

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

April 11, 2006

Grover/Mayfield unan. Adopted the consent calendar

- ***A1** Approved the minutes of 4/4/06
- ***A2a** Adopted and waived the second reading of Ordinance C.S. 955 Amending Title 11 of the Stanislaus County Code, Adding a No Truck Parking at Any Time Zone on Salida Boulevard
ORD-54-Z-1 2006-247
- ***A2b** Adopted and waived the second reading of Ordinance C.S. 957 Amending Chapters 6.32 and 16.32 of the Stanislaus County Code Concerning Employee Housing and Mobile Home Parks
ORD-54-Z-3 2006-248
- ***A3a** Appointed Lt. Brenda Suarez to the Advisory Board on Substance Abuse Programs 2006-249
- ***A3b** Appointed Diane Haugh and Suzi Seibert to the Earl Pride Scholarship Committee 2006-250
- ***A4** Reappointed Janet Gauthier to the Earl Pride Scholarship Committee 2006-251
- ***A5** Commended Dr. Daniel Trozak as the 2006 Recipient of the John Darroch Memorial Award
2006-252
- ***A6** Proclaimed April 2006 as Child Abuse Prevention Month and 4/28/06 as Children's Memorial Day
2006-253
- ***A7a** Commended Diane Borges as the 2006 Recipient of the Robert Cardoza Volunteer of the Year Award
2006-254
- ***A7b** Commended Joanne Wallace as the 2006 Recipient of the Judge Marie Silveira Advocate of the Year Award
2006-255
- ***B1** Accepted the following annual audited financial reports for fiscal year ended 6/30/05 prepared by Macias Gini & Company LLP: Annual Financial Report - Stanislaus County, Annual Financial Report – HSA Clinic and Ancillary Services Enterprise Fund, Single Audit Report, and Report to Management – Auditor-Controller
2006-256
- ***B2** Set a public hearing on 5/16/06, at 6:35 p.m., to consider the formation of the South Modesto Municipal Advisory Council
MAC-07-01 2006-257
- ***B3** Authorized the Purchasing Agent to extend the term of the contract with Silliker Laboratories to conduct testing on milk samples for the Milk and Dairy Inspection Division of DER through FY 2006/07 at a cost not to exceed \$90,000; and, authorized the Purchasing Agent to extend the term of the contract with Silliker Laboratories, upon mutual agreement, for an additional year, or through FY 2007/08 at a cost not to exceed \$90,000 – DER
2006-258
- ***B4** Authorized the expenditure of Public Facility Fees (PFF) for two computer workstations, Computer Aided Dispatch (CAD) monitor, printer and two mobile data computers for the Fire Resource Officer position stationed at Emergency Dispatch; and, directed the Auditor-Controller to transfer PFF funds and increase appropriations and estimated revenue in the OES/Fire Warden Budget Unit – OES
M-64-E-5 2006-259
- ***B5** Authorized the Register of Voters to receive and spend Federal Help America Vote Act (HAVA) Section 301 Grant funds for the following: a) voter education and outreach and poll worker training and outreach, b) funding for salaries, wages, costs and benefits for staff, consultants or contractors involved in the election process as defined in the State approved Poll Worker Education and Program Voter Education Plans; c) the purchase,

- lease or rental of additional certified voting systems or components of voting systems, including transportation costs; and d) reimbursement of HAVA costs incurred by the County and not otherwise reimbursed pursuant to Proposition 41 or any other State or Federal Program; authorized the Registrar of Voters to expend funds and seek reimbursement from the Federal Help America Vote Act Section 301 Grant; authorized the Registrar of Voters to negotiate, award and execute all corresponding contracts for the State approved Poll Worker Education and Voter Education Plans consistent with County policy; and, authorized the Auditor-Controller to increase appropriations and estimated revenue \$2,438,813 according to the budget journal – Clerk/Recorder 2006-260
- *B6** Approved the funding agreement for the purchase of Compressed Natural Gas (CNG) vehicles; authorized the Chairman to execute the funding agreement; authorized the Purchasing Agent to purchase 1 medium duty CNG truck and up to three CNG pickups; and, authorized the Auditor-Controller to increase appropriations by \$214,617 and to increase anticipated Federal revenue by \$190,000 for purchase of vehicles – PW 2006-261
 - *C1** Approved the installation of stop sign traffic control, under the authorization granted to local authorities in Vehicle Code §21355, at the following locations: 1) Apricot Avenue at Paradise Avenue, to require motorists on Apricot Avenue to stop prior to entering the intersection, and the stop sign shall be located at or near the west entrance to said intersection; 2) Muncy Road at Keyes Road, to require motorists on Muncy Road to stop prior to entering the intersection, and the stop sign shall be located at or near the north entrance to said intersection; and, 3) Minnear Road at Raines Road, to require motorists on Minnear Road to stop prior to entering the intersection, and the stop sign shall be located at or near the west entrance to said intersection – PW 2006-262
 - *C2** Adopted and waived the second reading of Ordinance C.S. 948 amending Title 11 of the Stanislaus County Code adding a No Parking Zone on “C” Street in Empire and Nunes Road in Keyes; and, amending a No Parking for Specific Times Zone on Boyce Lane in the Modesto area – PW ORD-54-Y-10; 2006-263a & 2006-263b
 - *C3** Approved contract change order for \$15,915 to Shaw Emcon/Owt, Inc., of Sacramento, CA – PW 2006-264
 - *D1** Rescinded all or a portion of Williamson Act Contract #1989-4181 (Hall Road, east of Denair) and approved a new contract pursuant to minor Lot Line Adjustment #2005-48 (Escobar-Dirske); authorized the Planning Director to execute new contracts; finds the new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years; finds there is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; finds at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; finds after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in §51222; finds the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; finds the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; and, finds the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan – Planning 2006-265

Mayfield/O'Brien unan. **B7** Authorized the CEO to sign Amendment No. 1 of the Master Property Tax Agreement with each of the County's nine cities upon approval of the Amendment by their respective City Councils; approved the use of \$500,460 from Appropriations for Contingencies for the payment to cities of corrected property tax allocations; and, authorized the Auditor-Controller to make payment to the cities for the corrected property tax allocations upon signing by the respective cities of Amendment No. 1 to the Agreement

C-1-A-16; C-2-B-5; C-3-24; C-4-A-7; C-5-E-7; C-6-I-9; C-7-B-1; C-8-A-4; C-9-27 2006-266

Grover/O'Brien unan. **B8** Acknowledged CSA for successfully completing the Council on Accreditation (COA) reaccreditation process 2006-267

Mayfield/Grover unan. **B9** Approved the Annual Report on the Community Wide Technology Strategy called Connecting Stanislaus 2006-268

Corr 1 Accepted the Report from the Animal Advisory Board regarding the recommendations from the Rescue Committees.

Corr 2 Referred to DER, the Certificate of Authorized Officer and Form 10-Q from Covanta Energy Corporation.

Corr 3 Referred to CEO-Office of Emergency Services, a letter from the Governor's Office of Emergency Services regarding the National Incident Management System (NIMS) process in the State of California.

Corr 4 Referred to Planning, DER, and Public Works, a copy of the Ahwahnee Water Principles and fact sheets from the Local Government Commission.

Corr 5 Referred to the CEO, a Notice from the Office of Facilities Management regarding the State of California Department of Corrections and Rehabilitation considering leasing a building to be constructed in the area of the Morgan Road Industrial Park in Ceres.

Corr 6 Referred to the Fish and Wildlife Committee and Parks and Recreation, a Notice from the U.S. Fish and Wildlife Service regarding the draft Comprehensive Conservation Plan and Environmental Assessment (CCP/EA) for the San Joaquin River National Wildlife Refuge.

Corr 7 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: CSAA for their Insured Karressa Hager and Co. (employee-Crystal Scott) and Bradley W. Foletta.

Supervisor O'Brien reported that the County has received another cycle of property tax payments, and that he is impressed with changes that Gordon Ford, Treasurer-Tax Collector, has implemented. There has been cross-training of staff, less wait time for taxpayers at the counter, and overall improved customer service.

Supervisor Grover reported that the Governor's San Joaquin Valley Partnership Committee met last week, and that they are holding all day public hearings in each County. Stanislaus County's hearing will be on June 8, 2006, and members of the Board will have an opportunity to address this group.

Supervisor DeMartini noted that yesterday he went up in the County's helicopter to survey the flooding from the San Joaquin River. He noted that the flooding was far worse than he had anticipated, and that several levees have been breached. He saw that a considerable amount of farmland is flooded, homes are threatened all along the river, and some parks and roads are already closed.

Mayfield/O'Brien unan. **Authorization for an Item Too Late for the Agenda** – Approved the need for Board action on a matter too late for the agenda regarding proclaiming the existence of a local emergency due to recent flooding in various locations in Stanislaus County, as meeting the criteria for an item too late for the agenda 2006-269

Mayfield/O'Brien unan. **Item Too Late for the Agenda** – Proclaimed the existence of a local emergency in Stanislaus County due to recent flooding in various locations in Stanislaus County 2006-270

The CEO announced that there would be a Board of Supervisors' Retreat on Thursday, 4/13/06, 9:00 a.m. to 4:30 p.m. located at Samaritan Village, 7700 Fox Road, Hughson, CA.

Adjourned to closed session at 9:35 a.m. for Public Employee Appointment: Title: Agricultural Commissioner – Government Code Section 54954.5(e).

DeMartini/Grover unan. **Closed Session Announcement:** The Board reappointed Dennis Gudgel as the Agricultural Commissioner and Sealer of Weights and Measures – Government Code §54954.5(e) to a four year term, retroactive to 4/5/06 and ending on 4/5/10 2006-271

Adjourned at 10:25 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.)