

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

Regular Session

Tuesday

November 5, 2013

All Supervisors Present

Pledge of Allegiance to the Flag

Debra Harper noted the importance of treating people with respect and she encouraged everyone to vote today.

O'Brien/Withrow unan. Adopted the consent calendar

\*A1a Approved the minutes of 10/29/2013

\*A1b Approved the minutes of 10/30/2013

\*A2a Reappointed Angela Alvarado and Rosenda Mataka to the Grayson Community Services District Board of Directors 2013-554

\*A2b Reappointed Michael Borba to the Newman Drainage District Board of Directors 2013-555

\*A2c Reappointed Glen Crow and John Beltran to the Orestimba Creek Flood Control District Board of Directors 2013-556

\*A2d Reappointed Bobby Yamamoto, David Goubert, and Kenneth Bays to the West Stanislaus Irrigation District Board of Directors 2013-557

\*A2e Reappointed Albert Mendes, Jr. and Armelin De Sousa to the Reclamation District 2063 Board of Directors 2013-558

\*A2f Reappointed Wendel Trinkler to the Reclamation District 2091 Board of Directors 2013-559

\*A2g Reappointed William M. Koster, Peter Lucich, and Thomas W. Dompe to the Del Puerto Water District Board of Directors 2013-560

\*A2h Reappointed James W. Lopes and Steve McManis to the El Solyo Water District Board of Directors 2013-561

\*A2i Reappointed Fred E. Beltran to the Oak Flat Water District Board of Directors 2013-562

\*A2j Reappointed Allison S. Fahey, Anita Moran Slicton, and Wayne McCurley to the Rock Creek Water District Board of Directors 2013-563

\*A2k Reappointed Levurn Berberia to the Crows Landing Community Services District Board of Directors 2013-564

\*A3a Appointed Shirley Martinez to the Monterey Park Tract Community Services District Board of Directors 2013-565

\*A3b Appointed Frank Arnaudo to the Oak Flat Water District Board of Directors 2013-566

\*A3c Appointed David Scheel to the Crows Landing Community Services District Board of Directors 2013-567

\*A4 Commended Harold Peterson upon being named the American Legion, Post 74 Citizen of the Year for 2013 2013-568

\*B1 Approved a General Operating Limit of \$321,612,872 using the Population and Inflation Methodology for Annual Appropriations of Tax Revenues for FY 2013-2014 in accordance with the provisions of Proposition 4 and Proposition 111 – A/C 2013-569

\*B2 Declared sixteen County vehicles and heavy equipment from the Department of Public Works and Department of Environmental Resources as surplus and authorized the sale; and,

directed the Auditor-Controller to deposit proceeds from the sale to the Department of Public Works Account 5121-0042100-46000 – GSA 2013-570

- \*C1** Approved the annexation of Gregori High School into the Salida Highway Lighting District; finds that the territory more particularly described in Exhibit “A” (legal description and map) is owned by the proponents and that their ownership represents 100% of the total assessed valuation of said territory; finds that the area included in the Legal Description of Gregori High School is located in the unincorporated territory of Stanislaus County and that it is not within the boundary of any other lighting district; finds that Stanislaus County Code, Section 20.56.210 (Street Lights), requires the installation of street lights to county standards in areas designated as residential, commercial and industrial on the land use element of the General Plan; finds that, pursuant to Streets and Highways Code Section 19056, territory owned by a subdivider/developer that comes under the terms of a county ordinance requiring the installation of a street lighting system (i.e. Stanislaus County Code, Section 20.56.210 Streetlights) shall be exempt from Streets and Highway Code requirements for petition, notice, hearing, and election requirements; finds that the annexation will not produce a change in assessment methodology for the Salida Highway Lighting District and that parcels in the new territory shall be subject to that pre-existing methodology; finds that the assessment formula for the Salida Highway Lighting District is sufficient to adequately assess the annexed parcels for the cost of services received, and approved the annexation of Gregori High School into the Salida Highway Lighting District; declared that all services being provided by the Salida Highway Lighting District will be extended fully to the territory included in the Gregori High School annexation and that said services shall commence within FY 2013-2014; ordered that Assessor Parcel Number (APN) 003-018-005 shall be added to the FY 2014-2015 annual assessments; directed the Department of Public Works to forward 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; and, directed the Clerk of the Board to send a certified copy of the resolution ordering the annexation to the following offices: the Department of Public Works, Assessor, Elections, Auditor-Controller, and the Clerk Recorder – PW DL-3-B-21 2013-571

O’Brien/Monteith unan. **9:05 a.m.** Conducted a public hearing; finds that the proposed Ordinance C.S. 1137 is exempt under the provision of CEQA pursuant to State Guidelines Section 15061 (b) (3); waived the second reading of Ordinance C.S. 1137 amending Title 16 of the Stanislaus County Code and adopting by reference the California Code of Regulations Title 24, 2013 Edition of the California Building Code; finds that the proposed changes and modification to the 2013 California Building Standards contained in the proposed ordinance are necessary because of local climatic, geological, and/or topographical conditions, as detailed in the proposed ordinance; adopted Ordinance C.S. 1137 amending Title 16 of the Stanislaus County Code and adopted by reference the California Code of regulations Title 24, 2013 edition of the California Building Standards; directed the Building Official to file the adopted Ordinance C.S. 1137 and the Board’s findings with the California Building Standards Commission; and, ordered the Clerk of the Board to publish the Ordinance C.S. 1137 in accordance with Government Code Section 25124(b) – Planning ORD-55-R-6 2013-573 & 2013-574

Monteith/Withrow (4-0)(O’Brien abstained) **9:10 a.m.** Conducted a public hearing pursuant to Section 1442.5 of the Health and Safety Code; approved the elimination of the direct provision of Pharmacy and Oncology Services by HSA, and authorized the Managing HSA Director to negotiate and execute contracts for the alternate provision of Pharmacy and Oncology services for MIA program patients; approved the establishment of an eligibility policy for the MIA program which would consider an

uninsured individual who was eligible for the Covered California Health Insurance Exchange program or alternative program, but failed without Good Cause to enroll in or maintain enrolled status, to be considered ineligible for the MIA program; authorized the waiving of the policy for the coverage period of Calendar Year 2014 only, to acknowledge this first year of the Exchange program availability and open enrollment period limitations as a transition year; approved the reduction of the MIA program Scope of Dental Benefits to mirror the State Medi-Cal program's dental benefits for adults; approved the reduction-in-force of seven filled full-time positions, delete three vacant full-time positions, transfer one vacant full-time position, and delete the Job Classification of Outpatient Pharmacy Manager, Pharmacist, and Pharmacy Technician, per the Staffing Impact section of the agenda item, effective 01/11/2014; and, amended the Salary and Position Resolution to reflect the changes as outlined in Staffing Impact section of the agenda item, effective 01/11/2014 – HSA  
2013-575

Withdraw/De Martini unan. **B3** Accepted the CEO's First Quarter Financial Report for FY 2013-2014; authorized the CEO and the Auditor-Controller to make the necessary adjustments as recommended in the First Quarter Financial Report; approved an increase in appropriations in County Service Area 10 - Salida Parks' budget of \$57,500 for the Salida Parks Project; approved the modification of hours of operation in the StanWORKs division of the CSA to include 9:00 a.m. to 3:30 p.m. on all Saturdays during the months of November and December of 2013; amended the Salary and Position Allocation Resolution to reflect the recommendations included as part of the First Quarter Financial Report, as outlined in the Staffing Impacts section and detailed in Attachment B of the agenda item to be effective the start of the 11/16/2013 pay period, unless otherwise noted; and, approved contracts and/or agreements listed on Attachment C of the agenda item in cumulative amounts of \$100,000 or greater since 07/01/2011 – CEO  
2013-572

**Corr 1** Referred to the Stanislaus County Superintendent of Schools, a letter from the San Joaquin County Superintendent of Schools regarding the annual review for the John B. Allard Community School, Ceres Community School and Empire Community School per the Williams Settlement regulations.

**Corr 2** Referred to the Fish and Wildlife Committee, a letter from the State Fish and Game Commission regarding regulatory action relative to the Enhancement on Private Land Management.

**Corr 3** Referred to the CEO, a copy of the First Quarter Financial Report Form F for the Period of 07/01/2013 through 09/30/2013 from the Gallo Center for the Arts.

Supervisor De Martini reminded everyone that today is Election Day and to vote. He noted that he is serving on the Election Observer Panel.

Chairman Chiesa welcomed Chief Bradley of the Modesto Regional Fire Authority.

Adjourned to closed session at 10:17 a.m. for Conference with Legal Counsel - Existing Litigation: One Case: James Britt v. Stanislaus County, et al, Stanislaus County Superior Court Case No. 675652. Government Code Section 54956.9 (d)(1).

Adjourned at 11:10 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.)