

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

Regular Session

Tuesday

February 26, 2013

All Supervisors Present

Pledge of Allegiance to the Flag

Employee Service Award for thirty-five years of service was presented to Stanislaus County Alliance WorkNet employee Cynthia Shaw.

A commendation was presented to Gary Caseri, Stanislaus County Agricultural Commissioner and Sealer of Weights and Measures, upon his retirement from County service.

O'Brien/Withrow unan. Adopted the consent calendar after removing from consent item ***B9** Approval to Adopt a Resolution Initiating a Seventh Expansion of the Stanislaus Enterprise Zone by Approximately 263.42 Acres in the Unincorporated Area and Authorization to Submit a Zone Expansion Application Request to the State of California

- *A1 Approved the minutes of 02/12/2013
- *A2 Adopted and waived the second reading of Ordinance C.S. 1126 amending Stanislaus County Code Section 11.08.020 Red Curb Marking - Streets Designated to add a no parking zone on Shoemake Avenue in the Modesto area – PW ORD-55-Q-5 2013-69
- *A3 Amended the 2013 Meeting Calendar for the Stanislaus County Board of Supervisors to cancel the meetings on 06/04/2013 and 10/08/2013 and to hold meetings on 08/06/2013 and on 10/15/2013 2013-70
- *A4 Appointed Adam Christianson, Keith Boggs and Keimi Espinoza to the Earl Pride Scholarship Committee 2013-71
- *A5 Declared Seat 2 on the Earl Pride Scholarship Committee as vacant 2013-72
- *A6 Adopted amendments to the Conflict of Interest Codes for the Hart Ransom Union School District; Riverbank Unified School District; and, West Stanislaus County Fire Protection District 2013-73
- *A7 Proclaimed March 2013 as Social Worker Recognition Month in Stanislaus County 2013-74
- *B1 Approved amendments to agreements with various providers of care for adults with serious mental illness in need of an institution for mental disease through the end of FY 2012-2013 that exceed previously granted authority; and, authorized the BHRS Director, or her designee, to sign the amendments with various providers of care for adults with serious mental illness for FY 2012-2013 – BHRS 2013-75
- *B2 Authorized the BHRS Director, or her designee, to negotiate an agreement with the Center for Human Services, the successful respondent to the RFP No. 12-50-SS, for the provision of Outpatient and School Based Behavioral Services to 31 school sites in Stanislaus County – BHRS 2013-76
- *B3 Approved the amendment to the agreement with Telecare Corporation to provide services to adults with serious mental illness through the end of FY 2012-2013; authorized the BHRS Director, or her designee, to sign the amendment with Telecare Corporation; and, authorized the BHRS Director, or her designee, to negotiate and sign amendments to this agreement to add services and payment for services up to \$75,000, budget permitting, throughout FY 2012-2013 – BHRS 2013-77

- ***B4** Authorized the DER to collect the new State surcharge of \$35, on behalf of the State of California, for the Certified Unified Program Agency General Oversight, as required in Section 25404 of the California Health and Safety Code; and, authorized the County to transmit the surcharge annually to the California Environmental Protection Agency – DER
2013-78
- ***B5** Accepted the status report of the 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
2013-79
- ***B6** Approved an amendment to the agreement with ARC Catering and Specialties, Howard Training Center to extend the contract expiration date to 12/31/2013; and, authorized the Chief Probation Officer to sign the contract amendment – Probation
2013-80
- ***B7** Approved the revised Cooperative Agreement between the Stanislaus County Sheriff’s Department and Modesto City Schools to provide vocational rehabilitation opportunities to incarcerated inmates and work release participants; and, authorized the Sheriff, or his designee, to sign the revised cooperative agreement with Modesto City Schools – Sheriff
2013-81
- ***B8** Accepted the Stanislaus County Treasury Pool’s January 2013 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 that the report has been reviewed and accepted – T/TC
2013-82

De Martini/O’Brien (4-0)(Withrow abstained) ***B9** Approved adopting a resolution initiating a seventh expansion of the Stanislaus Enterprise Zone by approximately 263.42 acres in the unincorporated area of Stanislaus County; and, authorized staff to prepare and submit a zone expansion application request to the State of California Department of Housing and Community Development (HCD) – CEO 2013-83

Withrow/Monteith unan. **B10** Approved the recommended actions necessary to complete and occupy the new Juvenile Commitment Facility constructed pursuant to SB 81; approved the Probation Department Transition Plan for the newly constructed Juvenile Commitment Facility located at 2215 Blue Gum Avenue, Modesto; amended the Salary and Position Allocation Resolution on the effective dates as shown in the Staffing Impact section of the agenda item; directed the Auditor-Controller to establish a new operating budget for the Probation Department for operation of the Juvenile Commitment Facility funded by a transfer of Juvenile Hall funds, Youthful Offender Block Grant (YOBG) and Juvenile Probation and Camps Funding (JPCF), and to increase the YOBG budget as described in the Budget Journal Form; authorized the Project Manager in coordination with the Auditor-Controller, to initiate an audit by an independent auditor, of the Juvenile Commitment Facility (SB 81) Project budget; and, authorized the Project Manager to plan and conduct appropriate public dedication ceremonies for the newly constructed Juvenile Commitment Facility, to occur at a future date yet to be determined – CEO 2013-84

Corr 1 Referred to the Fish and Wildlife Committee, a letter from the State Fish and Game Commission regarding proposed regulatory action relative to the “Practice of Falconry”.

Corr 2 Referred to the to the Fish and Wildlife Committee, a letter from the State Fish and Game Commission regarding proposed regulatory action relative to the Klamath-Trinity Rivers salmon sport fishing.

Corr 3 Referred to the Clerk-Recorder/Registrar of Voters and County Counsel, a request for the County Registrar of Voters to Provide Election Services to the City of Riverbank to Conduct a Special Municipal Election on 6/4/2013.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Marc Ausema; Farmers Insurance (for their insured Boyajian); Domeeka Samuelson; Patricia Alvey; Leticia Juvencia Romo; Stacy Phillips, Lauren O'Brien, Kelly Flynn, Michael Phillips, Stacy Phillips as Guardian Ad Litem for David & James Phillips; Olga Alvarez; and, Kenneth Petty.

Chairman Chiesa reported that he attended the CSAC quarterly meeting last week where the Affordable Care Act, which will be implemented in January 2014, was discussed. He noted that there are many unanswered questions regarding the implementation of this Act. No action was taken at CSAC, but he anticipates that there will be something within the next 30 days.

Supervisor Withrow reported that he and Supervisor De Martini met last Friday with water agencies and stakeholders regarding the ground water ordinance. He noted that this was a good meeting and they are making a lot of progress regarding this issue.

The CEO announced that there will be a Board of Supervisors Tour today of the new Juvenile Commitment Facility at 2215-A Blue Gum Avenue in Modesto, following the Board of Supervisors Closed Session.

Adjourned to closed session at 9:46 a.m. for conference with Legal Counsel - Existing Litigation: Two cases: County of Colusa, et al. v. Toby Douglas, in his official capacity as Director of the Department of Health Care Services of the State of California, et al., Sacramento County Superior Court Case No. 34-2012-80001053; and, International Fidelity Insurance Company v. Roger Ernst & Associates, Inc., et al.; County of Stanislaus, Intervenor, Superior Court of Stanislaus County, Case No. 675547. Government Code Section 54956.9 (a).

Closed Session Announcement: O'Brien/De Martini unan. The Board of Supervisors authorized County Counsel to take all necessary action for Stanislaus County to join other counties in an appeal of the trial court decision in the case County of Colusa, et al. v. Toby Douglas, Sacramento County Superior Court Case No. 34-2012-80001053 2013-85

Closed Session Announcement: Withrow/Monteith unan. The Board of Supervisors approved the stipulated settlement for payment and distribution of fidelity bond funds between claimants in the case International Fidelity Insurance Company v. Roger Ernst & Associates, Inc. et al, County of Stanislaus Superior Court Case No. 675547; and, authorized County Counsel to sign and file the Notice of Settlement and all other action necessary to conclude the matter 2013-86

Adjourned at 10:26 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.)