

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

Regular Session

Tuesday

March 10, 2015

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Reverend Kevin Carroll, Executive Director of Modesto Gospel Mission.

Congressman Jeff Denham gave an update and reported that he will continue to work on infrastructure issues from water storage to fixing our local roads and freeways, including Highway 132 and the 7th Street Bridge. He spoke regarding various issues including the need for a western states bill that will complement the State's water bond, and the need to fix the tax structure so that we can fund the highway bill. He invited the Board, when the County's delegation goes to Washington D.C. later this year, to work with his office to coordinate efforts to push the local agenda forward. He also reported that he is working on obtaining more visas for Assyrians that are being persecuted in the Middle East, and that he will be reaching out to the Board for letters of support regarding this issue.

Vernon Price spoke in support of SB 608, the Right to Rest Act. He noted that there will be a homeless voter registration drive in Turlock on 04/02/2015 from 11:00 a.m. to 2:00 p.m.

Rick Ferroni voiced concerns regarding a nuisance abatement issue on a property on Elm St. in the Salida area. Jami Aggers, Director of Environmental Resources, gave an update to the Board regarding Code Enforcements efforts in addressing this nuisance.

Chiesa/O'Brien unan. Adopted the consent calendar

*A1 Approved the minutes of 03/03/2015

*A2 Adopted and waived the second reading of Ordinance C.S. 1157 to amend Section 11.08.020: Red Curb Marking – Streets Designated, of the Stanislaus County Code, to include portions of Galaxy Way and Robertson Road in the Modesto Area

ORD-55-T-4 2015-86

*A3 Accepted the appointment of Sheree Lustgarten to the Stanislaus Economic Development and Workforce Alliance Board of Directors 2015-87

*A4 Declared vacancies and accepted the appointments of Matt Richard and Dean Fadeff to the Stanislaus Economic Development and Workforce Alliance Board of Directors 2015-88

*A5 Accepted the resignation of Linda Miller from the Stanislaus County Mental Health Board 2015-89

*B1 Approved the Equal Rights Commission Bylaws – CEO BD-01-30 2015-90

*B2 Introduced and waived the first reading of Ordinance C.S. 1158 to add Chapter 3.65 of the Stanislaus County Code related to contracting with temporary help firms – CEO

ORD-55-T-5 2015-91

*B3 Authorized CSA to offer employment to Howard Courney as a Social Worker IV at Step 5 of the salary range, \$32.01, less the current one percent salary deduction – CSA

2015-92

*B4 Approved the Edward Byrne Justice Assistance Grant from the Board of State and Community Corrections for the period of 03/01/2015 through 12/31/2017; authorized the Sheriff to

sign the grant award agreement including any extension, amendments or agreements related to the Edward Byrne Justice Assistance Grant, as well as any related contracts; approved a formal resolution to be submitted to the BSCC accepting the grand award; directed the Auditor-Controller to increase estimated revenue and appropriations in the amount of \$715,000 per the budget journal after the grant is awarded and an acceptance letter is received by the Sheriff's Department; approved the recommendations for use of the 2015 Edward Byrne Memorial Justice Assistance Grant to share funding with the Stanislaus Drug Enforcement Agency, Probation Department, Boys and Girls Club of Stanislaus County, Stanislaus Family Justice Center, and Applied Performance Sciences to fund drug, gang and violence diversion programs and drug enforcement; and, amended the Salary and Position Allocation Resolution to add one Deputy Probation Officer I/II position to Probation - Field Services effective the first pay period following the Board of Supervisor's approval – Sheriff 2015-93

- ***B5** Authorized the Sheriff to sign the State of California, Commission on Peace Officer Standards and Training (POST) Standard Agreement including any extensions or amendments to provide emergency vehicle course training to qualified law enforcement personnel in the Basic Academy – Sheriff 2015-94
- ***C1** Finds that all subdivision improvements for Tentative Parcel Map 2004-03 Diablo Grande, The Vineyards I required by the Subdivision Improvement Agreement and executed by Western Pacific Housing, Inc., have been installed to the satisfaction of Stanislaus County, Western Hills Water District, and Diablo Grande Limited Partnership; finds that the said agreement was recorded on 03/24/2006, as Document No. 2006-0044665-00 and filed with the Stanislaus County Clerk Recorder's Office; authorized the release of Performance Bond No. SU5016360 issued by Arch Insurance Group in the amount of \$591,555 pursuant to section 66499.7(a) of the Subdivision Map Act, for faithful performance of the Subdivision Improvement Agreement for Vineyards I off-site North Parkway work; authorized the release of Performance Bond SU5016357 issued by Arch Insurance Group in the amount of \$2,013,428 for faithful performance of the Subdivision Improvement Agreement for Vineyards I on-site work; and, pursuant to section 66499.7(b) of the Subdivision Map Act, upon receipt of a Mechanic's Lien Guarantee, authorized the release of Labor and Materials Bond No. SU5016360 and SU5016357 issued by Arch Insurance Group in the amount of \$295,777 and \$1,006,714 for payment of labor and materials for the off-site and on-site work, respectively – PW 2015-95
- ***C2** Approved the Contribution Agreement between the City of Waterford and Stanislaus County for the preliminary engineering and construction phases of the Hickman Road Bridge; and, authorized the Chairman to execute the Contribution Agreement between the City of Waterford and Stanislaus County for the preliminary engineering and construction phases of the Hickman Road Bridge – PW C-8-B-7 2015-96

Monteith/O'Brien unan. **B6** Accepted the Chief Executive Officer's Mid-Year Financial Report for FY 2014-2015; authorized the CEO and the Auditor-Controller to make the necessary adjustments as recommended in the Mid-Year Financial Report; authorized the use of \$3,936,195 in Appropriations for Contingencies as recommended in the Mid-Year Financial Report; authorized the CEO to approve transfers up to the annual budgeted amount for Public Safety Restoration, after positions are filled, one quarter in arrears; authorized the Auditor-Controller to make the necessary technical adjustments to the Operating Budget as a result of liquidation of prior year purchase orders; amended the Salary and Position Allocation Resolution to reflect the recommendations included as part of the Mid-Year Financial Report, as outlined in the Staffing Impacts section of this report and detailed in Attachment B to be effective the start of the first full pay period beginning on or after 03/21/2015, unless otherwise noted; and, approved contracts and/or agreements listed on Attachment C in cumulative amounts of \$100,000 or greater as of

07/01/2012 and authorized the GSA Director/Purchasing Agent or Department Head to sign – CEO
2015-97

Corr 1 Referred to the Department of Environmental Resources and the Agricultural Commissioner and Sealer of Weights and Measures, a letter from the California Water Boards regarding a Central Valley Regional Water Quality Control Board public workshop to be held in their Fresno office on 4/16/2015 or 04/17/2015 regarding amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Cary Watson; Eddie Glaspy; Jeffrey A. Scott; Barbara Moore; Bailee Moore; Cari Moore; and, Richard Moore

Supervisor O'Brien reported that he was in Washington D.C. last week for the San Joaquin Valley Air Pollution Control District to discuss serious issues with the Environmental Protection Agency (EPA). He noted that we need the cooperation of the EPA, and pressure from our legislators in Washington D.C., to make sure the EPA works with our Air District. Otherwise, there may be serious consequences that will come back to the residents in the eight county Air District basin. He noted that there is a process in April regarding the designation of ozone nonattainment, and that he will report more regarding this issue as the Air District takes action.

CEO Risen reported that over 2,400 pieces of legislation have been introduced at the State Capitol. The County will work with our lobbyist and the state associations to review these proposed bills. He thanked the Board for their support of the Mid-Year Budget this morning.

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 11:30 a.m. for Conference with Legal Counsel - Existing Litigation: Three Cases: Guillermo Diaz, et al. v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 2008718; Estate of George Israel Ramirez, et al. v. County of Stanislaus, et al., United States District Court, Eastern District of California Case No. 1:13-CV-00781-LJO-BAM; 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 and Conference with Legal Counsel - Significant Exposure to Litigation: One matter. Government Code Section 54956.9 (d)(2).

Adjourned at 1:00 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.)