

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

Regular Session

Tuesday

October 17, 1995

All Supervisors Present

Pledge of Allegiance to the Flag

Dr. Nabi from the Stanislaus Medical Society presented the California Medical Accreditation Awards for the Jail, Juvenile Hall and California Forensic Medical Group.

George Osner, Immediate Past President of Central Section APA, presented the American Planning Association Distinguished Leadership Award to Stanislaus County for its Agricultural Element of the General Plan.

P/M unan. Adopted the consent calendar

Approved Minutes of 10/3/95	95-912
Set a public hearing to consider appeal of Planning Commission Decision on zoning variance application #95-04 and PM application #95-22 on 10/31/95 at 9:30 a.m.	95-913 S-30-AG-8
Commended American Legion Modesto Post 74 "1995 Man of the Year"	95-914 M-33-AG-29
Proclaimed October as Domestic Violence Awareness Month in Stanislaus County	95-915 M-33-AG-30
Proclaimed 10/23-31/95 as Red Ribbon Week in Stanislaus County	95-916 M-33-AG-31
Accepted resignations of Ralph Harpster from the EMCC	95-917 BD-19-A-32
Accepted resignations of Alvin Kleveno from the Grayson Community Services District	95-918 DCS-5-31
Approved appointments in Lieu of Election for:	
Kathaleen Allen and Jennie Santillan to the Empire MAC	95-919 MAC-3-17
Billy J. Hise and Warren D. Wheeler, Jr. to the Empire Sanitary District	95-920 DS-2-15
Mildred A. De Palma, J. Stanley Gustafson and William B. Thompson to the Denair CSD	95-921 DCS-4-27
Ronald S. Roberts and Ruth A. Tompkins to the Burbank-Paradise Fire Protection District	95-922 DF-6-A-21
Richard O. Camagna and Phil Silva to the Hughson Fire Protection District	95-923 DF-4-26
Lawrence Newnan and Karen Valdez to the Industrial Fire Protection District	95-924 DF-18-A-9
Bobby E. Conway, Jerry Costa and John F. McCarthy to the Westport Fire Protection District	95-925 DF-16-17
Phillip N. Short and Michael V. Crowell to the Turlock Irrigation District	95-926 DI-3-23
John Stewart Cox and Lee Deldon to the West Stanislaus Irrigation District	95-927 DI-5-18
Gary Horton, Chris Reyes, Paul Williams and Gary Dew to the Salida Sanitary District	95-928 DS-3-A-5
Jerry Hancock and Joel Hidahl to the Ceres Fire Protection District	95-929 DF-17-A-10
Gail Adams to the Salida Municipal Advisory Council	95-930 MAC-2-32
Approved appointments in Lieu of Election where no candidates filed for:	
Knights Ferry MAC	95-931 MAC-1-A-10
Newman Drainage District	95-932 DD-14-30
Westley Community Service District	95-933 DCS-6-18
Knights Ferry Community Service District	95-934 DCS-8-23
Grayson Community Service District	95-935 DCS-5-32

Approved appointments in Lieu of Election with candidates and vacancies for:
 Mercy Mora and Allen Sanguinetti to the Crows Landing Community Service District 95-936 DCS-11-16
 H. Joanne McKissen and Jim Yoshino to the Denair MAC 95-937 MAC-5-6
 Sharon Emery to the Keyes MAC 95-938 MAC-4-15
 Steve Brodie and Matt B. Woods to the Hickman MAC 95-939 MAC-6-4
 Andre Hensley, Ronald W. Jacobson and Thomas G. Virgil to the Riverdale Park CSD 95-940 DCS-10-17
 Garland Byther and Sarah Brown to the Monterey Park Track CSD 95-941 DCS-9-29
 Appointed Barbara Frazer to the Tuolumne River Regional Park Citizen Advisory Committee 95-942 BD-55-10
 Appointed Chief Bill Houk to the Hazardous Waste Management Advisory Committee 95-943 BD-52-18
 Approved FY 1995-96 contracts with the California Department of Food and Agriculture for nursery, egg quality control, and pest detection - Ag Commissioner 95-944 S-28-E-20
 Accepted completed Signage Project for the Stanislaus Behavioral Health Center; approved the final contract with the contractor, Performance Graphix of Sacramento for a total of \$26,973; authorized the Chairman to sign the completion documents; and, authorized the necessary recording of the final notice of completion and all other necessary closeout activities 95-945 M-66-B-6
 Approved the recommendations of the PIC regarding the addition of four agencies to the Individual Referral Vendor List and authorized the Director of JTPA to sign the Individual Referral agreements with the agencies 95-946 M-36-V-26
 Approved denial of support for the California Air Resources Board mandate regarding electric vehicle purchases in California – DER 95-947 S-11-N-13
 Approved submitting a grant application for continuing funding under the capitation cycles of the California Health Manpower Policy Commission for five Family Practice Residents and authorized the HSA Managing Director to sign the grant application – HSA 95-948 S-12-LQ-5
 Accepted check from Roche Laboratories for the AIDS Program at the HSA and directed the Auditor-Controller to make the necessary appropriation and estimated Revenue increases for FY 1995-96 for Index 402016 – HSA 95-949 S-10-W-10
 Approved the State Department of Health Services Contract #89-97939 amendment for the Tobacco Control Education (TCE) Program during 7/1/95 to 6/30/96; authorized the HSA Managing Director or her Designee to sign and execute the amended contract – HSA 95-950 S-10-W-11
 Approved revisions to the Stanislaus Medical Center's Medical Staff Bylaws as recommended by the General Medical Staff and the Medical Executive Committee – HSA 95-951 S-12-LQ-6
 Approved Medical Staff credentialing for Stanislaus Medical Center as recommended by the Medical Executive Committee of SMC Medical Staff – HSA 95-952 S-12-LQ-7
 Approved the addition of Norvasc to the Stanislaus Medical Center Drug Formulary – HSA 95-953 S-12-LQ-8
 Approved contract with the Alpine, Mother Lode, San Joaquin Emergency Medical Services Agency – HSA 95-954 S-10-W-12
 Approved contract with Stanislaus County and the City of Ceres authorizing the payment of election costs for the Library Tax Election and the transfer of real property located at 2220 Magnolia, Ceres and recommended the execution of a quit claim deed for the real property being conveyed to the City – Library 95-955 S-15-J-19
 Approved the provider contract with Community Psychiatric Center (CPC) Sierra Vista in which the County agrees to authorize payment for medically necessary psychiatric inpatient hospital services provided to specified National Health Plan beneficiaries and uninsured residents and authorized the Mental Health Director to sign this contract and other similar provider contracts developed with various

- hospitals to provide behavioral health services to National Health Plan beneficiaries and to uninsured residents - Mental Health 95-956 S-17-AJ-6
- Approved closure of all County Libraries on Saturday, 12/23/95, and the Modesto Library on Sunday, 12/24/95 95-957 S-15-J-20
- Appointed Gayle Ivy, R.N., to Psychiatric Nurse II at the Fifth Step to a new position authorized by the Board on 6/27/95 - Mental Health 95-958 S-17-AJ-7
- Accepted State of California, Department of Health Services, Office of Family Planning, Teen Services Projects Grant Funds for FY 1995-96; authorized the HSA, Managing Director to sign the contract; and, directed the Auditor/Controller to increase appropriations and expenditures by \$24,500 in Budget Index 809004 – SMC 95-959 S-12-LQ-9
- Authorized the Treasurer/Tax Collector to issue a subordination of lien for William J. Whittenberg 95-960 S-25-L-5
- Approved second amendment to contract with the Design Partnership (Architects) to increase the scope of work to include a toilet room addition in Building A - Stanislaus Behavioral Health Center 95-961 M-66-B-7
- Approved the addition of a warehouse to the program to remodel Stanislaus Behavioral Health Center and authorized the staff to issue an RFP for design services, to interview and select a design team, and to negotiate and execute a contract with the design team 95-962 M-66-B-8
- Authorized the CEO to negotiate and sign a change order with Acme Construction Company in an amount not to exceed \$80,000 for quality control (testing and inspection) of the Public Safety Center, Medium Security Housing Unit, Bid Package 5 and authorized the transfer of funds within the project budget to the proper sub-accounts 95-963 M-68-B-1
- Approved Program Supplement No. 131, funding agreement for the Ninth Street Safety Lighting Project and authorized the Chairman to sign the agreement 95-964 CON-404-4
- Approved the project for HES Pavement Widening Project; approved an environmental finding for the project of categorically exempt under CEQA guidelines; and, authorized the Auditor to increase appropriation and estimated Federal revenue in the project account by \$50.00 to cover the recording fee required by the County Clerk 95-965 CON-412-1
- Approved project for Sonora Road at Little John Creek (Eugene); considered the proposed mitigated negative declaration together with any comments received during the public review process; approved an environmental finding for the project of mitigated negative declaration under the CEQA; approved the finding of the mitigated negative declaration that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the document submitted have been added to the project; and directed that a mitigated negative declaration be prepared 95-966 CON-307-4
- Approved request for substitution of subcontractor for Geer Road Landfill Final Closure Construction Project 95-967 CON-394-8
- Approved an agreement consenting to common use of MID right-a-way at Claribel Road at MID Lateral No. 6; authorized the Chairman to sign agreement; and return agreement to Public Works Department for submission to MID for action by their Board and for recording 95-968 S-22-AM-3
- Approved traffic control for stop signs at various locations 95-969 S-22-AM-4
- Approved installation of "No Parking At Anytime" signs at South Side of State Highway 108 (West "F" Street in the City of Oakdale) 95-970 S-22-AM-5
- Approved Annual Report on the Stanislaus County General Plan for 7/1/94 - 6/30/95 95-971 M-17-17-1

B/P unan. Approved the Public Defender's office as a County Department and an immediate commencement of a recruitment to secure a qualified proven manager of resources and people; all Public Defender staff shall participate in a department wide and cross functional TQM effort with the demonstrated willingness to adhere to the highest professional standards and insure the competent, efficient operation of the Public Defender's office; approved the

flattening of the management structure of the Department, deleting the Assistant Public Defender position and adding a second Chief Deputy Public Defender position effective 1/1/96; due to the cost effectiveness of the conflict firms, their contracts shall continue to be maintained by the County; approved performance measurements and expected outcomes should be clearly defined for the office, within a given time-frame for accomplishment. Upon completion of the pre-determined time-frame, absent confirmation by not only the CEO, but also the Court that there has been marked improvement in the administration of the Public Defender's office including the professionalism of the attorneys in the office, the County should immediately prepare an RFP and solicit input from the private sector to provide these services; approved expediting the purchase of equipment and software as requested and designated from the technology fund for automation within the office; directed the newly appointed Public Defender to establish a data collection system which can effectively measure work performed by the Public Defender to the conflict firms and to other Counties; directed the CEO to immediately commence an evaluation to determine responsibility for the management of the Indigent Defense Budget including an evaluation of the feasibility of contracting with a limited number of private investigators, or investigation firms, to provide investigative services; directed the newly appointed Public Defender to evaluate with the Courts whether available resources, including volunteers, could assist in the eligibility determination of indigent clients and to follow up on all stipulated payments to the County

95-972 S-20-A-20 (1-623)

B/M unan. Approved use of Public Safety (Proposition 172) funds in the amount of \$118,000 for Emergency Dispatch Services provided to the Fire Protection Districts for FY 1995/96; provided direction to the CEO regarding the Fire Protection Districts for their cost of Dispatch in 1993/94 and 1994/95 in the amount of \$250,000 out of the contingency fund; directed the CEO to include Fire Services Dispatching costs in subsequent fiscal year budget review and recommendations, only so long as the County is providing the service and is subject to review every year; authorized the CEO and the Auditor-Controller to make the necessary budget adjustments; and this Board action is not intended to abrogate the legal responsibilities of the Districts to provide for and to be fiscally responsible for the fire dispatch services

95-973 - DF-2-A-30, DF-4-27, DF-5-A-25, DF-6-A-22, DF-7-23, DF-8-B-4, DF-9-13, DF-10-A-27, DF-11-30, DF-12-B-20, DF-13-A-11, DF-14-A-24, DF-15-26, DF-16-18, DF-17-A-11, DF-18-A-10, DF-20-8, BU-21-G-9, M-46-B-18 & S-4-G-5

(1-712)

B/S unan.(Caruso abstained) Approved contract CO #3 for Bret Harte Sewer Project to Ramos Pipeline, Inc.

95-974 CON-391-8 (2-38)

Verbal Update Presented by Dale Wagerman and Don Peterson Regarding 1995 Legislative Matters (1-302)

The Board will take no action on a letter from Nye County, Nevada inviting this County to Participate Via Financial Contribution in the United States vs. Nye County, Nevada Lawsuit Concerning Ownership of and Management Authority over Public Lands.

S/P unan. Accepted from the Regional Emergency Medical Services Agency a copy of their Fiscal Year Final Report 1994/95

95-975 S-10-W-13

Referred to the County Counsel a resolution from the Keyes Union Elementary School District establishing the necessity of assessing developers 100% of the cost to house that excess enrollment resulting from newly constructed residences.

Referred to the Department of Employment and Training and PIC a letter from the One-Stop Career Center System Task Force notifying of the upcoming meetings regarding the One-Stop system.

Appointed Supervisor Paul to serve on the Ballot Processing Panel and notify the Clerk Recorder.

Sent a copy to the Animal Services Department of a letter from the Stanislaus County Animal Advisory Committee expressing their appreciation for the work done at the Animal Services facility.

Referred to the Department of Public Works and requested a response back regarding a letter from the Citizens Advisory Committee for the proposed Oakdale Bypass recommending Route 2A.

Acknowledged receipt of claims and refer to Risk Management the following claims: Kawasaki Motors Corporation, U.S.A. vs. County of Stanislaus; Juan A. Alvara; Fernando Sam-Sin; Kabkeo Xayavongsa vs. City of Modesto Schools District, Robertson Road School, and Stanislaus County; Randa Baughman; Gladys Kauffmanis; Haig Arakelian; Jorge Alvarez; Tri Tran; Ly Tran; Toan Vong; Miguel Ruiz and Teresa Ruiz parents of Miguel Ruiz, Jr., deceased.

Supervisor Caruso reported on the recent San Joaquin Valley Supervisors Association meeting in Mariposa County.

The CEO reported on the selling of the Pension Obligation Bonds.

Adjourned at 8:50 p.m.

ATTESTED: REAGAN M. WILSON, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: CHRISTINE D. FERRARO, Deputy Clerk
(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.)