

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

Regular Session

Tuesday

April 3, 2007

All Supervisors Present

Pledge of Allegiance to the Flag

The Chairman presented a resolution honoring the HSA Foundation upon their 25th Anniversary.

The Chairman presented a resolution proclaiming the week of April 15-21, 2007 as National Volunteer Week to the HSA Volunteers.

Grover/Mayfield unan. Adopted the consent calendar after removing from consent item ***D3** Approval to Set a Public Hearing on April 17, 2007, at 6:55 p.m., to Consider General Plan Amendment No. 2007-01 – Update of the Stanislaus County Agricultural Element of the General Plan

- *A1** Approved the minutes of 03/27/07
- *A2** Proclaimed April 2007 as Child Abuse Prevention Month and 4/27/07 as Children’s Memorial Day; and, authorized County Departments to fly the Children’s Memorial Flag on 4/23/07-4/27/07 – CSA 2007-225
- *A3** Set a public hearing on 04/24/07, at 9:30 a.m., to consider an appeal of the Planning Commission’s denial of Parcel Map Application #2006-47 and Variance Application #2006-04, Grewal 2007-226
- *A4** Approved a resolution recognizing the Stanislaus County HSA Foundation upon their 25th anniversary – HSA 2007-227
- *A5** Proclaimed the week of 4/15/07-4/21/07 as National Volunteer Week – HSA 2007-228
- *B1** Set a public hearing on 5/8/07, at 9:20 a.m., to introduce and waive the first reading of an ordinance to amend existing fees for the Stanislaus County Fire Prevention Bureau – OES ORD-55-B-11 2007-229
- *B2** Set 4/24/07, at 9:35 a.m., as the date and time to conduct a public hearing pursuant to §1442.5 of the Health and Safety Code to consider the approval of the negotiation and sale of Stanislaus Behavioral Health Center, including the operations, real property, improvements and equipment, and potential service level changes for County-operated Acute Psychiatric Inpatient services; and, approved the posting of notice of the public hearing at all County mental health and health facilities no later than 4/9/07 – CEO 2007-230
- *B3** Accepted the Stanislaus County Treasury Pool’s February 2007 Monthly Investment Report as prepared by the Stanislaus County Treasurer-Tax Collector’s Office and reviewed for conformity with the Stanislaus County Treasury Pool Investment Policy by the Treasurer-Tax Collector and has been distributed to the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign on behalf of the Board of Supervisors that the report has been reviewed and accepted – T/TC 2007-231
- *B4** Authorized the expenditure of \$682,000 of Justice Public Facilities Fees Fund to purchase office furniture and furnishings, equipment, install data communications and security equipment for the two new Civil Courtrooms, Judges chambers and office space; and, directed the Auditor-Controller to increase appropriations and estimated revenue by \$682,000 per the budget journal to reimburse the Superior Court for these purchases as recommended by the PFF Committee – CEO M-64-F-23 2007-232

- *B5** Authorized the CEO, or his Designee, to enter into an agreement for services with Muni Financial for a comprehensive five-year update to the County's Public Facility Fee Program (PFF), not to exceed \$72,000 and consistent with County defined project scope documentation; authorized the use of \$72,000 from the PFF Administrative Fee fund for the program update; and, directed the Auditor-Controller to increase appropriations and revenue in the CEO Economic Development budget by \$72,000 and make the necessary accounting adjustments to transfer funds from the PFF Administration fee fund – CEO
M-64-F-24 2007-233
- *B6** Authorized HSA to accept grant funds of \$65,483 from the Susan G. Komen Breast Cancer Foundation Sacramento Valley Affiliate; authorized HSA to enter into contracts with Airport Neighbors United and Newman Family Resource Center for community lay health workers; authorized the HSA Managing Director, or her Designee, to accept the award; and, directed the Auditor-Controller to increase appropriations by \$16,371 and estimated revenues in the amount of \$65,483 per the budget journal form – HSA 2007-234
- *B7** Introduced and waived the first reading of Ordinance C.S. 996 amending Chapter 11.28 of the Stanislaus County Code pertaining to the County's Abandoned Vehicle Abatement Program to update all referenced responsibility to the Director of DER, or her Designee – DER
ORD-55-B-12 2007-235
- *B8** Authorized HSA to support Public Health Epidemiologist Olivia Tong's application for an H-1B VISA (US Work Permit); and, authorized HSA to pay the required \$1,500 for the immigration and naturalization service (INS) filing fee – HSA 2007-236
- *C1** Finds that all subdivision improvements for Hideaway Terrace Subdivision by the Subdivision Improvement Agreement, executed by Hideaway Terrace Hacker/Clabaugh, LLC. and the Stanislaus County Board of Supervisors on 9/19/06, have been constructed to the satisfaction of Stanislaus County; finds that said agreement was recorded on 9/19/06 as Document #2006-0140395-00, and filed with the Stanislaus County Clerk Recorder's Office; accepted all streets, avenues, roads, and the drainage system within Hideaway Terrace Subdivision for maintenance by Stanislaus County; pursuant to §66499.7(a) of the Subdivision Map Act, authorized the release of Irrevocable Letter of Credit No. MCB/BOS06-006, issued by Bank of Stockton, in the amount of \$348,000 for faithful performance of the Subdivision Improvement Agreement; pursuant to §66499.7(b) of the Subdivision Map Act, upon receipt of a Mechanic's Lien Guarantee, authorized the release of Irrevocable Letter of Credit No. MCB/BOS06-007, issued by Bank of Stockton, in the amount of \$257,956.50 for payment of labor and materials; and, the Mechanic's Lien Guarantee must be dated a minimum of 61 days after the filing of the appropriate Notice of Completion, be in the amount of \$257,956.50, be prepared by a title company, be to the benefit of Stanislaus County, and state that there are no liens of record – PW 2007-237
- *C2** Adopted a Resolution of Necessity to acquire real property or interest in real property by Eminent Domain for the State Route 219 widening project, parcel owner 3160 Group, LLC, a California Limited Liability Company for APN: 135-053-001, and made the findings contained therein – PW 2007-238
- *D1** Accepted the emergency abatement report by the Department of Planning and Community Development, Building Permits Division, regarding a hazardous and unsafe condition that existed at 1534 Inyo Avenue, Modesto – Planning 2007-239
- *D2** Authorized the preparation and submission of a \$600,000 grant application to the California State Department of Housing and Community Development under the CalHome Program to provide additional funds to the First Time Home Buyer Program; directed the CEO to sign the CalHome Grant Resolution, Exhibit 1; and, authorized the Director of Planning and Community Development to act on all matters relating to the application, and if approved, the grant – Planning 2007-240

DeMartini/Grover unan.***D3** Set a public hearing on 4/17/07, at 6:55 p.m., to consider GPA #2007-01, an update of the Agricultural Element of the Stanislaus County General Plan, the purpose of the Agricultural Element is to promote and protect local agriculture through the adoption of policies designed to achieve three main goals: 1) strengthen the agricultural sector of our economy, 2) conserve our agricultural lands for agricultural use, and 3) protect the natural resources to sustain agriculture in Stanislaus County, the update focuses on the need to address impacts to agricultural land and the natural resources needed to support local agriculture and changes which have occurred as a result of the policies adopted in the current element, the updated element has been reformatted to remove dated statistics, references to obsolete agencies and programs, and provide a layout consistent with other elements of the County General Plan – Planning 2007-241

DeMartini/Monteith unan. **B9** Accepted the HSA Public Health Division 2007 Annual Report 2007-242

Mayfield/Grover unan. **C3** Approved FY 2006/07 Transportation Development Act Transit Claim #2; approved the FY 2006/07 Transportation Development Act Local Transportation Fund Claim; and, authorized the Director of Public Works to execute and submit the claims to the Stanislaus Council of Governments (StanCOG) – PW 2007-243

Corr 1 Referred to the Alliance Worknet, the Stanislaus Economic Development and Workforce Alliance, and DER, a letter from Patterson Frozen Foods, Inc., updating their plans to initiate a plant closure of its frozen food processing, warehousing and harvesting operations located at 100 W. Las Palmas Avenue, Patterson, CA, expected to take place within a fourteen day period beginning 4/24/07.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Javier Arias; Marice Gray; Shaun Warren; and, Jorge Marron.

Supervisor DeMartini gave an update regarding the formation of the West Side Health Care Task Force, and noted that he will be attending a meeting in City of Gustine tonight requesting that they appoint two members to this task force.

The CEO reported that he participated in the CSAC Legislative Conference last week.

Adjourned to closed session at 9:53 a.m. for Public Employment: Performance Evaluation – County Chief Executive Officer. Government Code §54954.5(e).

Adjourned at 11:31 a.m.

Closed Session Announcement: Mayfield/Grover unan. The Board conducted a performance evaluation of Richard Robinson, CEO, pursuant to Government Code §54954.5(e); and, upon completion of the evaluation the Board approved a 5% increase for the CEO, which raises his salary to \$212,835.00 effective 4/3/07 2007-244

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.)