

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

Regular Session

Tuesday

June 14, 2005

All Supervisors Present

Pledge of Allegiance to the Flag

Judy Church, of Congregations Building Community, spoke regarding the importance of the health services provided to low income families by HSA. She noted that they are concerned about potential health service reductions. She provided information to the Board regarding proposals to address these issues.

Alicia Lozano, of Congregations Building Community, thanked the Board for all their work. She voiced concerns regarding the current budget situation at HSA, and asked the Board to deny an increase to the Supervisors' compensation.

Georgiana Reichelt spoke regarding comments made at the 6/7/05 Board meeting regarding the Riverbank Redevelopment Project area agenda item, and how they were reflected in the minutes. She also voiced concerns regarding the notifications sent to the residents affected by the redevelopment project.

Simon/Mayfield unan. Adopted the consent calendar after removing from consent item ***B7** Approval to Authorize the Director of Environmental Resources to Apply for and Accept the Incentive Funds from the San Joaquin Valley Air Pollution Control District for the Purchase of Nine Hybrid Super Ultra Low Emission Vehicles; and, after removing from the agenda and continuing to a future date item ***B11** Approval of the Stanislaus Regional 911 Fiscal Year 2005-2006 Proposed Budget 2005-453

***A1** Approved the minutes of 6/07/05

***A2** Approved a commendation for the Modesto Symphony Orchestra in recognition of their 75th Anniversary 2005-436

***B1** Adopted the report determining that the Property Tax Administrative Cost for the FY 2004/05 is \$5,898,468 establishing the proportion of said costs attributable to incorporated cities and other jurisdictions; and, authorized the collection of said costs pursuant to the provisions of the Revenue and Taxation Code §95.3 and Stanislaus County Code §4.44.10 – Auditor-Controller 2005-437

***B2** Approved the agreements with service providers for mental health and alcohol and drug services for FY 2005/06; authorized the BHRS Director, or his Assistant Director Designee, to sign the agreements for FY 2005/06; and, authorized the BHRS Director, or his Assistant Director Designee, to negotiate and sign amendments to all agreements that are included in this agenda item to add services and payments for services, up to \$75,000 per agreement – BHRS 2005-438

***B3** Approved the second amendment to the agreement with Inter-Faith Ministries to increase the agreement maximum by \$25,000 to provide a sober living environment for women and their children; approved the third amendment to the agreement with Vital Signs Nursing Services, Inc. to increase the agreement maximum by \$17,000 for the provision of temporary nursing services; and, authorized the BHRS Director, or his Assistant Director Designee, to sign both amendments for increased services through 6/30/05 – BHRS

2005-439

- *B4 Approved the amended agreement with Sierra Vista Child and Family Services for providing counseling and parent education services and authorized the CSA Director, or his Assistant Director Designee, to sign the amended agreement not to exceed the total agreement amount of \$259,749 for the period of 7/1/04 through 6/30/05 – CSA 2005-440
- *B5 Approved the amended agreement with ARBOR Employment & Training, L.L.C., for providing employment services to StanWORKs recipients and authorized the CSA Director, or his Assistant Director Designee, to sign the amended agreement not to exceed the total agreement amount of \$241,875 for the period of 9/1/04 through 6/30/05 – CSA 2005-441
- *B6 Authorized the Director of DER, or her Designee, to apply for, administer and receive Beverage Container Recycling funds from the California Department of Conservation for FY 2005/06 to promote beverage container recycling and litter cleanup; authorized the Director of DER, or her Designee, to submit the Electronic Funding Request Forms to receive funds from the California Department of Conservation for FY 2005/06; authorized the Auditor-Controller to make necessary financial transactions; authorized the submittal of a joint funding request for Beverage Container Recycling funds, on behalf of the cities of Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock and the unincorporated areas of Stanislaus County, to the Department of Conservation Division of Recycling; and, acknowledged the following language as required by the Department of Conservation Division of Recycling: “The Director of the Department of Environmental Resources is hereby authorized and empowered to execute in the name of the cities of Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock and the unincorporated areas of Stanislaus County, all necessary forms and information hereto for the purposes of securing payment to implement and carry out the purposes specified in §14581(a)(4)(A) of the California Beverage Container Recycling and Litter Reduction Act and provide information regarding this program to the Department upon request. DER will be the responsible party to provide records to the Department of Conservation, Division of Recycling, should an audit be performed.” – DER 2005-442
- *B8 Canceled a public hearing set for 6/28/05 at 9:30 a.m. to consider Stanislaus County Franchise Refuse Collection Rate Adjustments for residential and commercial services and re-scheduled the public hearing on this matter to 7/12/05, at 9:30 a.m. – DER 2005-443
- *B9 Authorized the Director of Parks and Recreation to compensate the Deputy Director of Parks and Recreation candidate, Robert S. Carson, above the mid-point of the Salary Band E – Parks and Recreation 2005-444
- *B10 Selected the proposal submitted by Otis Elevator Company and awarded a three-year agreement, with provision to extend for two (2) one-year periods, for elevator maintenance services to Otis Elevator Company for an amount not to exceed \$275,000; and, authorized the Chairman to sign the agreement and any extensions of the term – Public Works 2005-445
- *B12 Authorized the Chairman, the Sheriff, and the CEO to sign the contract for continuing police services by the Sheriff to the City of Riverbank – Sheriff C-1-A-13 2005-446
- *C1 Approved the annexation of Pirrone Road No. 2 to CSA #10 – Salida, subject to Government Code §56886(t) and 57330 terms and conditions; and, pursuant to Government Code §56663(c), approved the Waiver of Conducting Authority Proceedings – Pirrone Road No. 2 Change of Organization to CSA #10 – PW CSA-10-A-9 2005-447
- *C2 Finds that the territory, Monterey Estates Annexation (PM 2003-03; APN: 010-03-13) in Oakdale, more particularly described on Exhibits “A” and “B” is owned by petitioner, and that petitioner’s ownership represents 100% of the total assessed valuation of all taxable property within the territory proposed to be annexed into the Gibbs Ranch 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, safety 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 Gibbs Ranch Lighting District of Stanislaus County; finds the fact of filing of the petition was received by the Clerk of the Board on 6/7/05; 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 of Supervisors 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-32-5 2005-448

***C3** Approved the subdivision improvement agreement for Sterling Ranch Unit No. 5 subdivision; finds that the final map is in substantial compliance with the previously approved tentative map; finds that Stanislaus County has adopted a specific plan covering the area proposed to be included within the final map; finds that the final map, together with the provisions for its design and improvement, is consistent with the specific plan for the area; rejected all roads, highways, avenues, alleys, courts, ways, lanes, places, etc.; authorized the Chairman to sign the final map for TM 99-01 and the subdivision improvement agreement for Sterling Ranch Unit No. 5; and, authorized the final map to be filed and recorded as presented – PW 2005-449

***D1** Rescinded all or a portion of Williamson Act Contract #1973-1250 and #2004-4555 (Sequoia Avenue and Highway 33, Patterson Area), and approved new contract pursuant to Minor Lot Line Adjustment Application 2005-12 (Del Don); authorized the Planning Director to execute new contracts; finds the new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years; finds there is no net decrease in the amount of the acreage restricted; in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; finds at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; finds after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in §51222; finds the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; finds the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; and, finds the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan – Planning 2005-450

Simon/DeMartini (4-0)(O'Brien abstained) **A3** Waived the second reading and adopted Ordinance C.S. 926 authorizing the inclusion of unincorporated territory to the Riverbank Redevelopment Project Area ORD-54-W-9 2005-451

Mayfield/Simon unan. ***B7** Authorized the Director of DER to apply for, and accept, the incentive funds from the San Joaquin Valley Air Pollution Control District's Light-Duty and Medium-Duty Vehicle Incentive Program; authorized the Director of DER to sign the contracts and all applicable documents with San Joaquin Valley Air Pollution Control District; and, authorized the Auditor-Controller to make appropriate budget entries for FY 2005/06 2005-452

Mayfield/Simon (4-1)(O'Brien opposed) **B13** Considered the recommendations of the Stanislaus County Fire Chief's Association to create a Fire Authority for administration of Regional Fire Services; authorized a request to LAFCO to take the lead in the overall efforts to review the existing fire service delivery system in Stanislaus County; and, authorized expansion of the Fire Services Advisory Committee to include representatives of all cities, rural and municipal fire chiefs, and other interested stakeholders whose efforts would be led by LAFCO 2005-454

Recessed at 10:22 a.m.

Reconvened at 10:30 a.m.

DeMartini/O'Brien unan. **9:30 a.m.** Conducted the public hearing and accepted the recommended Proposed Budget for FY 2005/06 from the CEO; authorized the CEO and the Auditor-Controller to make the necessary technical adjustments to implement the approved Proposed Budget; amended the Salary and Position Allocation Resolution to reflect the recommended changes in the Proposed Budget, which provides for position and classification changes (as outlined in the staffing impacts of this report) to be effective on the first pay period beginning after 7/1/05, with the exception of the reduction-in-force which will be effective on 8/19/05; approved the reduction-in-force of ten filled positions effective 8/19/05; and, directed the CEO to prepare the Final Budget and set the public hearing for consideration of the Final Budget on 9/13/05 at 9:30 a.m. 2005-455

Corr 1 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Christine R. Rielly; Robin Gamble; and, Corrie Chilton.

Recessed to Closed Session at 12:33 p.m. for conference with legal counsel - existing litigation: Legal and Safety Employer Research, Inc, et al. v. County of Stanislaus, Stanislaus County Superior Court Case No. 346968. Government Code §54956.9 (a).

Adjourned at 1:31 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.)