

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

Regular Session
All Supervisors Present

Tuesday

June 26, 2012

Pledge of Allegiance to the Flag

Chiesa/De Martini unan. Adopted the consent calendar after removing from consent ***B-12** Approval to Enter Into a New Provider Agreement with Doctors Medical Center (DMC) for Fee for Service Inpatient Psychiatric Services for FY 2012-2013 – BHRS 2012-322

***A1** Approved the minutes of 06/19/2012

***A2** Accepted the Clerk-Recorder's Certified Statement of the results of the Presidential Primary Election held Tuesday, 06/05/2012, and declared results 2012-304

***B1** Authorized the Director of the Department on Aging and Veterans Services to sign grant agreements and any subsequent amendments for Older Americans Act (OAA) Programs Provider Contracts for Homemaker Services, Assisted Transportation, Physical Fitness, Elder Abuse Prevention, and Ombudsman Services and Initiative for FY 2012-2013– AAA 2012-305

***B2** Approved the award of agreements for Sober Living Environmental Services to Valley Recovery Resources and Nirvana Drug and Alcohol Treatment Institute for the contract period of 07/01/2012 through 06/30/2013, in an amount not to exceed a total of \$1,091,675; and, authorized the Director of CSA, or her designee to sign the agreement and any amendments, not to exceed the agreement amount of \$1,091,675 – CSA 2012-306

***B3** Accepted an additional allocation of \$2,032 from the Local Safety and Protection Account for Vertical Prosecution Block Grant budget; authorized use of the remaining grant funds from FY 2010-2011 in the amount of \$15,206 for the Unserved/Underserved Victim Advocacy and Outreach Program budget; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$2,032 for Vertical Prosecution Block Grant and \$15,206 for Unserved/Underserved Victim Advocacy and Outreach Program as detailed in the Budget Journal – DA 2012-307

***B4** Approved a contract with the California Department of Public Health Services for the Continuation of the Immunization Assistance Program for the period of 07/01/2011 through 06/30/2013; and, authorized the HSA Managing Director, or her designee, to sign and execute the contract and any subsequent amendments thereafter – HSA 2012-308

***B5** Approved the Amended and Restated Agreement with the Stanislaus County Police Activities League for recreational activities for FY 2012-2013; authorized the Director of Parks and Recreation, or designee, to sign the Amended and Restated Agreement with the Stanislaus County Police Activities League, number A043009; and, authorized the Director of Parks and Recreation, or designee, to sign future amendments to the contract so long as there is no change to the compensation terms - Parks and Recreation 2012-309

***B6** Approved the 2012 agreement between the 38th Agricultural Association – Stanislaus County Fair Board and Stanislaus County for the Sheriff to provide security at the fair, and, authorized the CEO to sign the agreement on behalf of the County – Sheriff 2012-310

***B7** Accepted the Stanislaus County Treasury Pool's May 2012 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 of Supervisors that the report has been reviewed and accepted – T/TC 2012-311

- ***B8** Approved FY 2012-2013 renewal agreements for contracted program services for Individuals and Families Receiving Temporary Aid to Needy Families, California Work Opportunities and Responsibility for Kids, Child Welfare, and Adult Services; and, authorized the Director of CSA, or her Assistant Director designee, to finalize and sign the agreements and any amendments not to exceed the contract amounts – CSA 2012-312
- ***B9** Approved the year-end adjustments to CSA In-Home Supportive Services (IHSS) Provider Wages Program Budget and the IHSS Public Authority Benefits Budget for 2011-12 by a transfer from savings in the General Assistance Program Budget; and, authorized the CEO and the Auditor-Controller to make the necessary budget amendments prior to year-end in the CSA budgets per the Budget Journal to meet the program projections for FY 2011-2012 – CSA 2012-313
- ***B10** Approved payment to Shute, Mihaly & Weinberger LLP for legal services up to \$40,000 in FY 2011-2012 - Risk Management 2012-314
- ***B11** Authorized the CEO to enter into a contract for ICJIS development and support with Atomogy Corporation through 06/30/2013 in amount not to exceed \$250,000 - CEO 2015-315
- ***C1** Approved the dedication of land from Ceres Unified School District (CUSD) to the City of Ceres along the Whitmore Avenue frontage of Caesar Chavez Middle School, located within the unincorporated area of Stanislaus County – PW 2012-316
- ***C2** Approved the Memorandum of Agreement between the Yosemite Community College District (YCCD) and Stanislaus County Public Works for GIS services; authorized the Director of Stanislaus County Public Works to execute the Memorandum of Agreement between the YCCD and Stanislaus County Public Works for GIS services; and, authorized the Public Works Director to execute all future Memorandum of Agreements for GIS services between Stanislaus County and other local agencies – PW 2012-317
- ***C3** Set a public hearing on 07/24/2012 at 9:05 a.m. regarding Budget Year 2012-2013 assessments for the various County Service Areas, Landscape Assessment District and Landscape and Lighting Districts shown on Exhibit A; and, directed the Clerk of the Board of Supervisors to publish a notice of such hearing pursuant to Section 6066 of the Government Code - PW 2012-318
- ***D1** Adopted the decision from the Nuisance Abatement Hearing Board to abate the dangerous building located at 116 Angle Lane, Modesto, California; approved the use of the Dangerous Building Abatement Fund for all the costs associated with the abatement of the public nuisance; and, directed the Department of Planning and Community Development to recover costs by recording a “Notice of Abatement Lien” against the property in an amount not to exceed \$12,500 in the event the owners and/or the interested parties fail to pay the costs incurred by the Dangerous Building Abatement Fund following approval of cost recovery by the Nuisance Abatement Hearing Board - Planning 2012-319

Chiesa/Monteith unan. **B12** Authorized the CEO and the Director of BHRS to negotiate and execute the new Provider Agreement for Fee for Service Inpatient Psychiatric Services for FY 2012-13; and, authorized the BHRS Director, or her designee, to sign the agreement for Fee for Service Inpatient Psychiatric Services with Doctors Medical Center (DMC) of Modesto effective 07/01/2012 through 06/30/2013 – BHRS 2012-322

DeMartini/Withrow unan. **B13** Approved an amendment to the Master Agreement with Stearns, Conrad, and Schmidt, Consulting Engineers, Inc., dba, SCS Engineers, to extend the contract expiration date to 12/31/2012, and increase the not to exceed contract amount to \$3,849,693.10 for environmental

monitoring, testing, and reporting services, at the Fink Road and Geer Road Landfills, and for operations, maintenance, and monitoring services at the Geer Road Landfill; authorized the Chairman to amend the Master Agreement number A00625; and, authorized the Director DER, or their designee, to sign additional individual Project Authorizations through 12/31/2012, providing that the cumulative total does not exceed the cumulative five-year total contract amount of \$3,849,693.10 – DER 2012-323

Monteith/O'Brien unan. **B14** Approved an amendment to the Master Agreement with Tetra Tech BAS, Inc., to extend the contract expiration date to 12/31/12, and increase the not to exceed contact amount to \$1,529,914.20 for operations, maintenance, monitoring, and reporting services at the Geer Road Landfill; authorized the Chairman to amend the Master Agreement number A072711; and, authorized the Director DER, or their designee, to sign additional individual Project Authorizations through 12/31/2012, providing that the cumulative total does not exceed the contract amount of \$1,529,914.20 – DER 2012-324

Monteith/Chiesa unan. **B15** Approved the Amended and Restated Service Agreement for the Supply and Acceptance of Solid Waste with Covanta Stanislaus, Inc., effective 07/01/2012, and authorized the CEO to sign the Agreement; approved the Amended and Restated Facility Site Lease Agreement effective 07/01/2012, and authorized the CEO to sign the Agreement; approved Amendment No. 3 to the "Agreement with the City of Modesto and County of Stanislaus Relating to Administration of the Service Agreement for Supply and Acceptance of Solid Waste with the City of Modesto, effective 07/01/2012, regarding the deposition of the Resource Recovery Account and other operating procedure changes and authorized the Chairman to sign the amendment; and, approved an increase of \$32,000 in the contract with Sidley Austin LLP for legal services in developing the new Service Agreement and amended Facility Site Lease Agreement for a revised not to exceed amount of \$142,000 - Waste-to-Energy Facility – CEO 2012-325

Chiesa/Monteith unan. **9:05 am** Conducted a public hearing to consider adjustments to the Stanislaus County franchise maximum rates for solid waste collection services; and, approved the proposed adjustments to Stanislaus County Franchise Maximum Rates for solid waste collection services in Franchise Areas 1,2,3, and 4 – DER 2012-320

Monteith/Withrow unan. **9:10 am** Conducted a public hearing concerning the reversion to acreage of the Del Rio Lago Subdivision Final Map and **continued the matter to 07/24/2012, at 9:10 a.m.** 2012-321

Corr 1 Referred to the Auditor-Controller a copy of the Stanislaus County Civil Grand Jury final report regarding the Special District Audit Requirement.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Arturo A. Mondragon Sara Elizabeth Angelo, and Luke E. Harris

Supervisor De Martini went with the CSA Department to view the Pathway and other programs for Foster children over the age of 18 to 24 years of age. He noted that the programs are working well.

The CEO reported on the State Budget – Democratic lawmakers are seeking to use additional dollars from a multi-state mortgage settlement to bridge the budget gap. If approved, the State would now be using \$392 of the \$410 million to plug the budget gap. At least 73 legal aid and housing agencies are protesting the use of these funds to balance the budget instead of mitigating home foreclosures in the State. The Senate Budget and Fiscal Review committee reviewed the trailer bills yesterday. Floor votes are expected to be taken up late today. Governor Brown's deadline to sign the original budget bill on June 27th this

Wednesday 12 calendar days after passage on June 15th date. On a positive note the \$250 million RDA bill was abandoned. That had risk to our County General Fund of roughly \$2.5 million. On the Welfare side we are looking at the proposed restrictions for new CalWORKS enrollees that would cut off benefits at two years if they do not find work, is waived for “high unemployment” areas, of which Stanislaus County is one. Also agreed was a plan to shift all 880,000 low income children in the Healthy Families program into Medi-Cal, eliminating the Healthy Families program. The County is at risk for losing \$511,000 in our Off-Highway Vehicle local funding that would have been used to upgrade the water system at Frank Raines Park. A portion of OHV funding is being transferred to cover some of the shortfall in State parks. We did send in a letter to the Gov. Brown last week addressing our concerns. Also, it is reported that the Governor Brown has abandoned the legislative attempt to limit the circumstances in which a court could block construction of the project of the high-speed rail project under CEQA. This was an attempt to limit CEQA’s impact on this priority project for the Governor. He now has responded he is only delaying his request to insulate the project from some parts of CEQA and he will wait until the legislature considers full funding of the project. On the Federal side both chambers were in session this past week and are scheduled to be in until the week of July 2nd.

Ramon Bermudez spoke regarding about the recent loss of Sgt. Jose Rodriguez who died while on active duty in Afghanistan.

Adjourned to closed session at 10:37 a.m. for Closed Session: Conference with Legal Counsel - Existing Litigation: Two Cases: Forensic Consultants’ Medical Group, Inc. v. County of Stanislaus et al, Stanislaus County Superior Court, Case Number 626798; Gustavo Leal vs. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 641885. Government Code Section 54956.9 (a). Conference with Labor Negotiator: Agency Negotiator: Monica Nino. Labor Organizations: Stanislaus County Employees Association (SCEA)/AFSCME Local 10; Service Employees’ International Union (SEIU), Local 521; and, County Attorneys’ Association (CAA). Government Code Section 54957.6.

Adjourned at 12:25 p.m.

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

BY: CHRISTINE FERRARO TALLMAN, 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.)