

- *B3 Approved and authorized the Chairman to sign the FY 2005/06 contract with the California Department of Food and Agriculture for the Seed Services, Nursery Stock Inspection, Sudden Oak Death and Nematode Control Programs and directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$64,246 – Agricultural Commissioner 2005-857
- *B4 Approved the Public Safety Augmentation Fund Annual Report for the period ending 6/30/05 – Auditor-Controller 2005-858
- *B5 Set a public hearing for 11/15/05, at 6:45 p.m., to introduce and waive the first reading of an ordinance amending existing fees for the County Law Library ORD-54-X-8 2005-859
- *B6 Approved the labor agreement between the County and the California Nurses Association (CNA) representing the registered nurses bargaining unit; implemented the provisions contained within the tentative agreement reached between the County and CNA; amended the Salary and Position Allocation Resolution to reflect the changes; and, authorized the Chairman of the Board of Supervisors and all parties to sign the MOU 2005-860
- *B7 Approved issuing Requests for Qualifications and Proposals to furnish and install furniture, fixtures, and equipment (FF&E) for the 12th Street Office Building Project; authorized the Project Manager to review qualifications and proposals and recommend award; and, authorized the Project Manager to require the low qualified bidder to maintain a price list for up to 24 months for any future purchases 2005-861
- *B8 Authorized the Director of DER, or her Designee, to accept groundwater protection contract funds from the US EPA for the implementation of the Underground Injection Control Program 2005 Phase – DER 2005-862
- *B9a Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 16242 Clover Avenue, Patterson, California (CE No. 05-2008) – DER 2005-863
- *B9b Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 3608 Tamarack Avenue, Ceres, California (CE No. 05-1983) – DER 2005-864
- *B9c Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 5436 7th Street, Keyes, California (CE No. 04-4258) – DER 2005-865
- *B9d Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 1627 Crows Landing Road, Modesto, California (CE No. 05-2138) – DER 2005-866
- *B9e Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 1825 Denver Street, Modesto, California (CE No. 05-1868) – DER 2005-867
- *B10 Approved the proposed scope of services for a RFP for consultant services to assist the Department of Planning and Community Development in preparing a comprehensive update of the Stanislaus County General Plan and its associated Environmental Impact Report, and authorized the Interim Purchasing Agent to release a RFP for the scope of services – Planning 2005-868
- *B11 Approved the receipt of FY 2005 State Office of Homeland Security Grant to enhance local Homeland Security efforts; directed the Auditor-Controller to establish a new Special Revenue Fund Budget Unit in the amount of \$1,547,040; established appropriations consistent with budget journal rolling over funds at fiscal year end for the State Homeland Security Program and Law Enforcement Terrorism Prevention Program grants; authorized HSA to administer the Metropolitan Medical Response System program; authorized the Approval Authority comprised of the Stanislaus County Public Health Officer, Stanislaus County Fire Warden, City of Modesto Fire Chief, Stanislaus County Sheriff, and the City of Modesto Police Chief to reallocate and expend funds remaining after the initial purchase/completion of grant projects for the State Homeland Security Program and Law Enforcement Terrorism Prevention Program; and, authorized the CEO, or his Designee, to approve transfer requests from the Approval Authority in amounts of \$10,000 or greater to or from fixed assets accounts for this grant only – OES 2005-869

- ***B12** Approved the contract amendment with Atomogy Corporation to provide continued development and support of the Integrated County Justice Information System (ICJIS) for the remainder of the fiscal year 2005-870
- ***B13** Approved proceeding with the Woodward Reservoir Saddle Dam Project; authorized the transfer of additional funds in the amount of \$73,407.74 from Appropriations for Contingencies for the Project; directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$73,407.74; approved the project budget and schedule for the Woodward Reservoir Saddle Dam Project; approved rescinding the contract award to T.L. Peterson; approved awarding the contract for construction to D.H. Williams Construction, Inc. of Fresno, California, in the amount of \$630,707,74; and, authorized the Interim Purchasing Agent to establish a contract with D.H. Williams Construction, Inc. for the contract amount – Parks and Recreation 2005-871
- ***B14** Awarded the contract for the Parking Access and Control System (PACS) for the 12th Street Parking Structure to FACT Automated Entrances, Inc., and authorized the Project Manager to sign the contract on behalf of the Board, and to issue a Notice to Proceed upon approval of bonds and insurance 2005-872
- ***C1** Approved the title transfer of the Stanislaus County owned parcel of land that is underlying the City of Patterson’s water tank facilities adjacent to the Patterson Gateway Project and directed the Chairman of the Board of Supervisors to sign the enclosed grant deed transferring title of this parcel to the City of Patterson – PW 2005-873
- ***C2** Authorized the institution of proceedings for the formation of CSA #21 – Riopel (in Denair) to provide the extended county service of storm drainage control and landscape maintenance within the storm drain basin; authorized an assessment ballot procedure in conformance with Proposition 218 for the proposed method for calculating the annual assessment for CSA #21 – Riopel; set a public hearing on 12/20/05, at 6:40 p.m., regarding the formation of CSA #21 and the proposed method for calculating the annual assessment for CSA #21 – Riopel; and, ordered that notice of the public hearing be given by mail pursuant to Government Code §53753(b) – PW CSA-21-2 2005-874

Simon/Mayfield (3-2)(O’Brien and DeMartini opposed) ***A4** Approved the 2006 Board of Supervisors’ Meeting Calendar 2005-875

O’Brien/Simon unan. **B15** Accepted the Children and Families Commission’s 2004/05 Annual Report and Revised Strategic Plan 2005-878

Mayfield/Simon unan. **9:25 am** Based on testimony received, staff report, materials provided to the Board, and Board comments, the Board **denied** the appeal and upheld the Planning Commission’s decision of denial of Use Permit Application #2003-23, The Lighthouse Church, a proposal for a multiple phased church, including a church, K-12 school, athletic fields, gardens growing food products, equestrian facilities, multi-purpose room and large auditorium to be located on 27 acres of A-2-40 zoned property on Delaware Road in the Hickman area; the basis for denial are reasons set forth in the staff report which include but are not limited to the following: 1) the project area is surrounded by agricultural land; 2) the land is designated prime farm land and could not easily be returned to agricultural use; 3) there is no existing sewer or water available; 4) the project conflicts with the surrounding uses and impacts the operation, and limits farmers the ability to spray; 5) the project is outside of any city or town sphere, and would therefore encourage growth outside of a city; 6) the Board was unable to establish the specifically required findings that are necessary to approve the project; and, 7) the Board specifically finds that the project would be detrimental to, and in conflict with, agricultural land use in the vicinity of the proposed project – Planning 2005-876

Recessed at 10:51 a.m.

Reconvened at 10:58 a.m.

Simon/Mayfield unan **9:30 am** Approved the Stanislaus County District Attorney and Sheriff Departments expenditure plans for the State Supplemental Law Enforcement Services Fund (SLESF)
– Sheriff 2005-877

Simon/DeMartini unan. **B16** Approved the adoption of goals and measures to support the Board of Supervisors' priorities and directed County department heads to begin implementation of the goals and measures 2005-879

Corr 1 Acknowledged receipt of claim and referred to the CEO-Risk Management Division the following claim: Allied Insurance Group for their insured Steve Foran.

Supervisor Simon spoke regarding the newspaper article that appeared in today's Modesto Bee concerning former Mayor Carmen Sabatino's criminal case. He clarified that he is not the Supervisor that was referred to in the article as having talked with Assistant DA Carol Shipley. Supervisor Simon further noted that he does not know the attorney Mr. Brown, nor has he ever met or spoken with Mr. Brown.

Supervisor DeMartini noted that former Supervisor Nick Blom is undergoing cancer surgery today and that he wishes him well and a speedy recovery.

The CEO announced that the County's Annual Community Retreat will be held on Saturday, 11/5/05, from 8:00 a.m. to 1:00 p.m. at the Stanislaus County Agricultural Center.

Adjourned to Closed Session at 12:22 p.m. for Public Employment: Performance Evaluation
– County Chief Executive Officer. Government Code §54954.5(e).

Closed Session Announcement: The Board conducted a 1-year performance evaluation of Richard Robinson, CEO, and acknowledged that he is doing an outstanding job. The Board did not approve any additional compensation, but noted that Mr. Robinson received a 5% increase in salary at his 6-month performance evaluation and recently received a 3% cost of living increase, along with other County employees. 2005-880

Adjourned at 1:15 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.)