

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

Regular Session

Tuesday

June 21, 2005

All Supervisors Present

Pledge of Allegiance to the Flag

Mayfield/O'Brien unan. Adopted the consent calendar after removing from consent item ***B8** Approval of Agreement Between the County of Stanislaus and Claims Management, Inc. (CMI) as Third Party Administrator for the Workers' Compensation Claims Management Program

- *A1** Approved the minutes of 6/14/05
- *A2** Accepted the resignation of Everett Souza from the West Stanislaus Resource Conservation District Board 2005-456
- *A3** Approved the request from the Mid Valley Water Ski Club for use of the Modesto Reservoir – Back Dam Area, on Saturday, 7/16/05 for a fund raising event to assist the family of Deputy Mike Rash 2005-457
- *B1** Approved the 2005/06 Automated Property Tax System Maintenance Agreement with Megabyte Systems, Inc. and authorized the CEO, upon recommendation by the Assessor, Auditor-Controller and Treasurer/Tax-Collector, to sign the agreement – Assessor 2005-458
- *B2** Approved the amended agreements for the Children's Trust Program with the Center for Human Services, Children's Crisis Center, and Parent Resource Center; and, authorized the Director of CSA, or his Designee, to sign the amended agreements and any further amendments that do not exceed the total agreement amounts detailed in the Fiscal Impact – CSA 2005-459
- *B3** Approved the increase in the IHSS Homemaker default rate to \$21.36 per hour effective 7/1/05 and authorized CSA to take appropriate action to put the increase into effect on 7/1/05 – CSA 2005-460
- *B4** Approved the personal services agreement for certified engineering geologist services for DER for FY 2005/06 and authorized the Director of DER, or her Designee, to sign the agreement not to exceed the total amount of \$52,000 – DER 2005-461
- *B5** Accepted the DER Code Enforcement Unit Status Report for 2003 and 2004 – DER 2005-462
- *B6** Approved the personal services agreement for project management services for FY 2005/06 and authorized the Director of Parks and Recreation, or her Designee, to sign the agreement not to exceed the total amount of \$35,000 – Parks and Recreation 2005-463
- *B7** Introduced and waived the first reading of Ordinance C.S. 927 adding §18.04.165 to the Stanislaus County Code to define "Service Animal," amending §18.06.070 pertaining to Animals in Parks, and amending §18.10.90 pertaining to Pets at Modesto Reservoir – Parks and Recreation ORD-54-W-10 2005-464
- *B9** Approved and authorized the Chairman to sign the FY 2004/05 Sudden Oak Death Disease Contract with the California Department of Food and Agriculture – Agricultural Commissioner 2005-465
- *C1** Authorized the Director of Public Works to negotiate a contract with Mazingo Construction of Oakdale, California, to install 85 lineal feet of sanitary sewer to connect the Shackelford neighborhood to the City of Modesto's sanitary sewer system; directed the Interim Purchasing Agent to execute the contract; and, directed the Auditor-Controller to increase appropriations and estimated revenue for the contract amount – PW 2005-466

***D1** Rescinded all or a portion of Williamson Act Contract #1997-4348 (Mountain View Road, Hughson Area), and approved new contract pursuant to Minor Lot Line Adjustment Application 2004-67 (Chris Barth); 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 2005-467

Mayfield/O'Brien (4-0)(Simon abstained) ***B8** Approved the agreement between the County of Stanislaus and Claims Management, Inc., (CMI) as Third Party Administrator for the Workers' Compensation Claims Management Program from 7/1/05 through 6/30/06; authorized the Chairman to sign the agreement; authorized the CEO, or his Designee, to extend the agreement for years two and three based on the Third Party Administrators' performance at the prices indicated in the fiscal impact section of the agenda item; and, authorized the CEO, or his Designee, to sign future amendments to the agreement based on material changes in the examiner's caseload 2005-468

Simon/O'Brien unan. ***B10** Accepted the salary survey completed by the CEO's office and denied an increase to the Board of Supervisors' compensation rate pursuant to the provisions of the Stanislaus County Code §2.04.030 2005-469

DeMartini/Simon unan. **6:35 p.m.** Conducted the public hearing and modified the Divisions within the Del Puerto Water District DW-17-9 2005-470

Mayfield/Simon (3-2)(O'Brien and Grover opposed) **6:40 p.m. A.** Introduced and waived the first reading of Ordinance C.S. 908 relating to the breeding, transferring, licensing, and spaying and neutering of dogs, and amending and establishing fees for the Department of Animal Services; authorized the Auditor-Controller to increase appropriations by \$155,053 and increase estimated revenue by \$155,053 for FY 2005/06 in the Department of Animal Services general fund budget for the administration of the Pet Overpopulation Ordinance; authorized the Auditor-Controller to increase appropriations by \$226,147 and increase revenue by \$224,147 for FY 2005/06 in the Department of Animal Services Trust – Donations budget unit for anticipated revenue received due to changes in fees in the Pet Overpopulation Ordinance; and, amended the Salary and Position Allocation Resolution to reflect the changes detailed in the Staffing Impact section of this item ORD-54-U-4 2005-471

Simon/Mayfield (4-1)(O'Brien opposed) **6:40 p.m. B.** Introduced and waived the first reading of Ordinance C.S. 909 amending Chapter 7.48, and amending existing fees and adding new fees to Chapter 7.50, Title 7 – Animals ORD-54-U-4 2005-472

Corr 1 Referred to the DA and CEO, a letter from the Department of Finance regarding the State Legislature's rejection of the provisional language in the Governor's Proposed Budget which would have provided reimbursement to the County for costs associated with the Peterson trial.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Joseph Allen; Agustin Aguilar Rodriguez; and, Walter Jaeger.

The CEO noted that reimbursement for the Peterson trial is not included in the State Budget Bill that is moving forward at the State legislature, but that County staff is continuing to work with Senator Denham in pursuing this reimbursement.

Adjourned at 8:40 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.)