

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

Regular Session

Tuesday

May 18, 2004

Supervisor Paul absent

Pledge of Allegiance to the Flag

Animal Services Director Michael Rodriguez made a presentation on the recent Four-Footed Fun Faire.

A proclamation for Emergency Medical Services Week in Stanislaus County was presented to Steve Andriese, Director of the Mountain Valley EMS.

Grover/Simon (4-0)(Paul absent) **B-10** Accepted the Mental Health Board Annual Report and presented a resolution proclaiming May as Mental Health Month to the Mental Health Board – BHRS 2004-372

Mayfield/Simon (4-0)(Paul absent) **6:35 pm G.** Introduced and waived the first reading of Ordinance C.S. 882 establishing new fees and amending existing fees for the Probation Department

ORD-54-R-15 2004-380

Simon/Grover (4-0)(Paul absent) **6:35 pm A.** Introduced and waived the first reading of Ordinance C.S. 876 establishing new fees and increasing other existing fees for the Assessor's Office

ORD-54-R-9 2004-374

Mayfield/Grover (4-0)(Paul absent) **6:35 pm B.** Introduced and waived the first reading of Ordinance C.S. 877 establishing new fees for the Clerk Recorder's Department

ORD-54-R-10 2004-375

Grover/Simon (4-0)(Paul absent) **6:35 pm C.** Introduced and waived the first reading of Ordinance C.S. 878 establishing new fees and amending existing fees for the Department of Environmental Resources

ORD-54-R-11 2004-376

Grover/Mayfield (4-0)(Paul absent) **6:35 pm D.** Introduced and waived the first reading of Ordinance C.S. 879 establishing the Department of Public Works Land Survey 2004 Fee Schedule

ORD-54-R-12 2004-377

Grover/Mayfield (4-0)(Paul absent) **6:35 pm E.** Introduced and waived the first reading of Ordinance C.S. 880 establishing new fees and amending existing fees for the Department of Parks and Recreation

ORD-54-R-13 2004-378

Mayfield/Grover (4-0)(Paul absent) **6:35 pm F.** Introduced and waived the first reading of Ordinance C.S. 881 establishing the Department of Planning and Community Development 2004 Fee Schedule to be effective no sooner than 60 days following Board approval

ORD-54-R-14 2004-379

Simon/Grover (4-0)(Paul absent) **6:35 pm H.** Introduced and waived the first reading of Ordinance C.S. 883 and Ordinance C.S. 886 establishing new fees for the Office of the Treasurer-Tax Collector

ORD-54-R-16 2004-381

Grover/Simon (4-0)(Paul absent) **6:35 pm I.** Introduced and waived the first reading of Ordinance C.S. 884 establishing new fees for Animal Court and Ordinance C.S. 887 amending existing fees for the Department of Animal Services

ORD-54-R-17 2004-382

Mayfield/Grover (4-0)(Paul absent) **6:35 pm J.** Introduced and waived the first reading of Ordinance C.S. 885 establishing new fees and increasing other existing fees for the Office of the Auditor-Controller

ORD-54-R-18 2004-383

Simon/Grover (4-0)(Paul absent) **6:40 pm** Adjusted the annual Ambulance Maintenance Fee Schedule as outlined in Option 2 2004-384

Henry Dill spoke regarding the fee increases, and thanked the Board for their support of the King Kennedy debate last night. He noted the 50-year anniversary of the landmark Brown vs. Board of Education case, and stated that economic segregation is still an issue. He spoke in support of benefits and fair wages for IHSS workers.

John Mataka voiced his displeasure that the public comment period was moved to later in the meeting. He spoke regarding his request that the Fink Road Landfill 5-year plan be placed on a Board agenda for an evening meeting.

Grover/Mayfield (4-0)(Paul absent) Adopted the consent calendar after removing from consent item *C3 Approval to Amend Resolution No. 92-967 (8/11/92) for Closure/Post Closure Maintenance Fund for Fink Road Landfill

- *A1 Approved the minutes of 5/11/04
- *A2 Proclaimed 5/29/04 as World War II Veterans Recognition Day 2004-349
- *A3a Accepted the resignation of Mickey Peabody from the Mental Health Board 2004-350
- *A3b Accepted the resignation of Randall Locklin from the Empire Sanitary District Board of Directors 2004-351
- *A4 Authorized the Chairman to vote in support of the proposed increased assessments in CSA No. 10 on behalf of the fifteen County owned parcels 2004-352
- *A5a Appointed George W. Silva to the Patterson Cemetery District Board of Trustees 2004-353
- *A5b Appointed Tammy Felix to the Stanislaus County Children and Families Commission 2004-354
- *B1 Approved the allocation of \$7,621.63 to the County Road Fund in accordance with the provisions in §104.10 of the California Streets and Highways Code – Auditor-Controller 2004-355
- *B2 Approved Agreement Number MS-0405-14 with the California Department of Aging for administration of the Multipurpose Senior Services Program (MSSP) for FY 2004/05; and, authorized the Director of CSA, or his Assistant Director Designee, to sign the contract and any amendments not to exceed the contract amount of \$630,886 – CSA 2004-356
- *B3 Approved the amended agreement with Nirvana to provide substance abuse treatment services for the Child Welfare Services Program and authorized the CSA Director, or his Assistant Director Designee, to sign the amended agreement not to exceed the contract amount of \$127,500 for the period of 7/1/03 through 6/30/04 – CSA 2004-357
- *B4 Approved a contract between the Victims Compensation and Government Claims Board (formerly the State Board of Control) and the DA's Office for a paralegal to track, research and report on restitution to victims of violent crimes in the amount of \$58,656; and, authorized the DA to sign the contract and approve the grant award agreement including any extensions or amendments – DA 2004-358
- *B5 Authorized DET to receive and expend Program Year (PY) 2004/05 WIA funds for various job training programs in accordance with the approved Stanislaus County Strategic Five-Year Local Plan; authorized the Director of DET to sign all WIA-related sub-grant agreements and any modifications or adjustments as required by the State; and, authorized the Director of DET, or his Designee, to enter into and sign agreements and contracts, which may exceed \$100,000 to expend PY 2004/05 WIA funds – DET 2004-359
- *B6 Authorized the Director of DER, or his Designee, to apply for, administer, and receive the FY 2004/05 Block Grant to promote used oil recycling; the Grant from the California Integrated Waste Management Board will continue to be administered during FY 2004/05,

- 2005-06, and 2006-07; authorized the Director of DER, or his Designee, to sign the Block Grant application form and to receive funds from the California Integrated Waste Management Board for FY 2004/05 the Used Oil Block Grant Program, in the current fiscal year and in FY 2005/06 and 2006/07; authorized the Auditor-Controller to make necessary financial transactions; and, authorized the submittal of a joint request for Used Oil Recycling Block Grant on behalf of the cities of Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford and the unincorporated areas of Stanislaus County to the Integrated Waste Management Board – DER 2004-360
- *B7** Approved HSA to enter into a MOU with San Joaquin County to provide a regional immunization registry with the Department of Health Services and authorized the HSA Director, or her Designee, to sign the MOU – HSA 2004-361
- *B8** Authorized the Chairman to sign an extension of the agreement with the State of California Wildlife Conservation Board to continue operation of Orestimba Fishing Access from 12/30/04 until 12/31/14 - Parks and Recreation 2004-362
- *B9** Authorized the Chairman to sign an extension of the agreement with the State of California Wildlife Conservation Board to continue operation of Niels Hansen Fishing Access from 5/31/04 until 6/1/14 - Parks and Recreation 2004-363
- *C1** Finds that all subdivision improvements required for the Sterling Ranch Unit No. 1 Subdivision, by the subdivision improvement agreement, executed by JKB Homes Norcal, Inc. and the Stanislaus County Board of Supervisors on 11/25/03, have been constructed to the satisfaction of Stanislaus County; finds that said agreement was recorded on 11/26/03, as Document No. 2003-0202584-00, and filed with the Stanislaus County Clerk Recorder's Office; accepted all streets, avenues, roads, and the drainage system within Sterling Ranch Unit No. 1 Subdivision for maintenance by Stanislaus County; pursuant to §66499.7(A) of the Subdivision Map Act, authorized the release of Performance Bond No. 174597S, issued by Developers Surety & Indemnity Company in the amount of \$1,254,374.69 for faithful performance of the subdivision improvement agreement; and, pursuant to §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. 174597S, issued by Developers Surety & Indemnity Company in the amount of \$627,187.35 for payment of labor and materials; the Mechanic's Lien Guarantee must be dated a minimum of 61 days after the filing of the appropriate notice of completion, be in the amount of \$627,187.35, be prepared by a title company, be to the benefit of Stanislaus County, and state that there are no liens of record – PW 2004-364
- *C2** Finds that all off-site street improvements, including the storm drain system, required for Vesting Tentative Parcel Map No. 99-35 (Sommer Place, East Oakdale) have been constructed to the satisfaction of Stanislaus County; and, accepted all street improvements including the storm drain system required by Vesting Tentative Parcel Map No. 99-35 for maintenance by Stanislaus County within the proposed development and the extension of Sommer Place right-of-way in the east Oakdale area – PW 2004-365
- *C4** Awarded contract for \$226,330 to Dokken Engineering of Rancho Cordova, California, for the Albers Road, Geer Road, Yosemite Boulevard Intersection Improvement Project; authorized the Purchasing Agent to establish a contract with Dokken Engineering of Rancho Cordova, California, for the contract amount of \$226,330; and, directed the Auditor-Controller to increase Appropriations by \$250,000 and Estimated Revenue by \$250,000 to cover engineering design, environmental studies, and geotechnical investigation – PW 2004-366
- *C5** Awarded contract for \$295,100 to BKF Engineering of Walnut Creek, California, for project design services for the Geer Road at Santa Fe Avenue, and Hatch Road at Santa Fe Avenue Intersection Improvement Projects; authorized the Purchasing Agent to establish a contract

with BKF Engineering of Walnut Creek, California, for the contract amount of \$295,100; and, directed the Auditor-Controller to increase Appropriations by \$325,000 and Estimated Revenue by \$325,000 to cover engineering design, environmental studies and geotechnical investigation – PW 2004-367

- ***C6** Awarded contract for \$379,600 to Quincy Engineering, Inc., of Sacramento, California, for project design services for various intersection improvement projects; authorized the Purchasing Agent to establish a contract with Quincy Engineering, Inc., of Sacramento, California, for the contract amount of \$379,600; and, directed the Auditor-Controller to increase Appropriations by \$420,000 and Estimated Revenue by \$420,000 to cover engineering design, environmental studies and geotechnical investigation – PW 2004-368
- ***D1** Set a public hearing on 6/8/04 at 9:30 a.m. to consider Rezone Application No. 2003-13, Millefiore Landscape Materials – Planning ORD-54-S-1 2004-369
- ***D2** Authorized the Chairman to send a letter in opposition of SB 744 Dunn, to the author, with copies to the co-author and our Local State Representatives – Planning 2004-370

Simon/Grover (4-0)(Paul absent) ***C3** Amended Resolution No. 92-967 (8/11/92) to include corrective action as a covered activity under Title 27, California Code of Regulations, Subchapter 2, Article 4, Chapter 6, §22220; and, directed the Auditor-Controller to rename the Fink Road Landfill Closure/Post Closure Maintenance Fund to Fink Road Landfill Closure/Post Closure Maintenance and/or Corrective Action Fund – PW 2004-371

Mayfield/Simon (4-0)(Paul absent) **B-11** Approved the Annual Report on the Community Wide Technology Strategy called Connecting Stanislaus 2004-373

Corr 1 Referred to the CEO/Emergency Services, a letter from CSAC regarding changes in the mitigation planning requirements enacted by the Disaster Mitigation Act of 2000

Corr 2 Referred to the DA, Area Agency on Aging and CSA, a letter from the District Attorney of Yolo County requesting support of AB 2474, which will extend mandated reporting of suspected elder and dependent adult financial abuse to banks, credit unions, and savings and loan companies

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Ramon J. Magdaleno; Trinidad E. Lopez; George Campbell; Jose Loaiza; Robert L. Woolsey; Jennifer M. Woolsey; Andrew Dean Trujillo; Joseph Thomas Woolsey; Robert Christian Woolsey; and, Cody James Woolsey

Supervisor Mayfield asked for clarification regarding Correspondence No. 1 - a letter from CSAC regarding changes in the mitigation planning requirements enacted by the Disaster Mitigation Act of 2000. The Interim CEO stated that it is regarding disaster preparedness and planning.

Supervisor Grover noted that he and Deputy CEO Richard Jantz were in Sacramento last Wednesday, to attend the Governor and State Controller address to the League of Cities and CSAC.

Chairman Caruso and Supervisor Mayfield attended Senior Awareness Day last weekend and presented commendations to outstanding seniors in the community. The Chairman gave the welcoming remarks at the Native Sons of the Golden West function on Sunday. He spoke regarding the change of time of the Public Comment period at tonight's meeting, and suggested that public hearings be scheduled later in the evening if presentations are on the agenda.

The Interim CEO gave a status update on the State budget situation. She noted that the May Revised Budget was issued on Thursday of last week. She stated that there is some good news in the reports overall, but there is still a lot of one time money and borrowing in this budget plan. The State Budget still needs to be amended and adopted by the State Legislature. She stated that the County budget hearing on 6/15/04 will be for the FY 2004/05 "proposed" budget, and that the "final" budget hearing will be held in September 2004.

Adjourned at 9:44 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.)