

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

Regular Session

Tuesday

January 11, 2011

All Supervisors Present

Pledge of Allegiance to the Flag

Chiesa/DeMartini unan. Elected Supervisor Dick Monteith as the 2011 Chairman and Supervisor William O'Brien as the 2011 Vice-Chairman of the Stanislaus County Board of Supervisors 2011-1

Chairman Monteith welcomed Supervisor Terry Withrow to the Stanislaus County Board of Supervisors.

Debra Harper showed slides of her head CT Scan to the Board and voiced concerns regarding her ongoing healthcare.

O'Brien/Withrow unan. Adopted the consent calendar after removing from consent items *A1 Approval of the Minutes of 12/21/2011; and, *B8 Approval to Rescind the Reduction-In-Force of Three Full-Time Positions in the Sheriff's Department Contract Cities Budget Effective Upon Board of Supervisors Approval – Sheriff

- *A2 Approved the 2011 Stanislaus County Board of Supervisors Committee Assignments 2011-2
- *A3a Accepted the resignation of Bill Crampton from the Stanislaus Consolidated Fire Protection District Board of Directors 2011-3
- *A3b Accepted the resignation of Rebecca Robinson from the Stanislaus Child Development Local Planning Council 2011-4
- *A4a Appointed Juan Quijano to the Stanislaus County Local Task Force on Solid Waste Management 2011-5
- *A4b Appointed Robert J. Crabtree to the Stanislaus County Planning Commission 2011-6
- *A4c Appointed Dr. Sarah Gottschalk to the Stanislaus County Animal Advisory Board 2011-7
- *A5a Reappointed Randy Heldt to the Advisory Board on Substance Abuse Programs 2011-8
- *A5b Reappointed Anthony Smith to the Stanislaus County Local Task Force on Solid Waste Management 2011-9
- *A5c Reappointed David Duran, Ronald West and Charles Stone to the Tuolumne River Regional Park Citizens Advisory Committee 2011-10
- *A5d Reappointed B. Carl Edwards, Carlos Estacio, Charlotte Kollmeyer and A. Dirk Hoek to the Housing Authority of Stanislaus County; and, **corrected** a typographical error to remove Charlotte Kollmeyer from Staff Recommendation No. 1 2011-11
- *A5e Reappointed Dave Cerutti, Marlene Wilson and Patricia Hitch to the Stanislaus County Animal Advisory Board 2011-12
- *A5f Reappointed Ronald West to the Stanislaus County Parks and Recreation Commission 2011-13
- *A5g Reappointed M. Robert Adkison to the Airport Advisory Committee 2011-14
- *A5h Reappointed E. Vernon Seeley to the Assessment Appeals Board 2011-15
- *A5i Reappointed Roy Wasden, Mary Ann Lee and Paul Baxter to the Emergency Medical Services Committee 2011-16
- *A5j Reappointed Timothy Ragsdale and Bryan Nicholes to the Fire Code Board of Appeals 2011-17

- ***A5k** Reappointed Arie Rose Martin and Linda E. White to the In-Home Supportive Services Advisory Committee 2011-18
- ***A5l** Reappointed John P. Doering, Bruce Ramsey and Jeffery Olson to the Law Library Board of Trustees 2011-19
- ***A5m** Reappointed Richard Gibson and Pamela Neronha to the San Joaquin Valley Air Pollution Control District Citizens Advisory Committee 2011-20
- ***A5n** Reappointed Dionicio Daniel Cruz and Jeremiah Williams to the Stanislaus County Equal Rights Commission 2011-21
- ***A5o** Reappointed Wayne Pacheco to the Stanislaus County Hazardous Waste Management Advisory Committee 2011-22
- ***A5p** Reappointed Leticia Ruano and Angelo Clay to the Stanislaus Economic Development and Workforce Alliance Youth Advisory Council 2011-23
- ***A5q** Reappointed Ismael Saldana and Paul Antigua to the Stanislaus-Ceres Redevelopment Commission 2011-24
- ***A5r** Reappointed Rodman Hooker to the Turlock Mosquito Abatement District Board of Directors 2011-25
- ***A6a** Proclaimed January 2011 as Mentor Appreciation Month 2011-26
- ***A6b** Proclaimed January 23-29, 2011, as Family Services Specialist Recognition Week 2011-27
- ***A7** Commended Ray Rasmussen upon his retirement from the Stanislaus County Office of Auditor-Controller 2011-28
- ***B1** Accepted the thirteenth update on 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 2011-29
- ***B2** Accepted the Stanislaus County Treasury Pool's November 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 distributed to the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman of the Board to sign on behalf of the Board of Supervisors that the report has been reviewed and accepted – T/TC 2011-30
- ***B3** Approved the sub grant agreement with the Southern Regional Children's Advocacy Center and the DA's office for closed-circuit television and/or recording equipment for use in criminal child abuse cases and training; authorized the DA to sign and approve the sub grant award agreement including any extensions, or amendments; and, directed the Auditor-Controller to increase revenue and appropriations as detailed in the budget journal form – DA 2011-31
- ***B4** Accepted the FY 2010-2011 Grant From California Emergency Management Agency for the Unserved/Underserved Victim Advocacy Outreach Program totaling \$106,821 for the Federal fiscal year; authorized the DA to sign the grant award agreement including any extension, or amendments; and, directed the Auditor-Controller to establish a new fund and organizational number for the Unserved/Underserved Victim Advocacy Outreach Program, transfer appropriations from Elder Abuse Advocacy to the new fund and org number and increase appropriations and estimated revenue as detailed in the Budget Journal form – DA 2011-32
- ***B5** Approved the Woodward Reservoir Regional Park Betterment Project and expenditure in the amount of \$228,276 pursuant to the Robeti-Z'berg-Harris Block Grant Program in the California Clean Water, Clean Air, Safe Neighborhoods Parks and Coastal Protection Bond Act of 2002 – Parks and Recreation 2011-33
- ***B6** Approved the Master Agreement with R.J. Thomas Mfg. Co., Inc., for the purchase of metal campfire rings and pedestal grills for various parks facilities throughout Stanislaus County;

- and, authorized the Director of the Department of Parks and Recreation, to sign Master Agreement Number A120110 – Parks and Recreation 2011-34
- *B7 Authorized a voluntary 5% annual salary reduction for the County’s elected Sheriff-Coroner in addition to the 5% salary deduction approved for County employees effective from 07/03/2010 through 06/30/2012; and, authorized the Auditor-Controller to make the necessary adjustments to the Sheriff’s salary to take back the overpayment between 07/03/2010 and 01/14/2011 – Sheriff 2011-35
 - *B9 Authorized the Clerk Recorder to procure the Project Management Services with a sole source procurement; authorized the Clerk-Recorder to negotiate, award and execute all contracts and authorized GSA-Purchasing to issue all purchase orders to implement the Project Management Services and Digitization of Stanislaus County Official and Vital Records for the Film Conversion Project; and, directed the Auditor-Controller to adjust FY 2010-2011 Clerk-Recorder Automation Expenditure Budget based on the Budget Journal – Clerk-Recorder 2011-36
 - *C1 Set a public hearing, for the 03/01/2011 Board of Supervisors Meeting at 9:05 a.m. regarding proposed changes in Assessment Methodology for the North McHenry #1 Lighting District to take affect in 2011-2012 FY; ordered that notice of the Public Hearing be given pursuant to Government Code §53753(B), and the Highway Lighting District Act Code §19051 & 2; approved the Engineer's Report for the proposed changes in Assessment Methodology for the North McHenry #1 Lighting District; and, authorized an Assessment Ballot Procedure, in conformance with California Government Code Article XIII D - Proposition 218, for the proposed method of calculating the annual assessment for the North McHenry #1 Lighting District – PW DL-29-A-10 2011-37
 - *C2 Adopted a resolution initiating proceedings for considering the addition of alley lighting to the Airport Neighborhood Lighting District and to conduct an assessment ballot procedure and public hearing regarding the matter in compliance with California Government Code Article XIII D - Proposition 218; directed the Public Works Department to prepare and file the required Engineer's Report; approved the use of up to \$5,600 of Community Development Funds to cover the costs associated with this project; and, directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet – PW DL-17-22 2011-38
 - *D1 Released the amendments to the FY 2007-2012 Draft Consolidated Plan (CP) and the FY 2010-2011 Draft Annual Action Plan (AAP), for the required 30-day public comment period; set a public hearing for 02/15/2011, at 6:35 p.m., to close the public comment period and consider approval of the amendments to the FY 2007-2012 Draft Consolidated Plan and FY 2010-2011 Draft Annual Action Plan to incorporate the Neighborhood Stabilization Program 3 (NSP3) with funding of \$4,175,947 – Planning 2011-39
 - *D2 Released the amendment to the FY 2007-2012 Consolidated Plan (CP), and the FY 2011-2012 Draft Annual Action Plan (AAP) for the required 30-day public comment period; set a Public Hearing for 02/15/2011 at 6:40 p.m. to close the public comment period and consider approval of the amendment to the FY 2007-2012 Consolidated Plan (CP) to add the City of Hughson to the Urban County, and the FY 2011-2012 Draft Annual Action Plan (AAP) – Planning 2011-40

O’Brien/DeMartini (4-0)(Withrow abstained) *A1 Approved the minutes of 12/21/2010

O’Brien/Chiesa *B8 Approved the modification of the RIF of 3 full-time positions in the Sheriff’s Department Contract Cities budget as outlined in the Staffing Impacts section and detailed in Attachment A of the agenda item; and, amended the Salary and Position Allocation Resolution to reflect the changes

as outlined in the Staffing Impacts section and detailed in Attachment A of the agenda item dated 01/11/2011 to be effective upon Board approval – Sheriff

2011-41

O'Brien/Chiesa unan. **B10** Adopted the recommendations of the Regional Fire Ad-Hoc Committee to enter a Joint Powers Agreement with City of Modesto and Salida Fire Protection District to create Modesto Regional Fire Authority; approved the JPA agreement and participation by the County as a member of Modesto Regional Fire Authority; authorized the Chairman to sign the JPA; and, appointed Supervisor Bill O'Brien to serve as the County's representative on the Modesto Regional Fire Authority Board – CEO

J-06-01

2011-42

Corr 1 Acknowledged receipt of report from the Stanislaus County Superintendent of Schools regarding the 2010 Williams Report for Stanislaus County Schools.

Corr 2 Referred to the DER, a Proposition 65 Notification from the California Department of Toxic Substances Control regarding 13 residential units in the vicinity of the former Elwoods Cleaners and former Service Cleaners in Modesto, CA.

Corr 3 Referred to the Department of Aging/Veterans Services, a letter from the Missing in America Project regarding the disposition of unclaimed remains of veterans and their dependents.

Corr 4 Acknowledged receipt of the Comprehensive Annual Financial Report for the FYs ended June 30, 2010 and 2009 from the Stanislaus County Employees' Retirement Association.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Brian Felser, Tina Felser; Nick Maynard; David Leamon; Guadalupe Rodriguez, Antonio Paez; and, Ailin Yadegarian.

Supervisor O'Brien welcomed Supervisor Withrow to the dais.

Supervisor Withrow thanked County staff and Department Heads for all the assistance he has been given.

Supervisor DeMartini congratulated Supervisor Withrow on his election to the Board. He spoke regarding the West Park Project, and would like to know what the status of the West Park Project is, how it is going to be financed, why the Port of Oakland has never expressed any interest, and what kind of jobs is the business park going to produce and when. He stated that it may be appropriate to terminate the exclusive agreement with the West Park developer and start over again with a new RFP. The CEO responded that a full report of the status of the West Park project will be presented to the Board by the end of February.

The CEO reported that the Governor's office has released a proposed 2011/2012 State Budget that identifies \$25.4 billion in budget shortfall. The proposed budget will balance expenditure reductions and the extension of certain revenues relating to programs (principally public safety programs). It appears that of the \$25.4 billion in solutions, 46% is directly associated with counties. The Governor has proposed a ballot initiative for June 2011. Counties are looking at a massive realignment of both human service programs and public safety programs. There is a promise that funding will accompany any program shifts. The Governor has appropriately identified this as a multi-month and multi-year project. The Governor does recognize that there are certain constitutional statutory requirements, both State and Federal, which need to be identified and addressed.

Supervisor O'Brien noted that as the Governor negotiates with the counties, it needs to be ironclad that if the funding doesn't follow in the future that the counties are not held responsible. He also noted that the Governor did not have an answer to the question of what happens to the funding for the counties if the ballot initiatives fail.

Recessed to sit as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority at 9:55 a.m.

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

X. *II-A Approved the minutes of 12/21/2010

Reconvened to sit as the Stanislaus County Board of Supervisors at 9:56 a.m.

Adjourned to closed session at 9:57 a.m. for conference with Legal Counsel - Existing Litigation: Two Cases: Building Industry Association of Central California v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 622705; Leslie Cook v. Stanislaus County, et al., Stanislaus County Superior Court Case No. 660775. Government Code §54956.9 (a). Conference with Legal Counsel - Significant Exposure to Litigation: One case pursuant to Government Code §54956.9 (b)(A). One case pursuant to §54956.9 (b)(B): California Unions for Reliable Energy have expressed concern regarding the County's compliance with the California Environmental Quality Act for the Fink Road Landfill Solar Farm Project.

Adjourned at 11:19 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.)