

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

Regular Session

Tuesday

October 16, 2012

All Supervisors Present

Pledge of Allegiance to the Flag

Hallie Robinson reported that on 04/06/2012 a neighbor trapped her cat and dumped him at the Thousand Oaks Business Park. She filed a complaint with Animal Control and it was referred to the DA. She stated that the DA rejected the case due to lack of staff and evidence. She asked that this neighbor be arrested and prosecuted. She also asked for a formal written response.

Heather Sisk spoke regarding her autism therapy cat. On 05/05/2012, this cat was trapped and then abandoned by her neighbor. She asked the Board to use their influence to have the law enforced in this case. She also asked for a formal written response to their petition.

Karen Mosser voiced her concerns that no charges were brought against the two men that have admitted to dumping cats. She noted that dumping cats only adds to the cat overpopulation, and quoted Stanislaus County Code section 7.44 regarding the unlawful dumping of animals. She also noted that today is National Feral Cat Day.

Lynn Abid spoke regarding the trapping and dumping of cats, and she wants the men arrested and prosecuted for these crimes. She noted 71% of cats that go into shelters never leave and that feral cats are rarely adopted.

Allyson Sikova shared what happened to their cat Woody who was trapped and abandoned by a neighbor.

Patti Griffith also spoke regarding the dumping of cats by these two men and noted that it is a crime. She asked that the County address this.

Susan Robinson noted that cat dumping is a crime and she quoted portions of California Penal Code section 597 regarding animal abandonment. She wants these two cases prosecuted.

Wendy Miller spoke regarding the problem of dumping cats. She voiced concerns that these cases are not being prosecuted. She asked that the law be enforced.

CEO Nino stated that the County will provide a response from the Board of Supervisors. She noted that the County is one of six agencies that make up the Stanislaus Animal Services Agency, and that she will follow-up with the Animal Services Executive Director.

Monteith/Withrow unan. Adopted the consent calendar

*A1 Approved the minutes of 10/02/2012

*A2 Adopted the amendments for the Conflict of Interest Codes for the Salida Sanitary District, the Children and Families Commission, the Stanislaus Animal Services Agency and the Del Puerto Health Care District 2012-513

*A3 Proclaimed November 2012 as Adoption and Permanency Awareness Month 2012-514

- *A4a Appointed Michael Renfrow to the Local Task Force on Solid Waste Management as the City of Oakdale representative 2012-515
- *A4b Appointed Supervisor Chiesa as the Primary Member and Supervisor De Martini as the Alternate Member to the 2012-13 California State Association of Counties Board of Directors 2012-516
- *A5a Accepted the resignation of Karen Kilbert and Dotty Nygard from the Commission on Aging 2012-517
- *A5b Accepted the resignation of Brenda Suarez from the Advisory Board on Substance Abuse Programs 2012-518
- *B1 Approved formally suspending the Stanislaus County Economic Development Bank until further notice; established a procedure for granting loan repayment modification terms for previously funded projects based on past performance, nature of request, timeliness of repayment and the application of an annual interest charge equal to the County Treasury rate, or at a minimum 1%, on the remaining loan balance; authorized the CEO, or her designee, to sign amendments to the executed project funding agreements consistent with the newly established procedure – CEO 2012-519
- *B2 Approved the Stanislaus County Cloud Computing Policy – SBT 2012-520
- *B3 Accepted the status report of emergency repair to the elevator located on the Health Services Agency Campus at 830 Scenic Drive, Modesto in accordance with Public Contract Code Section 22050 – GSA 2012-521
- *B4 Approved a resolution of intent to participate in the Great California ShakeOut annual statewide earthquake drill and work toward becoming a safer community – OES 2012-522
- *C1 Approved the purchase agreement to acquire road right-of-way for the State Route 99/State Route 219 (Kiernan Avenue) Interchange Project, parcel owners Amarjit and Rupinder Dhaliwal, APN: 135-045-038; authorized the Chairman of the Board to execute the agreement; authorized the Director of Public Works to sign the Certificate of Acceptance and cause to record the Grant Deed on behalf of Stanislaus County as authorized by Board Resolution dated March 8, 2011 and Government Code 27281; and, directed the Auditor-Controller to issue a warrant in the total amount of \$17,400 payable to First American Title Company, for the purchase amount of \$15,400 and \$2,000 for estimated escrow fees and title insurance – PW 2012-523
- *C2 Pursuant to Street and Highway Codes 8334(a), 8335, and 8340, the Board finds based on the reasons stated in this report, that the portion of Marquette Lane lying west of Gold Run Drive, described herein, is not required for street and highway purposes; finds there are no in-place public utility facilities in this portion of undeveloped Marquette Lane; released the current adjacent property owners from the Street Improvement Agreements dated December 29, 1993; retained a 30 foot emergency access easement for the benefit of the Stanislaus Consolidated Fire Protection District (SCFPD) centered on the existing centerline of Marquette Lane as shown in Exhibit “C”; retained the easterly 15 feet as a Public Utility and Drainage easement for the benefit of Stanislaus County; adopted the resolution vacating that portion of Marquette Lane lying on the west side of Gold Run Drive as described in Exhibit “A” and “B”; and, directed the Clerk of the Board to record a certified copy of the resolution in accordance with Street and Highway Code Section 8336 – PW 2012-524

Corr 1 Referred to the Area Agency on Aging/Veteran Services, a letter regarding the administration of the senior meals program in the community of the City of Patterson.

Corr 2 Referred to the Agricultural Commissioner and Sealer of Weights and Measures, a notice from the California Fish and Game Commission regarding a petition to list the northern spotted owl as a threatened or endangered species.

Corr 3 Referred to the Stanislaus Economic and Workforce Alliance and Alliance WorkNet, a letter from Hostess Brands regarding the Company's ongoing bankruptcy proceedings and the potential of a Workers Adjustment and Retraining Notification Act notice.

Corr 4 Acknowledged receipt of the Stanislaus County Law Library Annual Report for Fiscal Year ending on June 30, 2012.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Cassandra Epton; David Schaffer-Ruble; Kathryn Stewart; Eva Martins; and, Amadora Martinez.

Supervisor Withrow reported that he spent time at Fleet Services on Friday. He noted that the County has approximately 900 vehicles. Fleet Services has six mechanics, one administrative assistant, and the Fleet Services Manager. Fleet Services does the repairs for all of the County cars, and outfits vehicles for public safety. Currently each Department has a vehicle replacement policy in place, and each request for a new vehicle is reviewed by the Fleet Services Manager who makes a recommendation. He stated that there are systems in place to ensure that vehicles are replaced appropriately.

Chairman O'Brien requested that the County look at creating a more in depth and centralized vehicle program for the County Fleet.

The CEO reported that the State legislature is currently in recess. She noted that over 125,000 Absentee ballots were mailed out in Stanislaus County on 10/10/2012, and vote by mail ballots will be sent out as voters request them until 10/30/2012. CSAC has identified two propositions as having impacts on Counties – Propositions 30 and 31. Proposition 30 would increase sales tax by one-quarter cent for every dollar for four years. It would also increase personal income taxes on upper-income taxpayers for seven years. The initiative is anticipated to raise \$6 billion in additional revenue annually through 2016-2017 with smaller amounts in 2017-2018 and 2018-2019. The initiative contains constitutional protections for the 2011 public safety realignment revenue for Counties. The Governor has committed to full funding for public safety realignment and counties have pushed for constitutional protections of the funding. Recently the California Business Roundtable poll on Proposition 30 has it at 49.5% favorable. The initiative needs more than 50% of the votes to be approved. Proposition 31 would enact elements including a two-year state budget cycle and a prohibition on the legislature from "creating expenditures of more than \$25 million unless offsetting revenues or spending cuts are identified." The initiative would also permit the Governor to unilaterally cut the budget during declared fiscal emergencies if the legislature fails to act. This initiative is on the ballot as a combined constitutional amendment and state statute. It is currently polling at just over 37%. This proposition also requires more than 50% of the votes to be approved. She also reported that the State Controller released their monthly cash balances as of September 2012, showing that total revenues were \$162.5 million below projections contained in the 2012-13 State budget. Expenditures are over estimated to date by \$1.2 billion. Personal income taxes in the month of September rose \$112.3 million above projections, while sales taxes were \$87.5 million below projections. Corporate taxes were also down for the month, coming in \$74.8 million below projections. At the federal level, Congress has recessed until after 11/12/2012.

Adjourned at 7:06 p.m.

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

BY: CHRISTINE FERRARO TALLMAN, 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.)