

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

Regular Session

Tuesday

January 10, 2012

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held for Sheriff's Department employee Mary Donahou.

De Martini/Withrow unan. Elected Supervisor William O'Brien as the Chairman and Supervisor Vito Chiesa as the Vice-Chairman of the Stanislaus County Board of Supervisors for 2012 2012-1

Chairman O'Brien introduced Monica Nino as the new Stanislaus County CEO.

Chairman O'Brien recognized Supervisor Monteith as the 2011 Chairman of the Board of Supervisors and presented him with a plaque from the Board.

Supervisor Monteith received his 5 year employee service award.

Dan Marsh spoke regarding the proposed closure of Patterson Vegetable Company (formerly Patterson Frozen Foods) that is listed as Correspondence No. 1 on today's agenda. He requested that the Board form a committee to see if this plant closure can be avoided. He also noted the impact of the closure on the County's social services.

John Rocha stated that he mailed his property tax payment before the deadline but that it was never received by the County. He voiced concerns regarding the penalty that has been imposed for late payment of taxes.

Chiesa/De Martini unan. Adopted the consent calendar after removing from consent item ***D1** Approval of the Finding that the City of Ceres Sphere of Influence Expansion for the West Landing Specific Plan is Logical and Orderly

***A1** Approved the minutes of 12/20/2011

***A2** Approved the 2012 Stanislaus County Board of Supervisors Committee Assignments

2012-2

***A3** Accepted the resignation of Richard Robinson and Mary Mendoza from the Stanislaus Economic Development and Workforce Alliance

2012-3

***A4a** Appointed Monica Nino and Eva Rios to the Stanislaus Economic Development and Workforce Alliance

2012-4

***A4b** Appointed John Morris to the El Solyo Water District Board of Directors

2012-5

***A5** Appointed in lieu of election James G. Creelius, Roy Johnson and Dan Terwilliger to the Sand Creek Flood Control District Board of Directors

2012-6

***A6a** Proclaimed 01/22-28/2012, as Family Services Specialist Recognition Week

2012-7

***A6b** Proclaimed January 2012 as Mentor Appreciation Month

2012-8

***B1** Approved modification by unanimous vote of the Orestimba Creek Flood Control District's required financial audit from a three-year audit to a five-year audit – Auditor-Controller

DFC-01-19 2012-9

- ***B2** Finds that the granting of an Industrial Refuse Collection Permit to P.D. Haul-Away, LLC, is in the public interest and welfare; and, authorized DER to grant an Industrial Refuse Collection Permit to P.D. Haul-Away, LLC – DER 2012-10
- ***B3** Accepted the Stanislaus County Treasury Pool’s November 2011 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 to sign on behalf of the Board of Supervisors that the report has been reviewed and accepted – T/TC 2012-11
- ***B4** Approved Contract Number 11-10499 with the California Department of Public Health for the Women, Infants, and Children (WIC) Supplemental Nutrition Program, from 10/01/2011 through 09/30/2012 and any amendments thereafter; and, authorized the HSA Managing Director, or her designee, to sign and execute the contract – HAS 2012-12
- ***B5** Authorized the Chairman to sign the Certification Statements for the Stanislaus County California Children’s Services (CCS) and Child Health and Disability Prevention (CHDP) Plans for 2011-2012 – HAS 2012-13
- ***B6** Approved the agreements between CSA and the California Statewide Automated Welfare System (SAWS) Consortium IV (C-IV) Joint Powers Authority for County purchases for the C-IV Contact Center Project; and, authorized the Director of CSA, or her Assistant Director designee, to finalize and sign the agreements and any amendments not to exceed the contract amount – CSA 2012-14

De Martini/Chiesa unan. ***D1** Approved the finding that the City of Ceres' proposed sphere of influence expansion is logical and orderly; and, directed the CEO to notify the Local Agency Formation Commission of the County's agreement with the expansion request – Planning C-2-C-2 2012-15

Withrow/Monteith unan. **B7** Accepted the DA’s report regarding the first year of misdemeanor diversion services provided by Pacific Educational Services from December 2010 through November 2011; and, authorized the DA to approve the continuation of the contract terms, including any modifications or amendments, with Pacific Educational Services for the misdemeanor diversion program – DA 2012-16

Monteith/Chiesa unan. **B8** Approved the Term Sheet to be used in the development of a new Service Agreement with Covanta Stanislaus, Inc.; authorized the Chairman to sign the Term Sheet; directed the CEO to negotiate a new Service Agreement with the City of Modesto and Covanta Stanislaus, Inc. consistent with the Term Sheet and return to the Board for final approval of the new Service Agreement; directed the CEO to negotiate an Amendment to the “Agreement between the City of Modesto and County of Stanislaus Relating to the Administration of Service Agreement for Supply and Acceptance of Solid Waste” with the City of Modesto regarding the disposition of the Resource Recovery Account and other operating procedure changes upon commencement of a new Service Agreement and return to the Board for final approval of the Amendment; and, authorized the CEO to enter into a contract with Sidley Austin LLP for legal services to develop a new Service Agreement in an amount not to exceed \$110,000 – CEO 2012-17

Chiesa/Withrow unan. **B9** Authorized Stanislaus County to serve as the Successor Agency to the Stanislaus County Redevelopment Agency; directed the CEO, County Counsel, Director of Planning and Community Development, and Auditor-Controller to take all steps necessary to serve as the Successor Agency staff pursuant to the Redevelopment Agency Dissolution Act (AB x1 26) and the California Supreme Court decision in the California Redevelopment Association v. Matosantos case issued on

December 29, 2011; and, directed the Clerk of the Board to forward a copy of this Board Resolution to the Auditor-Controller – Planning 2012-18

De Martini/Chiesa unan. **B10** Approved a resolution declaring that Stanislaus County elects not to become the Successor Agency for the Stanislaus-Ceres Redevelopment Commission and requests the City of Ceres take on that role; directed the Clerk of the Board to forward a copy of this Resolution to the Auditor-Controller by 01/13/2012 – Planning BD-62-11 2012-19

Corr 1 Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a letter from Patterson Vegetable Company, LLC regarding the permanent closure of their operations located at 100 W. Las Palmas Avenue in Patterson, CA on 02/20/2012.

Corr 2 Referred to the CSA, a letter from the California Department of Social Services regarding the elimination of the funding for fraud investigations and program integrity efforts related to the In-Home Supportive Services Programs.

Corr 3 Referred to the Department of Planning and Community Development, Agricultural Commissioner and Sealer of Weights and Measures, and the Fish and Wildlife Committee, a notice from the California Fish and Game Commission regarding the proposed emergency regulatory action relating to incidental take of the Black-Backed Woodpecker.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Michele Petersen; Debra L. Harper; Amelia Acosta on behalf of James Britt; and, Rosa Ocegueda.

Supervisor De Martini spoke regarding the proposed closure of the Patterson Vegetable Company, LLC and hopes that something can be worked out with the unions to keep this company in business. He pointed out that there will be a ripple effect if this company goes out of business. He noted that the State of California is ending the fraud investigations for IHSS. He spoke regarding the need for the IHSS Fraud Unit, and that the Fraud Unit more than pays for itself.

Supervisor Withrow reported that today the MID Board of Directors is discussing the possible transfer of water to San Francisco. He requested that County staff bring this matter before the Board.

Supervisor Chiesa gave a report regarding the CSAC special meeting last week concerning the initiative to constitutionally protect money for counties for realignment. He also spoke regarding the State's elimination of the IHSS Fraud Unit and expressed the need for this program. He noted that the savings from this program far outweighs the cost.

CEO Nino reported that last week the Governor presented his Proposed Budget for 2012-2013 which assumes a \$9.2 billion deficit, over \$4.2 billion in cuts, \$4.6 billion in tax increases, and \$1.4 billion in one-time solutions (primarily in the restructuring of Medi-Cal). The proposed cuts are primarily in our Community Services Agency, and staff is currently determining what the direct impacts will be to our local community. The proposed tax increases would be placed on the November 2012 ballot. In the event that the tax increases are not passed by the voters, there are a number of triggers that would become effective as of January 1, 2013 which are focused on reductions in education. She will keep the Board updated regarding the impacts of the Governor's Proposed Budget on our community.

Supervisor Chiesa requested that those County Departments affected by the proposed State Budget cuts present the impacts of these reductions at future Board meetings.

Adjourned to closed session at 11:15 a.m. for Conference with Legal Counsel - Existing Litigation: One Case: Del Camara v. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 631147. Government Code §54956.9 (a).

Adjourned at 12:05 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.)