

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

Regular Session

Tuesday

December 12, 2006

All Supervisors Present

Pledge of Allegiance to the Flag

Janet Pollard of the Stanislaus County Citizens Against Substance Abuse presented trophies for the Red Ribbon Week Best Decorated School Contest to High School Division Winners: 1st Place to Oakdale High School; 2nd Place to Turlock High School; 3rd Place to Downey High School; and, Honorable Mention to Waterford High School. Junior High-Middle School Division: 1st Place to Waterford Middle School; 2nd Place to Salida Middle School; 3rd Place to Mark Twain Junior High School; and, Honorable Mention to Dutcher Middle School. Elementary School Division: 1st Place to Von Renner Elementary School; 2nd Place to Hunt Elementary School; 3rd Place to Carol Fowler Elementary School; and, Honorable Mention – Stockard Coffee Elementary School.

Aaron Smith, of Safe Access Now, spoke regarding the recent Court ruling concerning the issuance of medical marijuana ID cards. He asked the Board to place this issue back on the Board of Supervisors' agenda and to implement this program in Stanislaus County.

Mayfield/Grover unan. Adopted the consent calendar after removing from consent item ***A5** Approval of the 2007 Stanislaus County Board of Supervisors' Meeting Calendar; and, item ***D1** Approval of the 2007 Williamson Act Contracts

- *A1** Approved the minutes of 12/5/06
- *A2** Adopted and waived the second reading of Ordinance C.S. 980 amending Section 11.16.090 of the Stanislaus County Code, prohibiting vehicles exceeding fourteen thousand pounds on Beard Road and Lone Oak Road in the Waterford Area ORD-55-A-6 2006-965
- *A3a** Accepted the resignation of Stanley Gustafson from the Denair Community Services District Board 2006-966
- *A3b** Accepted the resignation of Vanessa Czopek from the Stanislaus Economic Development and Workforce Alliance Youth Advisory Council 2006-967
- *A4** Adopted the amendments to the Conflict of Interest Codes for the Westside Power Authority and Modesto City Schools 2006-968
- *A6** Approved a special mail-out election to be held on 3/6/07 for the Denair Fire Protection District Special Tax to be conducted by the Clerk-Recorder/Elections Officer DF-13-A-17 2006-969
- *A7** Proclaimed January 2007 as Mentor Appreciation Month 2006-970
- *B1** Approved agreements with Philip Trompetter, Ph.D.; Robert Morgan, Ph.D; Jennifer Ardans, RN; Joanna Vallarta; and Maria Hernandez, MFT for the provision of mental health and alcohol and drug services for calendar year 2007; authorized the BHRS Director, or her Designee, to sign the agreements for calendar year 2007; and, authorized the BHRS Director, or her Designee, to negotiate and sign amendments to these agreements, to add services and payment for services up to \$25,000 per agreement, budget permitting, throughout the calendar year 2007 – BHRS 2006-971
- *B2** Adopted a resolution ordering the transfer of territory between the Turlock Unified School District and the Delhi Unified School District – CEO 2006-972
- *B3** Approved the Stanislaus County Legislative Platform for 2007 – CEO 2006-973

- *B4 Authorized CSA to accept an allocation in the amount of \$503,829 from the California Department of Social Services (CDSS) for the FY 2006-2007 Child Welfare Services (CWS) Outcome Improvement Project (OIP); directed the Auditor-Controller to increase the appropriations and estimated revenues in the amount of \$503,829; and, authorized the roll forward of \$350,000 in Fund 1631 Program Services and Support Fund to FY 2007-2008 for continued support of Differential Response Expansion – CSA 2006-974
- *B5 Approved contracts with Sierra Vista Child and Family Services and Moss Beach Homes dba Aspira Behavioral Health for Differential Response Services for children and their families living in Salida, Turlock, and Modesto (95350, 95355, 95356 Zip Codes); and, authorized the Director of CSA, or his Designee, to sign the agreements and any amendments, not to exceed the agreement amounts – CSA 2006-975
- *B6 Authorized the Sheriff to upgrade the security systems at the Sheriff’s Operation Center, Salida Sub-station and Riverbank Police Services; authorized the Office of Emergency Services to utilize “savings” from other FY 2005 Homeland Security Grants for this expanded project; and, directed the Auditor-Controller to adjust appropriations consistent with the budget journal by transferring \$35,000 in Fixed Assets from vehicle purchases to alarm/security systems – Sheriff 2006-976
- *C1 Adopted a resolution to summarily vacate an irrigation easement off Central Avenue between Santa Fe Street and Patterson Road in the City of Riverbank – PW
C-1-A-17 2006-977
- *C2 Approved the purchase agreement to acquire road right-of-way for the Carpenter Road at Robertson Road Intersection Project; authorized the Chairman of the Board to execute the agreement; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$1,500, payable to Deepak Paul Singh and Promila Paul – PW 2006-978
- *C3 Finds the Hatch Spill Box Culvert Extension – Phase 1-A of the Hatch Road PFF Left Turn Channelization Project to be De Minimis for the purposes of collection of Fish and Game fees pursuant to California Code of Regulations §753.3; by adopting the findings of fact contained in the attached Certificate of Fee Exception, those findings being based on the analysis presented in the initial study, and ordered the filing of the Certificate of Fee Exemption with the Stanislaus County Clerk Recorder's Office; finds the project is consistent with the overall goals and policies of the Stanislaus County General Plan; adopted the Mitigated Negative Declaration Pursuant to CEQA Guidelines §15074(B), by finding that on the basis of the whole record, including the Initial Study and any comments received, there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County’s independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk Recorder’s office pursuant to Public Resources Code §21152 and CEQA Guidelines §15075; awarded the contract for the Hatch Spill Box Culvert Extension – Phase 1-A of the Hatch Road PFF Left Turn Channelization Project to R. A. Nemetz Construction Co., Inc., of Wilton, California in the amount of \$243,280; directed the Auditor-Controller to increase appropriations and estimated revenue in the Project account by \$287,608 per the financial transaction sheet; authorized the GSA Director/Purchasing Agent to execute a contract with R. A. Nemetz Construction, Co., Inc., for the contract amount of \$243,280; authorized the Road Commissioner to negotiate and 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 2006-979

- *C4 Approved the two-week closure of Rodden Road between Orange Blossom Road and Rancheria Drive for maintenance activities; and, authorized the Road Commissioner to close a road temporarily in accordance with Streets and Highways Code §942.5 and 942.6 – PW 2006-980
- *D2 Rescinded all or a portion of Williamson Act Contract 1971-368 (Bogue Road, east of Denair) and approved a new contract pursuant to Minor Lot Line Adjustment 2006-39 (Hodges) 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 2006-981

Grover/Mayfield (3-2)(O'Brien and DeMartini opposed) *A5 Approved the 2007 Stanislaus County Board of Supervisors' meeting calendar 2006-982

O'Brien/DeMartini unan. *D1 Amended the New 2007 Williamson Act Contract List to remove Contract 2007-01 - Lucio; approved the amended list of New 2007 Williamson Act contracts; authorized the Chairman to sign the contracts on the amended list; and, directed the Clerk of the Board to forward the contracts to the Clerk-Recorder's Office prior to 1/1/07 for recording – Planning 2006-983

Recessed to sit as the Stanislaus County Redevelopment Agency at 9:20 a.m.

Grover/O'Brien unan. Approved the consent calendar

9:15am (*III-A) Approved the minutes of 5/2/06

9:15am (*VI-A) Accepted the Financial Report of the Stanislaus County Redevelopment Agency to the Board of Supervisors as prepared and as required by Health and Safety Code §33080.1; and, authorized its submittal to the Board of Supervisors 2006-986

Mayfield/O'Brien unan. **9:15am (VI-B)** Accepted the 2005/2006 Redevelopment Agency Activities Report as submitted 2006-987

9:15am (VI-C) Presented a recognition of service award for 16 years to Agency Member Ray Simon

Reconvened as the Stanislaus County Board of Supervisors at 9:30 a.m.

Mayfield/Grover unan. **B7** Authorized CSA to submit the Stanislaus County Welfare-to-Work State Plan Addendum to the California Department of Social Services; and, authorized the Director of CSA to certify that the Stanislaus County Board of Supervisors has been briefed regarding the contents of the Stanislaus County Welfare-to-Work State Plan Addendum – CSA 2006-984

Recessed at 10:13 a.m.

Reconvened at 10:20 a.m.

Grover/Mayfield unan. **B8** Approved the realignment of the Public Works Landfill operations under DER; approved the realignment of the Public Works Development Services operations under the Department of Planning and Community Development and renamed Development Services to “Building Permits Division”; approved the realignment of the Public Works Abandoned Vehicle Abatement operations under DER; authorized the Auditor-Controller to make the necessary budget changes and technical adjustments; **revised** the Staffing Impacts section of the staff report to correct the position title listed for a classification study from Accountant II to Account Clerk III; and, amended the Salary and Position Allocation Resolution as outlined in the Staffing Impacts section as revised, effective the start of the 1/6/07 pay period – CEO 2006-985

Corr 1 Appointed Supervisor Jim DeMartini as a member of the San Joaquin Regional Rail Commission Advisory Committee, which will explore Commuter Rail Service within the Central Valley.

Corr 2 Accepted the Stanislaus County Employees’ Retirement Association (StanCERA) Comprehensive Annual Financial Report for fiscal years ended June 30, 2006 and 2005.

Supervisor DeMartini gave a report regarding the CSAC Annual Conference he attended. He noted that development and transportation issues are a statewide concern. He also noted that Chairman Simon was honored for his 32 years as a County Supervisor at the conference.

The CEO announced that the next Board meeting on 12/19/06 will be Chairman Simon last’s meeting.

Chairman Simon left at 10:38 a.m.

Adjourned to closed session at 10:38 a.m. for Conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: SEIU, AFSCME, United Domestic Workers (UDW), and County Attorneys’ Association (CAA). Government Code §54957.6. Conference with Real Property Negotiator: Property: Stanislaus Behavioral Health Center, 1501 Claus Rd., Modesto; Negotiating Parties: County (Richard Robinson, Negotiator); Under Negotiation: Instructions to negotiator will concern price and terms of sale. Government Code §54954.5(b).

Adjourned at 12:12 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.)