

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

July 24, 2012

The Board presented the August 2012 as Child Support Awareness Month proclamation to Tamara Thomas, Interim Director of Child Support Services.

Donna Minighini spoke regarding the Del Rio Lago development and requested that the Del Rio community be involved in the process.

Chiesa/De Martini unan. Adopted the consent calendar after removing from consent item ***B8** Approval of the Agreement for the Sheriff to Purchase Two Canines from the Stanislaus Sheriff's K9 Association

- *A1** Approved the minutes of 07/17/2012
- *A2** Accepted the resignation of Jim Theis, James Ridenour, Kimball Dreiling, and Jan Ennenga from the Stanislaus Economic Development Workforce Alliance Board 2012-375
- *A3** Amended the term ending dates for Ross Briles, James Brenda, Martin Fox, Bradley Hawn, William O'Brien, Michael Frantz and Clinton Mort on the Stanislaus Economic Development and Workforce Alliance 2012-376
- *A4** Appointed Doug Johnson, Ron Jackson, Paul Harmon, Garrad Marsh and Jim Mortensen to the Stanislaus Economic Development Workforce Alliance Board 2012-377
- *A5** Accepted the appointment of Ron Richardson to the Denair Community Services District Board of Directors 2012-378
- *B1** Approved Agreement 11-73050-000 with the State Department of Mental Health and California Department of Health Care Services for the provision of mental health services for the period beginning 04/01/2012 through 12/31/2012; authorized the BHRS Director, or her designee, to sign the Agreement; and, authorized the BHRS Director to sign the amendments to the Agreement throughout the term of the Agreement – BHRS 2012-379
- *B2** Accepted the Stanislaus County Treasury Pool's June 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 has been 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 2012-380
- *B3** Approved the assignment and transfer of County's rights, titles and interests in the Agreement for Professional Services with Sidles Duncan & Associates Insurance Services, Inc. to HUB International Insurance Services Inc.; and, authorized the County's Risk Manager to sign the Consent to Assignment document – Risk Management 2012-381
- *B4** Approved the CEO-OES to apply for funds available through FY 2012 Homeland Security Grant Program; adopted the Governing Body Resolution authorizing participation in the 2012 Homeland Security Grant Program; and, authorized the Chairman to sign the Governing Body Resolution – OES 2012-382
- *B5** Adopted a resolution for the District Attorney's Office to establish a records retention schedule – DA 2012-383

- *B6 Approved the list of Independent Contractor Agreements between the Stanislaus County HSA and various contractors for FYs 2011-2012 and 2012-2013; authorized the HSA Managing Director, or her designee, to sign the agreements; and, authorized the HSA Managing Director, or her designee or successor, to negotiate and sign individual amendments to the agreements, not to exceed \$75,000 per agreement – HSA C-2-C-3 2012-384
- *B7 Authorized the CEO to sign an agreement between the City of Ceres and Stanislaus County for Crime Analyst Services – Sheriff 2012-385
- *B9 Authorized the Project Manager to update the budget for the State Board of Community Corrections/California Department of Corrections and Rehabilitation AB 900 Phase II \$80 Million Jail Construction Financing Program for the Design Build Project of the Public Safety Center Expansion and related matters – CEO 2012-386
- *C1 Approved utility agreements with Modesto Irrigation District (M.I.D.), Pacific Telephone and Telegraph Company (PT&T) (also known as AT&T), Charter Communications, and Pacific Gas & Electric (PG&E) for the SR99/SR219 (Kiernan Avenue) Interchange Project; authorized the Director of Public Works to execute the utility agreements; and, authorized the Director of Public Works to execute a future utility agreement with the City of Modesto – PW C-6-J-5 2012-387
- *C2 Approved a resolution to levy FY 2012-2013 benefit assessment rates for the following Lighting Districts: Airport Neighborhood, Almond Wood, Beard Industrial, Country Club-Zone A, Country Club-Zone B, Crows Landing, Deo Gloria, Denair, Empire, Fairview, Gibbs Ranch, Gilbert Road, Golden State, Hillcrest, Kenwood Park, Mancini Park Homes, Marshall, Monterey, North Oaks, North McHenry, North McHenry #2, Olympic, Peach Blossom, Richland, Salida, Schwartz Baize, Sunset Oaks, Sylvan Village, and Tempo Park; and, authorized the Auditor-Controller to add the assessments to the 2012-2013 tax roll – PW 2012-388
- *C3 Adopted a resolution for the installation of two stop signs on both approaches of the Lone Tree Road and Victory Lane intersection to create an All-Way Stop Sign Control – PW 2012-389
- *C4 Adopted the results of the Assessment Ballot Procedure that proposed the annexation of territory into the Denair Highway Lighting District: (Area 1: Supporting votes: 30; Protest votes: 6; and Incomplete Ballots: 0); (Area 2: Supporting votes: 7; Protest votes: 6; and Incomplete Ballots: 1); (Area 3: Supporting votes: 1; Protest votes: 1; and Incomplete Ballots: 0); declared that a simple majority of the assessment ballots received for areas 1, 2, and 3 did not protest the proposed annexation into the Denair Highway Lighting District and the levy of an annual assessment; finds that the territory to be annexed is not within the boundary of any other lighting district; ordered the annexation of the areas 1, 2, & 3 into the Denair Highway Lighting District, and confirm the boundary of the annexed areas as described in Attachment “B”; approved the amount of the annual assessment and finds it necessary to adequately cover expenditures and ensure sufficient revenues for continued operations and maintenance of the Denair Highway Lighting District; set the FY 2012-2013 annual assessments at \$33.89 per parcel; the parcels subject to the annual assessment are listed in Attachment “C”; authorized the Auditor-Controller to add the annual assessment to the 2012-2013 Tax Roll; and, directed the Department of Public Works to send a certified copy of the resolution ordering the annexation and all other required documents, along with the processing fee to the State Board of Equalization – PW DL-2-A-9 2012-390
- *D1 Set a public hearing on 08/28/2012, at 9:05 a.m., to consider the Planning Commission's recommendation for approval of General Plan Amendment No. 2009-04, Housing Element Update; and, authorized the Clerk of the Board to publish notice of hearing as required by law – Planning 2012-391

***D2** Set a public hearing for 08/28/2012, at 9:10 a.m., to consider the Planning Commission's recommendation for denial of a three-part application requesting to make the following modifications to a 4.31 acre parcel located at the southwest corner of Country Club Drive and Avenida Del Rio, in the Del Rio Community area (APN: 004-059-044): 1) amend the General Plan designation from LDR (Low Density Residential) to P-D (Planned Development) and the Del Rio Community Plan (part of the General Plan) residential unit density allowance from 2 to 4.5 units per acre; 2) amend the zoning designation from R-A (Rural Residential) to P-D (Planned Development); and, 3) subdivide into a gated development of 18 condominiums and a common area parcel; and, authorized the Clerk of the Board to publish notice of hearing as required by law – Planning
ORD-55-P-8 2012-392

Withrow/Monteith unan. ***B8** Authorized the Sheriff to enter into and sign agreements to purchase two canines from the Stanislaus Sheriff's K-9 Association for \$1.00 each – Sheriff 2012-393

Monteith/Chiesa unan. **9:05 am** Finds that the notice of public hearing was published in compliance with Section 6066 of the Government Code; conducted a public hearing to receive comments regarding the FY 2012-2013 annual assessments; set the FY 2012-2013 annual assessments as shown on Exhibit "A" of the agenda item for the various County Service Areas (CSA), Landscape Assessment District (LAD) and Landscape and Lighting Districts (LLD); made the Engineer's Reports a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessments to the 2012-2013 Tax Roll – PW
2012-397

Monteith/Withrow unan. **9:10 am** Opened the public hearing that was continued from 06/26/2012 regarding the adoption of a resolution approving the Reversion to Acreage of the Del Rio Lago Subdivision Final Map as shown in Book 43 of Maps, at Page 85, Stanislaus County Records; and, **continued the public hearing to 08/21/12, at 6:45 p.m.** – Public Works 2012-398

Recessed to sit as the Stanislaus County Capital Improvements Financing Authority (CIFA) Special Meeting at 9:25 a.m.

De Martini/Chiesa unan. **9:15 a.m.** Approved the consent calendar (Those items marked with an *)
9:15 a.m *II-A Appointed William O'Brien as the Chairman and Vito Chiesa as the Vice-Chairman of Stanislaus County CIFA 2012-399
9:15 a.m *II-B Approved the minutes of 10/05/2010
9:15 a.m *II-C Approved the resolution establishing regularly scheduled meeting calendar for FY 2012-2013 for CIFA on the following dates: 07/24/2012 and 11/13/2012 2012-400

Adjourned the CIFA Special Meeting and Convened the CIFA Regular Meeting at 9:26 a.m.

Monteith/Withrow unan. **9:20 a.m. II-A** Approved a resolution to refinance the Series A of 1998 Certificates of Participation through a private placement financing with the Bank of the West, which includes: a) the form of the Amended and Restated Facilities Lease/Purchase Agreement between the City-County Capital Improvements Financing Agency and the Stanislaus County Capital Improvements Financing Authority; b) the form of the Facilities Sublease with the Bank of the West; c) the form of the Assignment Agreement by and between Stanislaus County Capital Improvements Financing Authority and Bank of the West; d) authorized the Chairman of the Board and Secretary of the Authority to execute, acknowledge and deliver any and all documents required for the refinancing; and e) authorized the Chairman, Secretary and other officers of the Authority, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary and advisable to complete the refinancing – CEO 2012-401

Reconvened to sit as the Stanislaus County Board of Supervisors at 9:39a.m.

Withdraw/Chiesa unan. **B10** Approved a resolution to refinance the Series A of 1998 Certificates of Participation through a private placement financing with the Bank of the West, which includes: a) the form of the Amended and Restated Facilities Lease/Purchase Agreement between the City-County Capital Improvements Financing Agency and the Stanislaus County Capital Improvements Financing Authority; b) the form of the Facilities Sublease with the Bank of the West; c) the form of the Assignment Agreement by and between Stanislaus County Capital Improvements Financing Authority and Bank of the West; d) supplemental Agreement between County of Stanislaus and Bank of the West; e) authorized the Chairman of the Board and Secretary of the Authority to execute, acknowledge and deliver any and all documents required for the refinancing; f) authorized the Chairman, Secretary and other officers of the Authority, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary and advisable to complete the refinancing; and, authorized the CEO to negotiate and execute all necessary agreement and all other documents to complete the refinancing – CEO 2012-394

Chiesa/Withdraw unan. **B11** Approved the Community Corrections Partnership Plan for Phase 2 Implementation of the 2011 Public Safety Realignment; authorized the Chief Probation Officer to sign all necessary documents related to the 2011 Public Safety Realignment, including all contracts; authorized the Chief Probation Officer and Sheriff to sign all contracts related to the Community Corrections Plan for FY 2012-2013; and, amended the Salary and Position Allocation Resolution to reflect the recommended changes per the Staffing Impacts reported in the agenda item, effective the first pay period following the Board of Supervisors' approval – Probation 2012-395

Chiesa/Monteith unan. **C5** Approved entering into negotiations with the cities of Oakdale and Riverbank for StaRT to provide transit services to those communities previously served by ROTA – PW C-1B-3 & C-7-B-5 2012-396

Corr 1 Referred to the Public Works, a notice from CalTrans regarding a public hearing for the State Route 99/Hammett Road Interchange Replacement Project on Tuesday, 07/31/2012.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Geraldo Orozco, Father of Minor Geraldo Orozco; Beadriz Ramirez, Step-Mother of Minor, Geraldo Orozco; Silvia Ruiz; Farmers Insurance for Hardeep Rai; Noble Carpenter, Geraldo Orozco; and, Ron Shimon.

The CEO noted that the State legislature is in recess. She reported that at the Federal level, the Joint Committee on Taxation released new information showing that both parties are struggling over \$51 billion in tax policy for the next fiscal year. This is the difference between the parties' plans for temporary extensions of the Bush tax cuts. She noted that our Federal lobbyists have had conversations with the House and Senate staff regarding agricultural interests, but they anticipate no action until after the election. The County legislative lobbyists have heard that House Republicans are moving forward on an idea to compromise on a continuing resolution for current spending, which would delay discussion until after the election.

Adjourned at 10:31 a.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus

State of California

BY: Elizabeth 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.)