

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

Regular Session

Tuesday

July 12, 2005

All Supervisors Present

Pledge of Allegiance to the Flag

Richard Perry raised issues with the District Attorney's Office and Child Support Services regarding his Child Support payments. He also spoke regarding the upcoming District Attorney vacancy.

Madelyn Amaral, of the IHSS advisory committee, read a letter recommending Jeff Lambaren as the Executive Director of the IHSS Public Authority.

Simon/Mayfield unan. Adopted the consent calendar after removing from consent items **\*A2a** Approval to Adopt and Waive the Second Reading of Ordinance C.S. 908 Relating to the Breeding, Transferring, Licensing and Spaying and Neutering of Dogs and Cats, and Amending and Establishing Fees for the Department of Animal Services, and **\*A2b** Approval to Adopt and Waive the Second 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

**\*A1** Approved the minutes of 6/28/05

**\*A2c** Adopted and waived the second 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  
ORD-54-W-10 2005-514

**\*A2d** Adopted and waived the second reading of Ordinance C.S. 928 amending Title 11 of the Stanislaus County Code, adding speed zones on Kiernan Avenue, Missouri Avenue, and Fink Road  
ORD-54-W-11 2005-515

**\*A2e** Adopted and waived the second reading of Ordinance C.S. 929 amending Title 11 of the Stanislaus County Code, adding no parking zones on Salida Boulevard, Twenty-Six Mile Road and Crows Landing Road  
ORD-54-W-12 2005-516

**\*A3a** Appointed Jim Jasper to the Hills Ferry Cemetery District Board 2005-517

**\*A3b** Appointed Barbarita Cuellar, Roger Duke, and Kristin Peterson to the Stanislaus Child Development Local Planning Council 2005-518

**\*A3c** Appointed Laura Shouse-List to the Regional Advisory Committee of the Mountain-Valley Emergency Medical Services Agency 2005-519

**\*A3d** Appointed Parrish Sintel Childs and Ashley Garcia to the Youth Advisory Council of the Stanislaus Economic Development and Workforce Alliance 2005-520

**\*A4** Set a public hearing on 7/26/05, at 9:30 a.m., to consider an appeal of the Planning Commission's denial of Parcel Map #2005-02 and Variance Application #2005-01 – Rifenburg Ranch 2005-521

**\*A5** Accepted the resignation of Rachelle Antinetti from the Stanislaus County Planning Commission 2005-522

**\*B1** Authorized the Auditor-Controller to advance funds to Oakdale Rural Fire District for operational expenses under Government Code §23010 in an amount not to exceed \$902,003 or 60% of Anticipated Revenue 2005-523

**\*B2** Approved the renewals of three contracts with the California Department of Education for the administration of the Child Care and Development Block Grants and authorized the CSA

- Director, or his Assistant Director Designee, to sign these contracts and any amendments not to exceed the individual contracted amount – CSA 2005-524
- \*B3 Approved the Department of Health Services contract for the Childhood Lead Poisoning Prevention and Medi-Cal and Lead Program allocation for the period 7/1/05 through 6/30/08; and, authorized the HSA Managing Director, or her Designee, to sign and execute the contract – HSA 2005-525
  - \*B4 Approved agreement for independent contractor services between Memorial Medical Center (MMC) and HSA for the disbursement of funds from the Emergency Medical Services SB12/612 Hospitals Fund to MMC for uncompensated emergency medical care provided during the period 7/1/04 through 6/30/05; and, authorized the HSA Managing Director, or her Designee, to sign the agreement – HSA 2005-526
  - \*B5 Approved the independent contractor agreement with Sage Associates for performance and completion of a coding and billing compliance audit of medical records, including follow-up provider training at HSA; and, authorized the HSA Managing Director, or her Designee, to sign the agreement – HSA 2005-527
  - \*B6 Authorized the County Librarian, or her Designee, to sign a contract amendment with the Stanislaus Literacy Center (SLC) for delivery of adult literacy services – Library 2005-528
  - \*B7 Authorized the Sheriff to enter into an agreement with the We Care Program to provide laundry services – Sheriff 2005-529
  - \*B8 Authorized the Sheriff to sign the agreement with the 38th District Fair Board for the Sheriff to Provide Security for the 2005 Stanislaus County Fair 2005-530
  - \*B9 Approved a three-year agreement with California Forensic Medical Group (CFMG) for medical services in Stanislaus County detention facilities and authorized the CEO to sign the agreement effective for the period of 7/1/05 through 6/30/08 2005-531
  - \*B10 Approved the reclassification of one vacant Manager II position to Manager IV (working title Communications Manager) in the CEO office and amended the Salary and Position Allocation Resolution to reflect the reclassification 2005-532
  - \*B11 Authorized the Director of Parks and Recreation to enter into an agreement with the Stanislaus County Police Activities League for Special Youth Programs in FY 2005/06 – Parks and Recreation 2005-533
  - \*B12 Approved the findings of the CEQA Initial Study and adopted the Negative Declaration for physical improvements at Woodward Reservoir Regional Park 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; finds the project to be De Minimis for the purposes of the collection of Fish and Game fees pursuant to California Code of Regulations; and, ordered the Park staff to file a Notice of Determination and Certificate of Fee Exemption with the Clerk-Recorder Office pursuant to Public Resources Code and CEQA guidelines – DER 2005-534

Mayfield/Simon (3-2)(O'Brien and Grover opposed) \*A2a Adopted and waived the second reading of Ordinance C.S. 908 relating to the breeding, transferring, licensing and spaying and neutering of dogs and cats, and amending and establishing fees for the Department of Animal Services

ORD-54-U-4 2005-535

Simon/Mayfield (3-2)(O'Brien and Grover opposed) \*A2b Adopted and waived the second 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 2005-536

DeMartini/Simon unan. B13 Accepted the Internal Audit Reports prepared by the Internal Audit Division of the Auditor-Controller's Office 2005-537

Simon/O'Brien unan. **9:25am** Finds that the notice of the public hearing was given pursuant to Government Code §53753(b), Streets and Highways Code §22552, and Streets and Highways Code §22588; conducted the public hearing to receive comments regarding: (a) the formation of the Bystrum Landscape and Lighting District, (b) the proposed method for calculating the amount of the annual assessment, (c) the levy of the annual assessment to pay for the street lighting service; and, authorized the Clerk of the Board to oversee the tabulation of ballots and submit the results to the Board of Supervisors at the next scheduled board meeting on 7/26/05 – PW DLA-2-2 2005-540

Mayfield/Simon unan. **9:30am** Approved the proposed franchise refuse rate adjustments for residential and commercial collection services – DER 2005-541

Mayfield/Simon (4-0)(DeMartini abstained) **B14** The Board discussed the potential options concerning the upcoming District Attorney vacancy and adopted Option No. 1 to take no action and not appoint a person to fill the DA vacancy 2005-538

Simon/Mayfield unan. **B15** Approved the report on the progress of the Economic Development Bank Program, since its creation in FY 2001/02 through FY 2004/05 2005-539

**Corr 1** Referred to the CEO and the IHSS Public Authority, a letter from the American Federation of State, County and Municipal Employees, AFL-CIO regarding the placement of the United Domestic Workers under the administratorship of the International Union

**Corr 2** Referred to DER and the Department of Planning and Community Development, a letter from the United States Department of the Interior Fish and Wildlife Service regarding the Draft Economic Analysis and reopening of the comment period concerning critical habitat for 15 vernal pool species.

**Corr 3** Acknowledged receipt of the San Joaquin Valley Air Pollution Control District Fiscal Year 2005-2006 Adopted Budget.

**Corr 4** The Board accepted Sheriff Les Weidman's letter of retirement effective 8/5/05, with regrets, and congratulated him on his 36 years of service to the citizens of Stanislaus County.

**Corr 5** Referred to the CEO to prepare and coordinate a response, a copy of the 2004-2005 Civil Grand Jury Final Reports regarding County Departments. M-39-J-4

O'Brien/Mayfield unan. **Corr 6** Adopted a resolution opposing the closure of the Riverbank Army Ammunition Plant. 2005-542

**Corr 7** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Danielle Joyce Moreno; Mary D. Fimbrez; Larry Miles; a Minor; and, a Minor.

Supervisor Mayfield noted that he is receiving several correspondences pertaining to the Air Pollution Control Board and the current issue of cattle.

Supervisor DeMartini attended the grand opening ceremony of the Grayson Community Center last Saturday, and noted that it is a great asset to the West Side. He noted the importance of Biotechnology and genetically modified crops, and recommended that the Board support the research. He recommends that the Board adopt a resolution supporting the use of Biotechnology and genetically modified crops.

**Leg. A.** The CEO reported that the State Legislature has adopted a Budget, which includes full funding of IHSS and Prop 42, full repayment 1 year early of the VLF gap loan, and a \$1.3 billion property tax shift from local government to the State. The primary area of concern to Stanislaus County is the elimination of the Property Tax Administration Grant Program. This program was funded at \$866,000 for FY 2004/05. The CEO noted that funds are available to continue this program with current staffing levels during the FY 2005/06, and that one of the legislative priorities for the upcoming session will be the restoration of this important funding source.

**Leg. B.** The CEO gave a verbal update on his review of Integrated Criminal Justice Information System (ICJIS) and noted that he will return to the Board in 4 weeks with the results of his full investigation.

**Leg. C.** A verbal report regarding contributions to the Family Practice Residency Program was provided by the CEO. He noted that there are two mechanisms in which contributions can be made, either through the HSA, or through the Foundation, as long as the donations are made for a specific purpose.

**Adjourned as the Board of Supervisors at 11:08 a.m.**

**Convened to sit as the Stanislaus County In-Home Supportive Services Public Authority at 11:08 a.m.**

O'Brien/DeMartini unan. Approved the consent calendar  
**9:35am (\*II-A)** Approved the minutes of 4/26/05

Recessed to closed session at 11:09 a.m. for Public Employee Appointment - Executive Director of the Stanislaus County In-Home Supportive Services Public Authority. Government Code 54954.5(e)

Simon/DeMartini unan. **Closed Session Announcement:** Appointed Jeff Lambaren as the Manager IV (working title Executive Director) of the Stanislaus County In-Home Supportive Services Public Authority above the mid-point salary band in the amount of \$37.07 per hour effective July 25, 2005.

2005-543

Adjourned at 11:30 a.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.)