

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

January 7, 2014

The Board held a moment of silence for Sheriff Department employee Nancy Barone.

Chairman De Martini recognized Supervisor Vito Chiesa for his term as the 2013 Chairman and presented him with his five-year Employee Service Award.

Carol Shipley from the DA's Office received her 30 year employee service award. Bruce Merchant from the Alliance WorkNet; Stephanie Vanhille from CSA; Karen Vella from the DA's Office; Thomas Wolfe from DER; and, Natascha Roof and Kelly Valentin from the Probation Department received their 25 year employee service awards.

Chiesa/O'Brien unan. Adopted the consent calendar after removing from consent item ***B5** Approval of an Agreement with the Stanislaus Sworn Deputy Association for the Conversion of the Employer Paid Member Contributions to Salary as a Result of the Public Employees' Pension Reform Act

***A1** Approved the minutes of 12/17/2013

***A2** Approved the 2014 Stanislaus County Board of Supervisors Committee Assignments

2014-1

***A3a** Appointed Ron Jackson and Bob Hondeville to the Stanislaus County Economic Development Action Committee

2014-2

***A3b** Appointed AnnaMarie Hallinan to the Stanislaus County Parks and Recreation Committee

2014-3

***A3c** Appointed Christine Huber and Linda Barr to the Child Abuse Prevention Council

2014-4

***B1** Authorized the CEO, or his designee, to enter into and sign a new agreement with Hinderliter, De Llamas and Associates for sales, use and transactions tax audit and information services; and, adopted a resolution to authorize access to sales, use and transactions tax records pursuant to California Revenue and Taxation Code Section 7056(b) – CEO

2014-5

***B2** Approved Contract # 13-20352 with the California Department of Public Health Services for the Continuation of the Immunization Assistance Program for the period of 07/01/2013 through 06/30/2017; and, authorized the Health Services Agency's Managing Director, or her designee, to sign and execute the contract and any subsequent amendments thereafter – HAS

2014-6

***B3** Accepted the Stanislaus County Treasury Pool's November 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

2014-7

***B4** Approved the discharge of accountability of 7,061 accounts of the Treasurer-Tax Collector for the departmental, cities, and court accounts listed in the agenda item which are

uncollectible and have been previously assigned to the Revenue Recovery Division to collect in the amount of \$2,828,373.61; and, authorized the Treasurer-Tax Collector to take all necessary and appropriate action to discharge the accountability of accounts, including without limitation reporting to the Superior Court the discharge from accountability of any court-ordered debt pursuant to Government Code Section 25259 – T/TC 2014-8

- ***B6** Authorized the Sheriff's Department to offer employment to Robert Huffman as a Deputy Sheriff at step five of the salary band, \$29.61 hour, less the current 5% salary deduction, effective his first day of employment – Sheriff 2014-9
- ***C1** Finds that Ordinance C.S. 1141 is not subject to CEQA (Public Resources Code, Sections 2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 1141 to amend Stanislaus County Code Section 11.08.120 No Truck Parking, to include portions of Kiernan Avenue in Salida – PW ORD-55-S-1 2014-10
- ***D1** Rescinded a portion of Williamson Act Contracts No. 72-0879 and 71-0157, Located on Warnerville Road, East of Tim Bell Road, in the Oakdale Area; approved new contracts pursuant to minor Lot Line Adjustment PLN2013-0066, Louis F. Bricchetto/Trinitas Crabtree, LLC; authorized the Director of Planning and Community Development to execute new contracts; and, approved and established the following findings: (a) the new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years except as authorized under the County's implementation of AB 1265; (b) there is no net decrease in the amount of the acreage restricted, in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; (c) at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; (d) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222; (e) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; (f) the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan – Planning 2014-11

O'Brien/Withrow (4-0)(Monteith opposed) ***B5** Approved the conversion of the Employer Paid Member Contributions to salary using the current overall average member contribution for all public safety bargaining units resulting in an increase in salary of 13.37% for all employees in the Deputy Sheriff (Coroner) classification and resulting in a corresponding average reduction of 13.37% in County paid retirement contributions; authorized the CEO, or his designee, and all parties to sign an agreement outlining the recommended changes; 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 the Salary and Position Allocation Resolution to reflect the recommended changes, per the staffing impacts listed on the agenda item, to be effective with the start of the first pay period beginning on or after 01/11/2014 – CEO 2014-12

Monteith/Withrow unan. **B7** Approved the annual progress report for the Stanislaus County Employee Mentor program at the 15th Program Anniversary; and, acknowledged the month of January 2014 as Mentoring Awareness month in Stanislaus County, consistent with the National Mentor Month Distinction – CEO 2014-13

Corr 1 Referred to DER, Public Works and Agricultural Commissioner and Sealer of Weights and Measures, a Notice from the Modesto Irrigation District and the Turlock Irrigation District regarding their joint meeting on 01/16/2014, to discuss the Don Pedro Relicensing Updated Study Report.

Corr 2 Referred to DER, Public Works, and Agricultural Commissioner and Sealer of Weights and Measures, the Minutes from the 09/04/2013 State of California Wildlife Conservation Board where the Dos Rios Riparian Restoration Project in Stanislaus County was funded for \$1,392,000 and the Hidden Valley Ranch in Stanislaus County was funded for \$3,010,000.

Corr 3 Referred to the Agricultural Commissioner and Sealer of Weights and Measures and the Fish and Wildlife Committee, a notice that the U.S. Fish and Wildlife Service reopened the Public Comment Period regarding the Western Yellow-Billed Cuckoo as a Threatened Species.

Corr 4 Referred to the Agricultural Commissioner and Sealer of Weights and Measures and the Fish and Wildlife Committee, received three Notice of Findings from the State Fish and Game Commission that the Northern spotted owl and the Townsend Big-eared Bat may be warranted as an endangered or threatened species and that the America pika was not warranted as an endangered or threatened species.

Corr 5 Referred to the CEO-Office of Emergency Services and Agricultural Commissioner and Sealer of Weights and Measures, a letter from the California Office of Emergency Services regarding the President's Major Disaster Declaration for Tuolumne County and various contiguous counties, including Stanislaus County, for the damages caused by the fire that occurred from 08/17/2013 through 10/24/2013.

Corr 6 Referred to the CEO, two Rule Making Advisory notices from the San Joaquin Valley Unified Air Pollution Control District regarding Internal Combustion Engines and Boilers, Steam Generators, and Process Heaters.

Corr 7 Referred to Public Works and Agricultural Commissioner and Sealer of Weights and Measures and DER, three Notice of Public Hearings from the Central Valley Regional Water Quality Control Board regarding Amendments to the Water Quality Control Plan for the Tulare Lake Basin and the Sacramento River and San Joaquin River Basins on 03/27- 28/2014.

Corr 8 Referred to the Agricultural Commissioner and Sealer of Weights and Measures, a copy of the Cesar Chavez Special Resource Study and Environmental Assessment Summary and Final Recommendations, Fall 2013 from the National Park Service regarding sites significant to the life of Cesar Chavez and the farm labor movement in the Western United States.

Corr 9 Referred to the CEO, a copy of the California Partnership for the San Joaquin Valley 2013 Annual Report regarding issues of concern for the Valley.

Corr 10 Acknowledged receipt of the TID 2012 Annual Report.

Corr 11 Acknowledged receipt of the Comprehensive Annual Financial Report for fiscal year ending June 2013 from the Stanislaus County Employees' Retirement Association.

Corr 12 Referred to the Department of Planning and Community Development, a letter from the U.S. Department of Housing and Urban Development (HUD) regarding the annual review of the performance of the Community Development Block Grant program.

Corr 13 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Turlock High School –Turlock FFA and Tyler Ackman.

Chairman De Martini reported that a dialysis treatment center is coming to the Patterson Keystone Business Park. They anticipate that it will be open by early summer and this will be a tremendous advantage to those who need kidney dialysis on the West side of the County.

The CEO reported that the State legislature has returned to session, and that Governor Brown plans to introduce his 2014-2015 proposed budget this Friday. Staff will keep the Board updated regarding the proposed State budget and its impact on the County.

Adjourned to closed session at 10:20 a.m. for Conference with Labor Negotiator - Agency Negotiators: Stan Risen, Nancy Bronstein and Jody Hayes. Labor Organization: Stanislaus Sworn Deputy Association (SSDA). Government Code Section 54957.6. Conference with Legal Counsel – Significant Exposure to Litigation: Related to a claim filed by the City of Newman concerning calculation of the property tax administration fee. Government Code Section 54956.9 (d)(2). Conference with Legal Counsel – Anticipated Litigation: One matter. Government Code Section 54956.9 (d)(4).

Chairman De Martini left at 11: 45 a.m.

Adjourned at 11:50 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.)