

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

June 13, 2006

Assistant Sheriff Maurice Sanders assured the Board that the leadership transition at the Sheriff's Department to the new Sheriff would be smooth. He also announced his upcoming retirement from County service.

Mayfield/Grover unan. Adopted the consent calendar

- \*A1 Approved the minutes of 6/6/06
- \*A2a Consolidated the 11/7/06 Gubernatorial General Election with the General Municipal Elections for the City of Waterford 2006-434
- \*A2b Consolidated the 11/7/06 Gubernatorial General Election with the General Municipal Elections for the City of Patterson 2006-435
- \*B1 Approved the agreements with service providers for mental health, alcohol and drug, and ancillary services for FY 2006/07 that are included in the agenda item; authorized the BHRS Director, or her Designee, to sign the agreements for FY 2006/07; authorized the BHRS Director, or her Designee, to sign the agreements for FY 2006/07 for outreach and engagement services funded with Mental Health Services Act Community Services and Supports funding; authorized the BHRS Director, or her Designee, to negotiate and sign amendments to all agreements included as Attachment A, to add services and payment for services up to \$75,000 per agreement, throughout FY 2006/07; and, authorized the BHRS Director, or her Designee, to negotiate and sign amendments to all agreements included as Attachment B, to add services and payments for services up to \$25,000 per agreement, throughout FY 2006/07 – BHRS 2006-436
- \*B2 Approved the seventh status report concerning the replacement of the Courthouse boiler system – CEO 2006-437
- \*B3 Continued the countywide declaration of the local state of emergency for Stanislaus County due to the warm weather and the potential for flooding; and, directed all appropriate actions to be taken relative to the state of the emergency – CEO 2006-438
- \*B4 Approved the MOU on Employer Costs Reduction and the Health Insurance Pooling of Retirees between Stanislaus County and the Stanislaus County Employees' Retirement Association (StanCERA); and, authorized the Chairman to sign the MOU – CEO 2006-439
- \*B5 Authorized the CEO/Office of Emergency Services to apply for funds available through the FY 2006 Homeland Security Grant Program; and, approved the Governing Body Resolution – OES 2006-440
- \*B6 Approved the proposed funding plan for the implementation of the CRM System; approved a \$43,000 transfer from Appropriations for Contingencies to fund the implementation of the CRM System; and, authorized the Auditor-Controller to increase estimated revenue and appropriations in the amount of \$43,000 in the SBT budget to pay for implementation costs and the first three months of licensing fees – CEO 2006-441
- \*B7 Approved funding not to exceed \$21,000 for the development of Phase IV of the groundwater models for the Modesto Groundwater Basin – DER 2006-442

- \*B8 Approved the project agreement with ATC Inc., for soil and groundwater cleanup at 402 Downey Avenue in Modesto; and, authorized the Purchasing Agent, or her Designee, to sign the project agreement with ATC Inc., for the remediation of soil and groundwater in the amount of \$138,901 – DER 2006-443
- \*B9 Approved the Personal Services Agreement for Certified Engineering Geologist Services for DER for FY 2006/07; and, authorized the Director of DER, or her Designee, to sign the Personal Services Agreement not to exceed the total amount of \$33,000 – DER 2006-444
- \*B10 Approved the Amended Agreement with the California Department of Health Services and authorized HSA to accept an additional funding allocation of \$66,285 to enable the local Public Health System to include California Pandemic Influenza Preparedness Planning and to prepare for and respond to bioterrorism, infectious disease outbreaks, and other public health threats and emergencies; and, authorized the HSA's Interim Managing Director, or her Designee, to sign the Amended Agreement and to accept the additional funds – HSA 2006-445
- \*B11 Approved the contract with the State Department of Health Services for the Chlamydia Screening Project (CLASP) and authorized the HSA Interim Managing Director, or her Designee, to sign and execute a contract for CLASP – HSA 2006-446
- \*B12 Approved the list of Independent Contractor Agreements between HSA and various contractors for FY 2006/07; authorized the HSA Interim Managing Director, or her Designee, to sign the agreements included in this agenda item; and, authorized the HSA Interim Managing Director, or her Designee or successor, to negotiate and sign individual amendments to the agreements, not to exceed \$75,000 – HSA 2006-447
- \*B13 Approved the list of Personal Service Contractor Agreements between HSA and various individuals for FY 2006/07; authorized the HSA Interim Managing Director, or her Designee, to sign the agreements included in this agenda item; and, authorized the HSA Interim Managing Director, or her Designee or successor, to negotiate and sign individual amendments to the agreements, not to exceed \$15,000 per agreement – HSA 2006-448
- \*B14 Authorized the Chief Probation Officer to apply for and accept a Probation Specialized Units Program Grant from the Governor's Office of Emergency Services to provide intensive supervision services to repeat domestic violence offenders; and, authorized the Chief Probation Officer to sign all necessary documents related to the grant – Probation 2006-449
- \*B15 Authorized the Auditor-Controller to increase appropriations by \$70,000 and estimated revenue by \$40,000 in the Public Works Morgan Shop Fund for the purchase of fuel – PW 2006-450
- \*B16 Approved the agreement with CrimeTek Security Services for providing security guard and patrol services at the Modesto and Turlock Library locations; and, authorized the Purchasing Agent, or her Designee, to sign the agreement and any amendments, not to exceed \$103,000 for the period of 7/1/06 though 6/30/07 – Library 2006-451
- \*B17 Approved the Amendment to the Independent Contractor Agreement with Sutter Gould Medical Foundation for services of an Otolaryngology physician specialist, increasing the maximum amount payable from \$55,000 to \$100,000; and, authorized the HSA Interim Managing Director, or her Designee, to sign the proposed Amendment – HSA 2006-452
- \*C1 Authorized the institution of the proceedings for the formation of CSA #24 – Hideaway Terrace (in Denair) to provide the extended county service of drainage control and landscape maintenance within the storm drain basin; approved the Engineer's Report prepared by the County Engineer for CSA #24 – Hideaway Terrace; authorized the assessment ballot procedure in conformance with Proposition 218 for the proposed method for calculating the annual assessment for CSA #24 – Hideaway Terrace; set a public

hearing on 8/1/06, at 9:15 a.m., regarding the formation of CSA #24 and the proposed method for calculating the annual assessment for CSA #24 – Hideaway Terrace; and, ordered that notice of the public hearing be given by mail pursuant to Government Code §53753(b) – PW CSA-24-1 2006-453

- \*C2 Approved the Subdivision Improvement Agreement for Vesting Tentative Parcel Map No. 2001-30; and, authorized the Chairman to sign the agreement – PW 2006-454
- \*C3 Approved the Master Agreement for Professional Services with Stantec Consulting, Inc., of Irvine, CA for consulting engineering and surveying services; and, authorized the Chairman to execute the Master Agreement – PW 2006-455
- \*C4 Approved Amendment No. 1 to Project 2004-1 with Bkf Engineers to add additional engineering service for the improvements at the Geer Road at Santa Fe Avenue and Hatch Road at Santa Fe Avenue Intersections and authorized the GSA Director/Purchasing Agent to execute the amendment; directed the Auditor-Controller to increase appropriations for the Geer Road at Santa Fe Avenue and Hatch Road at Santa Fe Avenue Improvement Project by \$72,300; and, authorized the GSA Director/Purchasing Agent to increase the contract amount with Bkf Engineers in the amount of \$72,300 – PW 2006-456
- \*D1 Rescinded all or a portion of Williamson Act Contract #1972-0893 (Montpelier & Hickman Roads, South of Hickman) and approved a new contract pursuant to minor Lot Line Adjustment #2006-17 (Hulst) and 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 2006-457
- \*D2 Rescinded all or a portion of Williamson Act Contract #1974-1594 (Morgan Road, East of Crows Landing) and approved a new contract pursuant to minor Lot Line Adjustment #2006-18 (Verhaegen) and 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 2006-458

Mayfield/O'Brien (4-0)(Grover abstained) **B18** Approved the CEO's recommendation regarding the appeal by The Salvation Army Modesto Citadel in the award of the Area Agency on Aging Elderly Nutrition Programs Contract as follows: the Board denied the appeal by The Salvation Army regarding the Congregate Meals Program; rejected the proposals for both the Congregate Meals Program and the Home Delivered Meals Program and authorized the issuance of a revised RFP for both the Congregate Meals and the Home Delivered Meals Programs with the revised timelines; and, authorized up to a 120-day extension of the existing Congregate Meals and the Home Delivered Meals Programs with The Salvation Army 2006-459

Mayfield/DeMartini unan. **B19** Authorized the Director of DER to support a tentative resolution with the California Regional Water Quality Control Board regarding reuse of food processing by-products within Stanislaus County; authorized the Auditor-Controller to establish an interest bearing special revenue fund in DER for the Food Processing By-Products Research Project; authorized the Director of DER to accept funding from public and private individuals and organizations desiring to contribute to the Food Processing By-Products Research Project; and, authorized DER to contribute \$30,000 of funding to the project – DER 2006-460

Grover/Mayfield unan. **B20** Adopted the recommendations of the Stanislaus County Fire Authority to provide less-than countywide fire prevention services through the County Fire Warden's Office; approved the Stanislaus County Fire Authority Fire Prevention Bureau Service Plan Year One Priorities and Responsibilities; directed the County Fire Warden to implement the Fire Prevention Bureau Service Plan and take all necessary actions to fulfill the responsibilities and functions therein; and, approved the transfer of \$90,000 to a fixed assets account, for the purchase of three vehicles recommended to support the Fire Prevention Bureau Service Plan as outlined in the Budget Journal – OES 2006-461

**Recessed at 11:15 a.m.**

**Reconvened at 11:30 a.m.**

Grover/O'Brien unan. **9:30am** Conducted the public hearing and accepted the recommended Proposed Budget for FY 2006/07 from the CEO; authorized the CEO and the Auditor-Controller to make the necessary technical adjustments to implement the approved Proposed Budget; amended the Salary and Position Allocation Resolution to reflect the recommended changes in the Proposed Budget, which provides for position and classifications changes (as outlined in the staffing impacts of this report and detailed in Attachment A) to be effective with the start of the first pay period beginning after 7/1/06; approved contracts and/or agreements listed on Attachment B in cumulative amounts of \$100,000 or greater as of 7/1/03; directed the CEO to prepare the Final Budget and set the public hearing for consideration of the Final Budget on 9/12/06, at 9:25 a.m., and 9/13/06 and 9/14/06 at 9:00 a.m. if necessary; and, declined to approve Staff Recommendation No. 5 regarding an adjustment to the Board of Supervisors' compensation rate pursuant to the provisions of the Stanislaus County Code §2.04.030(D)

**9:30am** Supervisor Mayfield made a motion to approve Staff Recommendation No. 5 regarding an adjustment to the Board of Supervisors' compensation rate pursuant to the provisions of the Stanislaus County Code §2.04.030(D), but the **motion failed** for lack of a second

2006-462

Grover/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 a request from Mariposa County to Grant Consent to Allow the Use of a Detour through Stanislaus County due to the State Highway 140 Landslide in the Merced River Canyon, as meeting the criteria for an item too late for the agenda 2006-463

O'Brien/Grover unan. **Item Too Late for the Agenda** – Approved the request from Mariposa County to allow the use of a detour through Stanislaus County due to the State Highway 140 landslide in the Merced River Canyon which would allow commercial vehicles and tour buses in excess of 45 feet to use County roads 2006-464

**Corr 1** Referred to the Department of Planning and Community Development, a letter from the Office of Historic Preservation requesting comments regarding the State Historical Resources Commission nomination of the home of Dr. Robert and Mary Walton to the National Register of Historic Places.

**Corr 2** Referred to the Health Services Agency, Office of Emergency Services-Chief Executive Office, and the Agricultural Commissioner/Sealer of Weights and Measures, a letter from the California Department of Health Services regarding funding for Local Health Departments for Pandemic Influenza Preparedness.

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: California State Automobile Assoc., for their insured Karressa Hager; Fireside Dodge; and, Unigard Insurance Company, for their insured Travis and Erika Pilcher.

Supervisor Grover noted that the home referred to in Correspondence No. 1 was designed by Frank Lloyd Wright. He, along with Chairman Simon and Supervisor DeMartini, attended the California Partnership for the San Joaquin Valley Forum that was held at CSU Stanislaus last week.

Supervisor Mayfield asked about the State funding for the California Partnership for the San Joaquin Valley. Supervisor Grover noted that the funding issue is still being addressed in committee at the State.

The CEO reported on the AB 959 regarding Certified Public Expenditures, which is tentatively set for hearing this week.

Adjourned to closed session at 11:52 a.m. for Closed Session: Conference with Labor Negotiator - Agency Negotiator: Rick Robinson. Labor Organization: California Nurses Association (CNA). Government Code §54954.5(f).

Adjourned at 12:42 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.)