

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

September 15, 2015

Convened at 5:30 p.m. for Special Session to sit as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority

Chiesa/Monteith unan. Approved the IHSS Public Authority minutes of 08/18/2015

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

Recessed to closed session at 5:31 p.m. Conference with Labor Negotiator – Agency Negotiator: Stan Risen and Jody Hayes. Labor Organization: United Domestic Workers (UDW). Government Code Section 54957.6.

Reconvened at 5:47 p.m. for Special Session to sit as the Stanislaus County Board of Supervisors

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

Recessed to closed session at 5:49 p.m. Conference with Legal Counsel - Existing Litigation: One Case: 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 (a).

Reconvened at 6:30 p.m. for Regular Session

Invocation was given by Pastor Chuck Adams from The Carpenter's House.

Auditor-Controller Lauren Klein spoke regarding the importance of SB 107 which will fix Negative Bailout. She noted this bill was recently passed by the State Legislature and is awaiting the Governor's signature. She acknowledged and thanked those individuals who have worked on this legislation including the County's State Lobbyists, and staff from the CEO's office, and the Auditor-Controller's Office. She noted that the Auditor-Controller's staff provided the technical expertise for this legislation. She recognized the efforts of the previous Stanislaus County's Auditor-Controllers, and she also thanked Supervisor Chiesa for his tenacity in getting the bill through the State Legislature.

Amanda Sorenson thanked Supervisor Chiesa and the Board for their efforts on SB 107, the negative bailout legislation.

Katherine Borges recognized the Salida Fire District and Woodland Avenue Fire District firefighters that are helping to fight the Butte fire in Amador and Calaveras counties. She also noted that her son is a volunteer with Salida Fire.

Monteith/Chiesa unan. Adopted the consent calendar

- *A1 Approved the minutes of 09/01/2015
- *A2a Appointed Earl Haringa and Melissa DeSouza to the Denair Fire Protection District Board of Directors 2015-419
- *A2b Appointed Nina Ellison to the Stanislaus Animal Services Agency Advisory Committee 2015-420
- *A2c Appointed Jennifer Carter to the Economic Development Action Committee 2015-421
- *B1 Adopted the 1% Ad Valorem Tax rate authorized by Sections 93(b) and 135 of the Revenue and Taxation Code; adopted tax rates that are "...needed to make annual payments for the interest and principal on general obligation bonds or other indebtedness approved by the voters" to be levied pursuant to Revenue and Taxation Code 93(a) and 93(c); adopted the Countywide Unitary Tax rate authorized by Section 100 of the Revenue and Taxation Code; and, adopted the .8714% tax rate for the territory formerly served by the Lower San Joaquin Levee District – Auditor-Controller 2015-422
- *B2 Finds that the property owned by Stanislaus County and currently occupied by the Turlock Rural Fire Protection District ("Fire District") at 690 West Canal Drive in Turlock, California, consisting of a portion of APN # 061-007-053 ("Property") is not required for use by the County; finds that the property, currently owned by the County, is required for the Fire District use because the fire station is located on the property; finds that the recommended actions are exempt from the provisions of CEQA according to Section 15312 and Class 12 of the CEQA Guidelines (sales of government property), and authorized the County's Chief Operations Officer/Assistant Executive Officer to file the Notice of Determination; authorized the County's Chief Operations Officer/Assistant Executive Officer to execute the Quitclaim Deed to transfer any interest the County may have in property currently occupied by the Turlock Rural Fire Protection District at 690 West Canal Drive in Turlock, California, consisting of a portion of APN # 061-007-053; and, authorized the County's Chief Operations Officer/Assistant Executive Officer to administer and execute any other documents necessary to complete the transfer of real property – CEO DF-12-B-26 2015-423
- *B3 Authorized the Project Manager to submit Performance Criteria and Concept Drawings for State review and approval of the County's SB 1022 Adult Local Criminal Justice Facilities Project for the Re-Entry and Enhanced Alternatives to Custody Training (REACT) Center Project, as prepared by the HOK Design Team to the following State agencies: Board of State and Community Corrections and State Fire Marshal – CEO 2015-424
- *B4 Accepted the first update on the state of the emergency repairs at County Center II in accordance with Public Contract Code Sections 20134 and 22050 to repair electrical power supply and replace an emergency generator and other equipment to restore essential County operations – CEO 2015-425

O'Brien/DeMartini unan. **6:35 p.m. Amended** Staff Recommendation No. 7 to read as "Approve contracts and/or agreements listed on Attachment C of the agenda item in cumulative amounts of \$100,000 or greater since 07/01/2013, and authorize the GSA Director/Purchasing Agent or Department Head to sign"; approved Staff Recommendations Nos. 1-9 as follows: (1) Accepted the Recommended Final Budget for FY 2015-2016 from the Chief Executive Officer; (2) conducted the scheduled public hearing to receive public comment and input on the proposed spending plan; (3) directed and approved any changes the Board of Supervisors chooses to make to the Recommended Final Budget and then adopted the Recommended Final Budget for 2015-2016; (4) authorized the Chief Executive Officer and the Auditor-Controller to make the necessary technical adjustments to implement the Adopted Final Budget; (5) directed the Chief Executive Officer and the Auditor-Controller to prepare the Adopted Final Budget document in accordance with State law and submit it to the State Controller prior to 12/01/2015;

(6) amended the Salary and Position Allocation Resolution to reflect the recommended changes in the FY 2015-2016 Recommended Final Budget, (as outlined in the Staffing Impacts section of this report and detailed in Attachment B) to be effective with the start of the first pay period beginning on or after 09/19/2015, or as otherwise indicated; (7) approved contracts and/or agreements listed on Attachment C of the agenda item in cumulative amounts of \$100,000 or greater since 07/01/2013, and authorized the GSA Director/Purchasing Agent or Department Head to sign; (8) approved moving forward, by 42 weeks, 1% of any salary increase previously scheduled to be effective either the start of the first pay period beginning on or after 07/01/2016 or the start of the first pay period beginning on or after 01/01/2017 as detailed in Attachment E of the agenda item; and, (9) approved moving from ten Department Head Salary Bands to four Department Head Salary Bands, effective with the start of the first pay period beginning on or after 09/19/2015 as detailed in Attachment F of the agenda item – CEO 2015-427

Monteith/Chiesa (4-1)(DeMartini opposed) **B5** Introduced and waived the first reading of Ordinance C.S.1167 amending Section 2.04.030 of the Stanislaus County Code regarding Board of Supervisors compensation – CEO ORD-55-U-6 2015-426

Corr 1 Referred to the Fish and Wildlife Committee, a notice from the State Fish and Game Commission regarding a petition to list the tricolored blackbird as endangered.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Elizabeth Pagola Bergman; Jennifer Ogden; John Snowdall; Robert F. Holloway; Arturo Tejada; and, Aurora Dominguez.

CEO Risen noted that our hearts and prayers go out to residents of Lake, Amador, and Calaveras counties as they deal with the wild fires. He extended offers of administrative support or other needed support to each of these counties, and Amador County has indicated they might be able to use some assistance. He gave an update regarding State legislation and reported that SB 350, the Clean Energy and Pollution Reduction Act, and AB 57 regarding cell towers passed the legislature and are on their way to the Governor. He noted that there are implications of SB 350 to Covanta Energy regarding renewable energy diversion credits. This bill contains a one year extension for the facility, but a long term solution will need to be identified. He also reported that he sent a letter to the Governor expressing concerns about language included in AB 57 that would deem applications as approved for wireless telecommunication facilities, if the city or county fail to approve or disapprove the application within a certain time period.

Adjourned at 8:23 p.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.)