

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

Regular Session

Tuesday

July 10, 2007

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held for Stanislaus County Department of Aging & Veterans Services' employee William Burnett.

Lynda Rigney spoke regarding mobile home space rent increases within the County. She voiced concerns regarding the impacts of the increasing rent on mobile home residents.

Bea Peterson noted that over one-third of the affected mobile home park residents live within the jurisdiction of Stanislaus County. She spoke in support of the County adopting a rent stabilization ordinance.

Sally Struder also spoke regarding the problems being caused by increasing mobile home space rent for residents. She asked the Board to adopt a rent stabilization ordinance.

Ray Newman noted that some residents of mobile homes have walked away from their mobile homes due to the increased space rent. He voiced concerns regarding the impact that increased rent is having on seniors and the disabled residents. He spoke in support of a rent stabilization ordinance.

Sheriff Christianson thanked the Laci and Conner Search and Rescue Fund for their generous donation of a Scanning Sonar System to the Stanislaus County Sheriff's Dive Team.

Grover/Mayfield unan. Adopted the consent calendar after removing from consent item **\*B7** Approval to Set a Public Hearing for 7/31/07, at 9:20 a.m., to Consider Adjustments to Stanislaus County Franchise Maximum Rates for Solid Waste Collection Services and the Establishment of a Bulky-Item Curbside Collection Program – Environmental Resources

**\*A1** Approved the minutes of 6/26/07

**\*A2** Accepted the resignation of Jason Helton from the Keyes Municipal Advisory Council

2007-524

**\*A3a** Appointed Dan Robinson to the Patterson Irrigation District Board of Directors 2007-525

**\*A3b** Appointed Mary Doerksen, Fawn Oliver and Nathan Johnston-Chiszar to the Stanislaus Child Development Local Planning Council 2007-526

**\*A3c** Appointed Nelda Parman to the Stanislaus County Child Abuse Prevention Council

2007-527

**\*A3d** Appointed Jeff Broumas to the Stanislaus County Airport Land Use Commission and amended the appointment of Richard Rosa to a four year term ending on 6/30/2011 2007-528

**\*A3e** Appointed Christopher M. Resler to the Advisory Board on Substance Abuse Programs

2007-529

**\*A4** Reappointed Francine DiCiano and Julie Mendoza to the Stanislaus Child Development Local Planning Council 2007-530

**\*A5** Set a public hearing on 7/24/07, at 9:20 a.m., to consider an appeal of the Planning Commission's denial of request for modification or removal of Condition of Approval No.

- 31 for Parcel Map Application No. 2006-02 – Timbell-Warnerville Partners, LLC  
(Formerly Furtado Family Trust) 2007-531
- \*B1 Authorized the BHRS Director to accept Mental Health Services Act Workforce Training and Education Early Implementation funding in the amount of \$179,800 effective 6/1/07; authorized the BHRS Director, or her Designee, to sign the subsequent amendment to the agreement with the State Department of Mental Health for the provision of mental health services pursuant to the Mental Health Services Act Community Services and Supports Plan; and, directed the Auditor-Controller to increase appropriations and estimated revenue to the Mental Health Services Act budget unit (1507), in the amount of \$179,800 as detailed in the Budget Journal form – BHRS 2007-532
  - \*B2 Awarded an agreement with RFI Communications and Security Systems for a key card access control system for the Community Services facility; and, authorized the GSA-Purchasing Agent to sign the agreement and to order changes or additions to the work in accordance with Public Contract Code §20142 and 20137 – CSA 2007-533
  - \*B3 Approved the Stanislaus County California Children’s Services (CCS) and Child Health and Disability Prevention (CHDP) Plans for 2007-2008; and, authorized the Chairman of the Board of Supervisors to sign the Certification Statements for CSS and CHDP programs - HSA 2007-534
  - \*B4 Approved the extension of the current affiliation agreement between the County of Stanislaus and the Regents of UC Davis to include FY 2007-2008; and, authorized the HSA Managing Director to sign the amendment – HSA 2007-535
  - \*B5 Approved the list of Independent Contractor Agreements between HSA and various contractors for FY 2007-2008; authorized the HSA Managing Director, or her Designee, to sign the agreements; and, authorized the HSA Managing Director, her Designee or Successor, to negotiate and sign individual amendments to the agreements, not to exceed \$75,000 – HSA 2007-536
  - \*B6 Accepted the donation of a Scanning Sonar System to the Stanislaus County Sheriff’s Dive Team from the Laci and Conner Search and Rescue Fund; and, recognized this generous donation by the Laci and Conner Search and Rescue Fund – Sheriff 2007-537
  - \*B8 Approved the agreement between the City of Modesto Police Department and the Stanislaus County Sheriff for a Police Sergeant to serve as Academy Coordinator at the Ray Simon Regional Criminal Justice Training Center; and, authorized the CEO and the Sheriff to sign the agreement on behalf of the County – Sheriff 2007-538
  - \*B9 Authorized the HSA Managing Director to appoint Gregory Diederich to the position of Information Technology Manager at the HSA Information Technology Department at a salary of \$44.35 per hour which exceeds the mid-point of Band D – HSA 2007-539
  - \*B10 Authorized the Purchasing Agent to execute and sign all necessary documents to add Project No. 07-03 to the existing Master Agreement with NetLogic, Inc. for Voice Over Internet Protocol services to permit the purchase and implementation of a Call Center System – SBT 2007-540
  - \*C1 Finds that Ordinance C.S. 1002 amending §11.16.080 of the Stanislaus County Code, prohibiting vehicles exceeding twenty-four thousand pounds on Eastin Road in the Newman Area is not subject to CEQA (Public Resources Code, §2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 1002 – PW  
ORD-55-C-7 2007-541
  - \*C2 Approved Amendment No. 2 to Agreement No. 2004-1 with Wood Rodgers to add additional engineering services for the improvements at the Ladd Road and McHenry Avenue Intersection; authorized the GSA Director/Purchasing Agent to increase the contract with Wood Rodgers by \$128,216.02 and execute the amendment; and, directed the Auditor-

- Controller to increase appropriations and estimated revenue for the Ladd Road at McHenry Avenue Improvement Project per the financial transaction sheet – PW 2007-542
- \*C3 Awarded contract in the amount of \$807,792.84 to Teichert Construction of Turlock, CA, for the construction of the Albers Road at Dusty Lane Project; authorized the GSA Director/Purchasing Agent to execute a contract in the amount of \$807,792.84 with Teichert Construction; directed the Auditor-Controller to increase appropriations and estimated revenue in the Albers Road at Dusty Lane Project account by \$918,572.12 per the financial transaction sheet; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code §21037; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities - PW 2007-543
  - \*C4 Awarded contract in the amount of \$310,370 to Ross F. Carroll, Inc., of Oakdale, CA for the construction of the Carver Road Realignment at Ladd Road Improvement Project; authorized the GSA Director/Purchasing Agent to execute a contract in the amount of \$310,370 with Ross F. Carroll; directed the Auditor-Controller to increase appropriations and estimated revenue in the Carver Road Realignment at Ladd Road Improvement Project account by \$371,407 per the financial transaction sheet; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code, §21037; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities – PW 2007-544
  - \*C5 Approved Amendment No. 2 to Agreement No. 2004-1 with BKF Engineers to add additional engineering services for the improvements at the Geer Road at Santa Fe Avenue and Hatch Road at Santa Fe Avenue Intersections; authorized the GSA Director/Purchasing Agent to increase the contract with BKF Engineers by \$51,050 and execute the amendment; and, directed the Auditor-Controller to increase appropriations and estimated revenue for the Geer Road at Santa Fe Avenue and Hatch Road at Santa Fe Avenue Improvement Project per the financial transaction sheet – PW 2007-545
  - \*C6 Adopted plans and specifications for the 2007-2008 County Overlay Program and set the bid opening date and time for 8/8/07, 2:30 p.m.; directed the Clerk of the Board to publish notice inviting bids for the project as required by law and set 8/8/07, prior to 2:30 p.m., as the deadline for submission of bids; directed the Auditor/Controller to make the necessary budget adjustments per the financial transaction sheet; and, directed the Public Works Department staff to mail notice inviting bids to trade journals as required by law – PW 2007-546
  - \*C7 Set a public hearing on 7/31/07, at 9:25 a.m., regarding FY 2007/2008 assessments for various county service areas and landscape and lighting districts; and, ordered the Clerk of the Board of Supervisors to publish a notice of such hearing pursuant to Government Code §6066 – PW 2007-547
  - \*D1 Set a public hearing on 7/24/07, at 9:15 a.m., to consider Rezone application #2006-13, Caloy Company Oil and Feed, a request to change the zoning designation of a 5.65 acre parcel from A-2-40 (General Agricultural) to Planned Development to allow an existing 15,570 square foot warehouse/office building to be used as a processing facility to extract oil and process cattle feed from walnuts and almond meats, blended with rice hulls, the site includes the existing building, silos, loading area, and truck scales, additions to the site will be employee parking, security fencing and gates, a new septic system, and landscaping, the business will be a 24 hour operation with 7 employees on maximum shifts, the project is located at 5425 Montpelier Road, in Montpelier, west of Denair, APN: 019-041-027 – Planning ORD-55-C-5 2007-548

Grover/DeMartini unan. \***B7** Set a public hearing for 7/31/07, at 9:20 a.m., to consider adjustments to Stanislaus County franchise maximum rates for solid waste collection services and the establishment of a bulky-item curbside collection program – DER 2007-549

Mayfield/Grover unan. **B11** Considered the proposal of the sale of Stanislaus Behavioral Health Center (SBHC), including the operations, real property, improvements and equipment, to Doctors Medical Center; authorized the CEO, Director of BHRS and all other officers, employees and agents of the County to commence negotiations relating to the potential sale of SBHC; set a public hearing for 7/31/07, at 9:30 a.m., to consider the approval of sale of SBHC and to introduce, waive the reading and adopt an ordinance authorizing the sale of SBHC; approved the reduction-in-force of 68 filled and 47 vacant positions in the SBHC budget unit effective no earlier than 9/1/07 and no later than 10/1/07, as outlined in Attachment A; approved the transfer of 7 positions from the SBHC budget unit to the BHRS budget unit effective no earlier than 9/1/07 and no later than 10/1/07 as outlined in Attachment A; amended the Salary and Position Allocation Resolution to reflect the recommended changes as outlined in the report; and finds that the proposed sale of the property will result in economic benefits to the county – BHRS  
ORD-55-C-7 2007-550

Grover/Monteith unan. **B12** Accepted the Elections Office certification of the results of the initiative petition on the Salida Area Planning, Road Improvement, Economic Development, and Farmland Protection Initiative – Clerk-Recorder 2007-551

Grover/Mayfield unan. **B13** Ordered a report on the effect of the Initiative Petition for Salida Area Planning Road Improvement, Economic Development and Farmland Protection pursuant to Elections Code Section 9111 and directed the CEO to request appropriate County departments and other offices to review the proposed initiative and provide written comments on the impacts of the proposed initiative - CEO 2007-552

O'Brien/Monteith unan. **B14** Approved the purchase of a new Integrated Public Safety System from IPC Command Systems, Inc. and authorized the CEO to negotiate and enter into a contract for the purchase of the system, services, support and updates; authorized the CEO to enter into the Project Agreement with the City of Modesto and the Stanislaus Regional 911 Joint Powers Authority; directed the Auditor-Controller to establish appropriations of \$390,104 funded by the undesignated funds, in the CEO plant Acquisition budget for direct payment by the County of those County costs that will not be spread as part of the SR911 cost sharing formula; and, authorized the loan of up to \$478,464 of the undesignated funds to the SR911 Joint Powers Agency and directed the Auditor-Controller to transfer these funds on an incremental basis tied to the IPC Command Systems, Inc. payment schedule paid by the SR911 Joint Powers Agency (the loan will be repaid to the County Designation for Contingencies over a five-year period at 5% simple interest) – CEO 2007-553

**Corr 1** Referred to the CEO and the CEO-Office of Emergency Services, a portion of the 2007 Civil Grand Jury Report regarding the Stanislaus County: Fire and Life Saving Services; Disaster Preparedness; and, State of Law Enforcement. M-39-K-5

**Corr 2** Referred to the CEO-Office of Emergency Services and the Agricultural Commissioner and Sealer of Weights and Measures, a letter from the Governor's Office of Emergency Services regarding the President's major disaster declaration (FEMA-1689-DR-CA) on 04/20/07 authorizing the processing of U.S. Department of Agriculture Farm Service Agency Emergency loans for physical and production losses for farmers and ranchers for damages incurred as a result of the January Freeze in the primary counties of Kings, Madera, Merced, Stanislaus and their contiguous counties.

**Corr 3** Referred to the CEO and the Sheriff, a letter from the City of Waterford regarding their intent to exercise the option to renew the contract for law enforcement services with Stanislaus County for the next five year term.

**Corr 4** Referred to the Chief Executive Office, a copy of the California Multi-Jurisdictional Methamphetamine Enforcement Team 5th Year Progress Report from September 2005 through October 2006.

**Corr 5** Referred to the Department of Parks and Recreation and the Fish and Wildlife Committee, a notice from the California Fish and Game Commission regarding the proposed regulatory action relating to waterfowl hunting and the dates of the upcoming public hearings.

**Corr 6** Referred to the Department of Planning and Community Development, a letter from the Stewardship Council regarding the draft Land Conservation Plan that will guide the conservation, ownership and management of more than 140,000 acres of Pacific Gas and Electric Company's (PG&E) watershed lands in perpetuity.

**Corr 7** Referred to the Department of Planning and Community Development and the Department of Environmental Resources, a notice from the San Francisco Planning Department regarding the availability of the Draft Program Environmental Impact Report for the San Francisco Public Utilities Commission's Water System Improvement Program.

**Corr 8** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Merissa Apodaca; Tamara Smith, Wayne Smith and George Denton; Bridget Watson; Karen Holder, Stanley Holder, and Michael Holder; Christopher Ensign; John Mark Payne; Julie Heath; Rocio Sanchez; Lynda Perino; Alfonso Moscozo; Toni Cusenza; Elise Cusenza; Olivia Cusenza; and, Nikko Lombrana.

Supervisor DeMartini asked if the CEO has talked to cities regarding adopting a junk dealer ordinance. The CEO responded that he has spoken with a few cities, and that he will bring an item to the Board next week formally requesting that all nine cities adopt a junk dealer ordinance.

Supervisor DeMartini reported that the 6/30/07 community clean-up in south Modesto was a success. He noted that staff from DER and the Sheriff's department participated and that 900 tires were removed. There is a community clean-up being planned for the Bret Harte neighborhood. Supervisor DeMartini reported that the Westside Healthcare Taskforce will hold its third meeting on 7/19/07 and that the taskforce now includes representatives from Golden Valley and Sutter Gould.

The CEO noted that the annual NACO meeting will be in Virginia this weekend. He gave an update on the State legislation including: SB 315 regarding cafeteria inspections, AB 151 regarding corrections officers serving as court bailiffs, and SB 215 and SB 342 regarding negative bailout. He gave an update on Federal legislation regarding communications interoperability issues, Orestimba Creek and the Tuolumne River Regional Park Project.

Adjourned to closed session at 10:32 a.m. for conference with Legal Counsel - Anticipated Litigation. Significant Exposure to Litigation. One Case. Government Code §54956.9 (b).

Adjourned at 11:07 a.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.)