

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

Regular Session

Tuesday

August 19, 2003

All Supervisors Present

Pledge of Allegiance to the Flag

Daniel Marsh spoke regarding the County's Internet site and suggested that the Board of Supervisors complete agenda packet be placed on the web-site.

C/G unan. Adopted the consent calendar after removing from consent item **\*C3** Approval to Set the Bid Opening Date for August 27, 2003 at 2:30 p.m. for the Construction of the Knights Ferry School Access Road and Approval to Authorize the Stanislaus County Road Commissioner to Award the Contract Pursuant to §20395 of the Public Contract Code - PW

- \*A1** Approved the minutes of 8/11/03 and 8/12/03
- \*A2** Adopted and waived the second reading of Ordinance C.S. 856 amending Title 11 of the Stanislaus County Code pertaining to traffic control to establish speed zones on various County roads - PW ORD-54-O-10 2003-768
- \*A3** Accepted the resignations of Brendt Noon and Jack Tune and appointed Ben Cassinetto and Eric Ulrich to the Knights Ferry Community Services District Board 2003-769
- \*A4a** Appointed Dail Avila to the Westside Community Healthcare District Board 2003-770
- \*A4b** Appointed Robbie Brinkman to the Advisory Board on Substance Abuse Programs 2003-771
- \*B1** Approved an amendment to the agreement with Critical Difference, LLC, for temporary nursing services; authorized the Director of BHRS, or his Designee, to sign the amendment; and, authorized the Director, or his Designee, to sign the agreements with temporary nursing agencies in FY 2003/04 as necessary and consistent with the total amount budgeted for temporary nursing services – BHRS 2003-772
- \*B2** Authorized the State Department of Mental Health to withhold and transfer Medi-Cal Managed Care funds in the amount of \$30,000 for FY 2003/04 to the California Mental Health Directors Association to fund an Administrative Services Organization that will arrange for the provision of Mental Health Services for Medi-Cal eligible children from Stanislaus County who are placed out-of-County, and authorized the Director to approve similar transfers of funds, not to exceed \$30,000 per year, to the California Mental Health Directors Association in future fiscal years – BHRS 2003-773
- \*B3** Authorized the CEO to grant licenses for temporary use of County property, and approved a license agreement with CNN America, Inc., to use the lower patio of 801 11<sup>th</sup> Street to conduct and film a television show 2003-774
- \*B4** Approved the fourth year modifications to the Stanislaus County Workforce Investment Act (WIA) Five-Year Plan and authorized the Chairman to sign the Plan – DET 2003-775
- \*B5a** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding property located at 706 Santa Fe Avenue, Empire, California (CE No. 02-2482) – DER 2003-776
- \*B5b** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding property located at 4625 McGinn Avenue, Salida, California (CE No. 03-1054) – DER 2003-777
- \*B5c** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding property located at 5881 River Road, Oakdale, California (CE No. 03-1413) – DER 2003-778
- \*B5d** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding property located at 5224 McCoy Avenue, Empire, California (CE No. 02-774) – DER 2003-779

- \*B5e Adopted the recommendations of the Nuisance Abatement Hearing Board regarding property located at 115 G Street, Turlock, California (CE No. 02-1165) – DER 2003-780
- \*B6 Approved an independent contractor agreement with Stephen Berrien, M.D., for the Provision of Orthopedic Specialty Clinic Services at HSA, and authorized the HSA Managing Director, or her Designee, to sign the Independent Contractor Agreement – HSA 2003-781
- \*B7 Authorized the Sheriff and the Director of CSA to enter into an agreement wherein CSA provides funding for a Sheriff’s Detective (Deputy Sheriff- Coroner) to assist with Child Welfare Services Criminal Investigations and to conduct forensic interviews of juvenile crime victims; directed the Auditor-Controller to increase Appropriations and Estimated Revenues in the amount of \$96,778; and, amended the Salary and Position Allocation Resolution to add one Deputy Sheriff-Coroner to the Sheriff’s Operation Division – Sheriff 2003-782
- \*B8 Authorized the Sheriff to accept a California Law Enforcement Equipment Program (CLEEP) High Technology allocation from the State of California in the amount of \$92,782.67; authorized the purchase of computer equipment, software licenses, information technology (IT) training and maintenance costs, and security equipment for the Denair Substation; directed the Auditor-Controller to increase Appropriations and Estimated Revenues; and, authorized carryover of unspent funds at the end of the fiscal year – Sheriff 2003-783
- \*B9 Accepted the Stanislaus County Treasury Pool’s June 2003 Monthly Investment Report as prepared by the Stanislaus County Treasurer/Tax Collector’s office, and reviewed for conformity with State Law and Local Investment Policy by the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign for the Board that the report has been reviewed and accepted – Treasurer/Tax Collector 2003-784
- \*B10 Approved one change to the County Treasury Pool Investment Policy to be effective 8/20/03 – Treasurer/Tax Collector 2003-785
- \*B11 Adopted a resolution approving the development, implementation and grant application for recognition of the Weed & Seed Project; and, authorized the CEO to act on all matters regarding the grant application 2003-786
- \*B12 Approved the plans and specifications (final design documents) for the Grayson Community Center and Park Project, Bid Package 1, Construction; authorized staff to advertise for bids; set the bid date for 9/24/03, no later than 2:30 p.m.; authorized staff to receive the bids and return to the Board with a recommendation of award for the construction contract; approved a revised schedule for the Grayson Community Center Project; and, authorized the CEO to negotiate and execute professional or independent contractor agreements for work or services as may be necessary for construction management, testing, estimating, copying of blueprint, inspection, and other professional services, provided such agreements are within the project budget 2003-787
- \*B13 Approved an independent contractor agreement with Valley Associated Urology Medical Group for the provision of Urology Specialty Clinic Services at HSA, and authorized the HSA Director, or her Designee, to sign the independent contractor agreement 2003-788
- \*B14 Authorized the appointment of Susan Rutherford to the position of Staff Nurse III, HSA Specialty Clinic, at \$30.54 hourly, which is at Step Five of the Salary Classification – HSA 2003-789
- \*B15 Approved two agreements between the Office of Statewide Health Planning and Development (OSHPD) and HSA to receive Physician Training Funds under the Song-Brown Family Physician Training Act; and, authorized the HSA Managing Director, or her Designee, to sign the agreements 2003-790
- \*C1 Accepted the Salida 2002 Improvements Project as complete; approved Contract Change Orders #1 through #6; directed the Purchasing Agent to increase the construction contract

with W.M. Lyles Company in the amount of \$1,844,286.15 for additional construction services; directed the Purchasing Agent to increase the design contract of Thompson-Hysell Engineers in the amount of \$68,700 for design and construction support services; authorized an additional expenditure from the Salida Storm Drain Account in the amount of \$511,177.95; and, directed the Auditor-Controller to increase Appropriations – PW

2003-791

**\*C2** Directed the Auditor-Controller to increase Appropriations by \$5,000 and Estimated Revenue by \$4,426, in the project account for additional consultant reviews necessary for final inspection of the Compressed Natural Gas (CNG) Vehicle Fueling Facility Project – PW

2003-792

**\*D1** Set a public hearing on 9/16/03, at 6:35 p.m., for Rezone Application #2002-18 and Parcel Map Application #2002-27, John Stewart – Planning ORD-54-P-2 2003-793

**\*D2** Set a public hearing on 9/16/03, at 6:40 p.m., for Rezone Application #2003-02 and Parcel Map Application #2003-02, Ervin Rifenburg – Planning ORD-54-P-3 2003-794

P/C unan. **\*C3** Set the bid opening date for the Construction of the Knights Ferry School Access Road for 8/27/03, at 2:30 p.m., and authorized the Stanislaus County Road Commissioner to award the contract pursuant to Public Contract Code §20395 – PW 2003-795

G/C unan. **6:40pm** Removed from the agenda the public hearing to Consider GPA Application #2003-01, Rezone Application #2003-03 and Vesting Tentative Map Application #2002-02, Riopel Property in the Denair Area, as requested by the Applicant to allow revision of the map and resubmittal of the project to the Planning Commission 2003-800

G/M unan. **6:45pm** Granted the request to withdraw the Appeal of Planning Commission Decision regarding the denial of Vesting Tentative Map Application #2002-02 for Riopel Property in the Denair Area, as requested by the Applicant 2003-801

G/C unan. **B16** Authorized staff to issue a RFP for two project study reports for the Hammett Road Interchange and the Kiernan Avenue Interchange; approved the cost sharing formula concept outlined in the staff report with the recognition that there is no guarantee that the “up front” costs of preparing the project study reports will be reimbursed to the contributors at a later date; authorized the acceptance of funding contributions from property owners and developers to pay for the Hammett Road Interchange and the Kiernan Avenue Interchange project study reports, not to exceed \$500,000 in accordance with acceptable practices to be established by the Auditor-Controller, County Counsel and ultimate approval by the Board of Supervisors; authorized the Auditor-Controller to establish an interest-bearing fund to accept funding contributions toward the preparation of these studies; authorized staff to negotiate a contract for two project study reports for the Hammett Road Interchange and the Kiernan Avenue Interchange based on responses to the RFPs, subject to receipt of funding from developers; and, directed staff to return to the Board for final approval of the contract 2003-796

P/C unan. **B18** Adopted a resolution approving the recruitment of County employees to work the election polls during County sponsored elections – Clerk-Recorder 2003-797

C/P unan. **B17** Introduced and waived the first reading of an Ordinance C.S. 857 amending County Code §3.36.040 regarding authorization for County employees who voluntarily use regular days off, vacation days or compensatory time off to serve as pollworkers on election day and receive the applicable statutory stipend from the Registrar of Voters – Clerk-Recorder ORD-54-O-11 2003-798

G/M unan. **B19** Approved the revised Stanislaus County Telecommunications Policy and authorized the Interim CEO to sign the negotiated contracts with mobile phone vendors 2003-799

**Corr 1** Referred to Animal Services, a letter from Susan Robinson regarding proposals to alleviate cat and dog overpopulation.

**Corr 2** Referred to Planning and Community Development, a letter from the U.S. Department of the Interior regarding the designation of Critical Habitat for four Vernal Pool Crustaceans and eleven Vernal Pool Plants.

**Corr 3** Referred to the Chief Executive Office/Emergency Services, a letter from the Office of Homeland Security approving the FY 2003 State Homeland Security grant for \$1,129,609.

**Corr 4** Referred to the Chief Executive Office, a letter from CSAC regarding the Secure Rural Schools and Community Self-Determination Act of 2000 and the Payment in Lieu of Taxes Act of 1976.

**Corr 5** Referred to the Chief Executive Office, a letter from CSAC regarding the special fall TRANS program addressing the State budget issues.

**Corr 6** Acknowledged receipt of claim and referred to the CEO-Risk Management Division the following claim: Progressive Insurance Company for their insured Stacey Hance.

Supervisor Paul asked when someone will be deputized that can follow-up on zoning violations. County Counsel responded that this will come to the Board on 9/16/03.

M/C unan. **Legislative A.** Approved a resolution opposing SB 707 (Florez) prohibiting the certification of an EIR or negative declaration for the construction/expansion of dairies 2003-802

Richard Jantz, Deputy CEO, announced that the Stanislaus County exhibit won first place at the State Fair.

Adjourned to closed session at 7:24 p.m. for conference with Legal Counsel - Existing Litigation: Jose Lopez et. al. vs. County of Stanislaus, et al. Stanislaus County Superior Court Case No. 309778. Government Code §54956.9(a).

Adjourned at 8:00 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.)