

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

Regular Session

Tuesday

December 3, 2013

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held for former CAO Albert Beltrami who served in Stanislaus County from 01/08/1991 through 01/08/1993.

The Red Ribbon Week 2013 Best Decorated School Contest winners received their awards. The 1st place winners were: Walnut Elementary School; Turlock Junior High School; and, Gregori High School; the 2nd place winners were: Von Renner Elementary School; Hanshaw Middle School; and, Waterford High School; and, the 3rd place winners were: Osborn Two-Way Immersion Academy; Roosevelt Junior High School; and, Hughson High School.

Emerson Drake noted the importance of land use decisions made by local government. He spoke in support of LAFCO's position regarding farmland preservation. He voiced concerns regarding Modesto's proposed general plan to expand approximately 1,800 acres west of Highway 99 for an industrial park, and Patterson's proposed annexation of 1,100 acres for a business park.

Withdraw/O'Brien unan. Adopted the consent calendar

- *A1a Approved the minutes of 11/12/2013
- *A1b Approved the minutes for the special meeting of 11/15/2013
- *A2a Accepted the resignation of Pamela Cullors from the Stanislaus County Equal Rights Commission 2013-588
- *A2b Accepted the resignation of Robin Dickinson from the Stanislaus County Child Abuse Prevention Council 2013-589
- *A2c Accepted the resignation of Donald Borgwardt and Sussana Ontiveros from the Stanislaus Economic Development and Workforce Alliance Youth Advisory Council 2013-590
- *A3 Appointed in lieu of election of Mark Hodges and Ray Gene Veldhuis to the Sand Creek Flood Control District Board of Directors 2013-591
- *A4 Appointed in lieu of election of Tim Johnson and David Long to the Eastside Water District Board of Directors 2013-592
- *A5 Accepted the results of the 11/12/2013 Landowner Election of the Western Hills Water District Resulting in the Election of David Orris, Carmen Kearney and Guillermo Marrero to the Board of Directors 2013-593
- *A6 Appointed Dr. Linda Nowak to the Stanislaus County EDAC 2013-594
- *A7 Approved request from the Oakdale Fire Protection District to declare a vacancy on the Board of Directors for the District 2013-595
- *B1 Approved the award of an agreement with Stanley Convergent Security Solutions to upgrade and expand the key card access control system at the Sheriff's Operation Center; authorized the GSA-Purchasing Agent to sign the agreement to order changes or additions to the work in accordance with Public Contract Code sections 20142 and 20137; and, authorized the Sheriff to utilize accumulated in Sheriff – Operations State and Federal Asset Forfeiture Trust Funds budgeted for FY 2013-2014 for this project – Sheriff 2013-596

- *B2** Accepted the Stanislaus County Treasury Pool’s October 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 2013-597
- *B3** Introduced and waived the first reading of Ordinance C.S. 1139 amending Chapter 16.55 of the Stanislaus County Code, and adopting by reference the California Fire Code, 2013 Edition with certain changes, additions, and modifications thereto; set a public hearing on 12/17/2013 at 6:35 p.m., regarding the proposed ordinance; and, ordered the COB to give notice of the hearing as required by Government Code sections 500022.6 and 6066 and to publish the ordinance in accordance with Government Code section 25124(b) – OES ORD-55-R-8 2013-598
- *B4** Authorized the Chairman and the Sheriff to sign a contract with the City of Hughson and the City of Waterford for the Sheriff to continue providing general law enforcement services in each respective city; and, directed the Auditor-Controller to make the appropriate budget modifications as indicated on the budget journal – Sheriff C-8-B-4 2013-599
- *D1** Adopted the Recommendations from the Nuisance Abatement Hearing Board's Public Hearing Regarding Dangerous Building Case DAD2012-00010 Located at 1605 Vernon Avenue, Modesto, California – Planning 2013-600
- *E1** Approved the employment agreement between Stanislaus County and Stanley Risen to Serve as CEO effective retroactively to 11/16/2013, when Mr. Risen was appointed to the CEO position; and, authorized the Auditor-Controller to implement the terms of the employment agreement between Stanislaus County and Stanley Risen to serve a CEO effectively retroactively to 11/13/2013 – County Counsel 2013-601

De Martini/Withrow unan. **A8** Accepted the Clerk-Recorder’s Certified Statement of the Results of the Consolidated District Election held Tuesday, 11/5/2013; and, declared the results – C/R 2013-602

Corr 1 Referred to the DA and Sheriff, the report “In School + On Track: Attorney General’s 2013 Report on California’s Elementary School Truancy & Absenteeism Crisis” from Kamala D. Harris, the California Attorney General.

Corr 2 Referred to DER, a notice that the San Joaquin Valley Unified Air Pollution Control District will hold a public hearing on 12/19/2013 regarding Rules 4621 and 4622 concerning Gasoline Transfers.

Corr 3 Referred to the Agricultural Commissioner and Sealer of Weights and Measures, the Fish and Wildlife Committee and the Public Works Department, the Don Pedro Newsletter Volume 3 from MID and TID regarding the relicensing of the Don Pedro Project.

Corr 4 Referred to the CEO and Planning, a Notice of Preparation and a Notice of Public Scoping Meetings/Request for Scoping Comments on the preparation of an Environmental Impact Statement and Report for the San Luis Transmission Project that will go through Stanislaus County.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Marco Camacho, a minor; Harvey Crump; Bruce Hammerstrom; Chris Turpitt; Josephine Salluce; Harold Harless; CSAA IE; Penny Webster; Allstate Insurance as subrogee of Tim Bonne; and, Myron Lee Warren.

Supervisor De Martini reported that the West Side Health Care Task Force has concluded their art and essay contest. He will be attending school board meetings in Newman, Patterson and Gustine to present the awards.

Supervisor Withrow requested that staff send a letter to the State Administrative Office of the Courts asking for an update on the new Courthouse project and for increased transparency. Supervisor O'Brien also voiced the need for the State to conduct a transparent process. CEO Risen noted that he will send a letter on behalf of the County to address these issues.

Supervisor O'Brien congratulated Mr. Risen upon his appointment as the new CEO, and Mr. Risen voiced his appreciation to the Board.

Adjourned to closed session at 9:43 a.m. for Conference with Legal Counsel - Existing Litigation: Two cases: City of Modesto v. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 683887; and, Forensic Consultants' Medical Group, Inc. v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 626798. 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, Hughson, Oakdale, Newman, Patterson, Riverbank, Turlock and Waterford concerning calculation of the property tax administration fee. Government Code Section 54956.9 (d)(2).

Adjourned at 11:20 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.)