

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

August 23, 2005

Mary Merrill, Steward for the Service Employees International Union (SEIU) Local 535, noted that on 8/9/05 the Union presented their last, best and final offer in the presence of both sides of the negotiation team. She raised concerns that the County presented new terms after the 8/9/05 offer by e-mail, and not at a meeting. She spoke in support of a cost of living increase.

Martin Martinez, SEIU Shop Steward at Juvenile Hall and member of the negotiating team, voiced concerns regarding the current labor negotiations with the County for the 2005-2006 contract.

Ruby Brawley, Chair of the Central Valley Veterans Mega Clinic Task Force, spoke regarding the need for a Veterans Administration Health Care Complex for Stanislaus County. She requested that the County donate approximately 15-20 acres of property for a mega clinic, and noted that the property would need to be identified by the 9/14/05 planning meeting with the VA.

Theresa Grieshaber, Chapter President of SEIU Local 535 and Library employee, spoke regarding the current labor negotiations with the County. She also spoke in support of a 3 percent cost of living increase.

Edwin Lazo, an employee from Child Support Services and member of the SEIU Local 535 bargaining team, spoke regarding the current labor negotiations with the County.

Maisy Strong-Avila, Chapter Vice-President of SEIU Local 535 and member of the bargaining team, spoke regarding the 8/9/05 proposal being denied by the Board of Supervisors.

Amanda Evans of Modesto spoke in opposition to genetically engineered foods. She provided copies of information from the Sierra Club to the Board concerning biotechnology.

Elaine Carter, Senior Field Representative from the Stanislaus County Chapter SEIU Local 535, spoke regarding the labor negotiations with the County. The union thought that they had reached a settlement with the County until they learned that it was not approved by the Board of Supervisors. She noted that they want to reach a settlement, and have shown good faith in the negotiations. They are willing to go to mediation if necessary.

Pat Sweeney, Deputy Executive Officer, said that she is disappointed by the comments made today by the SEIU. She believes that the County negotiating team was very clear that any tentative agreement was subject to Board approval. She noted that Elaine Carter is the spokesperson for the union, and that she and Ms. Carter have been exchanging e-mails for a variety of reasons. She read excerpts from the e-mails into the record.

Mayfield/O'Brien unan. Adopted the consent calendar

\*A1 Approved the minutes of 8/16/05

\*A2 Commended Glenda Carella upon her retirement from Stanislaus Regional 9-1-1 2005-652

- \*A3a Accepted the resignation of David Lemos from the Stanislaus County Hazardous Waste Management Advisory Committee 2005-653
- \*A3b Accepted the resignation of Jennie Santillan from the Empire Sanitary District Board of Directors 2005-654
- \*A4a Appointed Mark Brubaker to the Salida Fire Protection District Board of Directors 2005-655
- \*A4b Appointed Jan Moore to the Salida Municipal Advisory Council 2005-656
- \*A4c Appointed Ken Patterson to the Children and Families Commission 2005-657
- \*B1 Authorized the Director of the Department of Aging and Veterans Services (AAA) to sign FY 2005/06 contracts for, and any subsequent amendments to, contracts AP-0506-30, HI-0506-30, and TV-0506-30 with the California Department of Aging – Aging and Veteran Services 2005-658
- \*B2 Authorized the BHRS Director to enter into an agreement with the State Department of Mental Health for FY 2005-2006 in which Stanislaus County agrees to administer the Managed Mental Health Care Plan for Stanislaus County Medi-Cal beneficiaries; authorized the BHRS Director, or her Designee, to sign the agreement; and, authorized the authorized the BHRS Director, or her Designee, to sign future amendments to the agreement that may be proposed by the State Department of Mental Health for FY 2005-06 – BHRS 2005-659
- \*B3 Authorized the BHRS Director to appoint Ruby Duran, RNC to the position of Manager III at a salary of \$37.92 per hour which exceeds the mid-point of Band C – BHRS 2005-660
- \*B4 Approved amendments to the by-laws of the Stanislaus County Children’s Council  
BD-65-24 2005-661
- \*B5 Approved the three-year plan for Child Abuse Prevention, Intervention and Treatment, Community Based Child Abuse Prevention, and Promoting Safe and Stable Families Programs; adopted a resolution in support of the child abuse services to be provided through the plan; approved the Stanislaus County CSA to administer the County Children’s Trust Fund; approved the establishment of a Child Abuse Prevention Council, under Welfare and Institutions Code, Chapter 12.5, §18980; approved the by-laws of the Child Abuse Prevention Council; designated the Child Abuse Prevention Council as the coordinating body of the County Children’s Fund in Stanislaus County; and, authorized the Chairman of the Board to sign the Notice of Intent for Stanislaus County – CSA  
BD-81-1 2005-662
- \*B6 Adopted the decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 4604 Monte Vista Avenue, Denair, CA (CE No. 04-786); and, authorized the Treasurer/Tax-Collector to recover the costs by special assessment and a lien if the property owner fails to pay for the cost of this abatement, pursuant to County Code – DER 2005-663
- \*B7a Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 8012 Mondo Lane, Oakdale, California (CE No. 04-1798) – DER 2005-664
- \*B7b Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 600 Hartley Drive, Modesto, California (CE No. 04-4403) – DER 2005-665
- \*B7c Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 221 Crockett Avenue, Modesto, California (CE No. 05-254) – DER 2005-666
- \*B7d Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 3231/3230 Minniear Avenue, Modesto, California (CE No. 05-767) – DER 2005-667
- \*B7e Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 2212 Orange Avenue, Patterson, California (CE No. 05-869) – DER 2005-668
- \*B7f Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 3225 W. Whitmore Avenue, Modesto, California (CE No. 05-1319) – DER 2005-669
- \*B7g Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 1757 Spokane Street, Modesto, California (CE No. 05-1632) – DER 2005-670

- \*B8 Approved the Healthy Families Program Rural Health Demonstration Project Grant Agreement with Blue Cross of California for expansion of clinic hours into evenings for the period 7/1/05 through 6/30/07; and, authorized the HSA Director, or her designee, to sign the agreement – HSA 2005-671
- \*B9 Authorized the Director of the Department of Parks and Recreation to enter into an agreement with the Yahi Bowmen (archery club) for the purpose of using and maintaining the field archery range at Modesto Reservoir; and, approved the adjustment of the Annual Day Use Vehicle Permit Fee to a \$25 charge for all Yahi Bowmen (archery club) members in exchange for club member assistance with maintenance of the field archery range at Modesto Reservoir – Parks and Recreation 2005-672
- \*B10 Accepted the Stanislaus County Treasury Pool’s June 2005 Monthly Investment Report as prepared by the Stanislaus County Treasurer/Tax Collector’s Office, and reviewed for conformity with state law and local investment policy, by the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign on behalf of the Board, that the report has been reviewed and accepted – T/TC 2005-673
- \*B11 Approved amendments to the Stanislaus County Treasury Pool Investment Policy – T/TC 2005-674
- \*B12 Approved the adoption of a revised Code of Ethics and revised Organizational Values for Stanislaus County employees 2005-675
- \*B13 Awarded the contract to lowest bidder, Western Roofing Services of San Francisco, for the Nick W. Blom Salida Regional Library Phase II, Roof Replacement and authorized the Project Manager to sign the contract on behalf of the Board, and to issue the Notice to Proceed upon approval of Bonds and Insurance 2005-676
- \*B14 Approved the use of the Courthouse lawn by the CEO on 8/30/05 for a team building luncheon with Clark & Sullivan Builders, contractor for the Gallo Center for the Arts; waived all fees; and, required the CEO to leave the lawn in the same condition in which it was found 2005-677
- \*B15 Approved the extension of the interim agreement with Atomogy Corporation for an additional two months for the Integrated Countywide Justice Information System (ICJIS) 2005-678
- \*C1 Authorized the Transit Manager to enter into agreements with American Meals, Inc. and the California State Department of Transportation for the purpose of using a portion of the Salida Denny’s Premises as a designated Park and Ride area – PW 2005-679
- \*C2 Approved the funding agreement for the purchase of CNG vehicles; authorized the Chairman of the Board to execute the funding agreement; authorized the Interim Purchasing Agent to purchase CNG vehicles; and, authorized the Auditor-Controller to increase appropriations by \$564,781 and to increase anticipated federal revenue by \$500,000 for the purchase of these vehicles – PW 2005-680
- \*C3 Finds that the ordinance amending Title 11 of the Stanislaus County Code, adding a no parking zone on Carpenter Road, amending a no parking zone on Jantzen Road, and adding a one-hour parking zone on Lone Palm Avenue, is not subject to CEQA (Public Resources Code, §2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 934 – PW ORD-54-X-4 2005-681
- \*C4 Approved rejecting all bids received on 4/20/05 for the Robertson Road Area Sanitary Sewer Project; approved the revised set of plans and specifications; authorized the start of a new bid process; directed the Clerk of the Board to publish notice inviting bids for the project as required by law; set the deadline for submission of bids as 10/12/05, prior to 2:00 p.m.; directed the Public Works staff to mail notice inviting bids to trade journals as required by law; and, authorized the Interim Purchasing Agent to increase the contract for the design consultant, Siegfried Engineering, Inc., in the amount of \$10,000 for additional design services to complete the revised scope of work – PW 2005-682

- \***C5** Accepted the update on the status of emergency repair to the methane gas collection system at the Geer Road Landfill; authorized amending the contract with SCS Field Services by \$50,000 for additional repairs and services; directed the Interim Purchasing Agent to increase the SCS Field Services contract by \$50,000; and, directed the Auditor-Controller to increase appropriations by the full amount of the contract (\$200,000) and perform the necessary financial transactions to transfer funds from the Geer Road post-closure account – PW 2005-683
- \***D1** Authorized the expenditure of \$45,000 of Community Development Block Grant Program Income Funds for the purchase of a single family residential lot in the Riverdale Neighborhood – PW 2005-684

Mayfield/Simon unan. **9:25am** Finds Rezone Application #2005-06, Woods Furniture, Inc., a request to rezone a 5.7 acre parcel to a new planned development to allow a retail furniture store and warehouse use within an existing 15,210 square foot office building located at 4918 Taylor Ct., North of Taylor Road, in the Keyes/Turlock area, to be “de minimis” for the purposes of collection of Fish and Game fees pursuant to California Code of Regulations §753.5, by adopting the Findings of Fact contained in the attached Certificate of Fee Exemption, those findings being based on the analyses presented in the Initial Study, and ordered the filing of the Certificate of Fee Exemption with the Stanislaus County Clerk-Recorder’s Office; adopted the Negative Declaration pursuant to CEQA Guidelines §15074(b), by finding that on the basis of the whole record, including the initial study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County’s independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder’s Office pursuant to Public Resources Code §21152 and California Code of Regulations §15075; finds that: (A) the project is consistent with overall goals and policies of the County General Plan, (B) the proposed planned development zoning is consistent with the Planned Development General Plan description; approved Rezone #2005-06, Woods Furniture, Inc., subject to the attached Development Standards and Development Schedule; and, introduced, waived the reading and adopted Ordinance C.S. 933 for the approved Rezone Application #2005-06 – Planning ORD-54-X-3; 2005-685 & 2005-686

**Recessed to sit as the Stanislaus County In-Home Supportive Services Public Authority at 10:02 a.m.**

O’Brien/Mayfield unan. Approved the consent calendar  
**9:30am (\*III-A)** Approved the minutes of 7/12/05

Simon/Mayfield unan. **9:30am (VI-A)** Approved the FY 2005/06 IHSS Public Authority of Stanislaus County Administrative Rate of \$0.20 per paid individual provider hour; authorized the Auditor-Controller to make the necessary adjustments to the IHSS Public Authority of Stanislaus County Program Services and Support Budget, Fund 1640; and, authorized the Auditor-Controller to make the necessary adjustments to CSA, Program Services and Support Budget, Fund 1631 2005-687

Mayfield/Simon unan. **9:30am (VI-B)** Authorized the CEO Personnel to transfer four positions and existing staff from the IHSS Public Authority of Stanislaus County positions to CSA, Budget Unit 1631 2005-688

**Reconvened to sit as the Stanislaus County Board of Supervisors at 10:12 a.m.**

DeMartini/Mayfield unan. **B16** Approved the implementation of the Foster Youth Transitions - Connected for Life Project, including start-up of Lifelong Connections Transitional Housing for Stanislaus County emancipated foster youth; approved the agreement with Stuart Foundation for the Foster Youth Transition Project; authorized the CSA Director, or his Assistant Director Designee, to sign the agreement not to

exceed the total contract amount of \$330,000, for the period of 7/1/05 through 6/30/06; authorized the Auditor-Controller to make the necessary adjustments to the CSA, Program Services and Support Budget, Fund 1631; and, authorized the Auditor-Controller to make the necessary adjustments to the CSA, Program Services and Support Budget, Fund 1632 – CSA 2005-689

**Recessed at 10:30 a.m.**

**Reconvened at 10:38 a.m.**

O'Brien/Mayfield unan. **B17** Approved the proposed process to revise the Inter-City Road Fee component of the Public Facility Fee to include additional regional transportation projects and Fee Schedule; authorized staff to meet with representatives of all Cities to develop a formal proposal for modification of the transportation component of the County's Public Facility's Fee Program; authorized the CEO to contract with Muni Financial to assist in demonstrating the necessary relationship/nexus between fee levels and growth impacts; and, authorized the Auditor-Controller to increase appropriations and estimated revenue in the Economic Development budget by \$25,000 to cover the cost of these services

M-64-D-9 2005-690

Simon/DeMartini unan. **B18** Accepted the responses to the 2004-2005 Stanislaus County Civil Grand Jury Final Report; authorized the Chairman to forward the response to the Presiding Judge of the Superior Court; and, directed the CEO to ensure that the recommended actions approved by the Board of Supervisors be followed and completed by each County Department and report back to the Board as appropriate

M-39-J-5 2005-691

Simon/Mayfield unan. **B19** Approved the FY 2005/06 IHSS Public Authority of Stanislaus County administrative rate of \$0.20 per paid individual provider hour; authorized the Auditor-Controller to make the necessary adjustments to the IHSS Public Authority of Stanislaus County Program Services and Support Budget, Fund 1640; and, authorized the Auditor-Controller to make the necessary adjustments to CSA, Program Services and Support Budget, Fund 1631 – CSA 2005-692

Simon/Mayfield unan. **B20** Authorized the CEO Personnel to transfer four positions and existing staff from the IHSS Public Authority of Stanislaus County positions to CSA, Budget Unit 1631 2005-693

**Corr 1** Referred to the Health Services Agency and the Department of Environmental Resources, a copy of the "Air Quality and Land Use Handbook: A Community Health Perspective" from the Air Resources Board.

**Corr 2** Referred to the Chief Executive Office-Capital Projects and the Area Agency on Aging-Veterans Services, a letter from the Central Valley Veterans Mega Clinic Task Force regarding a new Veterans Administration Health Care Complex in Stanislaus County.

**Corr 3** Referred to the Agricultural Commissioner, Department of Environmental Resources, the Fish and Wildlife Committee, Department of Planning and Community Development and the Chief Executive Office-Economic Development, a letter from the U. S. Department of the Interior Fish and Wildlife Service regarding the final rule designating critical habitat for fifteen vernal pool species.

**Corr 4** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Christopher Collins, Mark T. Christensen; and, Connie Chipponeri.

Supervisor DeMartini noted that the existing County morgue does not meet the new State standards, and that he, along with staff from the Sheriff's department and the CEO's office, will be going to Napa County to look at their facility and evaluate the feasibility of building a new morgue in Stanislaus County. There may be the potential for the County to partner with an organ transplant company. He also noted that MJC is interested in partnering with the County for mortician science classes.

The CEO gave an update regarding the County's Enterprise Zone Application, and noted that it is moving forward through the process quickly.

Adjourned at 11:28 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.)