

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

September 20, 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.

Reconvened at 6:30 p.m. for Regular Session

A presentation was made regarding 9/15 through 10/20/2011 as National Hispanic Month in Stanislaus County.

Cherise Babb spoke regarding the proposed wage reductions and the increased retirement and health insurance costs for County employees.

Ray Brockman, a County employee, voiced concerns about the proposed wage reductions and increased retirement and medical benefit costs.

Gabriel Miramontes spoke regarding the services provided by the Department of Child Support Services and proposed wage reductions for employees.

Angela Jameson voiced concerns about staffing reductions and proposed wage reductions for County employees.

Rebecca Harrington from the South Modesto MAC spoke regarding nuisances associated with a recycler in their neighborhood. Supervisor DeMartini stated that he will look into the permitted uses for this recycler, and will follow-up on this issue.

Cynthia Hujdic spoke regarding the difficulties faced by employees due to reduced staffing levels at CSA.

Wayne Davidson voiced concerns regarding AB 109 and the transfer of the supervision for lower-level criminal offenders and parolees from the State to our county.

Maize Avila voiced concerns regarding the reduction of County services due to the budget.

Chiesa/DeMartini unan. Adopted the consent calendar

*A1 Approved the minutes of 09/13/2011

- ***A2** Adopted and waived the second reading of Ordinance C.S. 1106 to continue redevelopment activities under the Alternative Voluntary Redevelopment Program
ORD-55-O-4 2011-538
- ***A3a** Proclaimed 09/15 through 10/20/2011 as National Hispanic Heritage Month 2011-539
- ***A3b** Proclaimed 09/25 through 10/01/2011 as Stanislaus County Diversity Awareness Week
2011-540
- ***A3c** Proclaimed October 2011 as Italian American Heritage Month 2011-541
- ***A3d** Proclaimed October 2011 as International Heritage Month 2011-542
- ***B1** Approved the closure of Stanislaus County libraries on various days in 2012 and 2013 per the list in the agenda item – Library 2011-543
- ***B2** Authorized the Sheriff to accept funding in the amount of \$73,273 for FY 2011/2012 from the California State Parks Off-Highway Motor Vehicle Recreation Division Grants and Cooperative Agreements Program to enhance emergency response and safety at Frank Raines Regional Park and La Grange Park in Stanislaus County; authorized the Sheriff to sign and administer the California State Parks Off-Highway Motor Vehicle Recreation Division Grants and Cooperative Agreements Program for the Project Performance Period from 07/08/2011 through 07/08/2012; and, directed the Auditor-Controller to increase appropriations and revenue in the amount of \$73,273 for FY 2011-2012 per the budget journal – Sheriff 2011-544
- ***B3** Approved the request from Escalon High School to have exclusive use of Woodward Reservoir areas designated for cross-country trails on Wednesday, 10/05/2011, beginning at 2:00 p.m. and ending no later than 7:00 p.m. for their Annual Cross Country Invitational; and, directed Escalon High School and its staff to adhere to the requirements set forth by the Department of Parks and Recreation – Parks and Recreation 2011-545
- ***B4** Authorized CSA to work with GSA to terminate the lease with the United Samaritans Foundation for the CSA Outstation located at 275 3rd Street in Turlock effective 120 Days after written notification – CSA 2011-546
- ***C1** Approved the purchase agreement to acquire road right-of-way for the Hatch Road at Santa Fe Avenue Intersection Improvement Project (Parcel Owner Don Hughes, Trustee of the trust under the will of Margaret Hughes, APN: 018-017-002); authorized the Chairman 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 \$8,042, payable to Chicago Title Company, for the purchase amount of \$6,542 and \$1,500 for estimated escrow and title insurance fees – PW
2011-547

O'Brien/Withrow unan. **6:35 p.m.** Closed the public review period for the FY 2010-2011 Consolidated Annual Performance Evaluation Report (CAPER) and conducted a public hearing; adopted the FY 2010-2011 CAPER and authorized staff to incorporate comments received prior to the close of the public comment period and during the public hearing in the final CAPER to be submitted to the Department of Housing and Urban Development (HUD) – Planning 2011-551

Withrow/Chiesa unan. **B5** Approved the Community Corrections Partnership Plan for Implementation of the 2011 Public Safety Realignment; authorized the Chief Probation Officer to sign all necessary documents related to the Public Safety Realignment, including all contracts; approved contracts listed in Attachment 1 of the agenda item where cumulative compensation paid exceeds \$100,000 or greater since 07/01/2009, and authorized the Chief Probation Officer and the Sheriff to sign the related contracts as detailed in Attachment 1; directed the Auditor-Controller to establish a new non-interest bearing Special Revenue fund for the Probation Department as a separate legal budget unit titled as Local Community

Corrections Budget and establish appropriations and estimated revenue as detailed in the Budget Journal; directed the Auditor-Controller to adjust each agency's FY 2011-2012 appropriations and estimated revenue as detailed in the Budget Journal forms; and, amended the Salary and Position Allocation Resolution to reflect the recommended changes outlined in the Staffing Impacts section, effective the first pay period following the Board of Supervisors' approval – Probation 2011-548

O'Brien/De Martini unan. **B6** Approved a conditional award of a construction contract, conditioned upon State approval to proceed with the construction of the Stanislaus County Juvenile Commitment Center Project, to Roebbelen Contracting, Inc. of El Dorado Hills, California, for the lump sum amount of \$14,983,000 for the Base Bid and Alternates 1, 2 and 3; approved the formal resolution as required by the State of California for submission of the conditional award of a construction contract in order to proceed with the construction of the Stanislaus County Juvenile Commitment Center Project; authorized the CEO to plan and conduct a public ground breaking ceremony to coincide with the commencement of construction; authorized the Project Manager to issue a Notice to Proceed upon receipt of proper insurance and bonds; authorized the Project Manager to negotiate and sign contracts and work authorizations necessary to manage the construction phase including construction management, professional services, and other project related expenses as necessary to manage the project as long as the costs are within the approved project budget as approved by the Board of Supervisors; directed the Auditor-Controller to establish the Project Budget and to increase appropriations and estimated revenue for this project as detailed in the Budget Journal form; and, relieved F&H Construction of its mathematical bid error and thus the forfeiture of its bid bond and approved the report prepared by County Staff in accordance with Public Contract Code §5101 and appended to this Agenda Item as Exhibit A and authorized the Project Manager to execute the report – CEO 2011-549

De Martini/Withrow (4-0)(O'Brien abstained) **E1** Introduced and waived the first reading of Ordinance C.S. 1107 repealing Title 25 of the Stanislaus County Code related to election campaign reform – County Counsel ORD-55-O-5 2011-550

Corr 1 Referred to the Department of Planning and Community Development and to the Department of Public Works, a notice from the California High-Speed Rail regarding the extension of the comment period to 10/13/2011 for the Draft EIR/EIS.

Corr 2 Referred to the Agricultural Commissioner and Sealer of Weights and Measures, and the Stanislaus Economic Development and Workforce Alliance, a letter from the California Emergency Management Agency regarding the U.S. Department of Agriculture granting of a Secretarial disaster designation for Stanislaus County as a contiguous county due to agriculture losses caused by unseasonable and excessive rain that occurred 05/01/2011, through 06/28/2011.

Corr 3 Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a letter from Silgan Containers Manufacturing regarding the temporary layoff of employees between the weeks of 11/27 through 12/26/2011, at 3250 Patterson Road in Riverbank (all employees are expected to be recalled in January 2012).

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: George Reichmuth; and, Jim Campbell.

Supervisor DeMartini reported that he attended the Modesto Planning Commission's meeting last night in which the annexation of the Shackelford area was approved by a unanimous vote. The next step for this annexation will be going before the Modesto City Council.

Supervisor O'Brien spoke regarding Correspondence 3 on today's agenda and clarified that it is regarding the temporary layoff of 183 employees, not 600 plus employees that were referred to in the newspaper.

CEO Robinson announced that the Board of Supervisors will be holding Special Meetings on 09/27/11 and 09/28/11 at 8:00 a.m. in the Basement Chambers Conference Room for Closed Sessions regarding Public Employee Appointment: Title: Chief Executive Officer. Government Code §54957(b).

Recessed to sit as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority at 8:55 p.m.

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

XI. *II-A Approved the minutes of 07/26/2011; 08/23/2011; and, 08/30/2011

Reconvened to sit as the Stanislaus County Board of Supervisors at 8:56 p.m.

Adjourned at 8:56 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.)