

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

Regular Session

Tuesday

May 24, 2005

Supervisors Simon absent

Pledge of Allegiance to the Flag

Art deWerk presented the Airport Advisory Committee 2004 Annual Report.

Georgiana Reichelt voiced concerns regarding the fee charged to obtain copies from the County, according to the Public Records Act. The CEO noted that, as requested by the Chairman, an analysis will be brought to the Board in the future regarding this fee. Counsel stated that the County has fully complied with the Public Records Act.

Kathy Vaughn, resident of Hughson, thanked the Board for their efforts and spoke in support of item **B13** Approval to Award Three-Year Agreements for the Family Resources Centers to the Center for Human Services, Modesto City Schools, Newman-Crows Landing Unified School District, Parent Resource Center and Sierra Vista Child & Family Services.

Mayfield/O'Brien (4-0) (Simon absent) Adopted the consent calendar after removing from consent items **A2a** Adopt and waive the second reading of Ordinance C.S. 918 establishing new fees and amending existing fees of DER; **B2** Approval of an Amended Agreement with Nirvana for Providing Substance Abuse Counseling and Treatment Services – CSA; and, item **B12** Approval of Completion and Acceptance of the Public Defender Tenant Improvements at 1021 I Street, Modesto, and Related Actions

***A1** Approved the minutes of 5/17/05

***A2b** Adopted and waived the second reading of Ordinance C.S. 919 establishing the Department of Planning and Community Development 2005 Fee Schedule ORD-54-W-2 2005-386

***A2c** Adopted and waived the second reading of Ordinance C.S. 920 amending existing fees of the Agricultural Commissioner ORD-54-W-3 2005-387

***A2d** Adopted and waived the second reading of Ordinance C.S. 923 Amending Title 11 of the Stanislaus County Code, adding no parking zones on Pirrone Road, Claribel Road, Jantzen Road, Lone Palm Avenue, Salida Boulevard, Crows Landing Road, McCracken Road, and Hackett Road; and, amending no truck parking zones on Motor City Court and Riverside Drive ORD-54-W-6 2005-388

***A2e** Adopted and waived the second reading of Ordinance C.S. 924 amending Title 11 of the Stanislaus County Code, amending blue curb markings on Rio Grande Avenue and Magnolia Avenue; amending yellow zones-established on Poppy Glen Road; and, repealing no parking zones on Barium Road, Woodland Avenue, River Road, and Graphic Drive ORD-54-W-7 2005-389

***A2f** Adopted and waived the second reading of Ordinance C. S. 925 relating to the use of fireworks within the unincorporated area of Stanislaus County ORD-54-W-8 2005-390

***A3** Accepted the appointment of David Fantozzi to the Patterson Irrigation District Board of Directors 2005-391

***B1** Approved an agreement with the YCCD for employment services for Temporary Assistance to Needy Families Recipients and authorized the CSA Director, or his Assistant Director Designee, to sign the agreement not to exceed the total agreement amount for the period of 7/1/04 through 6/30/05 – CSA 2005-392

- ***B3** Authorized the Director of DET to receive and expend PY 05-06 Workforce Investment Act (WIA) Funds 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 to expend PY 05-06 WIA funds; amounts may exceed \$100,000 – Employment and Training 2005-393
- ***B4a** Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 1506 Inyo Avenue, Modesto, California (CE No. 05-183) – DER 2005-394
- ***B4b** Approved the decision of the Nuisance Abatement Hearing Board regarding nuisances at 1409 Pelton Avenue, Modesto, California (CE No. 04-176) – DER 2005-395
- ***B4c** Approved the decision of the Nuisance Abatement Hearing Board regarding nuisances at 8442 Wren Road, Oakdale, California (CE No. 05-73) – DER 2005-396
- ***B5** Approved HSA’s support Suresh Mahabhashyam’s application for an extension of a H-1B Visa so he can continue to provide Epidemiologist Services for HSA 2005-397
- ***B6** Adopted a resolution, as required by the State Board of Corrections, authorizing the Chief Probation Officer to submit and/or sign Stanislaus County’s application for approval of the County’s 05-06 Comprehensive Multi-agency Juvenile Justice Plan Modification and related contracts, amendments, or extensions as approved by the Juvenile Justice Coordinating Council – Probation 2005-398
- ***B7** Authorized the Chief Probation Officer to apply for the Juvenile Accountability Grant from the State Board of Corrections and to sign all necessary documents related to the grant; approved a resolution as required by the State Board of Corrections authorizing the Chief Probation Officer to apply for a Juvenile Accountability Block Grant; and, directed the Auditor-Controller to establish a new budget organization unit within the existing Fund 1764 and establish Appropriations and Estimated Revenue in the amount of \$33,122 – Probation 2005-399
- ***B8a** Set a public hearing for 6/21/05 at 6:40 p.m. for consideration to introduce and waive the first reading of an ordinance relating to the breeding, transfer, and spaying and neutering of dogs and cats and establishing new fees and amending existing fees for the Department of Animal Services in an effort to address pet overpopulation in Stanislaus County – Animal Services ORD-54-U-4 2005-400
- ***B8b** Set a public hearing for 6/21/05 at 6:40 p.m. for consideration to introduce and waive the first reading of an ordinance amending Chapter 7.48 and amending existing fees and adding new fees to Chapter 7.50, Title 7 – Animal Services ORD-54-U-4 2005-401
- ***B9** Set a public hearing for 6/28/05 at 9:30 a.m. to consider Stanislaus County Franchise Refuse Collection Rate adjustments for residential and commercial services – DER 2005-402
- ***B10** Approved the Operations Plan for the United Community Center and Park in Grayson; authorized the CEO, or his Designee, to sign the MOU with partner agencies to be located at the United Community Center; approved the United Community Center and Park Facility Use Guidelines; authorized the CEO to expend funds, not to exceed \$500, for an open house celebration to be held at the United Community Center; and, finds that the United Community Center and Park is a remote site, under GC§ 31000, for the purposes of pursuing a future contract for janitorial services 2005-403
- ***B11** Authorized CSA to close the Job Club Center located at 1207 “I” Street in Modesto, effective 6/30/05, with a closure date to the public of 6/16/05, and relocate the client services to various other service locations in the County – CSA 2005-404
- ***C1** Approved the purchase of a discing implement for use at Fink Road Landfill and Geer Road Landfill and authorized the Auditor-Controller to transfer \$14,000 from Contract Account #63280 into Fixed Asset Account #84260 – PW 2005-405

- *C2 Approved the installation of stop sign traffic control, under the authorization granted to local authorities in VC§ 21355, at Country Club Drive at St. John Road, and at Pleasant Valley Road at Sawyer Avenue; required motorists on all approaches to stop prior to entering the intersections; and, the stop signs shall be located at or near all entrances to said intersections – PW 2005-406
- *C3 Approved Amendment No. 1 to Project 2004-1 with RBF Consulting to add additional engineering services for the improvements at the Geer Road/Hatch Road Intersection and authorized the Interim Purchasing Agent to execute the amendment; directed the Auditor-Controller to increase appropriations for the Geer Road/Hatch Road Intersection Improvement Project by \$83,960; and, authorized the Interim Purchasing Agent to increase the contract amount with RBF Consulting in the amount of \$83,960 – PW 2005-407
- *D1 Approved Tentative Map Application No. 2004-07 and Exception Application No. 2005-02 - Marquette Estates, allowing the Planning Commission decision of approval of the subject proposal to stand without further hearing – Planning 2005-408

DeMartini/Mayfield (3-0) (O'Brien abstained) (Simon absent)*A2a Adopted and waived the second reading of Ordinance C.S. 918 establishing new fees and amending existing fees of the DER
ORD-54-W-1 2005-409

Mayfield/DeMartini (4-0) (Simon absent) *B2 Approved the amended agreement with Nirvana for providing substance abuse counseling and treatment services and authorized the CSA Director, or his Assistant Director Designee, to sign the amended agreement not to exceed the total agreement amount of \$277,433 for the period of 7/1/04 through 6/30/05 – CSA 2005-410

O'Brien/DeMartini (3-0) (Grover abstained) (Simon absent) *B12 Approved the final contract with the contractor, Menghetti Construction, for the Public Defender Tenant Improvements at 1021 I Street, Modesto, as follows: original contract amount of \$1,252,400; total change orders of \$44,496; and, final contract price of \$1,296,896; authorized the Chairman, on behalf of the Board, to sign the completion documents; accepted the completed project and authorized the necessary recording of the Final Notice of Completion and all necessary close out activities; and, authorized the staff to withhold \$1,500 for the resolution of air-balance issues and authorized staff to use their discretion in the use of these funds to resolve the issue 2005-411

O'Brien/Mayfield (4-0) (Simon absent) 9:25 a.m. Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; conducted a public hearing to receive comments regarding the 2005/06 annual assessments; set the 2005/06 annual assessments as shown on Exhibits "A" through "R" for the following County Service Areas and Landscape and Lighting Districts: CSA No.4 - Bristol Glen (Salida); CSA No.5 - Starlite Place (Keyes); CSA No.6 - Raymond Tract (Keyes); CSA No.7 - Modesto Auto Center (North Modesto); CSA No.8 - Honey Bee Estates (Empire); CSA No.9 - River/Souza (North Ceres); CSA No.11 - Gilbert Road (Oakdale); CSA No.12 - Peach Blossom Estates (Oakdale-Riverbank); CSA No.13 - La Jolla (Keyes); CSA No.14 - United Pallet (North Modesto); CSA No.16 - Olive Ranch Estates (East Oakdale); CSA No.18 - Atlas Park (East Oakdale); CSA No.20 - Summit (North Modesto); Riverdale Landscape and Lighting District (South Modesto); Riverview Landscape and Lighting District (South Modesto); Shackelford Landscape and Lighting District (South Modesto); Laurel Landscape and Lighting District (Ceres); Bret Harte Landscape and Lighting District (South Modesto); made the Engineer's Reports a part of the record of this proceeding; and, authorized the Auditor-Controller to add the Annual Assessments to the 2005/2006 Tax Roll – PW 2005-412

Recessed to sit as the Stanislaus County Redevelopment Agency at 9:33 a.m.

Mayfield/O'Brien (4-0) (Simon absent) Approved the minutes of 4/12/05

Mayfield/O'Brien (4-0) (Simon absent) **9:30a.m. (*VI-A)** Approved the Agreement between the Redevelopment Agency and the Housing Authority of Stanislaus County to administer a sewer lateral connection program in the Shackelford neighborhood; and authorized the Executive Director to execute the agreement 2005-413

Mayfield/O'Brien (4-0) (Simon absent) **9:30a.m. (VI-B)** Accepted a Debt Capacity Analysis prepared by Kelling, Northcross, and Nobriga; and authorized the Executive Director to take steps necessary to issue a Tax Allocation Bond 2005-414

Reconvened to sit as the Stanislaus County Board of Supervisors at 10:13 a.m.

Mayfield/O'Brien (4-0) (Simon absent) **B13** Approved the award of three-year agreements for the Family Resources Centers to the Center for Human Services, Modesto City Schools, Newman-Crows Landing Unified School District, Parent Resource Center and Sierra Vista Child & Family Services; authorized the Director of CSA, or his Designee, to sign the agreements and any amendments, not to exceed the agreement amounts; and, conditioned the approval of these contracts to subsequent approval of the agreements by the Stanislaus County Children and Families Commission – CSA 2005-415

O'Brien/Mayfield (4-0) (Simon absent) **B14** Accepted the Revised Multi-Disciplinary Protocol for the investigation of child abuse cases and authorized the CEO to sign the Protocol on behalf of the County in support of its implementation – DA 2005-416

Corr 1 Referred to the Agricultural Commissioner and Office of Emergency Services, a letter from the Governor's Office of Emergency Services regarding the U.S. Agriculture's Secretarial disaster designation for the county of Mariposa and the contiguous counties of Madera, Merced, Stanislaus and Tuolumne due to physical losses caused by flooding which occurred on 3/22/05.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Dana McIntosh; Melissa Von Derohe; Monica Williams; Miranda Blakes; Robert Hatlen; and, Thelma Redmon.

Chairman Grover commented on the clarity of the new projector in the chambers and inquired regarding the status of the television monitor.

Supervisor O'Brien reported that he attended the Youth Independent Living Awards, a banquet awards program for youth that have been placed in foster care. He thanked the CSA staff and all the volunteers for their time spent in making the awards banquet a successful event. Also, he voiced his concerns regarding the Safety Board and that the first meeting of the year was canceled due to lack of a quorum. He requested that safety compliance be included in the Department Heads' annual performance review.

The CEO spoke regarding a conference call on the Governor's May Revised State Budget with Finance Director Tom Campbell and Senator Jeff Denham.

Adjourned at 10:49 a.m.

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

BY: SANDRA REGALO, Deputy 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.)