

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

April 5, 2011

The County Librarian made a presentation regarding National Library Week from 04/10 – 16/2011.

O'Brien/Chiesa unan. Adopted the consent calendar after removing from consent item *A7 Approval to Proclaim, in Conjunction with National Volunteer Week, the Week of 04/10-16/2011 as Stanislaus County Volunteer Week

- *A1 Approved the minutes of 03/22/2011
- *A2 Accepted the resignation of Mary Mendoza, Bob Martina, Joe Duran and Raelene Brown from the Stanislaus Economic Development and Workforce Alliance Board 2011-187
- *A3 Accepted the resignation of Eusebio Cuellar from EDAC 2011-188
- *A4 Declared vacancies on the Stanislaus Economic Development and Workforce Alliance Board 2011-189
- *A5a Appointed Chris Viera, Donald Hutchins and Jesse Villa to the Stanislaus Economic Development and Workforce Alliance Board 2011-190
- *A5b Appointed Deborah Novelli to EDAC 2011-191
- *A5c Appointed Adrienne Chaney to the Stanislaus County Parks and Recreation Commission 2011-192
- *A5d Appointed Troy Spears to the Advisory Board on Substance Abuse Programs 2011-193
- *A6 Accepted the appointment of Roma P. Orvis to the Rock Creek Water District Board of Directors 2011-194
- *A8 Commended Empire Union School District Teacher Jeanne Hartman upon being named the 2011 State Middle School Educator of the Year 2011-195
- *B1 Authorized the Auditor-Controller to reissue a stale-dated check to the Law Offices of William L. Berg in the amount of \$236.30 – Auditor-Controller 2011-196
- *B2 Amended the Valley Home MAC bylaws making minor administrative changes and transitioning to a quarterly meeting schedule – CEO MAC-08-02 2011-197
- *B3 Approved an amendment to the master agreement with Stearns, Conrad, and Schmidt, Consulting Engineers, Inc., dba, SCS Engineers, to extend the contract for a one-year period from 07/01/2011, through 06/30/2012, and to increase the not to exceed contract amount to \$3,229,404 for environmental monitoring, testing, and reporting services, at the Fink Road and Geer Road Landfills, and for operations, maintenance, and monitoring services at the Geer Road Landfill; authorized the Chairman to amend Master Agreement #A00625; and, authorized the Director of DER, or her designee, to sign additional individual project authorizations during FY 2010-2011 and 2011-2012 providing that the cumulative total does not exceed the cumulative five-year total contract amount of \$3,229,404 – DER 2011-198
- *B4 Amended the contract for construction management services with Shaw Environmental, Inc., for Landfill 2, Cell No. 5, at the Fink Road Landfill, to increase the not to exceed limit to \$336,348; and, authorized the Director of DER, or her designee, to sign the Amendment – DER 2011-199

- *B5 Approved the submission of an application to the State of California Office of Traffic Safety (OTS), General Traffic Records Grant, for funding in the amount of \$212,465 for FY 2011-2012, for the Stanislaus County Collaborative Automated Citation Program; authorized the Sheriff-Coroner to sign and submit the application to the State of California, Office of Traffic Safety (OTS); authorized the Sheriff-Coroner and Auditor-Controller to accept the funding, if awarded, from the Office of Traffic Safety and to establish appropriations and estimated revenue in the amount of \$212,465 in the Operations budget; and, approved the resolution for the acceptance of the funding and identification of the signing authority for the grant – Sheriff 2011-200
- *B6 Authorized the Sheriff to submit a grant application to the California State Parks, Off-Highway Motor Vehicle Recreation Division OHV grant program for increased Law Enforcement services at Frank Raines Regionals Park and La Grange Park in Stanislaus County; and, adopted a resolution to apply for the California State Parks Off-Highway Vehicle Grant – Sheriff 2011-201
- *B7 Approved RIF of two filled full-time positions and the deletion of one vacant position from the Strategic Business Technology Budget effective 06/18/2011; and, amended the Salary and Position Allocation Resolution to reflect the RIF and vacant position deletion as outlined in the Staffing Impact Section of the agenda item, effective 06/18/2011 – SBT 2011-202
- *B8 Accepted the final update on the Immediate Action Plan to Secure the Men’s Honor Farm in accordance with Public Contract Code Section 22050 for the abatement, demolition and clean-up of the destroyed barracks and to end the emergency declaration for the Honor Farm fire – CEO 2011-203
- *B9 Authorized the Department of Parks and Recreation to hold the Sixteenth Annual Fireworks Celebration on Saturday, 07/02/2011, at Woodward Reservoir Regional Park located off of 26 Mile Road in the unincorporated area of Stanislaus County; authorized the Director of Parks and Recreation to support the Sixteenth Annual Fireworks Celebration and promote related activities; and, authorized the Director of Parks and Recreation to sign the necessary contractual agreements for the event – Parks and Recreation 2011-204
- *C1 Adopted the 2010 Stanislaus County Maintained Mileage Report – PW 2011-205
- *C2 Adopted a resolution to allocate at least ten (10) percent of the Howard Road Class I Bicycle Path Project cost as matching funds from Public Works Non-motorized funds – PW 2011-206
- *D1 Introduced and waived the first reading of Ordinance C.S. 1102 to amend Title 16 of the Stanislaus County Code Regarding Flood Damage Prevention – Planning
ORD-55-N-12 2011-207

Withrow/Chiesa unan. *A7 Proclaimed, in conjunction with National Volunteer Week, the week of 04/10/2011 to 04/16/2011 as Stanislaus County Volunteer Week 2011-208

O’Brien/DeMartini unan. **Authorization for an Item Too Late for the Agenda** – Authorized adding an Item Too Late for the Agenda regarding proclaiming the existence of a local emergency; finds that there is a need to take immediate action to adopt a proclamation of emergency related to flooding in Stanislaus County; and, the need for action came to the attention of the County on Monday, 04/04/2011, after the Board agenda was posted on Friday 04/01/2011 2011-211

Chiesa/Withrow unan. **Item Too Late for the Agenda** – Proclaimed the existence of a local emergency in Stanislaus County due to recent flooding in various locations in Stanislaus County as described in the verbal report provided by the CEO/Director of Emergency Services 2011-212

O'Brien/DeMartini unan. **9:05 a.m.** Conducted a public hearing pursuant to Health and Safety Code §1442.5 to consider changes to the Medically Indigent Adult (MIA) Program income limits for eligibility; revised existing County policy to establish the income limit for standard eligibility which provides eligibility with zero patient cost sharing in the MIA Program as 116% of the Federal Poverty Level, effective 05/01/2011; revised existing County policy to eliminate the existing co-payment and share of cost eligibility categories in the MIA Program and established a Hardship Eligibility category which provides MIA Program eligibility with patient share of cost requirements for applicants with income between 117% – 223% of the Federal Poverty Level, effective 05/01/2011; authorized the HSA Managing Director, or her designee, to carry out the operational changes necessary to implement the approved changes; and, **amended** the item to direct staff to further research the information that was provided to the Board by the Western Center on Law and Poverty on 4/4/2011 and 4/5/2011, and to return to the Board if modifications need to be made – HSA 2011-210

O'Brien/Withrow unan. **B10** Authorized the formation of an Ad Hoc Citizen Redistricting Advisory Committee, comprised of 11 registered voters of the County, to act in an advisory capacity and provide recommendations of Supervisorial Redistricting to the Board; and, approved the application period of 04/06/2011 through 04/20/2011, and directed the Clerk to post the vacancies, and authorized the Clerk to accept applications – CEO 2011-209

Corr 1 Referred to the BHRS, a letter from the California Mental Health Planning Council regarding the ethnic composition of the Stanislaus County Mental Health Board.

Corr 2 Referred to DER, information from the California Department of Resources Recycling and Recovery regarding tire recycling.

Corr 3 Referred to the Agricultural Commissioner and Sealer of Weights and Measures, and the Stanislaus Economic Development and Workforce Alliance, two letters from the California Emergency Management Agency regarding the Secretarial disaster designations by the U.S. Department of Agriculture and the U.S. Small Business Administration for the primary county of Tuolumne County, and Stanislaus County as a contiguous County, due to agricultural losses caused by heavy snow and freezing temperatures that occurred 11/20/2010, through 11/24/2010.

Corr 4 Referred to the Agenda Item *D1, a letter from the California Department of Water Resources regarding the County's Flood Damage Prevention Ordinance.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: David Leaman; Alex Saavedra; California State Automobile Association (Claim No. 07-C500559); Javier Molina; Luis Elias and Eric Cruz; Roosevelt Smith Jr.; Angelina Elias, Nyomi Elias and Evonne Cuevas by Luis Elias on their behalf; Alexander Mosqueda; Surinder & Santokah Sangha / INS Property Casualty; and, Debra L. Harper.

Supervisor O'Brien reported that he traveled to Washington D.C. last week as part of the Stanislaus Collaborative to pursue support of several different projects. He noted that the atmosphere in Washington D.C. is all about cutting budgets. However, there is some hope through COPS Grants for additional money for technology as well as a potential collaboration with the Department of Homeland Security to utilize empty beds in our Public Safety Center.

The CEO reported that the federal government Continuing Resolution is set to expire on 04/08/2011, and if not reauthorized, would cause the shutdown of the federal government. It looks hopeful that the Continuing Resolution will be extended and that the leadership of both houses will continue to work

towards a budget solution. He reported that at the State level, the opportunity for a statewide ballot initiative to continue the funding that is set to expire is passing by. The Legislature and the Administration will be attempting to find a solution to the ongoing State budget challenges that does not require voter approval for a revenue source.

Recessed to sit as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority at 10:14 a.m.

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

X. *II-A Approved the minutes of 03/22/2011

Reconvened to sit as the Stanislaus County Board of Supervisors at 10:15 a.m.

Adjourned at 10:15 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.)