

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

November 21, 2006

Special Session convened at 5:30 p.m.

Recessed to closed session at 5:31 p.m. Public Employment: Performance Evaluation – County Chief Executive Officer. Government Code Section 54954.5(e)

Reconvened at 6:30 p.m. for Regular Session

Miguel Donoso noted the importance of agriculture and farm workers in this County. He spoke regarding the immigration law and asked the Board to request assistance from Congressman Cardoza regarding this issue.

Mayfield/Grover unan. Adopted the consent calendar

- *A1 Approved the minutes of 11/14/06
- *A2 Approved appointment in-lieu of election where no candidates filed for the West Side
Community Health Care District Board of Directors 2006-906
- *A3 Appointed, in-lieu of election, Betty Carlson, Harold D. Hill and Evan Wayland Schut to the
Del Puerto Health Care District Board of Directors 2006-907
- *A4 Accepted the resignation of Charles Obert from the Stanislaus County Parks and Recreation
Commission 2006-908
- *A5 Appointed Sidney Moon to the Keyes Community Services District Board of Directors
2006-909
- *A6 Adopted the Conflict of Interest Code Amendments for the Del Puerto Health Care District
DH-1-A-4 2006-910
- *A7 Approved a commendation for John Heinze Upon his Retirement from the Stanislaus County
General Services Agency 2006-911
- *A8 Proclaimed December 2006 as Drunk and Drugged (3D) Driving Prevention Month
2006-912
- *B1a Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 1826
Seattle Street, Modesto, CA (CE No. 06-375) – DER 2006-913
- *B1b Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 1409
Pelton Avenue, Modesto, CA (CE No. 06-553) – DER 2006-914
- *B1c Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 7815
Foy Avenue, Ceres, CA (CE No. 06-613) – DER 2006-915
- *B2 Allocated \$15,779.27 for payment of possessory interest tax bill (ASMT 860-000-576) in
accordance with §104.10(C) of the California Streets and Highways Code; allocated
\$5,049.19 to the City of Modesto in accordance with §104.10(C) of the California Streets
and Highways Code; allocated \$475.20 to the City of Ceres in accordance with §104.10(C)
of the California Streets and Highways Code; and, allocated \$29,855.24 to the County
Road Fund in accordance with the provision in §104.10 of the California Streets and

- Highways Code limiting its spending to mass transit or streets and highway purposes
 – Auditor-Controller 2006-916
- *B3** Approved the provisions of the Subordination Agreement between the Ceres Redevelopment Agency and Stanislaus County; approved the specific language relating to this Subordination Agreement; and, authorized the Auditor-Controller to sign, on behalf of Stanislaus County, the acceptance letter from the City of Ceres – Auditor-Controller
 2006-917
- *B4** Approved the third status report concerning the replacement of the heating and air conditioning units at the HSA Family Practice Center – CEO 2006-918
- *B5** Authorized staff to issue a Request for Proposals (RFP) to coffee cart vendors for the Modesto Main Library and the Nick W. Blom Salida Regional Library – CEO 2006-919
- *B6** Accepted the final completed project for the 12th Street Office Building and Parking Garage; approved the final contract with the core and shell and parking garage contractor, Acme Construction of Modesto, California, as follows: the original contract for \$15,895,000 plus the total Change Orders in the amount of \$683,922 for a final contract cost of \$16,578,922; approved the final contract with the tenant improvements contractor, J.L. Bray and Son, of Salida, California, as follows: the original contract for \$1,952,000 plus the total Change Orders in the amount of \$254,096.50 for a final contract cost of \$2,206,096.50; authorized the Project Manager, on behalf of the Board of Supervisors, to sign the final completion documents; and, accepted the project and authorized the necessary recording of the Notice of Completion and all other necessary close out activities – CEO 2006-920
- *B7** Authorized the Parks and Recreation Department to accept the Phase I funding from the State of California Boating and Waterways Grant for \$200,000 to develop a new boat launch area at Heron Point in Woodward Reservoir Regional Park; authorized the Director of Parks and Recreation Department to enter into the standard agreement with the State of California; authorized the Auditor-Controller to establish a capital project fund with appropriations and revenues; and, adopted the resolution to accept the State of California Boating and Waterways Grant – Parks and Recreation 2006-921
- *B8** Authorized GSA to donate one hospital bed as surplus equipment to Advanced Vibrant Communities, a local community-based organization – GSA 2006-922
- *B9** Reappointed the following community professionals to the Indigent Health Care Program (IHCP) Fair Hearing Panel: Michael G. Loeffler, Attorney at Law; Steve Benak, M.D.; Betty King, R.N.; appointed Debbie Lewis, R.N. as an alternate nurse panel member, for a three year term beginning on 01/01/07 and ending on 12/31/09; and, authorized the HSA Managing Director, or her Designee, to provide written notification of the appointments to each panel member – HSA 2006-923
- *B10** Approved the contract with Salida Fire Protection District for Fire Communications Management through the Less Than Countywide Fire Tax – OES DF-10-B-3 2006-924
- *B11** Authorized the GSA Facility Maintenance Division to perform tenant (building) improvements in County only space at 1010 10th Street with a total cost not-to-exceed \$25,000; and, authorized the CEO to negotiate a space lease agreement for approximately 800-1,100 square feet of office space at 1010 10th Street with Congressman Dennis Cardoza – CEO
 2006-925
- *B12** Approved the Customer E-Payment Policy to provide customers the ability to make remote payments entered through a County web site, over the phone, or web to a County approved third-party vendor – T/TC 2006-926
- *B13** Authorized the CEO to negotiate and execute two contracts for portions of the plaza work for phased construction of the plaza for the Gallo Center for the Arts for landscaping, concrete work and sidewalks not to exceed \$325,000; approved the recommended project budget adjustments for the Gallo Center for the Arts, which reconciles funds authorized for the

project and previously approved project elements from the Central Valley Center for the Arts (CVCA); authorized the Auditor-Controller to make the increased appropriation and revenue transactions; authorized the staff to informally bid low voltage cabling to support voice, data, and video surveillance systems; and, authorized the staff to contract for professional services necessary to support project closeout efforts – CEO 2006-927

- *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) North Avenue at Dakota Avenue (Modesto area), to require 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; 2) Pelton Avenue at Colorado Avenue (Modesto area), to require 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; 3) Pelton Avenue at Leon Avenue (Modesto area), to require 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; and, 4) Pirrone Road at Fattoria Boulevard (Salida area), to require 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 2006-928
- *C2 Awarded contract to Ross F. Carroll, Inc., of Oakdale, CA, for the construction of the Keys Improvement Project – Phase I, in the amount of \$1,219,850; authorized the GSA Director/Purchasing Agent to execute a contract with Ross F. Carroll, Inc., in the amount of \$1,219,850; authorized the Road Commissioner to execute change orders in accordance with Public Contract Code §20142; and, upon project completion, authorized the Road Commissioner to accept the completed improvements and perform all necessary closeout activities – PW 2006-929
- *C3 Finds that Ordinance C.S. 979 amending Title 11 of the Stanislaus County Code, amending two no parking zones on Seventh Street (Modesto area) and adding a handicap zone on Shirley Court (West Modesto area) is not subject to CEQA (Public Resources Code §2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 979 – PW ORD-55-A-5 2006-930
- *C4 Under the jurisdiction of Street and Highway Code §8335, approved the abandonment of a portion of Lucinda Avenue (being a five foot strip of land adjacent to Lot 7, Block 39 of the Texera Tract recorded as Volume 16 of Maps, Page 24, on 2/4/47); and, directed the Clerk to provide a certified copy of the abandonment and Exhibits to the Department of Public Works for recordation – PW 2006-931
- *C5 Directed the Auditor-Controller to increase appropriations and estimated revenue for the Albers/Geer/SR 132 Signalization Project by \$1,923,745.49 per the financial transaction sheet – PW 2006-932
- *C6 Approved Contract Change Orders 1 through 6; directed the GSA Director/Purchasing Agent to increase the construction contract with Rolfe Construction Company in the amount of \$858,917 for additional construction services; and, directed the Auditor-Controller to increase appropriations per the financial transaction sheet – PW 2006-933

O'Brien/Mayfield unan. **B14** Accepted the Stanislaus County Children and Families Commission's 2005-2006 Annual Report – Children and Families Commission/CSA BD-69-10 2006-934

Grover/O'Brien unan. **B15** Accepted the Children and Families Commission's and the Community Services Agency's First Year Report on the Family Resource Centers – CSA 2006-935

Mayfield/Grover unan. **6:40pm** Approved the Stanislaus County District Attorney and Sheriff's Departments FY 2006/07 expenditure plans for the State Supplemental Law Enforcement Services Fund (SLESF) 2006-936

Corr 1 Referred to DER, Form 10-Q of Covanta Holding Corporation for the third quarter ended 9/30/06.

Corr 2 Referred to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance, a letter from Copelands' Enterprises, Inc. notifying the County of their plans to sell or close the Company's retail locations including the store at 3501 McHenry, Suite G-1 in Modesto, CA beginning in mid-November and ending in January 2007, pursuant to the Worker Adjustment and Retraining Notification (WARN) Act.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Dan Brasher; Aureliano Esquivel-Licea; Eduardo Padilla; and, Claudia T. Esquivel.

Supervisor Grover reported that he attended the Mental Health Board meeting last Thursday.

Adjourned at 7:16 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.)