

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

August 16, 2011

Recessed to Closed Session at 5:30 p.m. for conference with Labor Negotiator: Agency Negotiator: Richard Robinson. Labor Organizations: California Nurses' Association; Stanislaus County Employees Association/AFSCME Local 10; Service Employees' International Union, Local 521; Stanislaus County Probation Corrections Officer's Association; Stanislaus Regional Emergency Dispatchers' Association; County Attorneys' Association; Stanislaus County District Attorney Investigators' Association; Deputy Sheriffs' Association; Stanislaus Sworn Deputies Association; Stanislaus County Sheriffs Supervisors' Association; Stanislaus County Deputy Probation Officers' Association; Stanislaus County Sheriff Management Association. Government Code §54957.6. Conference with Legal Counsel - Significant Exposure to Litigation: One case. Government Code §54956.9 (b)(A).

Reconvened at 6:35 p.m. for Regular Session

Audra Black spoke regarding Greg Bettencourt who was killed on 3/25/2011, and the need to find his killers. She requested the Board's support in providing resources to the Sheriff's department.

Juli Blotham also spoke regarding the death of Greg Bettencourt, and requested the Board's support in bringing his killers to justice. She noted the importance of funding public safety in Stanislaus County.

April Premo voiced concerns regarding PG&E's proposed pipeline project in Stanislaus County and asked about their eminent domain process. Supervisor Chiesa noted that the eminent domain authority for this project comes from the California Public Utilities Commission.

A moment of silence was held for Stanislaus County Sheriff Department employee Susan "Susie" Hendricks.

Chiesa/Withrow unan. Adopted the consent calendar

- *A1 Approved the minutes of 08/02/2011
- *A2a Appointed Debbie Olson to the Economic Development Action Committee 2011-467
- *A2b Appointed Kris Van Houten to the Stanislaus Child Development Local Planning Council
2011-468
- *A3 Reappointed Debra Brown, Jeff Burda, Sean Carroll, Jan Ennenga, Richard Hagerty, Craig Lewis, and Sharon Silva; and, appointed Stu Bennett, Oscar Cabello, Cecil Russell, Tony LeDoux, Carolyn Bowden, and Virginia Madueno to the Stanislaus Economic Development and Workforce Alliance 2011-469
- *A4 Adopted the Conflict of Interest Code for the Modesto Regional Fire Authority
J-06-03 2011-470
- *A5 Accepted the resignation of Mike Golkin from the Stanislaus County Local Task Force on Solid Waste Management 2011-471
- *A6 Accepted the resignation of Joseph F. Coelho from the Commission on Aging 2011-472

- *A7 Approved a resolution proclaiming Sundays in Stanislaus County as “Eat Local, Buy California Grown Day”; and, encouraged families, restaurants, and grocers to buy California-Grown floriculture, fiber and foods 2011-473
- *B1 Amended the Bylaws of the Modesto City-County Airport Advisory Committee to be effective immediately upon Board approval; reappointed to the Airport Advisory Committee James Barron McKay (Small Aircraft Owner/General Aviation position) to a term ending on 06/30/2013, and M. Robert Adkison, PhD (Public At Large position) to a term ending on 06/30/2014; directed the COB to post the vacancy on the Airport Advisory Committee for the Corporate Aircraft Owner/General Aviation position with a term ending on 06/30/2015; and, directed the COB to prepare an amendment to the 2011 Stanislaus County Board of Supervisors Committee Assignment List to reflect the appointment of Supervisor Jim DeMartini as the primary member and Supervisor Dick Monteith as the alternate member to the Modesto City-County Airport Advisory Committee – CEO
BD-40-14 2011-474
- *B2 Approved an advance of \$14,800 from the Community Development Fund to the Crows Landing Community Services District for necessary water well improvements to be repaid in equal installments over a 5 year period; authorized the CEO to execute a Project Funding Agreement with the Crows Landing Community Services District for the advance from the Community Development Fund; and, directed the Auditor-Controller to establish all necessary accounting protocols for the administration, tracking, disbursement and reimbursement of funds – CEO DCS-11-21 2011-475
- *B3 Authorized the Director of DER, or her designee, to enter into Master Agreement No. A072711 with Tetra Tech BAS, Inc., for a not to exceed amount of \$667,955 for professional design services at the Geer Road Landfill through 06/30/2012; authorized the Director of DER, or her designee, to sign individual Project Authorizations during FY 2011-12 providing that the cumulative total does not exceed the contract amount of \$667,955; and, authorized the Director of DER, or her designee, to sign amendments to the Master Agreement for an overall total not to exceed amount of \$667,955 – DER
2011-476
- *C1 Approved the purchase agreement to acquire road right-of-way for the McHenry Ave. Widening Project (Parcel Owner: The David Louis Witt Trust, APN: 074-002-014); authorized the Chairman of the Board to execute the agreement; authorized the Director of Public Works to sign and cause to record the Grant Deed on behalf of Stanislaus County as authorized by Board Resolution dated 03/08/2011 and Government Code 27281; and, directed the Auditor-Controller to issue a warrant in the total amount of \$165,700, payable to First American Title Company, for the purchase amount of \$164,200 and \$1,500 for estimated escrow fees and title insurance – PW 2011-477
- *C2 Approved the Gomes Lake Joint Powers Agreement for the Gomes Lake facility with Stanislaus County, TID, City of Turlock, Reclamation Districts 2063 and 2091; and, authorized the Chairman of the Board to execute the agreement; and, appoint the Stanislaus County Public Works Director to represent Stanislaus County on the JPA Commission – PW 2011-478

O’Brien/DeMartini unan. **B4** Authorized the Chairman of the Board to sign the State of California transmittal form, CalRecycle 114 (02/2010), Pledge Revenue Requirements Part 4, Signature Block, to establish a Pledge of Revenue; adopted a resolution to authorize the Chairman to sign the Pledge Revenue Agreement for corrective action at the Geer Road Landfill; authorized the Director of DER, or her designee, to annually submit the State of California transmittal form, CalRecycle 114 (02/2010), Certification of Pledged Revenue, to the California Department of Resources Recycling and Recovery; and, directed the Auditor-Controller to increase appropriations in the Fink Road Landfill Operating Fund

in the amount of \$271,400 for transfer to the Geer Road Landfill Closure Fund during FY 2011-2012 as detailed in the Budget Journal Form – DER 2011-479

Recessed at 8:03 p.m.

Reconvened at 8:14 p.m.

Withdraw/Chiesa unan. **6:35 pm** Conducted the public hearing to receive input and comment regarding Supervisorial redistricting; in addition to Redistricting Options 1 and 2, an additional option, Redistricting Option 2-Alternative, was presented to the Board; and, set a public hearing on 08/23/2011, at 9:05 a.m. for the introduction and waiving of the first reading of an ordinance adjusting the boundaries of the Supervisorial Districts in accordance with the adopted redistricting plan – CEO

ORD-55-O-3 2011-480

Corr 1 Referred to the Fish and Wildlife Committee, a letter from the California Fish and Game Commission regarding acceptable forms of identification, wildlife area passes, and annual fee adjustments for sport fishing and commercial fishing.

Corr 2 Referred to BHRS a copy of “Wellness and Recovery Centers”, an advocacy document from the Adult System of Care Subcommittee of the California Mental Health Planning Council.

Corr 3 Referred to the Department of Public Works, the Agricultural Commissioner and Sealer of Weights and Measures, and DER, a copy of Petitions for Temporary Change Permits for the Friant Division of the Central Valley Project of California from the U.S. Department of the Interior.

Corr 4 Referred to HSA, a copy of Health Policy Brief, “Food Environments Near Home and School Related to Consumption of Soda and Fast Food” from the UCLA Center for Health Policy Research.

Corr 5 Accepted the letter and referred to the Treasurer-Tax Collector for the scheduling of the hearing regarding the appeal for the denial of a Scrap Metal Dealer’s License for Go Green Recycling (“Go Green”).

Corr 6 Acknowledged receipt of a letter from the Stanislaus County Department of Planning and Community Development regarding the Planning Commission’s Determination of Conformance with the General Plan for the Fiscal Year 2011-2012 Preliminary Capital Improvement Plan.

Corr 7 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 U.S. Small Business Administration and the U.S. Department of Agriculture granting of a disaster designation for the primary counties of Stanislaus and Yuba and their contiguous counties due to agricultural losses caused by storms with excessive rain and high winds that occurred 06/03/2011 through 06/06/2011.

Corr 8 Referred to the Department of Public Works, the Agricultural Commissioner and Sealer of Weights and Measures, and DER, a letter from the California Water Resources Control Board regarding a Notice of Petitions for Temporary Transfer of Water and Change to benefit fish and wildlife resources downstream of Millerton Reservoir (Friant Dam).

Corr 9 Referred to the Auditor-Controller, a copy of the East Side Mosquito Abatement District's FY 2011-2012 Budget.

Corr 10 Referred to the Department of Public Works, a Notice of Availability and Public Hearings from the California High-Speed Rail Authority regarding the Draft Environmental Impact Report/Environmental Impact Statement for the Merced to Fresno High-Speed Train.

Corr 11 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Luis Antonio Ramirez Jr.; Randy Torres; Karnette Lindsey; Hermille Catzalco; Sanjay Chetty; Eileen Chetty; and, Eric Morris.

Supervisor DeMartini announced that on Thursday, 08/18/2011, at 11:00 a.m. the West Side Health Care Task Force will be having their Health Summit and Annual Biggest Loser (weight loss) Contest at the West Side Theater in Newman. He noted that the goal of the Task Force is to improve access to healthcare for the residents of the West Side and to promote a healthy lifestyle including diet and exercise. The keynote speakers for this year's summit are Dr. Walker, Public Health Officer and Dr. Epstein from Emanuel Medical Center.

Adjourned at 8:41 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.)