

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

Regular Session
All Supervisors Present

Tuesday

March 7, 2006

Pledge of Allegiance to the Flag

The Chairman presented a resolution proclaiming March 2006 as Social Worker Recognition Month to Margaret Tynan, Director of the CSUS Masters of Social Work Program, Dan Haugh, Chair of the Stanislaus County National Association of Social Workers, and Eric Schwarzentraub, SEIU 535 Officer.

Raymond Rasmussen from the Auditor-Controller's office was honored for thirty years of service and Sgt. Robert Roton of the Sheriff's Office and Margaret Garcia from CSA were honored for twenty-five years of service.

Mayfield/Grover unan. Adopted the consent calendar

- *A1 Approved the minutes of 2/28/06
- *A2 Proclaimed the week of 3/12/06 – 3/18/06 as Girl Scout Week 2006-145
- *A3a Approved a commendation for Fran Sutton-Berardi, Executive Officer of the Local Agency Formation Commission upon her retirement from Stanislaus County 2006-146
- *A3b Approved a commendation for a Turlock Rural Fire District recognition 2006-147
- *A4 Accepted the resignation of Ed Brush from the 49-99 Library System Lay Advisory Board 2006-148
- *A5a Approved the request from the HobieCat Fleet 20 for use of Woodward Reservoir for their 15th Annual HobieCat Regatta on 5/20/06 and 5/21/06 2006-149
- *A5b Approved the request from Sacramento PITS for use of Frank Raines Park Off-Highway Vehicle Area for 4/22/06–4/23/06 and 10/21/06–10/22/06 2006-150
- *A5c Approved the request from Chris Ricci Presents, Inc. for use of the Courthouse Lawn for the Xclamation Festival on Saturday, 7/22/06 2006-151
- *B1 Approved the agreement with the State Department of Mental Health for State Hospital Bed Usage for FY 2005/06 and authorized the BHRS Director, or her Designee, to sign the agreement – BHRS 2006-152
- *B2 Set a public hearing on 4/4/06 at 9:25 a.m. to introduce and waive the first reading of an ordinance to establish a new point of sale fee for the Department of Agriculture and Weights and Measures ORD-54-Y-12 2006-153
- *B3 Set a public hearing on 4/4/06 at 9:25 a.m. to introduce and waive the first reading of an ordinance to amend existing fees for the Department of Agriculture and Weights and Measures ORD-54-Y-13 2006-154
- *B4 Set a Public Hearing on 4/4/06 at 9:25 a.m. to introduce and waive the first reading of an ordinance to establish new fees and amend existing fees for DER ORD-54-Y-14 2006-155
- *B5 Approved and authorized the Chairman to sign the amended FY 2005/06 contract with the California Department of Food and Agriculture for the Seed Services, Nursery Stock Inspection, Sudden Oak Death, Nematode Control and High Risk Programs; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$8,000 – Agricultural Commissioner 2006-156

- *B6 Amended the Salary and Position Allocation Resolution to add a new Deputy Probation Officer II position effective 3/5/06 as part of the Mental Health Services Act Funding to work with Adult Probationers with Mental Health needs 2006-157
- *B7 Directed the CEO to send a letter of endorsement to the California Public Utilities Commission in support of the United Way of Stanislaus and Mother Lode as the 2-1-1 service provider for Stanislaus County 2006-158
- *B8 Approved the application for the FY 2006 Emergency Management Performance Grant for emergency preparedness in the amount of \$106,832 – OES 2006-159
- *B9 Rejected the two bids received for the Empire Park American Disabilities Act (ADA) Pathway Project; determined the project can be more economically performed by employees of the County; and, authorized the completion of the project by the Stanislaus County Departments of Public Works and Parks and Recreation 2006-160
- *B10 Accepted the Stanislaus County Treasury Pool’s January 2006 Monthly Investment Report as prepared by the Stanislaus County Treasurer-Tax Collector’s Office and reviewed for conformity with the Treasury Pool Investment Policy by the Treasurer-Tax Collector and distributed to the 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 2006-161
- *C1 Approved the installation of stop sign traffic control, under the authorization granted to local authorities in Vehicle Code §21355, at River Road at Avon Street; required motorists on all approaches to stop prior to entering the intersection; and, the stop signs shall be located at or near all entrances to said intersection – PW 2006-162
- *C2 Finds that all street improvements required for Tentative Parcel Map #2004-12 by the Subdivision Improvement Agreement, executed by Daniel S. Donovan and the Stanislaus County Board of Supervisors on 3/15/05, have been constructed to the satisfaction of Stanislaus County; finds that said agreement was recorded on 12/13/05, as Document No. 2005-02264480-00, and filed with the Stanislaus County Clerk Recorder’s Office; accepted all street improvements including the drainage system along the project’s frontages of Washington and Nunes Roads for maintenance by Stanislaus County; pursuant to §66499.7(a) of the Subdivision Map Act, authorized the release of Performance Bond No. 69858070, issued by Western Surety Company in the amount of \$90,000.00 for faithful performance of the Subdivision Improvement Agreement; and, pursuant to §66499.7(b) of the Subdivision Map Act, upon receipt of a Mechanic’s Lien Guarantee, authorized the release of the Labor and Materials Bond (payment bond) No. 69858070, issued by Western Surety Company in the amount of \$90,000.00 for payment of labor and materials, the Mechanic’s Lien Guarantee must be dated a minimum of 61 days after the filing of the appropriate notice of completion, be in the amount of \$90,000.00, be prepared by a title company, be to the benefit of Stanislaus County, and state that there are no liens of record – PW 2006-163
- *C3 Authorized the amendment of the existing contract with Rajappan and Meyer of San Jose, California, for the preparation of project study reports for the Hammett Road and Kiernan Avenue Interchanges by an amount not to exceed \$250,000; authorized the Purchasing Agent to execute the contract amendment in the amount of \$250,000; and, authorized the Auditor-Controller to make the necessary expenditures per the design contract – PW 2006-164
- *C4 Approved the Subdivision Improvement Agreement for Riopel Subdivision; finds that the final map is in substantial compliance with the previously approved tentative map; finds that Stanislaus County has adopted a community plan covering the area proposed to be included within the final map; finds that the final map, together with the provisions for its design and improvement, is consistent with the specific plan for the area; rejected all roads,

highways, avenues, alleys, courts, ways, lanes, places, and all other street dedications; authorized the Chairman to sign the final map for TM 2002-02 and the Subdivision Improvement Agreement for Riopel; approved the waiver of insurance coverage requirements, conditioned the waiver upon the terms of the Addendum of the Subdivision Improvement Agreement; authorized the Chairman to sign the attached Addendum to Subdivision Improvement Agreement for Riopel Subdivision; and, authorized the final map to be filed and recorded as presented – PW 2006-165

***D1** Authorized the Planning and Community Development Director to negotiate, sign and execute a contract with EIP Associates to prepare the Salida Community Plan EIR and other related documents as defined in the attached scope of work for an amount not to exceed \$1,164,809; approved the deposit and payment schedule as proposed; and, authorized the Auditor-Controller to establish estimated revenues and appropriations in the amount of \$1,808,809 – Planning 2006-166

Mayfield/O'Brien unan. **B11** Approved a resolution regarding the issuance by the California County Tobacco Securitization Agency of Subordinate Bonds or Refunding Bonds for the Benefit of the County; authorized the execution and delivery of or approval of certain documents in connection with the Subordinate Bonds or Refunding Bonds including the Preliminary Offering Circular, Subordinate Indenture, First Amendment to Secured Loan Agreement, First Amendment to Indenture, Subordinate Secured Loan Agreement, Contract of Purchase, and Continuing Disclosure Certificate; and, reappointed the directors of the Stanislaus County Tobacco Funding Corporation: Gordon Ford, Director, and Larry Haugh, Director (an independent Director is currently vacant pending appointment) 2006-167

Grover/Mayfield unan. **C5** Accepted the status report on reorganization of the building permit function – PW 2006-168

Corr 1 Referred to DER, a letter from the Riverbank Oil Transfer, LLC (ROT) requesting comments regarding their modification to their Class 1 permit with the California Environmental Protection Agency (CalEPA).

Corr 2 Referred to the Auditor-Controller, a letter from the Oakdale Rural Fire District requesting an increase in their advance of anticipated revenue for FY 2005/06.

Corr 3 Acknowledged receipt of the second Williams Settlement Report from the Stanislaus County Office of Education.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Laura Dominguez; Holly Olberg; Alfredo Torres; Cheryl Ariana Lynn; Steven Parmley; and, George Patterson.

Supervisor DeMartini spoke regarding the number of calls he receives concerning the sewer hook-ups for the Shackelford area. He noted that the project is done, but that they are having difficulty getting the pipes inspected by the City of Modesto so that the residents can be connected. The CEO noted that he would follow-up on this issue and give an update to the Board.

The CEO reported that the Stanislaus County contingent, including representatives from the cities, the County, StanCOG and the Alliance, will be traveling to Washington D.C. next week to work on specific federal legislation that faces our community.

Adjourned to closed session at 9:51 a.m. for Closed Session: Conference with Labor Negotiator - Agency Negotiator: Rick Robinson. Labor Organization: Stanislaus County Sheriff's Supervisors Association and the Stanislaus County Sheriff's Management Association. Government Code §54954.5(f). Conference with Legal Counsel: Anticipated Litigation – Significant Exposure to Litigation. One Potential Case. Government Code §54954.5(c). Public Employment: Performance Evaluation – County Chief Executive Officer. Government Code §54954.5(e).

Closed Session Announcement: Grover/Mayfield unan. The Board conducted a performance evaluation of Richard Robinson, CEO, and found that Mr. Robinson's performance is outstanding and that he is doing an excellent job in his position as the CEO; and, approved a compensation adjustment of 5% which raises his salary to \$202,700 effective 3/7/06 2006-169

Adjourned at 10:55 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.)