

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

Regular Session

Tuesday

June 19, 2007

Supervisor Mayfield Absent

Pledge of Allegiance to the Flag

Eileen Wann explained that her dog is too ill to be placed under anesthesia, and therefore cannot be fixed. She asked for an exception of the \$100 license fee for unfixed dogs. Mike McFarland, Director of Animal Services, noted that the County Code does allow for an exception in these types of cases, and that he will assist Ms. Wann with this issue.

Roxanne Chakos, a UDW Union member, stated that the current labor negotiations with the County for IHSS employees are not going well. She asked the Board to support a wage increase.

Samuel Jordan also spoke regarding the UDW labor negotiations and voiced the need for increased wages for IHSS employees.

Sylvia Sainy spoke in support of increased wages for IHSS employees and noted the important work that they do for the community.

Michael Garcia voiced concerns regarding the County islands in the west side of Modesto, and the need for street lights, sidewalks, and other infrastructure improvements.

Grover/Monteith (4-0)(Mayfield absent) Adopted the consent calendar

- *A1 Approved the minutes of 06/05/07
- *A2 Amended the 2007 Stanislaus County Board of Supervisors Committee Assignments to appoint Supervisor Monteith as the primary member to the San Joaquin Valley Water Coalition Council and Executive Board replacing Supervisor Mayfield 2007-448
- *A3 Accepted the Hazardous Waste Management Advisory Committee recommendation to remove Timothy Rhiney from the Committee due to lack of attendance 2007-449
- *A4 Appointed Tom Ciccarelli, Veronica Garcia, Ruben Pina, Ham Shirvani and Bob Loretelli to the Stanislaus County Children's Council 2007-450
- *A5 Approved a request from the Modesto Jaycees for use of the Courthouse Lawn on Wednesday, 7/4/07 for the 133rd Annual Fourth of July Celebration 2007-451
- *B1 Approved the purchase of a weight truck, plotter, and a Microsoft computer server; and, authorized the Auditor-Controller to transfer funds in the amount of \$56,000 to fixed asset accounts as detailed in the Budget Journal Form - Agricultural Commissioner 2007-452
- *B2 Authorized the Director of the Alliance Worknet, or his Designee, to receive and expend Program Year 2007-2008 WIA funds in accordance with the approved Stanislaus County Strategic Five-Year Local Plan with funds that may exceed \$100,000; authorized the Director of the Alliance Worknet, or his Designee, to enter into and sign agreements and contracts to expend PY 2007-2008 WIA funds; and, authorized the Director of the Alliance Worknet to sign all WIA-related sub-grant agreements, and any modifications or adjustments as required by the State - Alliance Worknet 2007-453
- *B3 Approved an increase of appropriations totaling \$9,895 for the Almond Wood Estates, Crows Landing, Deo Gloria Estates, Denair, Gilbert Road, Gibbs Ranch, Golden State, Mancini

- Park Homes, Monterey Park, North McHenry, Olympic Tract, Peach Blossom Estates, Richland Tract, Sunset Oaks, Sylvan Village No. 2, and Schwartz-Baize Lighting Districts; and, authorized the Auditor-Controller to increase estimated revenue and appropriations as detailed in the Budget Journal Form - Auditor-Controller 2007-454
- *B4 Approved Agreement No. MS-0708-14 with the California Department of Aging for administration of the Multipurpose Senior Services Program (MSSP) for FY 2007-2008 to provide supportive services for frail elderly residents of Stanislaus County; and, authorized the Director of the CSA, or his Assistant Director Designee to sign agreement No. MS-0708-14 and any amendments, not to exceed the agreement amount of \$857,000 – CSA 2007-455
 - *B5 Accepted a County Self Assessment for the CSA and the Probation Department to support Child Welfare Services – CSA 2007-456
 - *B6 Approved a resolution authorizing the issuance, offer and sale of bonds not to exceed \$9,900,000 of the School Facilities Improvement District No. 1 on behalf of the Turlock Unified School District; and, approved the Board of Supervisors, the CEO and all other County officers and employees to do all things necessary for the issuance, offer and sale of said bonds - County Counsel 2007-457
 - *B7a Adopted the decision of the Nuisance Abatement Hearing Board regarding 5400 Pioneer Road, Hughson, CA (CE No. 06-764) – DER 2007-458
 - *B7b Adopted the decision of the Nuisance Abatement Hearing Board regarding 0 Kern Street, Westley, CA (CE No. 07-158) – DER 2007-459
 - *B7c Adopted the decision of the Nuisance Abatement Hearing Board regarding 8511 Highway 33, Westley, CA (CE No. 07-14) – DER 2007-460
 - *B8 Adopted the decision of the Nuisance Abatement Hearing Board regarding cost accounting to abate the Nuisance CE No. 06-752 at 1513 El Dorado Avenue, Modesto, California – DER 2007-461
 - *B9 Approved the California Department of Health Services contract for the continuation of the Immunization Assistance Program for the period of 07-01-07 through 06-30-08; and, authorized the HSA Managing Director, or her Designee, to sign and execute the contract – HSA 2007-462
 - *B10 Appointed Jami Aggers as the Assistant Director of Environmental Resources at an annual salary of \$101,004 which exceeds the mid-point of Band E – DER 2007-463
 - *B11 Authorized the Sheriff to appoint Robin Muirhead to a full-time Crime Analyst position at an hourly rate of \$27.46 which is the fifth step of the salary range – Sheriff 2007-464
 - *B12 Awarded a contract for the tenant improvements for the Administration Area of the Founders Room to Wylie Construction in an amount not to exceed \$396,000; and, adjusted the budget as recommended including \$100,000 for support and contingency funds from the Central Valley Center for the Arts (CVCA) – CEO 2007-465
 - *B13 Awarded a contract to Ragsdale and Sons in the amount of \$105,856 to pave the parking lot of Juvenile Hall and authorized the GSA-Purchasing Agent to sign the contract on behalf of the County; directed the Auditor-Controller to transfer existing funds budgeted in various accounts in the Probation Institutions FY 2006-2007 budget to the Structures and Improvements Fixed Assets account for this project; and, authorized the Auditor-Controller to carry these funds forward to FY 2007-2008 to complete the project – Probation 2007-466
 - *C1 Finds that Ordinance C.S. 999 amending §11.04.040 of the Stanislaus County Code to add a speed zone on Tim Bell Road in the Waterford area is not subject to CEQA (Public Resources Code, §2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 999 amending Title 11 of the Stanislaus County Code – PW 2007-467

ORD-55-C-3 2007-467

- *C2 Finds that Ordinance C.S. 1000 amending §11.08.020 of the Stanislaus County Code to add a no parking zone on McClure Road in the Modesto area is not subject to CEQA (Public Resources Code, §2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 1000 – PW ORD-55-C-4 2007-468
- *C3 Considered and 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 H A J Ranch, a Partnership, et al., for APN: 003-009-035, and made the findings contained therein – PW 2007-469
- *C4 Considered and 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 Amarjit S. Dhaliwal, et ux., for APN: 135-045-038, and made the findings contained therein – PW 2007-470
- *D1 Rescinded all or a portion of Williamson Act Contract #1971-0101 and 1971-0230 (Blue Hill Road, west of Newman) and approved a new contract pursuant to Minor Lot Line Adjustment 2006-46 (Oak Pine Ranch & Jensen Trust); 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 2007-471

Grover/Monteith (2-2)(DeMartini and O'Brien opposed)(Mayfield absent) **6:40 pm** The **motion failed** to accept and approve the recommended Proposed Budget for FY 2007-2008 from the CEO except for the payment of \$5,000 for the Modesto Symphony portion of the Community Support Budget located on page 474 of the FY 2007-2008 Proposed Budget; and, to make an adjustment to the Board's compensation in accordance with the Stanislaus County Ordinance Code Subsection D of §2.04.030

O'Brien/DeMartini (4-0)(Mayfield absent) **6:40 pm** Accepted and approved the recommended Proposed Budget for FY 2007-2008 from the CEO except for the payment of \$5,000 for the Modesto Symphony portion of the Community Support Budget located on page 474 of the FY 2007-2008 Proposed Budget; 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 classification changes as outlined in the Staffing Impacts section of the report and detailed in Attachment A to be effective with the start of the first pay period beginning after 07/01/07; approved contracts and/or agreements listed on Attachment B of the report in cumulative amounts of \$100,000 or greater as of 07/01/03; directed the CEO to prepare the Final Budget and set the public hearing for consideration of the Final Budget on 09/11/07, at 9:15 a.m., and 09/12/07 and 09/13/07, 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) 2007-474

DeMartini/Grover (4-0)(Mayfield absent) **B14** Authorized the CEO to sign a software license upgrade to the Megabyte Property Tax System maintenance and support agreement; and, directed the Auditor-Controller to increase appropriations and estimated revenue by \$70,368 to fund the cost of required hardware and software, and carry the funds forward at year-end - Assessor 2007-472

Grover/Monteith (4-0)(Mayfield absent) **B15** Approved the agreement between the 38th Agricultural Association - Stanislaus County Fair Board and Stanislaus County for the Sheriff to provide security at the 2007 Fair; authorized the CEO and the Sheriff to sign the agreement on behalf of the County; directed the Auditor-Controller to increase appropriations and estimated revenue by \$140,000 as detailed in the Budget Journal for FY 2007-2008; and, directed CEO staff to work with the Sheriff's staff to review costs and workers compensation exposures as a result of this agreement – Sheriff 2007-473

Corr 1 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Dianne M. David; David Allen Lawson; Jose C. Chaidez; and, Kenneth Dean Lindsay.

Grover/DeMartini (4-0)(Mayfield absent) **Legislative A.** Approved opposing SB 1020 (Padilla) to impose new requirements for landfill diversion from the current 50% level to an increased diversion level of 75% by 01/01/2012; and, approved supporting full funding for integrated services for homeless adults with severe mental illness (AB 2034 Funding) – CEO 2007-475

Adjourned at 8:17 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.)