

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

Regular Session

Tuesday

June 9, 2015

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Pastor Jeff Norman from Modesto Covenant Church.

Hebe Garcia Bolio spoke regarding the foreclosure of her property and the related court case. She voiced her concerns about becoming homeless.

Monteith/De Martini unan. Adopted the consent calendar

***A1** Approved the minutes of 06/02/2015

***A2** Accepted the resignation of Nelda Parman from the Stanislaus County Child Abuse Prevention Council 2015-251

***B1** Accepted the Actuarial Valuation as of 06/30/2014 and adopted the retirement contribution rates for BY 2015-2016 as recommended by the Stanislaus County Employees' Retirement Association Board of Retirement; and, directed the Auditor-Controller to change the employer and Tier 6 employee retirement contribution rates for BY 2015-2016 in accordance with the actuarial valuation of 06/30/2014 on the payroll check date of 08/05/2015 – CEO 2015-252

***B2** Approved the reimbursement to the City of Modesto for 50% of those costs associated to place a "Measure M" vote for future potential sewer connectivity in eligible County Islands on the 11/03/2015 ballot from the Community Development Fund, up to an amount of \$45,410 – CEO C-6-J-18 2015-253

***B3** Approved the Agreement #A093015 with Modesto Radio Control Club to use, operate, and maintain the radio control glider/electric airplane field at the Modesto Reservoir from 10/01/2015 to 09/20/2020; authorized the Director of Parks and Recreation, or designee, to sign the agreement with Modesto Radio Control Club; approved the Annual Pass day use vehicle permit fee of \$25 for all Modesto Radio Control Club Members, in exchange for Club Members' assistance with maintenance of the radio control glider/electric airplane field at Modesto Reservoir; authorized the Director of Parks and Recreation, or designee, to exercise the option to renew the agreement for two 5 year extensions from the term of this agreement; and, authorized the Director of Parks and Recreation, or designee, to amend this agreement – Parks and Recreation 2015-254

***B4** Approved the use of the Legal Services Agreement template for the CEO, or designee, to engage outside counsel for litigated matters; authorized the CEO, or designee, with the concurrence of County Counsel, to enter into, update and amend Legal Services Agreements with outside counsel to represent the County in civil litigation claims under the Risk Management General Liability or Professional Liability Insurance Programs; and, directed the CEO to report at least annually to the Board the cost of all Legal Services Agreements with outside counsel for litigated claims under the General Liability and Professional Liability Insurance Programs administered by the Risk Management Division – Risk Management 2015-255

- *B5** Authorized the Sheriff to apply for and accept, if awarded, a grant application to the California State Parks, Off-Highway Motor Vehicle Recreation Division OHV grant program for increased law enforcement services at Frank Raines Regional Park and La Grange Park in Stanislaus County; adopted the resolution to apply for the California State Parks Off-Highway Vehicle Grant; authorized the Sheriff and Auditor-Controller to accept the funding from the California State Parks Off-Highway Motor Vehicle Recreations Division and to establish appropriations and estimated revenue in the Sheriff Operations budget up to \$354,729, when the final award amount is known; and, authorized the Sheriff to sign and administer the California State Parks Off-Highway Motor Vehicle Recreation Division Grants and Cooperative Agreements Program for the Project Performance Period if awarded – Sheriff 2015-256
- *B6** Approved the agreement with Telecare Corporation to operate the Psychiatric Health Facility at 1904 Richland Avenue, Ceres, California for FY 2015-2016; authorized the BHRS Director, or her designee, to sign the agreement with Telecare Corporation to operate the Psychiatric Health Facility for FY 2015-2016; authorized the BHRS Director, or her designee, to negotiate and sign amendments to the agreement with Telecare Corporation to operate the Psychiatric Health Facility to add services and payment for services up to \$75,000, budget permitting, throughout the FY 2015-2016; and, authorized the BHRS Director, or her designee, to sign the lease with Telecare Corporation for the Psychiatric Health Facility located at 1904 Richland Avenue, Ceres, California for the FY 2015-2016 – BHRS 2015-257
- *C1** Approved the purchase agreement for the acquisition of an Access Easement and Temporary Construction Easement on the parcel identified as APN: 004-102-001 (portion), parcel owner: Kwei-Yu Chu; and, authorized the Chairman to execute the agreement – PW 2015-258

O'Brien/Chiesa unan. **9:05 a.m.** Accepted the 2015-2016 Recommended Proposed Budget from the CEO; conducted the scheduled public hearing to receive public comment and input on the proposed spending plan; adopted the 2015-2016 Recommended Proposed Budget; authorized the CEO and the Auditor-Controller to make the necessary technical adjustments to implement the approved Recommended Proposed Budget; in the current FY 2014-2015 budget: (a) authorized a decrease of \$630,810 in Appropriations for Contingencies and increase Sheriff Operations fixed assets of \$559,500 and District Attorney Criminal Division equipment/training of \$71,310 for start-up costs critical to Public Safety Restoration, funded by 2014-2015 PSR savings; and, (b) authorized a decrease in appropriations of \$110,000 in CEO Operations and Services and an increase in appropriations of \$110,000 in a new budget unit, CEO Focus on Prevention to dedicate 2014-2015 savings for activities previously approved by the Board including Salaries and Benefits for personal service contract support along with Services and Supplies attendant to facilitation of the first Convening; directed the CEO to return to the Board for the authorization on the use of funding from the new Focus on Prevention budget unit, recommended as part of the Proposed Budget 2015-2016; amended the Salary and Position Allocation Resolution to reflect the recommended changes for the 2015-2016 Recommended Proposed Budget (as outlined in the Staffing Impacts section of the agenda item and detailed in Attachment B) to be effective with the start of the first pay period beginning after 07/01/2015; approved contracts and/or agreements listed on Attachment C in cumulative amounts of \$100,000 or greater since 07/01/2013, and authorized the GSA Director/Purchasing Agent or Department Head to sign; directed the CEO to prepare the Recommended Final Budget and set the public hearing for consideration of the Final Budget on 09/15/2015, at 9:05 a.m.; and, **amended** the item to direct staff to further research resources and strategies to address current water challenges and to return to the Board with recommendations no later than the Final Budget hearing – CEO 2015-259

Corr 1 Referred to the DER, two letters from the California Water Boards regarding transfers of water from various water agencies within California.

Corr 2 Referred to the DER, a notice from the California Water Boards regarding the opportunity to comment on the proposed amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins.

Corr 3 Referred to the Fish and Wildlife Committee, a letter from the State Fish and Game Commission regarding the proposed regulatory action relating to the implementation to the Bobcat Protection Act.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Jessie Taylor; and, Fred Frias Union Services.

Chairman Withrow announced that Stanislaus County is a recipient of a 2015 NACo Achievement Award for the Employee Mentor Program.

CEO Risen reported that the Negative Bailout fix is included in a bill that has redevelopment dissolution language which is receiving opposition from the League of California Cities. The Governor is working to resolve this issue. The CEO noted that the State budget is due by 6/15/2015.

Prior to adjourning into Closed Session an opportunity was given to the public to address matters listed under Closed Session.

Adjourned to closed session at 10:38 a.m. for Conference with Legal Counsel - Existing Litigation: Two Cases: Guillermo Diaz, et al. v. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 2008718; Irina Engert, et al. v. Stanislaus County, et al., United States District Court, Eastern District of California Case No. 1:13-CV-00126-LJO-BAM. Government Code Section 54956.9 (d)(1).

Closed Session Announcement: Withrow/Monteith unan. In the case of Irina Engert, et al. v. Stanislaus County, et al., United States District Court, Eastern District of California Case No. 1:13-CV-00126-LJO-BAM, the Board authorized counsel for the County to file an appeal of the decision of the court on defendants' motions for summary judgment 2015-260

Adjourned at 11:41 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.)