

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

Regular Session

Tuesday

September 10, 2013

All Supervisors Present

Pledge of Allegiance to the Flag

Lee Lundrigran, Clerk-Recorder and Registrar of Voters, gave an update regarding the upcoming election being held on Tuesday, 11/05/2013.

Susan Beasley invited the Board and the community to attend the Sixth Annual International Architecture Festival in Modesto during the week of 9/14/2013 through 9/22/2013.

Withdraw/O'Brien unan. Adopted the consent calendar

- *A1 Approved the minutes of 8/27/2013
- *A2a Appointed Clara Nakai and Lisa Henry to the Stanislaus Child Development and Local Planning Council 2013-441
- *A2b Appointed Jason Gordo to the Stanislaus County Employees Retirement Board 2013-442
- *A2c Appointed Marla Uliana to the Youth Advisory Council of the Stanislaus Economic Development and Workforce Alliance Board 2013-443
- *A3 Accepted the resignation of Monica Nino and appointed Stan Risen to the Stanislaus Economic Development and Workforce Alliance Board 2013-444
- *A4a Proclaimed September 2013 as National Preparedness Month 2013-445
- *A4b Proclaimed October 2013 as Colonial Heritage Month 2013-446
- *B1 Authorized the Director of Aging and Veterans Services, Area Agency on Aging (AAA), to sign contracts and any subsequent amendments to contracts A3-1314-30, A9-1314-30, H9-1314-30, TV-1314-30, and MS-1314-14 with the California Department of Aging for Older Americans Act (OAA) Programs, the Health Insurance Counseling and Advocacy Program (HICAP), the Title V Senior Community Service Employment Program (SCSEP), and the Multipurpose Senior Services Program (MSSP) for FY 2013-2014 – Aging and Veterans Services 2013-447
- *B2 Authorized the GSA Purchasing Division to issue a RFP on behalf of CSA for the provision of Visitation Services to Child Welfare customers for the initial contract period of 01/01/2014 through 06/30/2015 – CSA 2013-448
- *B3 Authorized HSA to accept funds from the California Department of Public Health of \$658,693 under the 2013-2014 Centers for Disease Control Public Health Emergency Preparedness, State General Fund Pandemic Influenza, and U.S. Department of Health and Human Services Assistant Secretary for Prevention and Response Hospital Preparedness Program Funding Allocation Agreement; authorized HSA Managing Director, or her designee to sign the Agreement, and any amendments, and accept the funds when awarded; and, authorized the Chairman to sign the Non-Supplantation Certification Form – Exhibit E to the Agreement – HSA 2013-449
- *B4 Adopted the 1% tax rate authorized by Sections 93(b) and 135 of the Revenue and Taxation Code; adopted the tax rates that are "...needed to make payments for the interest and principal on general obligation bonds or other indebtedness approved by the voters" to be levied pursuant to Revenue and Taxation Code 93(a) and 93(c); and, adopted the Countywide Unitary Tax rate authorized by Section 100 of the Revenue and Taxation

- Code; and, adopted the .8714% tax rate for the territory formerly served by the lower San Joaquin Levee District – Auditor-Controller 2013-450
- *C1 Approved the purchase agreement for the acquisition of the parcel identified as: Assessor's Parcel Number (APN) 074-014-009; authorized the Chairman of the Board to execute the agreement; and, authorized the Director of Public Works to sign and cause to record the Grant Deed on behalf of Stanislaus County as authorized by Board Resolution No. 2011-141 executed on 03/08/2011 – PW 2013-251
 - *C2 Approved the purchase agreement for the acquisition of a portion of the parcel identified as: Assessor's Parcel Number (APN) 082-004-030; authorized the Chairman to execute the agreement; and, authorized the Director of Public Works to sign and cause to record the Grant Deed on behalf of Stanislaus County as authorized by Board Resolution No. 2011-141 executed on 03/08/2011 – PW 2013-252
 - *C3 Approved the purchase agreement for the acquisition of a portion of the parcel identified as: Assessor's Parcel Number (APN) 082-004-038; authorized the Chairman to execute the agreement; and, authorized the Director of Public Works to sign and cause to record the Grant Deed on behalf of Stanislaus County as authorized by Board Resolution No. 2011-141 executed on 03/08/2011 – PW 2013-253
 - *C4 Awarded a contract for Project Approval and Environmental Documentation (PA&ED) bridge engineering services to Mark Thomas & Company of Sacramento, California in the amount of \$198,184 for the St. Francis Avenue over Modesto Irrigation District (MID) Main Canal bridge replacement project; and, authorized the Director of Public Works to execute a contract with Mark Thomas & Company in the amount of \$198,184 and sign necessary documents – PW 2013-254

Withdraw/Monteith unan. **9:05 a.m.** Accepted the recommended Final Budget for FY 2013-2014 from the Interim CEO; conducted the scheduled public hearing to receive public comment and input on the proposed spending plan; adopted the Recommended Final Budget for 2013-2014; authorized the Interim CEO and the Auditor-Controller to make the necessary technical adjustments to implement the Adopted Final Budget; directed the Interim CEO and the Auditor-Controller to prepare the Adopted Final Budget document in accordance with State law and submit it to the State Controller prior to 12/01/2013; authorized the Auditor-Controller to release \$410,631 of Committed Fund Balance to the Unassigned Fund Balance for a payment made in FY 2012-2013; authorized the Auditor-Controller to establish two new General Fund assignments, totaling \$7,027,425 from the General Fund Unassigned Fund Balance: \$2 million for one-time start-up costs associated with the first year of operation of the AB 900 Phase II Jail Expansion project; and, \$5,027,425 to pay off the final year (2017-2018) of the 2013 Lease Refunding debt; authorized the Auditor-Controller to make the recommended adjustments in the General Fund balance categories as part of the 2013-2014 Final Budget balancing strategies; amended the Salary and Position Allocation Resolution to reflect the recommended changes in the Recommended Final Budget, (as outlined in the Staffing Impacts section of this report and detailed in Attachment B) to be effective with the start of the first pay period beginning after 09/21/2013, or as otherwise indicated in Staffing Attachment B of the agenda item; approved the reduction-in-force of one filled position in the Health Services Agency's Indigent Health Care Program budget effective 01/11/2014, and other related actions necessary to transition staff currently assigned to the Health Services Agency's Indigent Health Care Program to the Community Services Agency to support the impacts of Health Care Reform; and, approved contracts and/or agreements listed on Attachment C of the agenda item in cumulative amounts of \$100,000 or greater as of 07/01/2011, and authorized the General Services Agency Director/Purchasing Agent to sign – CEO 2013-257

Monteith/Withrow unan. **B5** Approved the selection for Stanislaus County of the “60%State/40%County” formula option described in Assembly Bill 85 of 2013 for Health Care Realignment funding beginning in FY 2014-2015; and, authorized the Managing Director of the HSA or her designee to notify the State of California for the Health Realignment funding option selected by the Board of Supervisors – HSA
2013-455

Monteith/De Martini unan. **B6** The Board considered the recommended decision of the Nuisance Abatement Hearing Board regarding nuisances at Central Valley Recycling at 0 Bystrum Road, Modesto, California (CE No. 12-0224); and, approved the revised settlement agreement with the owners of the subject property and Central Valley Recycling – DER
2013-456

Corr 1 Referred to the Fish and Wildlife Committee, a Notice from the State Department of Fish and Wildlife regarding Proposed Rule Making for Lake and Streambed Alteration Agreements.

Corr 2 Referred to the CEO and the Planning and Community Development Department, a letter from the Federal Aviation Administration (FAA) regarding upcoming meetings on the Environmental Assessment for the Northern California Optimization of Airspace and Procedures in the Metroplex Project.

Corr 3 Referred to the Agricultural Commissioner and Sealer of Weights and Measures, Stanislaus Economic Development and Workforce Alliance, and to the Alliance WorkNet, a letter from the Governor’s Office of Emergency Services regarding the granting of disaster designation by the U.S. Department of Agriculture for drought intensity to various counties and to Stanislaus County as a contiguous county.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Alberta Mount; Ramon Rodriguez; David Kuhlmann; and, Rayvon D. McGriff.

Supervisor Withrow reported that he, Chairman Chiesa, and Assistant CEO Keith Boggs have started to meet with local employers to see how the County can assist in keeping businesses in our County.

Supervisor De Martini acknowledged Stanislaus County LAFCO for receiving an award from Cal-LAFCO for their agriculture mitigation policy. He noted that they also received the State’s most outstanding LAFCO award.

Chairman Chiesa gave an update regarding CSAC’s meeting with the Governor and Senate Pro Tem about their different plans to deal with the federal court order to decrease prison populations. He noted that they agreed to go with the Governor’s plan if they cannot get a stay order from the courts. He also reported that AB 1330 was amended and now would require the Air Resources Board, the local air districts, and the Department of Toxic Substances to double their fines for any operation that is found in violation within the Environmental Justice communities as defined by Cal-EPA (CalEnviroScreen). If CSAC does not fight this bill, he would like the Board to take a formal position on this matter.

Supervisor O’Brien spoke regarding EnviroScreen. He noted that the San Joaquin Valley Air Pollution Control District has concerns regarding this tool and the targeted enforcement in the Fresno area.

The CEO introduced and welcomed Pete Duenas, the new Senior Management Consultant in the CEO’s office.

The Interim CEO announced that there will be a Public Dedication Ceremony for the Public Safety Center - Unit 2 New Jail Facility on Tuesday, 09/10/2013 at 4:00 p.m. located at the Stanislaus County Public Safety Center on 200 E. Hackett Road, Ceres, CA.

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.)