

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

February 28, 2012

CEO Nino introduced Warren Kirk, the new CEO of Doctors Medical Center.

Frank Johnson, representing the Local Branch of the NAACP, thanked Warren Kirk for his support of the local community.

The Stanislaus County Superintendent of Schools Tom Changnon gave an update on the “Choose Civility” program.

Frank Johnson from the NAACP noted that February is Black History Month and requested that the County proclaim February as Black History Month in the future. He also spoke regarding the importance of health care in the community, and reported that the NAACP now has a free health clinic for its members with support from local providers and businesses.

Mike Loza, Regional Coordinator for the UDW Union, spoke regarding the importance of homecare, and the importance of State funding for this program. He noted that there are over 4,400 homecare consumers in this County.

Daniel Padilla voiced concerns regarding item \*B6 on today’s agenda concerning the reorganization of the BOS Division.

Monteith/Chiesa unan. Adopted the consent calendar

- \*A1 Approved the minutes of 02/14/2012
- \*A2 Accepted the resignation of Nick C. Blom from the Woodland Avenue Fire Protection District Board of Directors 2012-70
- \*A3 Accepted the City of Riverbank’s appointment of Michelle Guzman to the Stanislaus Consolidated Fire Protection District Board of Directors 2012-71
- \*A4a Commended Alan Autrand upon his retirement from the Stanislaus County GSA 2012-72
- \*A4b Commended the McHenry Museum upon the 100<sup>th</sup> year anniversary of the Museum Building, the former McHenry Library 2012-73
- \*A5a Proclaimed March 2012 as Social Worker Recognition Month 2012-74
- \*A5b Proclaimed March 2012 as Irish-American Heritage Month 2012-75
- \*B1 Approved the Registrar of Voters to receive and spend Federal Help America Vote Act of 2002 Section 261 Grant funds for polling place accessibility, surveying, purchasing equipment and training; approved the Registrar of Voters to expend funds and seek reimbursement from the Help America Vote Act of 2002 Section 261 Grant; approved the Registrar of Voters to negotiate and execute all corresponding contracts with the California Secretary of State; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$20,000 per the budget journal form – Clerk Recorder 2012-76

- \*B2 Authorized the Director of DER to apply for, accept, and enter into a Heavy Duty Engine Program Grant Agreement with the San Joaquin Valley Air Pollution Control District for \$320,549.19 for fiscal years 2011-2012 and 2012-2013; authorized the Director of Environmental Resources to approve and sign any amendments to the Heavy Duty Engine Program Grant Agreement with the San Joaquin Valley Air Pollution Control District for fiscal years 2011-2012 and 2012-2013; authorized the Director of Parks and Recreation to apply for, accept, and enter into a Heavy Duty Engine Program Grant Agreement with the San Joaquin Valley Air Pollution Control District for \$113,295.66 for fiscal years 2011-2012 and 2012-2013; and, authorized the Director of Parks and Recreation to approve and sign any amendments to the Heavy Duty Engine Program Grant Agreement with the San Joaquin Valley Air Pollution Control District for fiscal years 2011-2012 and 2012-2013 – DER 2012-77
- \*B3 Authorized the Director of Parks and Recreation to enter into an agreement with the Yahi Bowman Archery Club for the purpose of using and maintaining the field archery range at Modesto Reservoir; and, authorized the waiving the daily entrance fee to Modesto Reservoir for participants of up to at least two youth archery activity events, up to three public archery tournaments, and up to ten Saturday shoots conducted by the Yahi Bowman Archery Club pursuant to paragraphs 1.1.1 and 3.3 of the agreement – Parks and Recreation 2012-78
- \*B4 Introduced and waived the first reading of Ordinance C.S. 1113 amending provisions of Stanislaus County Code Title 18, Chapter 6.010, related to Parks and Recreation Organized Competitions – Parks and Recreation ORD-55-P-1 2012-79
- \*B5 Accepted the Stanislaus County Treasury Pool’s January 2012 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 2012-80
- \*B6 Approved the reorganization of the Stanislaus County Board of Supervisor’s Field Representatives effective 02/29/2012 – CEO 2012-81
- \*C1 Adopted the Plans and Specifications for the Las Palmas Avenue at Elm Avenue and Las Palmas Avenue at Sycamore Avenue Intersection Projects; directed the Department of Public Works to set the bid opening date and time; and, directed the Public Works Department Staff to mail the notice inviting bids to trade journals as required by law – PW 2012-82
- \*C2 Authorized the Director of Public Works to apply for and accept, if awarded, the San Joaquin Valley Air Pollution Control District (SJVAPCD) Public Benefit Grant for the purchase of five alternative fuel vehicles on behalf of the Departments of Public Works, Environmental Resources and Parks and Recreation; and, adopted a Resolution authorizing the Director of Public Works to prepare and submit the application and sign all applicable documents with the San Joaquin Valley Air Pollution Control District – PW 2012-83
- \*C3 Approved the Consent by Stanislaus County to allow right-of-way acquisition by the City of Modesto for the Pelandale Interchange Project; and, authorized the Director of Public Works to sign the Consent by Stanislaus County to allow right-of-way acquisition by the City of Modesto – PW 2012-84
- \*C4 Authorized the Director of Public Works to apply for and accept, if awarded, a Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant, TIGER IV, from the United States Department of Transportation (DOT) to partially fund the Claribel Road Widening (from Oakdale Road to McHenry Avenue) Project; and, adopted a Resolution authorizing the Director of Public Works to submit the application for the

TIGER IV Discretionary Grant and sign all necessary documents related to the grant,  
including all contracts – PW 2012-85

Chiesa/Withrow unan. **B7** Accepted the County Volunteer Program Annual Report for Calendar Year  
2011 – CEO 2012-86

Withrow/De Martini unan. **B8** Authorized CSA to continue fraud investigations and program integrity  
efforts for the In-Home Supportive Services Program in Fiscal Year 2011-2012 with Federal and County  
funding as implemented with the December 2011 State Budget trigger action; approved an increase in  
appropriations and estimated revenue of \$30,399 funded from the CEO – Mandated Match contingency  
account as recommended by a 4/5 Vote of the Board of Supervisors; and, directed the Auditor-Controller  
to make the necessary budget adjustments for Fiscal Year 2011-2012 as detailed in the Budget Journal  
form – CSA 2012-87

**Corr 1** Referred to the Auditor-Controller, a copy of the Stanislaus Consolidated Fire Protection  
District's Financial Statements and Independent Auditor's Report 06/30/2011.

**Corr 2** Referred to the Fish and Wildlife Committee, a letter from the California Fish and Game  
Commission regarding the listing of the southern mountain yellow-legged frog as an endangered species  
and the Sierra Nevada yellow-legged frog as a threatened species.

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the  
following claims: DTG Operations Inc.; State Farm Mutual and Paul Sharp; Monica Copeland; and,  
Shelia Johnson.

The CEO gave an update regarding the reallocation of AB 109 (public safety realignment), and noted that  
Stanislaus County received approximately \$6 million for a 9-month allocation in the current fiscal year.  
However, the number of transfers from the State to both Probation and the County's detention facilities  
are greater than original projections. CSAC's Working Group is closely reevaluating Year 2, and is  
proposing that counties receive no less than double the 2011 allocation. She noted that at the Senate  
Budget Committee hearing in August 2011, there was conflict between some counties regarding the  
allocation. This will have a great impact to the County's General Fund as these funds are allocated to the  
Sheriff and Probation Departments. She reported that two bills have been introduced regarding  
redevelopment (SB 1151 and SB 1156), in which the State would consider investing in redevelopment  
utilizing their PERS and STRS investments. On 02/23/2012, CSAC voted to support the Governor's  
proposed tax increase, along with the constitutional protections for counties initiatives. Last week a new  
field poll suggested that the "Millionaire's Tax", sponsored by the California Federation of Teachers, may  
have some support. On the Federal side, both the House and the Senate are currently in session. There  
have been a number of briefings concerning transportation within our County and our local  
representatives. The current federal transportation policy expires on 03/31/2012. She noted that  
Chairman O'Brien, Supervisor Chiesa, Public Works Director Matt Machado, and David Jones, Director  
of Legislative Affairs attended the briefing for Congressman Cardoza on transportation and bridge  
projects. Another briefing took place with Congressman Cardoza, attended by David Jones and HSA  
Managing Director Mary Ann Lee, regarding the \$23.5 million CMS Health Care Initiative Grant.

Supervisor Chiesa commented on AB 109 and reported that 60% of the original allocations were derived  
by case load, and stated that this is what needs to continue and not to base the allocations on population.  
He noted that the Central Valley counties are at a disadvantage. He will continue to work with CSAC to  
make sure we get the best deal possible.

Adjourned to closed session at 10:30 a.m. for Conference with Legal Counsel - Existing Litigation: One Case: County of Stanislaus v. City of Modesto, et al, Stanislaus County Superior Court Case No. 667396. Government Code Section 54956.9 (a).

Adjourned at 11:27 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.)