

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

Board of Supervisors Meeting  
Supervisor Grover absent  
Pledge of Allegiance to the Flag

Tuesday

August 24, 2004

The Chairman presented an Employee Service Award for 40 years to Donna Webster from Child Support Services.

A resolution proclaiming September 2004 as Library Card Sign-Up Month was presented to Stanislaus County Librarian Vanessa Czopek.

Carmen Sabatino asked why the Board was hiring a new County CEO before the new Board members take office. He also spoke regarding past Civil Grand Jury Reports. County Counsel responded that the allegations made are in the past, were investigated, and have been addressed by the Board and County staff. County Counsel also pointed out that despite his numerous allegations, Mr. Sabatino is the only one facing 11 felony counts and criminal action.

Henry Dill noted that the labor negotiations for IHSS employees between the County and the UDW are progressing, and appear to be in the final stages. He requested continued support from the Board for a wage increase. He also spoke regarding a stray dog problem in his neighborhood, and voiced concerns with County Animal Services. Michael Rodriguez, Director of Animal Services, will meet with Mr. Dill to address the stray dog issue.

Naria Jordan of the UDW, thanked the Board for its leadership in the labor negotiations between the County and the UDW. She anticipates that the negotiations will conclude soon.

Simon/Paul (4-0)(Grover absent) Adopted the consent calendar

- \*A1 Approved the minutes of 8/10/04 and 8/17/04
- \*A2 Proclaimed September 2004 as Alcohol and Drug Addiction Recovery Month in Stanislaus County 2004-621
- \*A2b Proclaimed September 2004 as Library Card Sign-Up Month in Stanislaus County 2004-622
- \*A3a Accepted the resignation of Steve Ernst from the Salida MAC 2004-623
- \*A3b Accepted the resignation of Randall Locklin from the Empire MAC 2004-624
- \*A4a Appointed Gloria Cordle, Marc Letendre, Stacy Morgan-Foster, Jim Theis, and James Williams to the Stanislaus Economic Development and Workforce Alliance 2004-625
- \*A4b Appointed Dr. Kimberly Kennard-Lyke and Judy Hill to the Mental Health Board 2004-626
- \*A5 Reappointed Dan Adams, David Ben, Ralph Curtis, Joe Duran, John Evans, Lauren Hamlin, Kirk Lindsey, Gary Plummer, Jim Ridenour and Paul Van Konynenburg to the Stanislaus Economic Development and Workforce Alliance 2004-627
- \*A6 Approved the request from Escalon High School for use of the Woodward Reservoir area for a Cross-Country Track Invitational on Wednesday, 10/6/04 2004-628
- \*A7 Consolidated the Ceres Unified School District Election, establishing trustee areas, with the General Election to be held on 11/2/04 2004-629
- \*B1 Approved the FY 2004/05 Pesticide Application Reporting Contract with the California Department of Pesticide Regulation and authorized the Chairman to sign the contract – Agricultural Commissioner 2004-630

- \*B2 Approved the FY 2004/05 contracts with the California Department of Food and Agriculture: Egg Quality and Nematode Control; and, authorized the Chairman to sign the contracts – Agricultural Commissioner 2004-631
- \*B3 Authorized CSA to contract with Arbor E&T, LLC to provide employment placement and retention services for FY 2004/05 and authorized the Director of CSA, or his Assistant Director Designee, to sign the agreements and any amendments not to exceed the original contract amounts – CSA 2004-632
- \*B4 Approved the Fifth Year Modifications to the Stanislaus County WIA Five-Year Plan and authorized the Chairman to sign the Plan – DET 2004-633
- \*B5a Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 4604 Monte Vista Avenue, Denair, CA (CE No. 04-786) – DER 2004-634
- \*B5b Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 5400 Pioneer Road, Hughson, CA (CE No. 04-787) – DER 2004-635
- \*B5c Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 133 Pennsylvania Avenue/9373 Yosemite Boulevard, Modesto, CA (CE No. 04-695) - DER 2004-636
- \*B6 Approved a contract with the State Department of Health Services for the Chlamydia Awareness and Prevention Project (CAPP) and Chlamydia Testing and Screening Project (CTSP); and, authorized the HSA Managing Director, or her Designee, to sign and execute this contract – HSA 2004-637
- \*B7 Approved the submission of a grant application to the California Family Health Council for the Get Out the Vote initiative for the period of 8/10/04-11/2/04; authorized HSA to enter into a MOU with the Stanislaus County Registrar of Voters to implement the scope of work; authorized the HSA Managing Director, or her Designee, to sign and execute this contract; and, authorized the HSA Managing Director, or her Designee, to sign the application, submit the scope of work and budget for the requested allocation of \$10,000 and sign the contract, if awarded – HSA 2004-638
- \*B8 Amended the scope of benefits provided by the Indigent Healthcare Program to exclude benefits available from other non-county sources and authorized the HSA Managing Director, or her Designee, to take all actions necessary to implement this recommendation – HSA 2004-639
- \*B9 Approved the extension to the grazing rights lease with Houret Cattle Company at the Joe Domecq Wilderness Area, located south of State Route 132 and east of Lake Road, to commence on 9/1/04 and to terminate on 8/31/09; and, authorized the Purchasing Agent to sign the extension to the lease agreement – Parks & Recreation 2004-640
- \*B10 Approved the extension of the agreement with the Radio Control Flyers Unlimited, Inc. for the continued use, operation, and maintenance of the Radio Controlled Landing Strip and Area at Woodward Reservoir from 9/1/04 and to 8/31/09; and, authorized the Purchasing Agent to sign the extension to the lease agreement – Parks & Recreation 2004-641
- \*B11 Adopted the retirement contribution rates, rate of interest posting and revised actuarial assumptions for FY 2004/05 as recommended by the Board of Retirement; and, directed the Auditor-Controller to change the employer and employee retirement contribution rates for the FY 2004/05 in accordance with the actuarial valuation of 6/30/03 on the payroll check date of 9/29/04 – Retirement 2004-642
- \*C1 Finds that all off-site street improvements required for Vesting Tentative Parcel Map #95-35 have been constructed to the satisfaction of Stanislaus County, and accepted all street improvements required by Vesting Tentative Parcel Map #95-35 for maintenance by Stanislaus County within the Cooperstown Road right-of-way in the La Grange Area – PW 2004-643

- \*C2 Approved the annexation of Runyan Estates Subdivision to CSA #19 subject to Government Code §56886(t) and 57330, that the annexation be subject to terms and conditions; and, pursuant to Government Code §56663(c), approved Waiver of Conducting Authority Proceedings – Runyan Estates Change of Organization to CSA #19 – PW  
CSA-19-2 2004-644
- \*C3 Finds that Runyan Estates (APN 024-048-011), the territory more particularly described on Exhibits “A” and “B”, is owned by petitioners, and that petitioners’ ownership represent 100% of the total assessed valuation of all taxable property within the territory proposed to be annexed into the Denair Highway Lighting District; finds that Stanislaus County Code §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 §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 8/24/04; approved the resolution annexing to the lighting district; 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 State Board of Equalization – PW  
DL-2-A-1 2004-645
- \*C4 Approved an agreement with Kleinfelder, Inc., for environmental monitoring at the Fink Road Landfill, FY 2004/05, for \$200,872; and, authorized the Purchasing Agent to establish an agreement with Kleinfelder, Inc., of Sacramento, CA, for the amount of \$200,872 – PW  
2004-646
- \*C5 Approved an agreement with Kleinfelder, Inc., for environmental monitoring at the closed Geer Road Landfill for FY 2004/05 for \$151,930; and, authorized the Purchasing Agent to establish an agreement with Kleinfelder, Inc., of Sacramento, CA, for the amount of \$151,930 – PW  
2004-647
- \*D1 Set a public hearing on 9/21/04 at 6:45 p.m. to consider the introduction, waiving of the reading, and adoption of Ordinance C.S. 894, relating to corn mazes, hay mazes and similar seasonal activities – Planning  
ORD-54-S-7 2004-648

**Recessed to sit as the Stanislaus County Redevelopment Agency at 9:36 a.m.**

Simon/Paul (4-0)(Grover absent) Adopted the consent calendar  
Approved the minutes of 6/8/04

Mayfield/Simon (4-0)(Grover absent) **9:25 a.m. (VI-A)** Authorized the preparation and submission of a \$562,500 loan application to the California Housing Finance Authority to provide additional funds to the First Time Home Buyer Program; authorized a commitment of \$187,500 from the housing set aside fund to this loan; and, authorized the Executive Director to act on all matters relating to the application, and if approved, the loan  
2004-649

Mayfield/Simon (4-0)(Grover absent) **9:25 a.m. (VI-B)** Authorized the preparation of an ordinance to extend the time of the Redevelopment Plan  
ORD-54-S-8 2004-650

**Reconvened to sit as the Stanislaus County Board of Supervisors at 9:39 a.m.**

Mayfield/Simon (4-0)(Grover absent) **B12** Approved the revised management agreement between Stanislaus County and Doctors Medical Center of Modesto for operation of Stanislaus Behavioral Health Center; authorized the Director of BHRS to sign the revised agreement; and, authorized all County officers, employees and agents to do all things necessary to execute and implement the revised agreement – BHRS 2004-651

Simon/Mayfield (4-0)(Grover absent) **B13** Approved the Stanislaus County Children’s Council to apply for funding from the Children and Families Commission for FY 2004/05 through FY 2006/07, with an option for one year renewals beginning FY 2007/08; and, authorized the Chairman to submit a letter in support of the Stanislaus County Children’s Council proposal for funding to the Children and Families Commission – CSA 2004-652

Paul/Mayfield (4-0)(Grover absent) **B14** Introduced and waived the first reading of Ordinance C.S. 893 relating to the regulation of primary and secondary on-site wastewater treatment systems; finds and determines that the resolution amending Measure X Guidelines is not subject to CEQA (Public Resources Code §2100, et seq.); and, adopted the resolution amending Measure X Guidelines – DER ORD-54-S-6 2004-653

**Recessed at 10:38 a.m.**

**Reconvened at 10:46 a.m.**

Simon/Paul (4-0)(Grover absent) **B15** The Board accepted the update on the financial status of the Stanislaus Consolidated Fire Protection District and accepted the fiscal report and financial review conducted by the Auditor-Controller’s Office; the Board granted the District’s request for an additional \$600,000 advance of District’s fund pursuant to Government Code §23010, which allows the Board to advance future district revenue to be collected in the fiscal year on condition that the District and the County enter into security agreements to ensure that the revenues advanced are returned to the County and that the County taxpayers are provided protection in the event that Consolidated District does file bankruptcy; requested the Auditor-Controller and District return to this Board within 90 days to present a report regarding the financial viability of the District and the status of the items contained in the 8/20/04 letter to this Board, including status of loan and the monitoring tools that have been put in place to ensure that the District expenditures do not exceed revenues; and, directed the County Fire Warden to monitor and review the financial status of other fire districts in the County to ensure that there is adequate fire protection to the citizens and businesses of Stanislaus County and continue participation with the Fire Chiefs visioning process, establish a finance business manager position in the Fire Warden’s office and, review the existing Less than Countywide Fire Service agreement with the Stanislaus Consolidated Fire Protection District DF-20-A-2 2004-654

**Corr 1** Referred to the Department of Planning and Community Development, a letter from the U.S. Department of Housing and Urban Development regarding the FY 2004 Annual Action Plan for Stanislaus County.

**Corr 2** Referred to the Agricultural Commissioner and the CEO/ Office of Emergency Services, a letter from the State of California Office of Emergency Services regarding the U.S. Department of Agriculture granting a Secretarial disaster designation for the County of Merced County and the contiguous counties of Fresno, Mariposa, Madera, San Benito, Santa Clara, Stanislaus and Tuolumne due to agriculture losses caused by windy conditions during the bloom of plum trees that occurred on 3/25/04.

**Corr 3** Referred to the Department of Public Works and the CEO/ Office of Emergency Services, a letter from the U.S. Department of Homeland Security regarding the Stanislaus County floodplain management measures.

**Corr 4** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Rodolfo Alba, Jr.; and, Chuck Hickman and Karen Hickman.

Supervisor Mayfield gave an update on the Air District and the dairy industry, noting that they are reaching a mitigation compromise. He also informed the Board regarding the Air District's new requirements for road side dust mitigation based on EPA regulations.

Supervisor Paul requested an update on the Wildlife Refuge. The Interim CEO said an update will be coming to the Board on 9/14/04.

Supervisor Simon thanked the County staff for their work on the Consolidated Fire District issue and for assisting the District to find a working solution.

Adjourned to closed session at 12:55 p.m. for Conference with Legal Counsel - Existing Litigation: The Committee Concerning Community Improvement, et al. vs. City of Modesto, County of Stanislaus, et al., United States District Court Case No. CIV-F-O-6121. Government Code §54954.5 (c). Labor Negotiations: Agency Negotiator Patricia Hill Thomas. Labor Organization UDW. Government Code §54954.5(f). Public Employee Appointment: Title: County Chief Executive Officer. Government Code §54954.5(e)

**Closed session announcement:** Simon/Mayfield (4-0)(Grover absent) Appointed Richard Robinson as the CEO for the County of Stanislaus; approved a four year contract commencing on 9/27/04; and, approved a salary of \$175,000 per year 2004-655

Adjourned at 1:54 p.m.

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

BY: ELIZABETH KING, ASSISTANT 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.)