

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

September 17, 2002

Ron Jourdaney spoke regarding emergency services at Doctors Medical Center.

Madelyn Amaral and Ora Scruggs spoke in support of funding for the Public Health Nurses.

Mary Whetstone spoke in support of the budget for the Animal Services Department and requested an isolation room for animals who have had surgery at the Animal Shelter. ASA is willing to donate funds for the isolation room.

Ida May Owens spoke regarding the need to remind the residents in the Shackelford neighborhoods to secure the lids on the garbage cans in order to keep the garbage from blowing out of the cans.

B/S unan. Adopted the consent calendar after removing items ***B4** - Approval to Accept Federal Substance Abuse and Mental Health Services Administration Block Grant Funding for the Safe and Healthy Futures Collaborative of the Children's System of Care - Behavioral Health and Recovery Services; ***B5** - Approval to Accept Federal Substance Abuse and Mental Health Services Administration Block Grant and Demonstration Project Funding for Older Adult Services - Behavioral Health and Recovery Services; ***B6** - Approval to Accept Federal Substance Abuse and Mental Health Services Block Grant Funding for the Dual Diagnosis Project for Fiscal Year 2002-2003 - Behavioral Health and Recovery Services; and, ***B7** - Approval to Accept Federal Substance Abuse and Mental Health Services Administration Block Grant Funding for the Interagency Children's System of Care Project - Behavioral Health and Recovery Services, from the consent calendar

***A1** Approved the minutes of 8/20/02

***A2** Adopted and waived the second reading of Ordinance C.S. 808 amending Chapter 6.70.040 of the County Code concerning ambulance provider agreements ORD-54-L-1 2002-685

***A3a** Accepted the resignation of Phyllis Ashton from the Mental Health Board 2002-686

***A3b** Accepted the resignation of Terry Elliott from the Stanislaus County Children's Council 2002-687

***A4a** Appointed Heather Medlin and Jack Waldorf to the Mental Health Board 2002-688

***A4b** Appointed Kent Stacy to the Hazardous Waste Management Advisory Committee 2002-689

***A4c** Appointed M. Robert Adkison to the Airport Advisory Committee 2002-690

***A5** Commended Linda Weidman for 30 years in Law Enforcement with Stanislaus County 2002-691

***A6** Approved a request from MJC Track and Field – Cross Country Team for use of the Modesto Reservoir and Woodward Reservoir Park areas from 8/20/02 – 11/30/02 2002-692

***A7** Set a public hearing on 10/1/02, 9:25 a.m., to consider an appeal of the Planning Commission's decision regarding Parcel Map Application #2002-12 and Variance #2002-03 for Joaquin A. Azevedo, Jr. ORD-54-L-2 2002-693

***B1** Adopted the 2002/03 property tax rates; adopted the 1% tax rate authorized by sections 93(b) and 135 of the R&T 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 R&T Code 93(a) and 93(c); adopted the Countywide unitary tax rate authorized by section 100 of the R&T Code; and, adopted the .8714% tax rate for the territory formerly served by the Lower San Joaquin Levee District – Auditor-Controller 2002-694

***B2** Approved the Public Safety Augmentation Fund Annual Financial Review for the period ending 6/30/02 – Auditor-Controller 2002-695

- *B3 Approved educational stipends for Guadalupe Sanchez, Behavioral Health Specialist II, from 9/2002 through 6/2004, and for Joni Van Buskirk, Licensed Psychiatric Technician, from 1/2003 to 6/2004 – BHRS 2002-696
- *B8 Authorized the Director of BHRS to appoint Denise Hunt, RN, MFT, to the position of Associate Director of Behavioral Health and Recovery Services at an hourly rate of \$45.17, which exceeds the mid-point of Band F 2002-697
- *B9 Approved the Department of Planning and Community Development appointment of Debra Whitmore as a Manager III - Senior Planner at \$31.22 per hour, which exceeds the mid-point of the Manager III salary band; and, approved the appointment of William Carlson as an Associate Planner at the fifth step salary level of \$26.44 per hour – CEO 2002-698
- *B10 Authorized the Auditor-Controller to transfer \$25,781 from Appropriation for Contingencies to County match to offset DET's negative cash balances of the same amount and close outdated DET contracts; and, authorized the Auditor-Controller to make the appropriate transfers 2002-699
- *B11 Authorized the HSA to apply for and accept a 2003 Community Grant from the Northern California Chapter of the March of Dimes for a Multicultural Perinatal Health; authorized the HSA Interim Managing Director, or her Designee, to sign and execute the application; and, authorized the HSA Interim Managing Director, or her Designee, to negotiate and accept the grant if awarded 2002-700
- *B12 Authorized the HSA to apply for and accept Mini-Grants from the Stanislaus County Children & Families First Commission to purchase equipment to benefit Stanislaus children age 0 to 5; authorized submission of applications for funding to the Children & Families First Commission; authorized the HSA Interim Managing Director, or her Designee, to sign and execute the applications, and to negotiate and accept the contracts if awarded 2002-701
- *B13 Approved the Probation Department's Temporary Aid to Needy Families (TANF) Expenditure Plan for FY 2002/03 2002-702
- *B14 Approved amendments to the Retirement Board By-Laws as recommended by the Board of Retirement – Retirement BD-36-A-5 2002-703
- *B15 Approved Amendment #1 to the agreement for independent contractors services with Claims Management Inc. (CMI) for additional staff to process increased caseload, and authorized the Chairman to sign the amendment – CEO/Risk Management Division 2002-704
- *B16 Authorized the Sheriff to apply for and accept grant funds for 2002/03 from the OCJP for an Anti-Drug Task Force Program 2002-705
- *B17 Approved an amendment to the 2002 Conflict of Interest Code for the Consolidated Emergency Dispatch, a Joint Power Agency between the City of Modesto and the County of Stanislaus, as approved by the JPA – Stanislaus Regional 9-1-1 2002-706
- *B18 Authorized the renewal of an agreement between the State Department of Corrections and Stanislaus Regional 9-1-1 for access to the California Law Enforcement Telecommunications System (CLETS); approved the agreement to provide the State Department of Corrections, Parole and Community Services Division access to the CLETS System for law enforcement purposes; authorized the Director of Stanislaus Regional 9-1-1 to sign the agreement and any extensions or amendments to the agreement 2002-707
- *C1 Directed the Auditor-Controller to increase appropriation by \$5,000 and increase estimated revenue by \$5,000, to cover the cost of environmental permits and other minor project costs, for various Seismic Bridge Retrofit Projects – PW 2002-708
- *C2 Approved contract CO #1 for the Westley Triangle Landscape Project with Emert Construction Inc., of Stockton, CA; authorized the Purchasing Department to increase the contract amount by \$23,536.50; and, directed the Auditor-Controller to increase appropriations by \$23,536.50 to cover increased construction costs associated with the project – PW 2002-709

- *C3** Finds that all subdivision improvements required for Bangs Industrial Park (PM2000-18) by the Subdivision Improvement Agreement, executed by Randy Thomas and the Stanislaus County Board of Supervisors on 10/9/01, have been constructed to the satisfaction of the County; finds that said agreement was recorded on 10/15/01, as Document #2001-0122240-00, and filed with the Stanislaus County Clerk-Recorder's Office; accepted all streets, avenues, roads, and the drainage system within Bangs Industrial Park for maintenance by Stanislaus County; pursuant to Section 66499.7(A) of the Subdivision Map Act, authorized the release of the Certificate of Deposit, Account #40706427, ID #1, issued by Northern Trust Bank in the amount of \$413,758.00 for Faithful Performance of the Subdivision Improvement Agreement; and, pursuant to Section 66499.7(B) of the Subdivision Map Act, upon receipt of a Mechanic's Lien Guarantee, authorized the release of the Certificate of Deposit, Account #40706427, ID #2, issued by Northern Trust Bank in the amount of \$370,066.00 for payment of labor and materials and ordered that the Mechanic's Lien Guarantee must be dated a minimum of 35 days after the filing of the appropriate Notice of Completion and be in the amount of \$370,066.00, be prepared by a Title Company, be to the benefit of the County, and state that there are no Liens of Record – PW 2002-710
- *C4** Finds that the territory (Tuolumne-Gratton Annexation) more particularly described on Exhibits "A" and "B" is owned by Petitioners, and that Petitioners' ownerships represent 100% of the total assessed valuation of all taxable property within the territory proposed to be annexed into said District; finds that Stanislaus County Code, Section 21.40.040 requires the installation of a Street Lighting System to serve the territory; finds that the territory proposed to be annexed is not within the limits of any other Lighting District; finds that public necessity and welfare require that the territory be annexed to the Lighting District; ordered that the requirements of notice, hearing, and election shall not be applicable to this proceeding, pursuant to Streets and Highways Code, Section 19056; ordered that the territory be annexed to the Denair Highway Lighting District of Stanislaus County; finds the fact of filing of the petition was received by the Clerk of the Board on 9/11/02; ordered that, pursuant to the Streets and Highways Code, §19000, et seq, the cost of conducting and maintaining the Lighting District shall be assessed against the individual parcels of land within the District's boundaries; directed the Clerk of the Board to send a certified copy of the resolution ordering the annexation to the Lighting District to the Department of Public Works, the offices of the Assessor, Elections, Auditor-Controller, and the Clerk-Recorder; and, directed the Department of Public Works to send a certified copy of the resolution ordering the annexation to the Lighting District and all other required documents and the processing fee to the SBE – PW DL-02-27 2002-711
- *C5** Set a public hearing on 10/8/02, at 9:25 a.m., for final cost reimbursement for the demolition of one structure located at 1831 John Street, Modesto – PW 2002-712

B/S unan. ***B4** Authorized the Director of BHRS to accept Federal Substance Abuse and Mental Health Services Administration Block Grant Funding for the Safe and Healthy Futures Collaborative of the Children's System of Care in FY 2002/03 2002-713

B/S unan. ***B5** Authorized the Director of BHRS to accept Federal Substance Abuse and Mental Health Services Administration Block Grant and Demonstration Project Funding for Older Adult Services for FY 2002/03 2002-714

B/S unan. ***B6** Authorized the Director of BHRS to accept Federal Substance Abuse and Mental Health Services Block Grant Funding for the Dual Diagnosis Project for FY 2002/03 2002-715

B/S unan. ***B7** Authorized the Director of BHRS to accept Federal Substance Abuse and Mental Health Services Administration Block Grant Funding for the Interagency Children’s System of Care Project for children in FY 2002/03 2002-716

B/P (4-0) (Caruso abstained) **B19** Awarded the contract for the Abbie Street and South Avenue Curb and Gutter Project to On-Grade Contracting of Jamestown, CA, in the amount of \$1,474,273; awarded the contract for the Shackelford Neighborhood Improvement Project to Mazingo Construction, Inc. of Sonora, CA, in the amount of \$8,170,863; directed the Auditor-Controller to increase appropriations and revenue by \$9,645,136 to cover the two contracts; authorized the Purchasing Agent to establish contracts with On-Grade contracting of Jamestown, CA, and Mazingo Construction, Inc. of Sonora, CA, for the respective contract amounts; and, committed an additional \$2,000,000 tobacco settlement allocation for the Robertson Road Project when allocating 2003/04 Renaissance Project Funding – Public Works 2002-717

P/C unan. **B20** Considered and accepted the 2002/03 – 2010/11 Preliminary Capital Improvement Plan (CIP); and, authorized the CEO to submit the preliminary CIP for review, pursuant to the provisions of the CEQA, to the Stanislaus County Planning Commission for General Plan consistency and obtain all other necessary approvals to return the CIP to the Board for final consideration 2002-718

B/S unan. **B21** Authorized staff to prepare a methodology for modification of the County’s Public Facility Fee Program after receiving direction from the Board – CEO M-64-C-12 2002-719

Recessed at 8:54 p.m.

Reconvened at 9:00 p.m.

S/B unan. **6:35 p.m.** Accepted and approved the CEO’s recommended Final Budget Addendum Report for FY 2002/03; received public comment and input on the proposed spending plan; directed and approved any changes the Board may wish to make to the recommended Final Budget Addendum Report using appropriations for contingencies; adopted the Final Budget for 2002/03, which is comprised of the adopted Proposed Budget and those changes reflected in the Final Budget Addendum Report; authorized the CEO and the Auditor-Controller to make the necessary adjustments to implement the approved Final Budget; directed the CEO and the Auditor-Controller to prepare the Final Budget document in accordance with State law and submit it to the State Controller prior to 12/1/02; amended the Salary and Position Allocation Resolution to reflect the position and classification changes as recommended in the Final Budget Addendum effective 9/17/02; and, approved the technical adjustments per Attachment “C”; amended item to add requested funds for the District Attorney’s budget by \$76,000 2002-720

Corr 1 Referred to the Auditor-Controller, a copy of the East Side Mosquito Abatement District’s budget for FY 2002/03.

Corr 2 Referred to the CEO, a letter from the California High-Speed Rail Authority regarding SB 1856, which would authorize a \$9.95 billion general obligation bond for the November 2004 ballot, and SB 796, which would eliminate the Authority’s 12/31/03 sunset date.

Corr 3 Referred to the Children and Families Commission, Stanislaus HSA, and the CSA, a letter from Children Now regarding the California Report Card 2001: Factors for School Success.

Corr 4 Referred to the CEO and the Department of Parks and Recreation, a letter from the City of Ceres regarding the potential development of a Hatch Road Regional Park.

Corr 5 Directed the CSA to report back to the Board, regarding a letter from IHSS (In-Home Supportive Services) recipient, La Wanda Walton, expressing her appreciation of the IHSS nurses and her support for continued nursing services.

Corr 6 Referred to DER, Planning and Community Development, and Public Works, a letter from the City of Patterson regarding the Year 2000 Urban Water Management Plan Water Supply Assessment.

Corr 7 Referred to the CEO, Planning and Community Development, and Public Works, a letter from the State Department of Transportation regarding the Notice of Availability of Final Environmental Document for the Oakdale Expressway Project.

Corr 8 Referred to the CEO, Stanislaus OES, and all City Managers, a letter from the State OES regarding the U.S. Small Business Administration declaring Stanislaus County a disaster area due to physical and economic injury as a result of the Santana Row Fire on 8/19/02.

Corr 9 Referred to the CEO, a letter of congratulations from CSAC regarding a special Merit Award our County received for one of our outstanding programs in the CSAC's annual statewide Challenge Award Competition, and a list of the 2002 Challenge Award and Merit Award winners.

Corr 10 Referred to the Chairman's attached response to the letter received from the American GI Forum, Modesto City Chapter, requesting that an independent investigation be conducted of the redistricting process.

Corr 11 Referred to the CEO, a letter from California Senator, Charles Poochigian, urging this Board to express its position on SB 1714 to the Governor's Office as he considers whether to sign or veto this measure.

Corr 12 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Ryan Douglas DeAnda; California State Automobile Association for their insured Ruben or Ana L. Rodriguez; Phinehas L. Parker; Sanita Bal; Arthur Matthews; Dustin Matthews; Tona Saylor; Jordan Anthony Bettencourt; Jared Isaiah Deason Elkins; Gene P. Gobel; Louie Lopez; Nick Cox; Sandra Morgan, Individually, and on behalf of her Minor Children Breanna Lee Morgan and Paige Harley Morgan; and, Rehene Reyes.

The CEO noted that on next Tuesday, 9/24/02, the positions for the HSA Director and the CSA Director will be brought to the Board for approval. He noted that the health condition of Don Peterson, our legislative lobbyist, is improving.

Adjourned at 11:15 p.m.

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

BY: LILLIE L. FARRIESTER, 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.)