

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

August 10, 2004

A moment of silence was observed in honor of the memory of former Sheriff's Lieutenant and Marshal, Don Olson.

Employee Service Awards for those honored for thirty years of service were given to John Aud - DER; Nancy Bancroft – HSA; Sheryl Morgan - Library; and, Lydia Toledo – CSA. Employee Service Awards for those honored for twenty-five years of service were given to Barbara Frederick – CSA; Patricia Phelan – Library; and, Sherri Stoll – HSA.

Pat Boyd, of the UDW, spoke in support of increased wages and benefits for IHSS employees.

Susan Alaya spoke regarding the unsanitary and unsafe conditions for wildlife at the Fox Grove Animal Wildlife Center, and she showed pictures taken in June of 2004 of the facilities. County Counsel noted that although the County leases the property to the Wildlife Center, the operation of this facility are under the jurisdiction of the State Department of Fish and Game. However, he noted that since they operate under a Use Permit approved by the County, DER could inspect the facility for compliance. The Interim Director of DER noted that she will contact the State Department of Fish and Game regarding this issue and will report back to the Board.

Dr. Daren Garb, representing Resident Physicians (Interns) of the Family Practice Residency Program, spoke regarding the current labor negotiations with the County. He spoke in support of a wage increase for Residents, and noted that they have not had a raise in two years.

Kristi Rosenquist, of the UDW, spoke in support of increased wages for the Resident Physicians of the Family Practice Program. She also spoke in support of increased wages and benefits for IHSS employees, and noted that IHSS employees have not had a raise in 35 years.

Shauna Collins, owner of Supper Sensations, spoke regarding DER not accepting the use of their cold pans, which use gel instead of electricity to keep cold. She stated that gel will keep products cold for over 8 hours. She asked the Board for assistance in working with DER to have their cold pans approved. The Interim Director of DER noted that they have been working with this company, and are in the process of gathering more data regarding the use of these types of cold pans.

Paul/Grover unan. Adopted the consent calendar after removing from consent item *C3 Approval to Award Contract for the Fiscal Year 2002-2003 AC Overlay Program to George Reed, Inc., of Modesto, California

*A1 Approved the minutes of 8/3/04

*A2a Accepted the resignation of Lowell Wilds from the Keyes Community Services District

2004-599

*A2b Accepted the resignation of Rich Walke from the Stanislaus Economic Development and Workforce Alliance Youth Advisory Council

2004-600

- *A2c Accepted the resignation of Debra Parker from the Mental Health Board 2004-601
- *A3 Consolidated the City of Newman's Direct Growth Initiative Election with the General Election to be held on 11/2/04 2004-602
- *B1 Authorized the CEO to submit a Block Grant Application to the Bureau of Justice Assistance for 2004 Local Law Enforcement funding to enhance criminal justice processes and authorized the CEO to review the grant application with the Local Law Enforcement Advisory Group and complete the required public service announcements 2004-603
- *B2 Authorized CSA to contract with YCCD for industrial training and learning disability evaluation services and authorized the CSA Director, or his Assistant Director Designee, to sign the agreements and any amendments not to exceed the original contract amounts – CSA 2004-604
- *B3 Approved the agreement with EDAW, Inc., in the amount of \$108,934 to perform a recreational carrying capacity study at Woodward Reservoir; authorized the Purchasing Agent to sign the agreement with EDAW, Inc.; and, authorized the Auditor-Controller to make the necessary financial adjustments – Parks & Recreation 2004-605
- *B4 Authorized payroll changes to reflect the reorganization of staff for the Stanislaus County Employees' Retirement Association (StanCERA) as approved by the Retirement Board to be effective 7/26/04; and, directed the CEO to amend the Salary and Position Allocation to make necessary changes to delete one Confidential Assistant V position (Position No. 9290) and create two Manager III positions and, to reclassify Position No. 9289 (currently a Confidential Assistant III position) to a Confidential Assistant IV position – Retirement 2004-606
- *B5 Accepted the Stanislaus County Treasury Pool's June 2004 Monthly Investment Report as prepared by the 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 on behalf of the Board that the report has been reviewed and accepted – T/TC 2004-607
- *B6 Authorized Capital Projects to initiate a tenant improvement project for the Clerk Recorder at 1021 I Street and approved a Scope of Work; approved the Project Budget; authorized the Auditor-Controller to establish a new Capital Projects Fund and make the authorized transfers; authorized the CEO to negotiate and sign agreements or amendments for architectural and other professional services for this project, as long as the price is within budget; and, authorized staff to utilize Public Contract Code §22032 and Stanislaus County Code §4.28 and informally bid this small project 2004-608
- *C1 Approved the Plans and Specifications for the Geer Road Landfill Final Cover Settlement Repairs Project; directed the Clerk to publish notice inviting bids for the project as required by law; set the deadline for submission of bids as 9/8/04, prior to 2:30 p.m.; and, directed the Public Works staff to mail notice inviting bids to trade journals as required by law – PW 2004-609
- *C2 Approved the use of the City of Turlock's CNG Fueling Station by the Public Works Department for fueling of County CNG vehicles; approved the agreement between the City of Turlock and Stanislaus County Public Works Department for use of the City of Turlock's CNG Fueling Station; approved the use of the Stanislaus County Public Works CNG Fueling Station by the City of Turlock for Fueling City CNG Vehicles; approved the agreement with the City of Turlock to fuel their CNG vehicles at Stanislaus County Public Works CNG Fueling Station; and, authorized the Director of Public Works to execute the agreements on behalf of the County – PW 2004-610
- *C4 Awarded the contract for the LF-2, Cell No. 4, Excavation Project at Fink Road Landfill to Wood Bros., Inc., of Lemoore, California, in the amount of \$1,726,734; authorized the Purchasing Agent to establish a contract with Wood Bros., Inc., of Lemoore, California,

for the contract amount of \$1,726,734; and, directed the Auditor-Controller to increase Appropriations in the Fink Road Landfill Fund by \$1,726,734 – PW 2004-611

***C5** Approved the Plans and Specifications for the Tuolumne River Bridge at Waterford Project; directed the Clerk to publish notice inviting bids for the program as required by law; set the deadline for submission of bids as, 9/1/04, prior to 2:30 p.m.; and, directed the Public Works staff to mail notice inviting bids to trade journals as required by law – PW

2004-612

***E1** Approved requesting legislation to increase fines and penalties for illegal solid waste dumping on private and public property – County Counsel 2004-613

Paul/Mayfield (3-0)(Grover and Simon abstained) ***C3** Awarded the contract for the FY 2002/2003 AC Overlay Program to George Reed, Inc., of Modesto, California, in the amount of \$814,707; directed the Auditor-Controller to increase Appropriations by \$830,000 and Estimated Revenue by \$800,701 in the project account; and, authorized the Purchasing Agent to establish a contract with George Reed, Inc., of Modesto, California, for the contract amount of \$814,707 – PW 2004-614

Simon/Grover unan. **B7** Authorized staff to forward the first three parts of the Multi-Jurisdictional Local Hazard Mitigation Plan to the State Office of Emergency Services for initial review 2004-615

Grover/Paul (4-0)(Simon abstained) **B8** Approved and accepted Kaiser Permanente's voluntary regional transportation contribution for the North Salida area; authorized staff to prepare an agreement between Kaiser Permanente and Stanislaus County as to the amount and schedule for payment of the voluntary regional transportation contribution; and, authorized the Interim CEO to sign the agreement 2004-616

Recessed at 11:00 a.m.

Reconvened at 11:06 a.m.

Simon/Grover unan. **D1** Authorized the release of the 2003-2004 Draft Consolidated Annual Performance Evaluation Report for the Community Development Block Grant Program for a Thirty (30) Day Review to end on 9/10/04 – Planning 2004-617

Corr 1 Referred to the Chief Executive Office-Environmental Review Committee a Notice from the Merced County University of California Development Office regarding the availability of the Supplement to the Draft Environmental Impact Report for the University's Community Plan pursuant to the California Environmental Quality Act.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: George Nakagawa; Jose Santos Bautista; April and Steve Dupuis; and, Jose Bento.

Supervisor Simon requested that Fire Warden Gary Hinshaw continue to provide support to Stanislaus Consolidated Fire Protection District with their current budget issues. He also requested that Deputy Executive Officer David Dolanar, assist the fire district in resolving their high insurance costs. The Interim CEO noted that the Auditor-Controller and CEO staff are also assisting the District at this time.

Supervisor Grover reported that he viewed the ICJIS project with the CIO. He noted that all the County Criminal Justice Departments are participating in this project. He informed the Board that the City of Modesto Police Department was reviewing the ICJIS project for consideration of being a part of the project. He informed the Board that the StanCOG Executive Committee has met regarding the appointment of a new Director. He said that Mike Evenho, a retired project manager for the Bay Area

COG, was willing to provide consultation to StanCOG regarding moving forward with their project. Supervisor Grover noted that he met with County Counsel and Code Enforcement regarding the cost of cleaning up properties under the Nuisance Abatement process. They discussed increasing the punitive processes for those property owners who fail to comply.

Supervisor Simon informed the Board that he and Supervisor Grover have met with the Criminal Justice departments regarding the long and short-term goals of these departments. He said that a report would be coming to the Board soon.

Supervisor Mayfield noted that there has only been one Spare the Air Day so far this year because of the mild weather. He noted that the dairy and agricultural businesses will need to work with the Air Board to resolve the issues regarding the air quality of the valley.

Grover/Simon unan. **Legislative A.** Authorized the Chairman to sign a letter seeking 100% state reimbursement for the County's cost relating to the People v. Scott Peterson homicide trial and authorized the Auditor-Controller to receive funding related to the trial and increase Appropriations and Expenditures in the DA's budget 2004-618

Simon/Grover unan. **Legislative B.** Authorized the Chairman to sign a letter seeking an amendment to the R&T Code, correcting the loss of property tax revenue associated with the passage of Proposition 13 2004-619

The Interim CEO reported that a budget update will be brought to the Board at the 8/24/04 meeting and she announced that there will be a town hall meeting regarding the West Nile Virus on Wednesday, 8/11/04 from 4:00 to 6:00 p.m. at the Harvest Hall on Cornucopia Way, Modesto. She announced that on Tuesday, 8/17/04, at 7:00 p.m., there will be a joint meeting between the Stanislaus County Board of Supervisors and the Newman City Council at the Newman City Council Chambers, 1200 Main Street in Newman.

Adjourned to closed session at 11:50 a.m. for conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation. Two Cases. Government Code §54954.5(c). Labor Negotiations: Agency Negotiator Patricia Hill Thomas. Labor Organizations CAIR/CIR and UDW. Government Code §54954.5(f). Public Employee Appointment: Title: County Chief Executive Officer. Government Code §54954.5(e).

Adjourned at 2:31 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.)