

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

Regular Session

Tuesday

July 19, 2005

All Supervisors Present

Pledge of Allegiance to the Flag

Martin Martinez, Steward of SEIU Local 535, spoke regarding the current labor negotiations with the County and in support of cost of living adjustments.

Kathleen Grundy, Social Worker at Child Protective Services, noted that social workers often work in dangerous environments, and spoke in support of hazard pay differential.

Bruce Washington, a BHRS employee and member of SEIU Local 535, spoke in support of cost of living increases and noted the important work County employees perform.

Ben Cuellar, an Adult Protective Services Social Worker, spoke regarding difficulties social workers face on a daily basis.

Teresa Grieshaber, Stanislaus County Chapter President of SEIU Local 535 and Library employee, spoke regarding the current labor negotiations.

Simon/Mayfield unan. Adopted the consent calendar after removing from consent item ***B6** Approval to Extend the Labor Agreement Between the County and the Stanislaus County Employees Association, AFSCME Local 10, Representing Technical Services, Mid-Management/Supervisory, Crafts/Maintenance/Institutional, and Office Worker/Clerical Bargaining Units

***A1** Approved the minutes of 7/12/05

***A2a** Accepted the resignation of Cathy Kirby from the Salida Municipal Advisory Council

2005-544

***A2b** Accepted the resignation of John Brubaker from the Salida Fire Protection District Board

2005-545

***A3** Appointed Matthew Boulware to the West Stanislaus Resource Conservation District Board

2005-546

***A4** Approved commendations for Sheriff Les Weidman, DA Jim Brazelton, and BHRS Director Dan Souza upon their retirement

2005-547

***B1** Approved amending the Stanislaus County Drug Enforcement Agency agreement and the transfer of operational control of the Agency from the County of Stanislaus to the City of Modesto; authorized the CEO to sign the amended agreement; and, directed the Auditor-Controller to transfer the SDEA Fund 6450 balance as of 6/30/05 to the City of Modesto – Sheriff

2005-548

***B2** Approved contracting with the CPA Firm of Macias Gini & Company to conduct the annual County audit for fiscal year ending 6/30/05 and authorized the Purchasing Agent to sign the contract – Auditor-Controller

2005-549

***B3** Authorized the DA and the CEO to sign the Personal Services Contract Extension with Cindy Woods to provide information technology support to the DA's and Public Defender's ICJIS program for the period of 7/15/05 through 10/1/05 – DA

2005-550

- *B4 Approved a resolution to levy FY 2005/06 benefit assessment rates for the following lighting districts: Airport Neighborhood, Almond Wood, Country Club-Zone A, Country Club-Zone B, Crows Landing, Deo Gloria, Denair, Empire, Fairview, Gibbs Ranch, Gilbert Road, Golden State, Hillcrest, Mancini Parks Homes, Monterey, North Oaks, North McHenry, Olympic, Patterson Gateway, Peach Blossom, Richland, Salida, Schwartz Baize, Sunset Oaks, Sylvan Village, and Tempo Park; and, authorized the Auditor-Controller to add the assessments to the 2005/06 tax roll – Auditor-Controller 2005-551
- *B5 Approved the license agreement with Cornerstone Theater Company for use of a portion of United Community Park in Grayson from 7/20/05 through 8/8/05 for the production of Boda De Luna Nueva (New Moon Wedding); authorized the Interim Purchasing Agent to sign the license agreement with Cornerstone Theater Company; and, approved the waiver of use fee for Cornerstone Theater Company in consideration that the production is free of charge to County residents – Parks and Recreation 2005-552
- *C1 Finds that the ordinance amending Title 11 of the County Code to add a speed zone on Crawford Road is not subject to CEQA (Public Resources Code, §2100 et. seq.); and introduced and waived the first reading of Ordinance C.S. 930 – PW
ORD-54-W-13 2005-553
- *C2 Relieved Prism Engineering of Santa Clara, CA of their submitted bid; awarded the contract for the Keyes Road at Geer Road Traffic Signal Project to Teichert Construction of Sacramento, CA in the amount of \$1,996,135.30; directed the Auditor-Controller to increase appropriations and estimated revenue by \$2,011,135.30; and, authorized the Interim Purchasing Agent to establish a contract with Teichert Construction for the contract amount of \$1,996,135.30 – PW M-64-D-6 2005-554
- *C3 Approved the plans and specifications for the Salida Storm Water Treatment Unit project; directed the Clerk of the Board to publish a notice inviting bids for the project as required by law, and set the deadline for the submission of bids as 8/17/05, prior to 2:00 p.m.; directed the Public Works staff to mail the notice inviting bids to trade journals as required by law; and, authorized the installation of a storm water pollution control unit for CSA 10 (Salida) – PW 2005-555
- *C4 Approved the installation of stop sign traffic control, under the authorization granted to local authorities in Vehicle Code §21355, at the following locations: Country View Drive at Carver Road, Shoemake Avenue at Gates Road, Olive Avenue at Sycamore Avenue, and Orange Avenue at Sycamore Avenue; required motorists on all approaches to stop prior to entering these intersections; and, the stop signs shall be located at or near all entrances to the intersections – PW 2005-556

Simon/DeMartini (4-1)(Mayfield opposed) *B6 Approved the provisions contained within the MOU Roll-over Proposal to extend the existing MOU between the County and the Stanislaus County Employees Association, AFSCME Local 10, representing technical services, mid-management/supervisory, crafts/maintenance/institutional, and office worker/clerical bargaining units; and, amended the Salary and Position Allocation Resolution to reflect the changes included in the proposal 2005-557

O'Brien/Mayfield unan. B7 Accepted the Mental Health Board Annual Report 2005-558

The Chairman presented a plaque and commendation to Dan Souza, Director of BHRS, upon his retirement and in recognition of his service to the citizens of Stanislaus County.

Recessed at 7:57 p.m.

Reconvened at 8:04 p.m.

O'Brien/Simon unan. **B8** Approved the new County Information Technology (I.T.) Security Policy; amended the Salary and Position Allocation Resolution to add one Manager III to the Strategic Business Technology (SBT) Department Budget to provide Countywide information security services to assist departments in the implementation of this policy and monitor the effectiveness of this policy; directed the Auditor-Controller to increase appropriations and estimated revenue in the SBT Budget; recognized that this security policy is a minimum level and that departments may exceed this policy in meeting their own requirements, as well as State and Federal requirements; and, directed each department to identify their total I.T. security costs at the end of each fiscal year 2005-559

Simon/O'Brien unan. **B9** Approved an interim agreement with Atomogy Corporation to Complete the Software Development Schedule for the Integrated Countywide Justice Information System (ICJIS) 2005-560

DeMartini/O'Brien (4-1)(Mayfield opposed) **D1** The Board considered and adopted the Staff Recommendations as follows: (A) received the update of the Salida Community Plan planning efforts; (B) accepted the proposed conceptual land use, infrastructure and funding strategy as the conceptual basis for preparation of a Salida Community Plan Update and future environmental impact report based on the following conditions: (1) that all project and backbone infrastructure components necessary to serve the new residential components of the Salida Community Plan area must be funded and financed by the developers and constructed in a timely basis as soon as possible and when necessary during the development of the residential communities; it is recommended that the infrastructure be financed primarily through up-front cash contributions and/or building permit fees rather than land based financing (Mello Roos); this includes all backbone infrastructure identified in the 10-year residential buildout scenario and: a) all necessary school improvements to serve the new residential development as developed by the Salida Union School District (less state funded portions), b) all necessary fire protection facilities to serve the new residential development as developed by the Salida Fire District, c) all necessary sanitary sewer facilities to serve the new residential development as developed by the Salida Sanitary District, and d) all necessary Neighborhood Parks to serve the new residential development consistent with county standards and as developed by the County Parks Department; (2) that additional Community and regional infrastructure components be funded, financed, and constructed by developers by the time of the projected buildout of the residential portion of the Community Plan including: a) roadways, water and sewer collection facilities servicing Areas 3 and 6 as identified in the residential buildout scenario, and b) adequate sewer treatment plant modifications to allow for additional capacity for tertiary treatment of wastewater generated by 75% build-out of Areas 3 and 6; (3) that regardless of the eventual cost of improvements (either higher or lower than those estimated by the engineering groups working with the residential developers), it is recommended that if the Community Plan update as proposed is ultimately approved, residential developers will be responsible for establishing a funding and financing plan for the Community Plan for a specific list of infrastructure components (with specified standards) within a specified time-line that mitigate the full impact of the residential build out and provides an adequate amount of additional regional infrastructure in order to assure that non-residential development can occur within competitive costs; (4) that the Board direct staff to work with the developers, future business park or commercial land owners, and other governmental jurisdictions prior to or concurrently with approval of the Community Plan update, to finalize a financing, funding and construction plan tied to phasing of residential development that accelerates the provision of the following regional infrastructure prior to completion of residential build-out: a) construction of up to 6 lanes – on a fully landscaped Regional Expressway from Highway 99 to a functional intersection with Dale Road as determined by traffic studies. (Exact location of Expressway alignment and intersection with Dale Road to be determined through consultation with StanCOG, Oakdale, Riverbank and Modesto), including fully operational overpasses or underpasses on the Expressway at Pirrone, Finney, and Sisk, and a tight diamond interchange at Stoddard and the Expressway with adequate right-of-way protected to ultimately construct

a full cloverleaf interchange, b) improvements that are yet to be identified by the future EIR and PSR for operation of the Kiernan and Hammett Road interchanges at Highway 99 to mitigate project impacts. Specifically, construction of the necessary improvements at both the Hammett Road/Expressway interchange with Hwy 99 and the Kiernan Avenue interchange based on final designs approved by CalTrans and the County through the PSR and EIR process, c) adequate and appropriate improvements to the Regional Park that are yet to be identified by the Parks Department for regional park improvements consistent with the Parks Master Plan; (5) that a detailed infrastructure financing and phasing plan be required to be incorporated into individual development agreements, that would specify which infrastructure components will be built and during what phase of construction in order to mitigate project impacts as they occur and to accelerate business park and commercial development; additionally, that development agreement negotiations examine shifting a larger portion of the Salida Community Plan backbone infrastructure costs from non-residential to residential at the front-end of Community Plan development; further, that development agreements be negotiated with each residential developer that spell out specific reimbursement possibilities for residential contributions to regional infrastructure when, and if, non-residential development takes place within the Community Plan areas; (C) directed staff to continue the Salida Community Plan Update, including conducting all tasks defined in items 1-17 on pages 15 through 17 under “next steps”; and (D) verified that the Department of Planning and Community Development, as approved in the current Department Fee Schedule, shall charge all project planning related costs to the Salida area residential developers, and authorized the Auditor-Controller to establish a Special Revenue Fund for Salida planning efforts – Planning 2005-561

Corr 1 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Eduardo Gutierrez, Sr.; Maria Gutierrez; Eduardo Gutierrez, Jr.; Esteban Diaz; Rosemary Musino; Ignacio Musino; Niceforo Flores; Ramona Flores; Cecelia Flores on her own behalf and on behalf of her minor children; and, Ruben Flores on his behalf and on behalf of his minor child.

Supervisor O’Brien reported that his office has received two complaints regarding canvassing by Animal Services staff. The CEO noted that he will follow-up on this issue.

Supervisor Mayfield noted that he has approximately 200 letters on his desk from dairyman concerned about an upcoming Air Board vote regarding emissions from cows.

The CEO reported that he will be asking the Debt Advisory Committee to consider refunding our Tobacco Securitization bonding to take advantage of current market conditions. In addition, he will bring a recommendation to the Board that the 8/30/05 Board meeting be canceled.

Adjourned at 10:30 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.)