

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

December 21, 2010

A tribute to Stanislaus County Chairman of the Board Jeff Grover was presented.

Dennis Wallace voiced his concerns regarding the reductions-in-force in the Sheriff's Department. He asked the Board to reconsider the budget cuts in public safety.

Chiesa/O'Brien unan. Adopted the consent calendar after removing from consent item **\*B8** Approval to Award Agreements to Sierra Vista Child and Family Services, Center for Human Services and Catholic Charities of The Diocese of Stockton for the Provision of CalFresh (Food Stamp) Outreach and Enrollment Services

- \*A1** Approved the minutes of 12/14/2010
- \*A2** Accepted the resignation of David McNeir from the Monterey Park Tract Community Services Board of Directors 2010-763
- \*A3a** Adopted an Amendment to the Conflict of Interest Code for the La Grange School District 2010-764
- \*A3b** Adopted an Amendment to the Conflict of Interest Code for the Empire Union School District 2010-765
- \*B1** Approved and authorized the Agricultural Commissioner to sign the agreement with the California Department of Pesticide Regulation for educational outreach and safety training; and, directed the Auditor-Controller to increase appropriations and estimated revenue as detailed in the Budget Journal form – Agricultural Commissioner 2010-766
- \*B2** Approved an amendment to an agreement for specialized early childcare mental health services through the end of the FY 2010-2011; approved an agreement for wraparound mental health services from 01/11/2011 through 06/30/2012; authorized the Behavioral Health Director, or her designee, to sign the agreement and the amendment; and, authorized the Behavioral Health 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 FY 2010-2011– BHRS 2010-767
- \*B3** Authorized the Behavioral Health Director, in conjunction with GSA, to issue a RFP for Narcotic Replacement Therapy services – BHRS 2010-768
- \*B4** Authorized the Behavioral Health Director to reimburse Maximus, Inc. for legal/consulting services incurred for FY 2004-2005 related to the State Mandates Commission Handicapped and Disabled Students test claims, based on receipt of State funding – BHRS 2010-769
- \*B5** Authorized the Chairman to enter into a 12-month extension for the Exclusive Right to Negotiate Agreement with JKB Energy for a potential solar farm ground lease on County owned property adjacent to the Fink Road Landfill; and, authorized the Director of DER to sign and execute the one year agricultural lease with JKB Energy – CEO 2010-770

- \***B6** Authorized the Chairman to enter into a 12-month extension for the Exclusive Right to Negotiate Agreement with Sol Orchard, LLC for a potential solar farm ground lease at the Geer Road Landfill – CEO 2010-771
- \***B7** Approved the provisions contained in the tentative agreement between the County and the Stanislaus County Regional Emergency Dispatchers’ Association representing the Emergency Dispatchers’ Bargaining Unit; and, authorized the Chairman and all parties to sign the agreement – CEO 2010-772
- \***B9** Approved HSA Managing Director, or her designee, to enter the Blue Shield of California Foundation Grant Agreement #4385443, and any amendments, to consider the appropriateness of an application to the State of California for a Coverage Expansion and Enrollment Demonstration Project (CEED); and, authorized the HSA Managing Director, or her designee, to negotiate and enter an Independent Contractor Agreement with Health Management Associates to perform the consultative work for an amount not to exceed \$150,000, as contained in the approved scope of work and budget in the Blue Shield of California Foundation grant agreement #4385443 – HAS 2010-773
- \***B10** Directed the Auditor-Controller to establish an Emergency Medical Air Transportation Act Trust Fund in the County Treasury to deposit moneys to be collected pursuant to Government Code §76000.10 – HAS 2010-774
- \***B11** Authorized the Chairman to sign the Certification Statements for California Children’s Services (CCS) and Child Health and Disability Prevention (CHDP) Programs for FY 2010-2011 – HAS 2010-775
- \***B12** Authorized the County Purchasing Agent to execute a one-year, automatically renewing agreement on behalf of HSA for use of a modular facility of 2,160 square feet at 530 South Santa Cruz Avenue in Modesto, CA to the Parent Resource Center to provide community services at a rental cost of one dollar per year subject to the terms, conditions and approval of the master ground lease for the use of the site with Gallo Glass Company – HSA 2010-776
- \***B13** Approved the Office of Emergency Services to enter into a Personal Services Contract for National Incident Management System (NIMS) trainer Dave Funk funded by Homeland Security Grant Funds; and, authorized the CEO, or his designee to sign the contract – OES 2010-777
- \***B14** Authorized a voluntary 10% annual salary deduction for the County's Elected Auditor-Controller in addition to the 5% salary deduction taken by County employees effective beginning after 01/04/2011 through 12/31/2011; and, authorized the Auditor-Controller to waive the annual car allowance of \$4,800 effective beginning after 01/04/2011 through 12/31/2011 – CEO 2010-778
- \***B15** Approved the provisions contained in the tentative agreement reached between the County and the Stanislaus County Group Supervisors' Association (SCGSA) representing the Group Supervisors' Bargaining Unit subject to successful ratification of the Agreement by SCGSA; and, authorized the Chairman and all parties to sign the agreement upon successful ratification of the agreement by SCGSA – CEO 2010-779
- \***C1** Authorized the purchase of one 2011 heavy duty Roll-Off Truck in the amount of \$157,667.97 from Valley Peterbilt (Federal Aid Project No. CML-5938 (178)); and, authorized the Purchasing Agent/GSA Director to sign the purchase order from Valley Peterbilt – PW 2010-780

DeMartini/Monteith unan. **6:35 pm** Conducted a public hearing to consider Planning Commission’s recommendation for approval of General Plan Amendment Application # 2010-01 and Rezone Application #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; adopted the Mitigated Negative Declaration pursuant to California Code of Regulations Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; In relation to the request for a General Plan Amendment and Rezone, finds: (A) The General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses, (B) The County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service, (C) The amendment is consistent with the General Plan goals and policies, and (D) The proposed Planned Development zoning is consistent with the Planned Development General Plan designation; finds that the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; approved General Plan Amendment Application No. 2010-01 and Rezone Application No. 2010-01 - El Rematito, subject to the Development Standards/Conditions of Approval and Development Schedule; introduced and waived the reading and adopted Ordinance C.S. 1096 for the approved Rezone Application – Planning  
ORD-55-N-5 2010-784 & 2010-785

**6:40 pm** The project applications were withdrawn by applicant. Therefore, there was no public hearing or action taken regarding the Planning Commission's recommendation for denial of General Plan Amendment Application No. 2010-02, Rezone Application No. 2010-02, and Vesting Tentative Subdivision Map 2010-01, Del Rio Villas – Planning  
ORD-55-N-4 2010-786

Monteith/Chiesa (4-1)(O'Brien opposed) \***B8** Approved the award of agreements for CalFresh (Food Stamp) Outreach and Enrollment Services to Sierra Vista Child and Family Services, Center for Human Services and Catholic Charities of The Diocese of Stockton for the contract period of 01/01/2011 through 06/30/2012, in an amount not to exceed a total of \$935,717; and, authorized the Director of CSA, or her designee, to sign the agreement and any amendments, not to exceed the agreement amount of \$935,717  
– CSA 2010-781

O'Brien/Monteith unan. **B16** Approved the project financing plan for the Juvenile Commitment Center; authorized the Project Manager to submit the project financing plan and negotiate the Access Agreement, Construction Agreement and the Project Delivery and Construction Agreement with the State, and all necessary actions associated with the Agreements for the construction of the Juvenile Commitment Center; authorized the Project Manager to complete the survey and engineering work and to transfer a portion of the right of way at 2215 Blue Gum Avenue to the City of Modesto for the purpose of future widening of Blue Gum Avenue; authorized the Project Manager to accept and record a quit claim deed from the Modesto Irrigation District to abandon a right-of-way easement across County property at the Juvenile Commitment Center, including indemnification of the Modesto Irrigation District for any potential liability associated with the easement; and, directed the Project Team to return to the Board of Supervisors with the Final Design and to call for Bids in the Spring of 2011 – CEO 2010-782

DeMartini/O'Brien unan. **B17** Approved and adopted resolutions regarding retirement benefit modifications for future County Employees per Attachments 1 and 2; approved the provisions contained in the attached Retirement Benefits Modification Summary in Attachment 3; directed the CEO to implement the provisions contained in the Retirement Benefit Modification Summary with respect to Stanislaus County employee members of the Stanislaus County Employees Retirement Association; and, directed the CEO to implement a hiring freeze as of 01/01/2011 for any full-time regular position in any

**Corr 1** Referred to the Fish and Wildlife Committee, a letter from the State Department of Fish and Game regarding their intent to recommend to the Fish and Game Commission the J-18 Pacific-Grizzly Flat Apprentice either-sex deer hunt for 2011-12.

**Corr 2** Referred to the Area Agency on Aging/Veterans Services, a letter from the State Department of Veterans Affairs regarding their “Operation Welcome Home” veteran program.

**Corr 3** Referred to the Department of Planning and Community Development, a letter from the U.S. Department of Housing and Urban Development regarding the Stanislaus County’s Community Development Block Grant (CDBG) and Emergency Shelter Grant (ESG) programs.

**Corr 4** Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a letter from Conifer Revenue Cycle Solutions, Inc. regarding a notification of their intent to close Conifer Revenue Cycle Solutions, Inc. located at 5933 Stoddard Road in Modesto, CA in its entirety on February 28, 2011 or within 14 days thereafter per the Worker Adjustment and Retraining Notification (WARN) Act.

**Corr 5** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Annabel Avila; Anna Rupp; David Oliver, Debra L. Harper; and, Diane M. Breene.

Supervisor DeMartini requested that staff provide quarterly reports regarding the IHSS Fraud Special Investigation Unit.

The CEO reported that the Senate and House of Representatives did approve the continuing resolution and that the Federal government will continue to operate until 03/04, 2011. He reported that the “tax deal” was agreed to by the Senate and the House and was recently signed into law by the President and will have a positive affect on our local economy. He expressed his appreciation to Supervisor Grover and to all the Board members and County Counsel for the opportunities they have given him to serve as the CEO. He then announced his retirement as the CEO of Stanislaus County on December 30, 2011.

Chairman Grover stated that the County has been well served by CEO Robinson.

The CEO announced that a Swearing-In Ceremony will be held for the Stanislaus County Elected Officials on 01/04/2011, at 10:00 a.m., in the Basement Chambers, 1010 10<sup>th</sup> Street, Modesto, CA.

**Recessed to sit as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority at 8:16 p.m.**

O’Brien/Monteith unan. Approved the consent calendar (Those items marked with an \*)

**XI. \*II-A** Approved the minutes of 12/14/2010

Tamir Luqman, lead organizer for the UDW union, distributed a copy of a letter from the Executive Director regarding the change in the background check process for IHSS providers.

**Reconvened to sit as the Stanislaus County Board of Supervisors at 8:24 p.m.**

Adjourned at 8:24 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.)