

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

May 10, 2005

Ken Patterson, Director of CSA, gave a presentation regarding May 2005 as Foster Care Awareness Month.

The Chairman presented a resolution proclaiming May 2005 as Asthma Awareness Month to Dr. Wallace Carroll.

Mr. Dunaway voiced concerns regarding the application process for the County indigent health program. He requested that the Board look into these issues. Margaret Szczepaniak, Managing Director of HSA, stated that she would work with Mr. Dunaway to address his concerns.

Larry Anderson, representing the Modesto Support our Troops Committee, invited the Board to attend their Memorial Day event on Saturday, 5/28/05. He noted that they would be recognizing seven individuals from Modesto at this event.

Georgiana Reichelt voiced concerns regarding the fee charged to obtain a copy of the Registered Voters List in this County. Lee Lundrigan, Clerk-Recorder and Register of Voters, noted that she would speak with Ms. Reichelt regarding this issue. The CEO noted that, as requested by the Chairman, an item would be brought to the Board in the future regarding this fee.

Jill Klajie, from the Commission on Aging, thanked the Board for their continued support and invited the Board to the Celebrating and Spotighting Seniors Event at MJC on 5/15/05.

Mayfield/Simon unan. Adopted the consent calendar after removing from the agenda item **B3** Approval to Accept the Revised Multi-Disciplinary Protocol for the Investigation of Child Abuse Cases and Authorize the Chief Executive Officer to Sign the Protocol; and, removing from consent item **B6** Approval of the Board of Supervisors' Prioritized Requests for Funding from the Community Support Budget 2005-360

***A1** Approved the minutes of 5/3/05

***A2** Accepted the resignation of Michael E. Hale from the Keyes Community Services District

2005-345

***A3a** Proclaimed May 2005 as Women's Health Month

2005-346

***A3b** Proclaimed May 2005 as Mental Health Month

2005-347

***A4** Approved commendations for the 2005 Senior Award recipients

2005-348

***A5** Appointed John Jacisin, M.D. to the Mental Health Board

2005-349

***A6** Approved a commendation for Linda Bunney-Sarhad, Director of Global Affairs at California State University, Stanislaus upon her retirement

2005-350

***B1** Approved the second amendment to the agreement with Woods' Board and Care Home for additional board and care beds for FY 2004/05 and authorized the Director of BHRS, or his Assistant Director Designee, to sign the second amendment not to exceed the total contract amount of \$109,950 for the period of 7/1/04 through 6/30/05 – BHRS 2005-351

- *B2 Approved agreement MS-0506-14 with the California Department of Aging for administration of the Multipurpose Senior Services Program (MSSP) for FY 2005/06 for the frail elderly residents of Stanislaus County and authorized the Director of CSA, or his Assistant Director Designee, to sign the agreement and any amendments, not to exceed the amount of \$738,208 – CSA 2005-352
- *B4 Approved the standard agreement for the State’s Emergency Medical Services Appropriation for FY 2004/05; approved the agreement with the Stanislaus Foundation for Medical Care to process the Emergency Services Physicians’ Claims; authorized HSA Managing Director, or her Designee, to sign the standard agreement; and, authorized HSA Managing Director, or her Designee, to sign the agreement with the Stanislaus Foundation for Medical Care – HSA 2005-353
- *B5 Approved proceeding with the Riverdale Park and Fishing Access Project development; finds the project to be “De Minimis” for the purposes of the collection of Fish and Game fees pursuant to California Code of Regulations; adopted the Negative Declaration pursuant to CEQA Guidelines by finding that the Stanislaus County independent analysis of the project indicates there is no substantial evidence that the project will have a significant effect on the environment; and, ordered the Parks staff to file a Notice of Determination with the Stanislaus County Clerk-Recorder’s Office pursuant to Public Records Code and CEQA guidelines – Parks and Recreation 2005-354
- *C1 Approved the electric power agreement with Modesto Irrigation District (MID) for electric utility service to County facilities and authorized the Director of Public Works to sign the power agreement with MID – PW 2005-355
- *C2 Approved FY 2005/06 Transit Transportation Development Act Claim and authorized the Director of Public Works to execute and submit the claim to the Stanislaus Council of Governments (StanCOG) – PW 2005-356
- *C3 Finds the Congestion Relief Program Albers Road/Geer Road/State Route 132 Intersection Improvement Project to be De Minimis for the purposes of collection of Fish and Game fees pursuant to California Code of Regulations §753.3, by adopting the Findings of Fact contained in the Certificate of Fee Exemption, those findings being based on the analysis presented in the Initial Study, and ordered the filing of the Certificate of Fee Exemption with the Stanislaus County Clerk-Recorder’s Office; finds the project is consistent with the overall goals of the Stanislaus County General Plan; adopted the Mitigated Negative Declaration Pursuant to CEQA Guidelines §15074(B), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County’s independent judgment and analysis; and, ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder’s Office pursuant to Public Resources Code §21152 and CEQA Guidelines §15075 2005-357
- *C4 Approved Amendment No. 1 to Project 2004-1 with Wood Rodgers for additional design services for the Ladd Road at McHenry Avenue Intersection Improvement Project and authorized the Interim Purchasing Agent to execute the amendment; directed the Auditor-Controller to increase appropriations for the Ladd Road and McHenry Avenue Intersection Improvement Project by \$34,980.00 per the financial transaction sheet; and, authorized the Interim Purchasing Agent to increase the contract amount with Wood Rodgers in the amount of \$34,980.00 2005-358
- *IX.A Authorized a resolution in support of Kings River Conservation District (KRCD) Grant application for Proposition 50 funds 2005-359

Mayfield/Simon (4-0) (DeMartini abstained) ***B6** Approved the requests for funding from the Community Support Budget for a total of \$24,785 as follows: \$4,392.50 for the International Festival, \$8,000 for Leisure Bucks, \$5,000 for the Coca-Cola Relays, \$3,000 for the Area Agency Aging on Aging-Spotlighting Seniors, and \$4,392.50 for the Modesto Symphony Orchestra; and, amended the item to add the condition to the donation to the Modesto Symphony Orchestra that individuals who reside in the County unincorporated area be treated the same as individuals who reside within the City of Modesto in regards to admission to the Symphony 2005-361

Simon/Mayfield unan. **B7** Approved a resolution to make Government Code §27388 concerning Real Estate Fraud applicable in Stanislaus County and fixing a fee of two dollars (\$2.00) for real estate transactions filed in Stanislaus County; and, appointed the DA, the Clerk-Recorder, and the CEO to a Real Estate Fraud Prosecution Trust Fund Committee – DA 2005-362

Mayfield/Simon unan. **B8** Approved an amendment to the County’s Tax Sharing Agreement with the City of Hughson and approved staff findings that the City of Hughson’s proposed sphere of influence expansion in the South/West area of the City’s General Plan is logical and orderly

C-9-24 2005-363

Mayfield/O’Brien unan **9:25 a.m.** Conducted the public hearing and adopted the 2002-2007 Consolidated Plan Update and the Annual Work Plan that includes the \$2,829,802 Community Development Block Grant (CDBG); the \$83,684 Emergency Shelter Grant (ESG); and the \$459,912 Home Investment Partnership (HOME) grant for a total of \$3,373,398 for FY 2005/06; approved the Final CDBG Allocation Agreements between Stanislaus County and the cities of Ceres, Newman, Oakdale, Patterson, and Waterford; and authorized the Chairman of the Board to sign; approved the Final HOME Allocation Agreement between Stanislaus County and the City of Turlock and authorized Director of Planning and Community Development to sign; approved sixteen (16) public service grants in the aggregate amount of \$282,980 from CDBG, and three (3) in the aggregate amount of \$83,684 from ESG; authorized the Director of Planning and Community Development, on behalf of the County, to act on all matters relating to the Annual Work Plan; authorized the Chief Executive Officer to sign the required Federal certifications associated with the submittal of the Work Plan to HUD; directed the Auditor-Controller to establish the appropriate allocation and budget accounts; and, authorized the transfer of the balance of Robertson Road, Phase One - Planning (\$332,427) to Phase Two – Construction 2005-365

Recessed at 10:50 a.m.

Reconvened at 11:00 a.m.

Mayfield/DeMartini (4-0)(O’Brien abstained) **9:30 a.m. A.** Introduced and waived the first reading of Ordinance C.S. 918 establishing new fees and amending existing fees of DER ORD-54-W-1 2005-366

Simon/O’Brien unan. **9:30 a.m. B.** Introduced and waived the first reading of Ordinance C.S. 919 establishing the Department of Planning and Community Development 2005 Fee Schedule including the modified proposed General Plan Maintenance Fee charged to Building Permits from a flat rate of \$20 per Permit to \$1.28 per \$1,000 of improvement valuation; **amended** the fee schedule to change the fee of \$195 for Department of Environmental Resources Major Land Use review to \$193; and, authorized the Auditor-Controller to establish an interest bearing trust account for the General Plan Maintenance fees collected by the Department of Planning and Community Development ORD-54-W-2 2005-367

Mayfield/O’Brien unan. **9:30 a.m. C.** Introduced and waived the first reading of Ordinance C.S. 920 amending existing fees of the Agricultural Commissioner ORD-54-W-3 2005-368

Mayfield/DeMartini unan. **B9** Approved the CEO's Third Quarter Financial Report for FY 2004/05; approved a \$363,659 transfer from Appropriations for Contingencies as recommended in the staff report; authorized the CEO and the Auditor-Controller to make the necessary adjustments as recommended in the staff report; authorized the CEO to take the necessary actions to end the fiscal year in a positive fiscal position; authorized the Auditor-Controller to make the necessary year-end closing entries as approved by the CEO; amended the Salary and Position Allocation Resolution as outlined in the staffing impacts section effective the start of the 5/14/05 pay period; and, approved the FY 2005/06 Proposed Budget Approach 2005-364

Corr 1 Referred to DER, Parks and Recreation, Agricultural Commissioner, Public Works, and CEO, a notice from the San Francisco Public Utilities Commission regarding CEQA review meetings on their \$4.3 billion Water System Improvement Program to repair, replace and seismically upgrade the aging pipelines, tunnels, reservoirs and dams that deliver water to the Bay Area.

Corr 2 Acknowledged receipt of the 2004 Annual Report on Toxic Emissions from Valley Facilities from the San Joaquin Valley Air Pollution Control District.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Francisco Garcia; Pamela A. Horton; Veronica J. Betts; Thomas H. Lauret; William J. Brown; and, Nissan Motor Co., Ltd.

The CEO noted that staff from HSA and the CEO's office will be meeting with Assemblyman Cogdill on Friday regarding certified public expenditures, AB915, and the continued pursuit to identify new revenue sources for HSA.

Adjourned at 12:05 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.)