

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

October 24, 2006

Michael Garcia spoke regarding the voting flyers supporting Supervisor Grover and against Mr. Lopez. He noted that he had recently spoken to Mr. Grover regarding the condition of the roads in the County.

Mayfield/Grover unan. Adopted the consent calendar after removing from the calendar item ***B4** Approval of the Appointment of Diane Haugh as the Acting Administrator of Public Works at a Salary of \$38.48 per hour to be handled administratively by the CEO, and after removing from the consent calendar items ***B-8** Approval of a Resolution to Authorize and Execute an Associate Membership Agreement by and Between the California Enterprise Development Authority for the Issuance of Revenue Bonds for Community Hospice, Inc. and Hughson Samaritan Village – CEO; ***B-11** Approval to Authorize Staff to Negotiate and Execute a Contract for the Electrical Portion of Bid Package 6, Plaza and Sitework, for the Gallo Center for the Arts Project and Issue the Appropriate Notice to Proceed – CEO; and, ***C3** Approval to Award Contract to SCS Engineers for a 100-Year Site Life Study for the Fink Road Landfill and Surrounding Properties – PW 2006-859

- *A1** Approved the minutes of 10/17/06
- *A2** Appointed Stephanie A. Dampier to the Hickman MAC 2006-832
- *A3** Approved Request from the District Attorney’s Office for use of the Courthouse lawn for the 9th Annual Homicide Victims’ Memorial Tree Lighting Ceremony and Candlelight Vigil on 12/14/06 2006-833
- *A4** Proclaimed the month of November 2006 as Adoption and Permanency Awareness Month 2006-834
- *A5** Approved a commendation for Henry Ficken as the 2006 Modesto Post 74 American Legion Man of the Year 2006-835
- *B1a** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 513 S. 7th Street, Modesto, CA (CE No. 06-23) – DER 2006-836
- *B1b** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 1433 Normandy Drive, Modesto, (CA CE No. 06-495) – DER 2006-837
- *B1c** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 1721 Kenneth Street, Modesto, (CA CE No. 06-524) – DER 2006-838
- *B1d** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 2033 John Street, Modesto, CA (CE No. 06-552) – DER 2006-839
- *B1e** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 1320 Faustina Avenue, Modesto, (CA CE No. 06-380) – DER 2006-840
- *B2** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 3608 Tamarack Avenue, Ceres, CA (CE No. 05-1983) - DER 2006-841
- *B3** Approved the status report concerning the replacement of the heating and air conditioning units at the Family Practice Center of the Health Services Agency – CEO 2006-842

- ***B5** Approved agreement amendment #MS-0607-14 with the California Department of Aging for Administration of the Multipurpose Senior Services Program (MSSP) for FY 2006-07 to Provide Supportive Services for Frail Elderly Residents of Stanislaus County; authorized the Director of CSA, or his Assistant Director Designee, to sign agreement amendment #MS-0607-14 and any additional amendments, not to exceed the amended agreement amount of \$857,000; and, directed the Auditor-Controller to increase the appropriations and estimated revenues in the amount of \$60,420 – CSA 2006-843
- ***B6** Approved the standard agreement for the State’s Emergency Medical Services appropriation for FY 2006-07 for Stanislaus County; and, authorized the HSA Managing Director, or her Designee, to sign the standard agreement – HSA 2006-844
- ***B7** Authorized the setting of a public hearing for 11/21/06 at 6:40 p.m. to consider approval of the Stanislaus County District Attorney and Stanislaus County Sheriff Department FY 2006-07 expenditure plans for the Supplemental Law Enforcement Services Fund (SLESF) 2006-845
- ***B9** Accepted the completed Roofing Replacement Project at the Nick W. Blom Salida Regional Library, 4835 Sisk Road, Salida, CA; approved the final contract with the contractor, Western Roofing Services of San Francisco, CA as follows: Original contract, \$487,609, subtract Total Change Orders of \$8,017 for a Final contract cost of \$479,592; authorized the Project Manager, on behalf of the BOS as the awarding authority, to sign the completion documents; and, accepted the project and authorized the necessary recording of the Notice of Completion and all other necessary close out activities, including release of retention – CEO 2006-846
- ***B10** Authorized a non-compensatory time extension of 60 days to Barham, Inc. for the addition of a window at the Clerk-Recorder Tenant Improvement Project for a condition specific, manufacturer’s delay of 60 days for a window – CEO 2006-847
- ***C1** Finds that the subject ordinance is not subject to the CEQA (Public Resources Code, Sections 2100 et. seq.); and introduced and waived the first reading of an ordinance amending Title 11 of the Stanislaus County Code adding a 25 mph speed zone on Pelican Road and Orchard Road in the Grayson Area and 35 mph speed zones on Pelican Road and Dairy Road in the Grayson Area and Townhill Road in the Oakdale Area– PW ORD-55-A-1 2006-848
- ***C2** Finds that the final map is in substantial compliance with the previously approved tentative map; finds that Stanislaus County has adopted a specific 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; and, authorized the final map to be filed and recorded as presented – PW 2006-849
- ***C4** Approved On Your Mark Events to hold a Duathlon on Saturday, 11/4/06; and, authorized the County Road Commissioner to issue a permit for the event provided that the applicant satisfy all Public Works’ requirements prior to this event – PW 2006-850

Mayfield/O’Brien (4-0)(Grover abstained) ***B8** Approved the resolution authorizing the execution of the Associate Membership Agreement by and between the California Enterprise Development Authority and Stanislaus County for the issuance of Revenue Bonds for Community Hospice, Inc. and Hughson Samaritan Village; and, authorized the Chairman to sign the Associate Membership Agreement – CEO 2006-851

Mayfield/O’Brien unan. ***B11** Authorized the Project Manager to negotiate and execute a contract with Collins Electric for the electrical portion of Bid Package 6, Plaza and site work, for the Gallo Center for the Arts Project and to issue the appropriate Notice to Proceed – CEO 2006-852

Grover/DeMartini (4-1)(Mayfield opposed) ***C3** Approved the award of sole source contract to SCS Engineers for a 100-Year Site Life Study for the Fink Road Landfill and surrounding properties; and, authorized the GSA Director/Purchasing Agent to establish a service contract for SCS Engineers in the amount of \$27,500 – PW 2006-853

Grover/O’Brien unan. **B12** Accepted the first annual report on Healthy Community goals and performance measures 2006-854

Grover/O’Brien (3-2)(DeMartini and Mayfield opposed) **B13** Accepted the first annual report on Safe Community goals and performance measures; and, **amended** to request the new Safe Community Priority and Goal Committee to include appropriate measurements and goals 2006-855

Recessed at 11:20 a.m.

Reconvened at 11:26 a.m.

O’Brien/Mayfield unan. **B14** Accepted an update on the Medical Marijuana Identification Card Program established by the State of California; and, accepted the recommendation of the Health Executive Committee to delay implementation of the Identification Card Program in Stanislaus County 2006-856

Mayfield/ O’Brien (4-0)(Grover abstained) **9:15 am** Conducted the scheduled public hearing to receive public comment; and, adopted a resolution approving the issuance by the California Enterprise Development Authority (the “Authority”) not to exceed \$7,000,000 of the Authority’s revenue bonds (the “Bonds”) for the benefit of the Community Hospice, Inc. (the “Corporation”) 2006-857

Mayfield/O’Brien (4-0)(Grover abstained) **9:20 am** Conducted the scheduled public hearing to receive public comment; and, adopted a resolution approving the issuance by the California Enterprise Development Authority (the “Authority”) not to exceed \$27,000,000 of the Authority’s revenue bonds (the “Bonds”) for the benefit of the Hughson Samaritan Village (the “Corporation”) 2006-858

Corr 1 Referred to CEO received a letter from the California State Association of Counties requesting support of Propositions 1A – 1E Rebuild California.

Corr 2 Designated Supervisor DeMartini to serve on the Ballot Processing Panel for the 11/7/06 Gubernatorial General Election.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Brent Richard Bowers; Herlinda Martinez; Francisco D. Gonzalez; Jesus Francisco Gonzalez (son of Herlinda Martinez & Francisco Gonzalez); Judy Larson; and, Jose Gutierrez.

The Chairman announced the Stanislaus County’s Fifth Annual Community Retreat will be held on Saturday, November 4, 2006, 8:00 a.m. to 1:00 p.m. at the Stanislaus County Agricultural Center.

Adjourned to closed session at 11:57 p.m. for Conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: United Domestic Workers (UDW). Government Code Section 54954.5(f). Conference with Legal Counsel: Anticipated Litigation – Significant Exposure to Litigation. One Potential Case. Government Code Section 54956.9(b).

Closed Session Announcement:

Mayfield/DeMartini unan. Approved Stanislaus County join the amicus curiae brief along with other 1937 Act Retirement Counties to support Fresno County in their current litigation case of Fresno County Deputy Sheriff's Association vs. County of Fresno, Board of Retirement of County of Fresno, and Fresno County Employees' Retirement Association. Court of Appeals Case No. F-049691

Adjourned at 12:29 p.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: CHRISTINE FERRARO TALLMAN, 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.)