

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

Regular Session

Tuesday

December 13, 2005

All Supervisors Present

Pledge of Allegiance to the Flag

Simon/Mayfield unan. Adopted the consent calendar

- *A1 Approved the minutes of 12/6/05
- *A2 Adopted and waived the second reading of Ordinance C.S. 943 revising portions of Chapter 2.36 (Safety Board) and Chapter 2.60 (Safety Program) of the Stanislaus County Code – Risk Management ORD-54-Y-5 2005-1008
- *A3 Accepted the resignation of Terry Plett, Director of Employment and Training, from the Stanislaus Economic Development and Workforce Alliance 2005-1009
- *A4 Approved a commendation for Jean-Claude Arthuis, a member of the Mayenne-USA Committee from our Sister County in Laval, France 2005-1010
- *B1 Approved the agreements with the Center for Human Services for the provision of mental health services; approved the agreements with Philip Trompetter, Ph.D., Robert Morgan, Ph.D., Jennifer Ardans, RN, and Barbara Moore for the provision of mental health services for calendar year 2006; and approved amendments to agreements with Turning Point Community Programs, Inc. and Telecare Corporation to extend the provision of mental health services through 6/30/06; and, authorized the BHRS Director, or her designee, to sign agreements and amendments to these agreements – BHRS 2005-1011
- *B2 Approved an additional 2.5% of base pay for all employees in the classifications of Behavioral Health Specialist I/II, Clinical Services Technician I/II , Psychiatric Technician and Behavioral Health Advocate that provide documentation that they have current certification from a Counselor Certifying Organization approved by the State Department of Alcohol and Drug Programs effective the first full pay period after 1/1/06 – BHRS 2005-1012
- *B3 Approved an agreement with Community Activators, Inc. for the provision of training and technical assistance to counties operating under AB 334, Chapter 454, Statues of 2001 to use core skill assessment practices in the service delivery to adults with mental illness who are homeless; approved an agreement with the California Institute for Mental Health for the operation of a Technical Assistance Center to aid counties operating under AB 334, Chapter 454, Statues of 2001 with technical assistance; authorized the BHRS Director, or her Designee, to sign the agreements; authorized the BHRS Director, or her Designee, to sign future amendments increasing AB 334, Chapter 454, Statues of 2001 funding, if any, to these agreements throughout FY 2005-06 not to exceed additional funds allocated by the State – BHRS 2005-1013
- *B4 Added a Confidential Assistant III Position in the Stanislaus County Board of Supervisors Office and amended the Salary and Position Allocation Resolution 2005-1014
- *B5 Approved a joint powers agreement authorizing the City of Modesto to acquire a right-of-way for Pelandale Avenue within the County’s jurisdiction and authorized the CEO to execute the joint powers agreement – County Counsel 2005-1015
- *B6 Authorized the Interim Purchasing Agent to enter into an agreement with California Electronic Asset Recovery (CEAR) for transport and recycling of electronic waste (E-Waste) collected at the Morgan Road Maintenance Yard at a cost not to exceed \$45,000 through the end of FY 2005/06; authorized the Interim Purchasing Agent to extend the term of the

contract, upon mutual agreement, for an additional two years, or through FY 2007/08, at a cost not to exceed \$90,000 per fiscal year: authorized the Auditor-Controller to make the necessary budget adjustments; and, authorized the Director of DER to purchase a tent in the amount not to exceed \$5,300 as a fixed asset for the storage of collected e-waste – DER
2005-1016

- ***B7** Approved Underground Storage Tank Local Oversight Program Contract 05-021-250-0 with the State Water Resources Control Board; authorized the Director of DER to sign the contract; and, authorized the Director of DER to sign any future amendments to contract 05-021-250-0, not exceeding the original contract amount – DER 2005-1017
- ***B8** Accepted an update on the status of the emergency repair to the sewage lift station at the Public Safety Center – GSA 2005-1018
- ***B9** Approved HSA to act as the local fiscal agent responsible for managing the Health Resources and Services Administration (HRSA) cooperative agreement with the California Department of Health Services (CDHS) for the National Bioterrorism Hospital Preparedness Program (NBHPP); authorized HSA to submit an application to CDHS outlining the plans for spending allocated funds; and, authorized the HSA Managing Director, or her Designee, to sign agreements and accept these funds – HSA 2005-1019
- ***B10** Approved the proposed amendment to the California State Association of Counties (CSAC)-excess insurance authority joint exercise of powers agreement and authorized the Chairman to sign the amendment – Risk Management 2005-1020
- ***B11** Approved the admission of the County of Los Angeles to the California County Tobacco Securitization Agency (JPA); approved certain amendments to the joint powers agreement relating to the operations of the Commission; and, authorized the CEO to sign the amended joint powers agreement 2005-1021
- ***C1** Finds that the ordinance amending Title 11 of the Stanislaus County Code, adding a No Parking Zone on Finney Road, 10th Street (Keyes), Madera Avenue, Hawthorne Avenue, and Firenza Way, and amending a No Parking Zone on Pirrone Road is not subject to CEQA (Public Resources Code, Sections 2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 944 – PW ORD-54-Y-6 2005-1022
- ***C2** Approved plans and specifications for the Sperry Avenue Reconstruction project between Baldwin Road and Rogers Road; directed the Clerk of the Board to publish notice inviting bids for the project as required by law, and set the deadline for submission of bids as 2/8/06, prior to 2:00 p.m.; directed the Public Works staff to mail notice inviting bids to trade journals as required by law; and, directed the Auditor-Controller to increase appropriations by \$7,500 in the project account to cover expenses (reproduction costs, advertisement costs, miscellaneous costs) associated with the bid process – PW 2005-1023
- ***D1** Approved and authorized the Chairman to sign the 2005/2006 Williamson Act Contracts; and, directed the Clerk of the Board to forward the contracts to the Clerk-Recorder's Office prior to 1/1/2006 for recording – Planning 2005-1024

Mayfield/O'Brien unan. **B12** Approved the Stanislaus County Multi-Jurisdictional Hazard Mitigation Plan – OES 2005-1025

Recessed to sit as the Stanislaus County Redevelopment Agency at 9:28 a.m.

Simon/O'Brien unan. Approved the consent calendar
9:25am (*III-A) Approved the minutes of 11/15/05

9:25am (*VI-A) Accepted the Financial Report of the Stanislaus County Redevelopment Agency as required by Health and Safety Code Section 33080.1 and authorized its submittal to the Board of Supervisors 2005-1029

9:25am (*VI-B) Approved Change Order Number One to Thompson Hysell Engineers / Keith Group contract in the amount of \$65,000 to complete the Keyes Storm Drain Infrastructure Design 2005-1030

Mayfield/O'Brien unan. **(VI-C)** Accepted the 2004/2005 Redevelopment Agency Activities Report as submitted 2005-1031

Reconvened to sit as the Stanislaus County Board of Supervisors at 9:32 a.m.

DeMartini/Simon (4-1)(O'Brien opposed) **9:30am** Approved the **amended** Staff Recommendations to adopt the Stanislaus County Franchise Refuse Collection Rate adjustments as listed on Attachment B of the staff report to the Board; increased the refuse collection rate for residential, commercial and drop-box refuse services by 2.5% effective 1/1/06; and, directed staff to return to the Board with a method and process for adjusting rates for refuse haulers depending on changing diesel fuel and other costs – DER 2005-1032

Simon/DeMartini unan. **B13** Introduced and waived the first reading of Ordinance C.S. 945 authorizing the establishment of a Public Facility Fee Installment Payment Program for qualifying non-residential projects and approved the establishment of a Public Facility Fee Installment Payment Program for qualifying non-residential projects, to go into effect upon the effective date of the authorizing ordinance ORD-54-Y-7 2005-1026

Simon/DeMartini unan. **B14** Accepted the Quarterly Construction Progress Report – CEO 2005-1027

O'Brien/DeMartini (4-0)(Grover abstained) **B15** Approved Staff Recommendations Nos. 1 through 5; conditionally awarded the contract to J.L. Bray & Sons, Inc, for the 12th Street Office Building Tenant Improvements for the County owned and Stanislaus County Employees Retirement Association (StanCERA) portions of the building in the amount of \$406,000 for StanCERA and \$1,546,000 for the County, for a total of \$1,952,000; authorized the Project Budget to be increased by \$303,124 to be funded by StanCERA for the additional construction costs based on the low bid and authorized the Auditor-Controller to make the appropriate budget transfers; authorized a transfer of \$359,350 within the project budget for the county portion of the construction contract; authorized the Project Manager to issue a Notice to Proceed contingent upon receipt of the proper insurance and bonds; authorized the Project Manager to negotiate and sign other agreements and work authorizations necessary to manage the project as long as the cost is within the amount budgeted; and, **amended** the item to delete Staff Recommendation No. 6 regarding the contract to furnish and install furniture, fixtures and equipment (FF&E) for the 12th Street Office Building project 2005-1028

Corr 1 Referred to the to Department of Employment and Training, and the Stanislaus Economic Development and Workforce Alliance a letter from Valley Fresh regarding the mass lay off of approximately 416 employees per the Worker Adjustment and Retraining Notification (WARN) Act.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Joshua Turner; Luisa Lomeli; Jimmy W. Price; Jacob James Moore; Ricardo Barron Zuniga; Michael Swift; and, James Ginestra.

Supervisor O'Brien commended Gordon Ford, Treasurer-Tax Collector, and his staff for the customer service provided to him and others while paying their property taxes. He suggested that the Treasurer-Tax Collector review the distribution of staff between the Tax Collector Division and Revenue and

Recovery during peak property tax times. The Treasurer-Tax Collector responded that a possible solution is to make his office a single budget unit, instead of the current 3 budget units, and that he is looking into this issue.

Supervisor Mayfield noted that he read in today's newspaper that Modesto Tallow is behind in paying property taxes. Gordon Ford, Treasurer-Tax Collector, noted that after 5 years of penalties accruing for non-payment of taxes, the property could be sold at public auction and the County would then recover the money.

The Chairman announced that there will be a Gallo Center for the Arts "Topping Out" Ceremony on December 13, 2005, at 2:00 p.m., near the construction site at 10th and I Street, Modesto, CA.

Adjourned at 10:52 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.)