

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

Regular Session

Tuesday

September 13, 2011

All Supervisors Present

Pledge of Allegiance to the Flag

Merry Roelle spoke regarding the 10-year anniversary of 09/11/2001. She also spoke regarding the County Budget and voiced concerns regarding proposed salary reductions.

Mike Loza, representing the United Domestic Workers, spoke regarding the importance of the IHSS program and the budget for this program.

Tamir Luqman spoke in support of the IHSS program and of the current labor negotiations for the IHSS providers.

Roxann Chokos thanked the County for budgeting the IHSS program at its current levels for FY 2011/12. She requested the Board's support in pursuing additional federal and state money for this program.

Emerson Drake spoke regarding campaign reform, and requested that the following changes be made: increase the campaign contributions limit to \$99.99 from \$24.99 before it has to be reported, require a Board of Supervisors member to recuse themselves from a vote if they received a campaign contribution above a set limit, and prohibit elected officials from entering into a contract with a vendor who made contributions to their election campaign.

Chiesa/Withrow unan. Adopted the consent calendar

*A1 Approved the minutes of 08/30/2011

*A2a Appointed Dorothy Griggs to the Housing Authority of Stanislaus County 2011-509

*A2b Appointed Amelia Henson to the Commission on Aging 2011-510

*A2c Appointed Brent Bohlander and Nina Manpreet Brar to the Stanislaus County Parks and Recreation Commission 2011-511

*A2d Appointed Denise Hunt to the Children and Families Commission 2011-512

*A3 Accepted the resignation of Richard Gibson from the Stanislaus County Agricultural Advisory Board 2011-513

*A4 Commended Stanislaus Foods and the Cortopassi Family upon being inducted into the Ag Hall of Fame Legends of Agriculture 2011-514

*A5a Proclaimed October 2011 as Colonial Heritage Month 2011-515

*A5b Proclaimed 09/18/2011 – 09/24/2011 as Fall Prevention Awareness Week 2011-516

*B1 Authorized the Director of the Department of Aging and Veterans Services to sign contracts and any subsequent amendments to contracts AP-1112-30, HI-1112-30, and MS-1112-14 with the California Department of Aging for FY 2011-12 for the Older Americans Act (OAA) Programs, the Health Insurance Counseling and Advocacy Program (HICAP), and the Multipurpose Senior Services Program (MSSP) – Aging and Veterans Services 2011-517

*B2 Approved the issuance of a RFP for Older Americans Act Title III Legal Assistance Program and Title V Senior Community Service Employment Program for FY 2011-2012; authorized GSA Purchasing Agent to issue a notice inviting proposals on 09/14/2011 for

Older Americans Act Title III and Title V programs for FY 2011-12, beginning 01/01/2012; and, authorized to accept and open proposals on 10/14/2011 immediately after 2:30 p.m. and return to the Board to recommend an award – Aging and Veterans Services
2011-518

- *B3** Awarded contracts with community-based organizations (CBOs) that submitted Mental Health Services Act Innovations Learning Projects and were selected for inclusion in the BHRS plan submitted to the California Department of Mental Health Services Oversight and Accountability Commission; authorized the BHRS Director, or her designee, to complete negotiations and execute agreements with the selected CBOs; and, authorized the BHRS Director, or her designee, to sign the final agreements with the CBOs that were selected through RFP 10-47-TRS – BHRS
2011-519
- *B4** Accepted the FY 2011-2012 Grant from the Department of Insurance for the District Attorney’s Office Automobile Insurance Fraud Program totaling \$191,079; authorized the DA to sign the grant award agreement including any extension, or amendments; and, approved a formal resolution as required by the State to receive this grant funding – DA
2011-520
- *B5** Authorized the HSA’s Managing Director to appoint Ms. Cheri Collett to the position of Assistant Manager (Manager II) for the HSA Clinic and Ancillary Division at an annual salary of \$76,960 which is above the midpoint of Salary Band B – HAS
2011-521
- *B6** Approved the request from On Your Mark Events Management to have exclusive use of Woodward Reservoir Regional Park for areas designated as racing routes, Bay View Boat Ramp, and Group Picnic on Saturday, 09/24/2011, beginning at 4:00 a.m. and ending no later than 3:00 p.m. for the Fourth Annual Central Valley Triathlon; and, directed On Your Mark Events Management to adhere to the requirements set forth by the Department of Parks and Recreation – Parks and Recreation
2011-522
- *B7** Set a public hearing on 10/11/2011, at 9:05 a.m., to consider approval of the Stanislaus County DA and Stanislaus County Sheriff’s Department 2011-2012 FY expenditure plans for the State Supplemental Law Enforcement Services Fund (SLESF) – Sheriff
2011-523
- *B8** Approved a sole source contract with Praeses, LLC for Inmate Telecommunications Management; and, authorized GSA Director/Purchasing Agent to execute the agreement and any subsequent amendments to the agreement on behalf of the County during the term of the agreement – Sheriff
2011-524
- *B9** Authorized the Chairman, CEO, and the Sheriff to sign the amended contract for law enforcement services with the City of Hughson for the Sheriff to continue to provide general law enforcement services; and, directed the Auditor-Controller to make the appropriate budget modifications as indicated in the budget journal – Sheriff
C-9-B-2 2011-525
- *B10** Authorized the Chairman, CEO and the Sheriff to enter into a contract for law enforcement services with the City of Waterford for the Sheriff to continue to provide general law enforcement services; and, directed the Auditor-Controller to make the appropriate budget modifications as indicated in the budget journal – Sheriff
C-8-B-1 2011-526
- *B11** Approved the closure of the Riverbank Library on 10/08/2011, during the Annual Riverbank Cheese and Wine Exposition – Library
2011-527
- *B12** Approved the request from the Golden Gate Dachshund Club to have exclusive use of Woodward Reservoir Regional Park, Areas A and B, beginning at 6:00 a.m., Friday, 10/14/2011, and ending no later than 7:00 p.m. Sunday, 10/16/2011, and beginning at 6:00 a.m., Friday, 03/30/2012, and ending no later than 7:00 p.m. Sunday, 04/01/2012, for the Official American Kennel Club Earthdog and Iron Dog Test events; and, directed the Golden Gate Dachshund Club to adhere to the requirements set forth by the Department of Parks and Recreation – Parks and Recreation
2011-528

- *B13** Approved the request from Nor-Cal Motorcycle Club, Inc., to have exclusive use of Frank Raines Regional Park including Deer Creek Campgrounds, Off-Highway Vehicle Area, Deer Creek Day Use and Undeveloped Campgrounds, and Recreation Hall beginning 12:00 p.m. (noon), Friday, 10/14/2011, and ending no later than 9:00 a.m., Monday, 10/17/2011; and, approved the Department of Parks and Recreation to accept the donation of 600 straw bales of hay valued at \$8.00 per bale for a total value of \$4,800; and, directed Nor-Cal Motorcycle Club, Inc. to adhere to the requirements set forth by the Department of Parks and Recreation – Parks and Recreation 2011-529
- *B14** Awarded the One-Stop Permitting Software Purchase Contract to Accela, Inc., of San Ramon, California for a cost not to exceed \$497,864.53; authorized the Director of Planning and Community Development to sign the contract and all related documents; authorized the Director of Planning and Community Development to take all necessary steps to implement the project as described, including but not limited to: acting as project sponsor, signing all appropriate contracts, subcontracts, and purchase agreements up to \$651,000 for the entire project implementation, including approval of change orders and budget adjustments not to exceed an additional ten percent (10%) of the total project implementation cost up to an additional \$65,100; authorized a modification of the 2011-2012 budget for the Department of Planning and Community Development Building Permits Division to include the purchase and implementation of the One-Stop Permitting Software; and, directed the Auditor-Controller to increase appropriations and estimate revenue in the Planning and Community Development – Building Permits budget as detailed on the financial transaction form – Planning 2011-530
- *B15** Accepted an update on the HSA Oncology Clinic services arrangements to continue the provision of Oncology services; and, approved canceling the public hearing previously scheduled for the reduction and/or elimination of the direct provision of Oncology Services on 09/20/2011 at 6:40 p.m. – HAS 2011-531
- *C1** Pursuant to the California Streets and Highways Code §73, accepted the relinquishment of portions of Stanislaus County roads which were included in the improvement project of State Route 219; and, waived the requirement for a 90-day notice from the State of the intention to relinquish said roads – PW 2011-532
- *D1** Approved and established the following findings: (a) the new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of AB 1265; (b) there is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; (c) at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; (d) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in §51222; (e) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; (f) the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan; rescinded Williamson Act Contracts No. 1972-0779 and 1972-0795 (located on Tim Bell Road, in the Waterford area); approved new contracts pursuant to Minor Lot Line Adjustment 2011-15 – Lemos and Ward; and, authorized the Director of Planning and Community

Recessed to sit as the Stanislaus County Redevelopment Agency at 9:16 a.m.

O'Brien/Chiesa unan. **9:00 am** Adopted the consent calendar

9:00 am *III-A Approved the minutes of 08/23/2011

O'Brien/DeMartini unan. **9:00 am VI-A** Finds that use of the Housing Fund to pay planning and administrative expenses are necessary for the production, improvement or preservation of low- and moderate-income housing; finds that the public infrastructure projects identified in the work program of the FY 2011-2012 Final Budget are a benefit to the project area; that no other reasonable means of financing the improvements are available to the community; and that payment of Capital Project Funds for the cost of improvements will assist in the elimination of one or more blighting conditions inside the project area and is consistent with the Agency's Implementation Plan; approved clarification of the policies within the existing Implementation Plan and approved the Residential Neighborhood Infrastructure Project List Rankings Criteria; adopted the Final Budget for FY 2011-2012 inclusive of the Housing and Capital Projects Funds; and, authorized the Agency's Executive Director to take all necessary steps to implement the Final Budget for FY 2011-2012 including the negotiation and execution of contracts for programs or projects identified in the budget work program, but not to exceed the allocated budget amount – Redevelopment Agency 2011-535

Chiesa/Withrow unan. **9:00 am VI-B** Authorized the Executive Director to enter into an agreement with Stanislaus County for reimbursement of State of California remittance payments made by the County under the Alternative Voluntary Redevelopment Program in accordance with AB X1 27 – Redevelopment Agency 2011-536

Reconvened to sit as the Stanislaus County Board of Supervisors at 9:27 a.m.

Withrow/O'Brien unan. **B16** Adopted a non-binding resolution indicating the County's intention to enact an ordinance by 11/01/2011, in accordance with AB X1 27 agreeing to comply with the Alternative Voluntary Redevelopment Program; introduced and waived the first reading of Ordinance C.S. 1106, the Alternative Voluntary Redevelopment Program ordinance; approved the proposed ordinance agreeing to comply with the Alternative Voluntary Redevelopment Program in accordance with AB X1 27, contingent on the California Supreme Court, or any other Court, determining AB X1 27 is constitutional and an executed agreement with the Stanislaus County Redevelopment Agency for reimbursement of State remittance payments made by the County in accordance with AB X1 27; and, authorized the County's Chief Executive Officer to enter into an agreement with the Stanislaus County Redevelopment Agency for reimbursement of State remittance payments made by the County in accordance with AB X1 27 – CEO ORD-55-O-4 2011-534

O'Brien/DeMartini unan. **9:05 am** Accepted the recommended Final Budget for FY 2011-2012 from the CEO; conducted the public hearing to receive public comment and input on the proposed spending plan; adopted the Recommended Final Budget for 2011-2012; authorized the CEO and the Auditor-Controller to make the necessary technical adjustments to implement the adopted Final Budget; directed the CEO and the Auditor-Controller to prepare the Adopted Final Budget document in accordance with State law and submit it to the State Controller prior to 12/01/2011; authorized CSA to implement a change in the General Assistance benefits issuance process to issue aid once per month effective November 2011 after

notices of action have been issued to inform customers during the month of October; amended the Salary and Position Allocation Resolution to reflect the recommended changes in the Recommended Final Budget Addendum, (as outlined in the Staffing Impacts section of the report and in the item detailed in Attachment “B”) to be effective with the start of the first pay period beginning after 09/24/2011; approved the reduction-in-force of one filled full-time position in the Sheriff’s Department effective 10/08/2011; and, approved contracts and/or agreements listed on Attachment “C” in cumulative amounts of \$100,000 or greater as of 07/01/2009 – CEO 2011-537

Corr 1 Referred to the Chief Probation Officer, Sheriff and District Attorney, a letter from Governor Brown, Jr. regarding the Department of Corrections and Rehabilitation providing training seminars to counties for the local supervision of lower-level criminal offenders and parolees that are to be released to the County.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: City of Modesto; Mario and Leticia Ortiz; and, City of Turlock.

Supervisor Chiesa spoke regarding Correspondence No. 1 on today’s agenda, concerning Realignment and the transfer of the supervision for lower-level criminal offenders and parolees from the State to counties, and noted that the State is providing funding for only 9 months. He gave an update regarding CSAC’s concerns about the impact of Realignment on counties, and in not having constitutionally protected funding. He suggested reading the 09/07/11 editorial in the LA Times regarding this issue.

The CEO reported that the State Legislature has adjourned their Regular Session, and that the Governor has until 10/09/2011 to sign or veto bills. He noted that President Obama has proposed the new American Jobs Act, which is expected to receive a lot of press and discussion over the next several weeks.

Adjourned at 10:27 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.)