

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

Regular Session

Tuesday

July 2, 2013

All Supervisors Present

Pledge of Allegiance to the Flag

Information was presented regarding the Affordable Care Act by CSAC Executive Director Matt Cate and Farrah McDaid Ting, Associate Legislative Representative.

The Modesto Chamber of Commerce presented their economic development plan “Pathways to Growth”.

Dr. Walker, Public Health Officer, gave an update regarding Extreme Heat Preparedness in Stanislaus County.

Emerson Drake thanked the CEO’s office for providing the Redwood video that was played on his show last week. He requested that the Clerk-Recorder’s office place Form 460s (campaign donations) online, and asked that these records not be destroyed when elected officials leave office. He voiced concerns regarding the Modesto Chamber of Commerce’s Pathways to growth presentation.

Vernon Lee Price provided a copy of articles: *Social Skills Training* and *Shelter from the Storm: Trauma-Informed Care in Homeless Services Settings* to the Board. He spoke regarding the information provided in these articles and encouraged continued collaboration to address homeless issues.

Withdraw/De Martini unan. Adopted the consent calendar after removing from consent item **\*B5** Approval to Accept a Donation of a Reconyx Tactical Field Camera and Hyperfire Cellular Upgrade from the Cattlemen’s Association – Sheriff; and, **\*C6** Approval of a Memorandum of Understanding Between Stanislaus County, the City of Ceres and the Monterey Park Tract Community Services District for Water Service Improvements for the District

**\*A1** Approved the minutes of 06/18/2013

**\*A2** Set a public hearing on 07/30/2013 at 9:10 a.m. to consider an appeal of the Planning Commission’s denial of Use Permit Application No. 2012-04 – Recology Grover Environmental Products, due to lack of a majority vote 2013-307

**\*A3** Consolidated the City of Waterford Special Municipal Election with the Consolidated District Election (UDEL) on 11/05/2013 2013-308

**\*A4** Approved correcting the term ending date for David Orris on the Western Hills Water District Board of Directors 2013-309

**\*A5** Accepted the resignation of Micaela Gutierrez from the Earl Pride Scholarship Committee 2013-310

**\*A6a** Appointed Mickey Peabody as the Stanislaus County Representative to the Oversight Board of the Successor Agency for the City of Oakdale 2013-311

**\*A6b** Appointed Jeff Davis and Jamie Culbertson to the Child Abuse Prevention Council of Stanislaus County 2013-312

**\*A7a** Reappointed Arby Hoobyar, Jr. and Edward Perry to the Stanislaus County Agricultural Advisory Board 2013-313

**\*A7b** Reappointed James Barron McKay to the Modesto City-County Airport Advisory Committee 2013-314

- \*A7c Reappointed Taryn Muralt, Nelda Parman, Sharon Salaiz, and Nancy Fisher to the Child Abuse Prevention Council of Stanislaus County 2013-315
- \*A7d Reappointed Mickey Peabody, Lillian Castigliano, and Adriana Breugem to the Commission on Aging 2013-316
- \*A7e Reappointed Karl von Spreckelsen, Erin Lesan, Ritta Sudnikoff, and Catherine Szakmary to the Mental Health Board 2013-317
- \*A7f Reappointed Glenda Leonard and Elizabeth Gripenstraw to the Oakdale Rural Fire Protection District Board of Directors 2013-318
- \*A7g Reappointed Joan Ahlstrand to the Stanislaus County Free Library Advisory Board 2013-319
- \*A7h Reappointed Jon E. Maring and Steve Pedrazzi to the West Stanislaus Fire Protection District Board of Directors 2013-320
- \*A7i Reappointed Richard D. Sylvester, Richard Barboza, Joseph Madden, and Douglas L. Miller to the Stanislaus County Veterans Advisory Commission 2013-321
- \*B1 Authorized the Auditor-Controller to loan funds under Government Code 23010 for operational expenses to: Oakdale Rural Fire District in an amount not to exceed \$1,445,000 (85% of \$1,700,000 of anticipated revenue) and, to Stanislaus Consolidated Fire Protection District in an amount not to exceed \$7,061,171 (85% of \$8,307,261 of anticipated revenue) – Auditor-Controller DF-8-B-23, DF-20-A-12 2013-322
- \*B2 Authorized the Auditor-Controller to increase appropriations by an amount not to exceed \$55,000 in the CEO – County Fire Service Fund for FY 2012-2013 to cover unanticipated retirement costs, this increase in appropriations will be funded by County Fire Service Fund fund balance – CEO 2013-323
- \*B3 Authorized the Sheriff to sign an agreement including any extensions, or amendments with the City of Ceres for Crime Analyst Services – Sheriff C-2-C-6 2013-324
- \*B4 Authorized the Sheriff to submit a joint grant application to the Bureau of Justice Assistance, and to accept the grant if awarded, for the 2013 Edward Byrne Memorial Justice Assistance Grant funding to enhance criminal justice processes; authorized the Chairman to sign the Memorandum of Agreement between the County of Stanislaus and the City of Modesto for the Justice Assistance Grant Program Award; directed the Auditor-Controller to establish a budget with estimated revenue and appropriations in the amount of \$138,905 per the budget journal after the grant is awarded and an acceptance letter is received by the Sheriff’s Department; and, approved the recommendations for use of the 2013 Edward Byrne Memorial Justice Assistance Grant to share funding with the City of Modesto Police Department, continue funding for existing staff in the Probation Department and fund training in the Sheriff’s Department – Sheriff 2013-325
- \*B6 Approved the discharge of accountability of accounts of the T/TC for departmental accounts which are uncollectible and have been previously assigned to the Revenue Recovery Division to collect, in the amount of \$267,142.85 – T/TC 2013-326
- \*B7 Accepted the Stanislaus County Treasury Pool’s May 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 2013-327
- \*B8 Authorized the Director of DER to sign the Letter Agreement, which constitutes a Temporary Construction Easement to PG&E, to allow access and use of property on the I5 Ranch adjacent to the Fink Road Landfill – DER 2013-328
- \*B9 Authorized the Sheriff to sign the State of California, Commission on Peace Officer Standards and Training (POST) Standard Agreement including any extensions, or amendments to

provide emergency vehicle course training to qualified law enforcement personnel  
– Sheriff 2013-329

- \*C1 Adopted the Plans and Specifications for the Stanislaus County 2013 Chip Seal Program (Asphalt Rejuvenation Emulsion); directed the Department of Public Works to set the bid opening date and time; and, directed the Department of Public Works to publish and mail the notice inviting bids for the project as required by law – PW 2013-330
- \*C2 Adopted the Plans and Specifications for the 2013 Slurry Seal Project; directed the Department of Public Works to set the bid opening date and time; and, directed the Public Works Department staff to publish and mail the notice inviting bids to trade journals as required by law – PW 2013-331
- \*C3 Finds that the final map for vesting tentative subdivision map 2009-01 Elm Street, Salida, California is in substantial compliance with the previously approved tentative map; finds that the subdivision improvements have been constructed to the satisfaction of Stanislaus County Public Works; authorized the Chairman of the Board to sign the final map; and, authorized the final map to be filed and recorded as presented – PW 2013-332
- \*C4 Finds that Ordinance C.S. 1134 is not subject to CEQA (Public Resources Code, Sections 2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 1134 amending Title 11, Section 11.08.080, of the Stanislaus County Code, adding Angle Parking on Ninth Street in Stanislaus County, Keyes area – PW  
ORD-55-R-3 2013-333
- \*C5 Set a public hearing on 07/30/2013 at 9:05 a.m. regarding FY 2013-2014 assessments for the various County Service Areas, Landscape Assessment District, and Landscape and Lighting Districts shown on Exhibit “A”; and, directed the Clerk of the Board of Supervisors to publish a notice of such hearing pursuant to Section 6066 of the Government Code – PW 2013-334
- \*C7 Declared the intent to utilize the Board's authority under Public Contract Code Section 22031 to allow County workforce to perform work on the following paving projects: Quincy Road, First Street, Faith Home Road, Roeding Road, and Tully Road – PW 2013-335

Monteith/O'Brien unan. \*B5 Authorized the Sheriff-Coroner to accept the donation from the Cattlemen's Association in the form of a Tactical Field Camera, a Hyperfire Cellular Enabled Upgrade, and one year cell service; and, recognized the Cattlemen's Association for their generous donation – Sheriff  
2013-336

De Martini/Withrow unan. \*C6 Authorized the Chairman of the Board to execute the MOU between Monterey Park Tract Community Services District, the City of Ceres and Stanislaus County for water service improvements for the Monterey Park Tract Community Services District – PW  
C-2-C-7, DCS-9-A-4 2013-337

**Amended Item B10** Approval of Restoration of 1% of the Current 6% Salary Deduction and a Corresponding Reduction of Eight Hours of Special Accrued Leave Time (SALT) for All Represented Employees, Unrepresented Confidential and Management Employees, and Elected Officials; and, Approval of the Agreements with Labor Associations for the 1% Salary Restoration and SALT Reduction, **to take two votes as follows:**

First Vote: Withrow/De Martini unan. **B10** Authorized **amending** Staff Recommendation No. 2 to read as follows: “Approve the restoration of 1% of the current 6% salary deduction and a corresponding reduction of eight hours of SALT for all Unrepresented Confidential and Management Employees; and Elected Officials **excluding the Board of Supervisors**”

Second Vote: O'Brien/Withrow (4-1)(Monteith opposed) **B10** Approved the restoration of 1% of the current 6% salary deduction and a corresponding reduction of eight hours of Special Accrued Leave Time (SALT) for all Labor Associations: Stanislaus County Employees Association AFSCME Local 10; Service Employees' International Union (SEIU); California Nurses' Association (CNA); County Attorneys' Association (CAA); Deputy Sheriffs' Association (DSA); Stanislaus Sworn Deputy Association (SSDA); Stanislaus County Deputy Probation Officers' Association (SCDPOA); Stanislaus County Probation Correction Officers' Association (SCPCOA); Stanislaus Regional Emergency Dispatchers' Association (SREDA); Stanislaus County Sheriffs Supervisors' Association (SCSSA); Stanislaus County Sheriff's Management Association (SCSMA); and, Stanislaus County District Attorney Investigators' Association (SCDAIS); approved the restoration of 1% of the current 6% salary deduction and a corresponding reduction of eight hours of Special Accrued Leave Time (SALT) for all Unrepresented Confidential and Management Employees, and Elected Officials excluding the Board of Supervisors; approved Agreements for Restoration of Salary and Corresponding Reduction of Eight Hours of Special Accrued Leave Time with the above stated labor associations and authorized the CEO, or her designee to sign agreements; and, authorized the CEO and County Auditor-Controller to implement all terms and conditions of the approved agreements in compliance with applicable State and Federal Laws; and, **amended** Staff Recommendations Nos. 1 and 2 to add the effective date as the first pay-period following 06/28/2013– CEO 2013-338

Monteith/Withrow unan. **C8** Accepted the status report and update on the progress of the Regional Flood Management Program – PW 2013-339  
**V**

**Corr 1** Referred to the Department of Parks and Recreation and to the Department of Planning and Community Development, a letter from the United States Department of the Interior National Park Service confirming that the Secretary of the Interior designated the Knight's Ferry Bridge in Stanislaus County a National Historic Landmark.

**Corr 2** Referred to the Fish and Wildlife Commission, a Notice of Proposed Rulemaking from the Department of Fish and Wildlife regarding the practices of falconry.

**Corr 3** Referred to GSA, the Sheriff, the Clerk-Recorder and Registrar of Voters, and the CEO, portions of the 2012-2013 Stanislaus County Civil Grand Jury Final Report regarding the Monterey Park Tract Community Services District; the Stanislaus County General Services Agency: Fleet Services Policy; and, the Stanislaus County Jail Facilities Inspection. M-39-M-8

**Corr 4** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: David Sanchez; Henry Telles; and, Gerald Tuff Stewart.

The Chairman announced that the 18<sup>th</sup> Annual Fireworks Celebration will be held on Saturday, 07/06/2013 at the Woodward Reservoir on 4528 26 Mile Road, Oakdale, CA

**Recessed to sit as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority at 11:54 a.m.**

Withrow/O'Brien unan. Approved the consent calendar (Those items marked with an \*)

**X. \*II-A** Approved the minutes of 06/11/2013

Adjourned to Closed Session at 11:55 a.m. for Conference with Labor Negotiator: Agency Negotiator: Monica Nino and Jody Hayes. Labor Organization: United Domestic Workers. Government Code Section 54957.6.

**Reconvened to sit as the Stanislaus County Board of Supervisors at 12:46 p.m.**

Adjourned to closed session at 12:46 p.m. for Public Employee Appointment: Title: Chief Executive Officer. Government Code Section 54957(b). Conference with Labor Negotiator - Agency Negotiators: Monica Nino, Nancy Bronstein and Jody Hayes. Labor Organizations: California Nurses' Association (CNA); Stanislaus County Employees Association (SCEA)/AFSCME Local 10; Service Employees' International Union (SEIU), Local 521; County Attorneys' Association (CAA); Deputy Sheriffs' Association (DSA); Stanislaus County Sheriffs Supervisors' Association (SCSSA); Stanislaus County Deputy Probation Officers' Association (SCDPOA); Stanislaus Regional Emergency Dispatchers' Association (SREDA); Stanislaus County Probation Corrections Officers' Association (SCPCOA); Stanislaus County Sheriff Management Association (SCSMA); Stanislaus County District Attorney Investigators' Association (SCDAIS); and, Stanislaus Sworn Deputy Association (SSDA). Government Code Section 54957.6. Conference with Legal Counsel - Existing Litigation: Two cases: City of Modesto v. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 683887; Michael R. O'Neal, et al., v. Stanislaus County Employees Retirement Association, Case No. 648469. Government Code Section 54956.9 (d)(1). Conference with Legal Counsel - Significant Exposure to Litigation: Multiple cases related to claims filed by the Cities of Ceres, Newman, Turlock, Waterford, Riverbank, Oakdale, and Patterson concerning calculation of the property tax administration fee. Government Code Section 54956.9 (d)(2).

Adjourned at 2:15 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.)