-734

*B2 Approved the installation of an electronic sign by the Gallo Center for the Arts not at County expense – CEO 2010-735

*B3 Withdrew the designation of Anthem Blue Cross, formerly Blue Cross of California, as the Local Initiative for Stanislaus County effective 12/31/2011; approved the issuance of twelve month advance notices of the designation withdrawal to Anthem Blue Cross and to the State Department of Health Care Services; approved the issuance of a termination notice of the Administrative Services Subcontract Agreement with Anthem Blue Cross as the Local Initiative Medi-Cal Managed Care Health Plan for Stanislaus County, effective

- 12/31/2011; and, directed the CEO, or his designee, and the Managing Director of the Health Services Agency to prepare a designation recommendation to the Board of Supervisors based on the outcome of a Request for Proposals process, of a health plan to serve as the Local Initiative Medi-Cal Managed Care Health Plan for Stanislaus County effective on or about 01/01/2012 – HAS 2010-736
- *B4 Approved the closure of all Stanislaus County Libraries on various days in 2011 and 2012 – Library 2010-737
 - *B5 Approved the increase of appropriations for the Department of Parks and Recreation FY 2010-2011 budget by \$139,486 for surveying services at Del Puerto Canyon, Frank Raines Off-Highway Vehicle Park, funded by the State of California Off-Highway Motor Vehicle Recreation Local Assistance Grant Program and matching funds from the departmental Off-Highway Vehicle fund balance; and, directed the Auditor-Controller to make the necessary budget adjustments per the budget journal – Parks and Recreation 2010-738
 - *B6 Approved MOU between the City of Modesto and Stanislaus County for the annexation of the Jennings Road Wastewater Treatment Plant Facility; and, authorized the CEO to sign the MOU between the City of Modesto and Stanislaus County for the Jennings Road Wastewater Treatment Plant Facility – PW 2010-739
 - *D1 Set a public hearing for 12/21/2010, at 6:35 p.m. to consider Planning Commission's recommendation for approval of General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01, El Rematito Marketplace, a request for a General Plan Amendment and a Rezone to Planned Development (P-D) to allow development of a new parking area (overflow) and driveway for 930 cars for the El Rematito Marketplace on property located at 3025 Crows Landing Road, in the Ceres area (APN: 056-055-003); and, authorized the Clerk of the Board to publish notice of hearing as required by law – Planning ORD-55-N-5 2010-740

DeMartini/Chiesa unan. **B7** In accordance with Employee Relations Ordinance 3.68.370 and Government Code §3505.4, implemented the provisions of the County's last, best, and final offer to the Sworn Deputy Sheriff's Bargaining Unit represented by the Stanislaus Sworn Deputies Association – CEO 2010-741

Recessed at 10:40 a.m.

Reconvened at 10:48 a.m.

Monteith/DeMartini (4-1)(O'Brien opposed) **B8** Approved Staff Recommendations Nos. 1 through 4; approved the RIF of 23 full-time positions and the deletion of two vacant funded positions in the Sheriff's Department budget as outlined in the Staffing Impacts section of the agenda item and detailed in Attachment A to be effective 01/29/2011; amended the Salary and Position Allocation Resolution to reflect the changes as outlined in the Staffing Impacts section of the agenda item and detailed in the item's Attachment A dated 12/07/2010 to be effective 01/29/2011; amended the Salary and Position Allocation Resolution to reflect the 27 reductions-in-force approved by the Board on 11/02/2010, outlined in the Staffing Impacts section of the agenda item and detailed in the item's Attachment B; and, approved a revision to the Sheriff's Department lobby hours currently open to the public from Monday through Friday 8:00 a.m. to 5:00 p.m. to Monday through Thursday 8:00 a.m. to 3:00 p.m. with emergency phone access available 24-hours a day to become effective 01/29/2011; and, **declined** to approve Staff Recommendation No. 5 – Sheriff 2010-742

Corr 1 Referred to the Department of Public Works, a notice from the California Department of Transportation regarding the announcement of the availability of the Draft Mitigated Negative

Declaration/Initial Study/Environmental Assessment for the State Route 99/219 (Kiernan Ave.) Interchange and the public hearing that will be held on Monday, 12/06/2010.

Corr 2 Referred to the Agricultural Commissioner and the Sealer of Weights and Measures, the Department of Planning and Community Development, the Department of Environmental Resources, and the Department of Public Works, a letter from the State Water Resources Control Board regarding a Petition for Temporary Transfer of water between the Department of Water Resources and the United States Bureau of Reclamation.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Jorge R. Serrano (amended copy); Birgit Fladager; Guy Ralph Perea Sr. (II); David Steven Hernandez; and, David Steven Hernandez.

Supervisor DeMartini reported that he recently went to the Property Tax Division and saw that the process for paying property taxes was going smooth. He reminded the public that property taxes are due Friday 12/10/10.

The CEO announced that the Dedication Ceremony for the new Thomas W. Mayfield Regional Animal Services Facility will be held on 12/15/2010, at 1:30 p.m., at 3647 Cornucopia Way, Modesto.

Recessed to sit as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority at 11: 58 a.m.

Chiesa/Monteith unan. Approved the consent calendar (Those items marked with an *)

XI. *II-A Approved the minutes of 11/30/2010

Mary Burch read a speech that she had written years ago for her daughter that is disabled. She spoke regarding the need for IHSS caregivers, and voiced concerns regarding the Fraud Investigation Unit.

Astrid Zuniga spoke regarding the importance of the IHSS program. She provided photographs of a disabled child that relies on IHSS services.

Mike Loza spoke regarding a request to proclaim November as the Homecare Provider Appreciation Month. He also voiced concerns that the IHSS Public Authority is at the end of the Board's agenda.

Roxanne Chacas spoke regarding an article in the newspaper on 11/29/10 regarding institutions, and noted that they were closed by Ronald Reagan in the 1970s. She quoted President Obama's proclamation for the National Family Care-Givers Month. She also spoke regarding medical insurance for the IHSS providers.

Carol Lee Smith stated that she was cut off from IHSS benefits last year. She noted that she will be having surgery and is concerned about the care of her husband who has Alzheimer's disease.

Ricky Aquina asked what cuts have been made to the Board members' salary and retirement benefits.

Mary Burch noted that the IHSS provider wages were reduced in 1986/1987 by 18.5%, and asked if this 18.5% was ever given back to them.

Reconvened to sit as the Stanislaus County Board of Supervisors at 12:25 p.m.

Adjourned to closed session at 12: 25 p.m. for Conference with Legal Counsel - Existing Litigation: One Case: County of Sacramento, et al. v. State of California, et al., Sacramento County Superior Court Case No. 34-2010-00090983. Government Code §54956.9(a); and, 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; Stanislaus Regional Emergency Dispatchers' Association; Stanislaus County Group Supervisors' Association; Stanislaus County Sheriff Management Association; Stanislaus County District Attorney Investigators' Association; and, Stanislaus Sworn Deputy Association (SSDA). Government Code §54957.6.

Closed Session Announcement: O'Brien/DeMartini unan. Authorized County Counsel to take all reasonable and necessary action for Stanislaus County to join and prosecute the lawsuit County of Sacramento, et al. v. State of California, et al. (Sacramento County Superior Court Case No. 34-2010-00090983) 2010-743

Adjourned at 1:17 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.)