

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

Special and Regular Session
Supervisors Chiesa and Withrow Absent
Pledge of Allegiance to the Flag

Tuesday

December 17, 2013

Recessed to closed session at 6:02 p.m. for Conference with Legal Counsel - Existing Litigation: One Case: James Anderson, et al. v. Stanislaus County, et al., Stanislaus County Superior Court Case No. 668505. Government Code Section 54956.9 (d)(1). Conference with Legal Counsel – Anticipated Litigation: One Case. Government Code Section 54956.9 (d)(4).

Chairman Chiesa arrived at 6:04 p.m.

Supervisor Withrow arrived at 6:05 p.m.

Reconvened at 6:33 p.m. for Regular Session

A moment of silence was held for retired Deputy Mark Ottoboni from the Stanislaus County Sheriff's Department.

Hebe Garcia-Bolio expressed her gratitude to the County for their efforts in trying to assist her. She stated that she is a victim of identity theft and that her home was wrongly foreclosed. She requested that the foreclosure of her home be placed on the Board's agenda, that they place a referendum on foreclosures during the holidays, and she delivered a petition for a civil rights lawsuit regarding a 12/10/2013 Superior Court judgment. She requested help in filing her motions with the Court.

O'Brien/Withrow unan. Adopted the consent calendar after removing from consent agenda items ***A7a** Approval of the Reappointments of Randy Heldt and Troy Spears to the Advisory Board on Substance Abuse Programs; ***B4** Dissolving the inactive Stanislaus County Groundwater Coordination Advisory Committee that was established in 1999; established a Stanislaus County Water Advisory Committee to support the implementation of groundwater management in Stanislaus County; approved the Stanislaus County Water Advisory Committee by-laws; and, directed staff to post the Stanislaus County Water Advisory Committee vacancies; and, ***B11** Authorizing the Sheriff's Department to offer employment to Mr. Seth Rogers as a Manager IV above the mid-point of the band for a current annual salary of \$109,449

***A1** Approved the minutes of 12/10/2013

***A2** Elected Supervisor De Martini as the 2014 Chairman and Supervisor Terry Withrow as the 2014 Vice Chairman of the Board 2013-612

***A3** Adopted and waived the second reading of ordinance C.S. 1140 Amending Sections 2.44.020 and 2.44.040 of the Stanislaus County Code Relating to Planning Commission Appointment and Conduct of Business ORD-55-R-9 2013-613

***A4** Proclaimed the month of January 2014 as Mentor Awareness Month 2013-614

***A5** Appointed in lieu of election of John Carlon, Robert Ott, and Stephen Sheppard to the Reclamation District No. 2092 Board of Directors 2013-615

***A6** Appointed Raymond Martin to the Oakdale Fire Protection District Board of Directors 2013-616

- ***A7b** Reappointed Lee Shearer, Richard Muniain, and Carol Davis to the Knights Ferry Cemetery District Board of Directors 2013-617
- ***A7c** Reappointed Steven Boyd to the Stanislaus County Planning Commission 2013-618
- ***A7d** Reappointed Patrick Cerutti and Joe S. Rocha to the Hills Ferry Cemetery District Board of Directors 2013-619
- ***A7e** Reappointed Diana Haile and Dorothy Griggs to the Housing Authority of Stanislaus County 2013-620
- ***A7f** Reappointed Alfred Scheuber, Patrick Alves, and Steve Amador to Storm Drain District #8 Board of Directors 2013-621
- ***A7g** Reappointed E. Vernon Seeley to the Assessment Appeals Board 2013-622
- ***A7h** Reappointed Roy W. Wasden, Mary Ann Lee, and Paul Baxter to the Emergency Medical Services Committee 2013-623
- ***A7i** Reappointed Timothy Ragsdale and Bryan Nicholes to the Fire Code Board of Appeals 2013-624
- ***A7j** Reappointed John P. Doering, Bruce Ramsey, and Jeffery Olson to the Law Library Board of Trustees 2013-625
- ***A7k** Reappointed Arby Hoobyar, Jr. to the Nuisance Abatement Hearing Board 2013-626
- ***A7l** Reappointed Richard Gibson to the San Joaquin Valley Air Pollution Control District Citizens Advisory Committee 2013-627
- ***A7m** Reappointed Jeremiah Williams and Leng Power to the Stanislaus County Equal Rights Commission 2013-628
- ***A7n** Reappointed Wayne Pacheco to the Stanislaus County Hazardous Waste Management Committee 2013-629
- ***A7o** Reappointed Michael Renfrow and Juan Quijano to the Local Task Force on Solid Waste Management 2013-630
- ***A7p** Reappointed Valerie Mitchell, Juanita Cochran, Joan Blackwell, and Carmen Morad to the In-Home Supportive Services Advisory Committee 2013-631
- ***A7q** Reappointed Everett B. Souza, Jr. to the Turlock Mosquito Abatement District Board of Directors 2013-632
- ***B1** Authorized the Agricultural Commissioner to sign the Weighmaster Enforcement Junk Dealers and Recyclers Agreement with the California Department of Food and Agriculture for FY 2013-2014; and, authorized the Auditor-Controller to adjust appropriations and estimated revenue in the amount of \$10,560 per the Budget Journal for FY 2013-2014 – Ag Commissioner 2013-633
- ***B2** Approved the Public Facilities Fees Annual Financial Report for FY ending 06/30/2013 – Auditor-Controller M-64-J-3 2013-634
- ***B3** Allocated \$8,471.37 for the payment of possessory interest tax bill (ASMT 860-000-576) in accordance with section 104.13(C) of the California Streets and Highway Code; allocated \$1,471.20 of lease revenue to the City of Modesto and \$10,738.95 of lease revenue to the City of Ceres in accordance with section 104.10 of the California Streets and Highway Code; and, allocated \$13,131.86 of lease revenue to the County Road Fund in accordance with the provision in 104.10 of the California Streets and Highway Code that its spending be limited to mass transit or streets and highways purpose – Auditor-Controller 2013-635
- ***B5** Approved the award of an agreement for the provision of Visitation Services to Child Welfare customers to Children’s Crisis Center of Stanislaus County, Inc. for the contract period of 01/01/2014 through 06/30/2015, in the amount not to exceed a total of \$150,000; and, authorized the CSA Director, or her designee, to sign the agreement, not exceed the agreement amount of \$150,000 – CSA 2013-636

- *B6 Declared a Caterpillar generator located at OES, 3705 Oakdale Road, as surplus and authorized the sale; and, directed the Auditor-Controller to deposit all receipts from the sale of this asset, net of any GSA-Central Services costs, to OES – GSA 2013-637
- *B7 Accepted the FY 2013 grant from the California Office of Emergency Services to enhance local Homeland Security efforts; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the Homeland Security Grant budget by \$536,649 consistent with the Budget Journal – OES 2013-638
- *B8 Authorized the CEO and Behavioral Health Director to finalize and submit an application to the California Mental Health Services Oversight and Accountability Commission for competitive Triage Personnel Grant funding under the Investment in Mental Health Wellness Act of 2013 (Senate Bill 82) for additional crisis triage personnel; authorized the Project Manager to take all necessary actions to locate a Modular Facility for the Crisis Intervention Program (CIP) and Crisis Emergency Response Team (CERT) adjacent to the Psychiatric Health Facility (PHF) at 1904 Richland Avenue, Ceres, California to provide mental health supportive services; authorized the Project Manager to issue a Notice to Proceed to a qualified general contractor for site improvements and utilities connections to the Modular Facility upon receipt of proper insurance and bonds; authorized the use of up to \$173,000 of the Behavioral Health and Recovery Services Committed Fund Balance for Capital Acquisition by a 4/5 vote of the Board of Supervisors for program startup costs including for the Modular Facility, staff relocation and equipment purchases for operation of the Crisis Intervention Program and Crisis Emergency Response Team at 1904 Richland Avenue, Ceres, California; directed the Auditor-Controller to increase appropriations in the Mental Health Fund in the amount of \$173,000 as identified in the budget journal; authorized the Project Manager to negotiate and sign contracts, work authorizations, and purchase orders for professional services needed in this phase of the project as long as they are within the approved project budget; and, authorized the Project Manager to negotiate and sign change orders up to \$25,000, consistent with the County’s Change Order Policy, as long as they are within the previously approved project budget – CEO 2013-639
- *B9 Authorized extending the reduction-in-force date for two Pharmacist positions and the deletion date of the Pharmacist job classification from 01/11/2014 to 01/18/2014 ; and, amended the Salary and Position Allocation report to reflect the changes per the staffing impacts section of the agenda item, effective 01/18/2014 – HSA 2013-640
- *B10 Approved a contract with Mountain Valley Emergency Services Agency to administer local emergency medical services for FY 2014-2015; and, authorized the Managing Director of HSA, or her designee to negotiate and execute the agreement with MVEMS – HSA 2013-641
- *B12 Authorized the Auditor-Controller to increase appropriations and estimated revenues in the amount of \$43,000 in the Sheriff – Contract Cities budget for the purchase of a traffic motorcycle for the City of Patterson; and, authorized GSA-Fleet Services to issue a purchase order to lowest bidder for the motorcycle and equipment in the amount not to exceed \$43,000 – Sheriff C-4-B-3 2013-642
- *B13 Authorized the Director of DER, or her designee, to sign a five-year Master Agreement with California Electronic Asset Recovery for transportation and recycling of electronic waste collected at the Household Hazardous Waste Collection Facility located at 1710 Morgan Road, Modesto, CA, the Fink Road Landfill located at 4000 Fink Road, Crows Landing, CA, and any other Stanislaus County electronic waste collection location; authorized the Director of DER, or designee, to sign individual project authorizations; and, authorized the Director of DER, or designee, to sign amendments to the contract – DER 2013-643
- *B14 Increased appropriations and estimated revenue by \$1,600,000 in the CEO- Risk Management - General Liability Self-Insurance Budget – Risk Management 2013-644

- *C1 Authorized the purchase of one heavy-duty 2013 Weiler W530 road widener/shoulder equipment from Holt of California in the amount of \$197,991.78; and, authorized the Purchasing Agent/General Services Agency Director to purchase the equipment through the Houston-Galveston Area Council (HGAC) contract – PW 2013-645
- *C2 Adopted the Addendum to the Initial Study/Mitigated Negative Declaration (IS/MND) for the Las Palmas Intersection Improvements Project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164(b); directed the Public Works Department to proceed with the removal of eight existing trees within the County right of way (ROW); and, directed the Public Works Department to file a Notice of Determination for the removal of the additional trees – PW 2013-646
- *D1 Finds the proposed amendment to the Stanislaus County Planning Commission Rules and Regulations are exempt under the provisions of the CEQA pursuant to State Guidelines Section 15061(b)(3); and adopted the proposed amendment to the Stanislaus County Planning Commission Rules and Regulations as recommended by the Stanislaus County Planning Commission on 11/21/2013 – Planning BD-34-A-28 2013-647
- *D2 Approved the proposed 2014 Williamson Act Contracts (Attachment 1) subject to the Board of Supervisor's approved Implementation of AB 1265; authorized the Chairman to sign the listed contracts; and, directed the Clerk of the Board to forward the listed contracts to the Clerk-Recorder's Office prior to 01/01/2014, for recording – Planning 2013-648

O'Brien/Withdraw unan. *A7a Amended item to remove Troy Spears' name from the recommendation; and, approved the item as amended to reappoint Randy Heldt to the Advisory Board on Substance Abuse Programs 2013-649

Withdraw/Monteith unan. *B4 Dissolved the inactive Stanislaus County Groundwater Coordination Advisory Committee that was established in 1999; established a Stanislaus County Water Advisory Committee to support the implementation of groundwater management in Stanislaus County; approved the Stanislaus County Water Advisory Committee by-laws; and, directed staff to post the Stanislaus County Water Advisory Committee vacancies – CEO 2013-650

Withdraw/Chiesa unan. *B11 Authorized the Sheriff's Department to offer employment to Seth Rogers as a Manager IV above the mid-point of the band for a current annual salary of \$109,449 – Sheriff 2013-651

O'Brien/Withdraw unan. **6:35 p.m.** Conducted the public hearing to receive public comment and input on the proposed amendment to Chapter 16.55 of the Stanislaus County Code; finds that the proposed changes and modification to the 2013 California Fire Code standards contained in the proposed ordinance are necessary because of local climatic, geographical, and/or topographical conditions, as detailed in the proposed ordinance; finds that the proposed ordinance is exempt under the provision of CEQA pursuant to State Guidelines section 15061(b)(3); waived the second reading and adopted 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; directed the Modesto Regional Fire Authority to file the adopted ordinance and the Board's findings with the California Building Standards Commission; and, ordered the Clerk of the Board to publish the ordinance in accordance with Government Code section 25124(b) – OES ORD-55-R-8 2013-652 & 2013-653

Corr 1 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Joseph Acosta; Jim Bradley; George Munoz; Guillermo Diaz and Veronica Sandoval-Diaz on behalf of Bruno Guillermo Diaz, Deceased; Joaquin Cayetano Chavez; California Public Records Research, Inc., et al.; Douglas Maner; and Penny Webster.

Supervisor Withrow reported that last week he went to Washington D.C. along representatives from Turlock and Modesto to meet with the offices of Senator Feinstein, Senator Boxer, Congressman Denham, and Congressman Costa regarding the Recycled Water project. The plan is to take tertiary water from Turlock and Modesto and use it for farm land. They are seeking funds for the pilot project to place a pipeline to the West Side and connect with the Del Puerto Water District. He noted that this project was received very well in Washington D.C.

Chairman Chiesa thanked Joe Alamo, TID Director for attending the meeting. He announced that this is his last meeting as Chairman, and noted that Supervisor De Martini will be Chairman and, Supervisor Withrow will be Vice Chairman for 2014.

CEO Risen reported that a panel of federal judges granted the State an extension to reduce inmate population until 04/18/2014. On a historic note, Congress is on the verge of passing a complete budget bill. Instead of sequestration cuts, Congress is looking at doing specified spending cuts coupled with some non-tax revenue.

Adjourned at 6:59 p.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: PAM VILLARREAL, Deputy 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.)