

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

Regular Session

Tuesday

June 3, 2008

Supervisor Grover absent

Pledge of Allegiance to the Flag

Lark Downs of StanCOG presented the Regional Blue Print Plan Process Update.

The CEO introduced Gary Caseri, the new Stanislaus County Agricultural Commissioner.

Monteith/O'Brien (4-0)(Grover absent) Adopted the consent calendar after removing from consent item

- ***B12** Approval of the New Vehicle Replacement Plan – General Services Agency 2008-408
 - ***A1** Approved the minutes of 05/20/08
 - ***A2a** Appointed Officer Billy Hamilton to the Advisory Board on Substance Abuse Programs 2008-367
 - ***A2b** Appointed Walid Ali to the Salida MAC 2008-368
 - ***A3a** Proclaimed 06/23/08-06/27/08 as Family Services Specialist Recognition Week 2008-369
 - ***A3b** Proclaimed 07/13/08-07/18/08 as Probation Services Week 2008-370
 - ***A4a** Approved the consolidation of the City of Waterford's Municipal Election with the 11/04/08 Presidential General Election 2008-371
 - ***A4b** Approved the consolidation of the West Side Community Healthcare District's Board of Directors' Election with the 11/04/08 Presidential General Election 2008-372
 - ***A5a** Approved request from "On Your Mark Events" for use of the Woodward Reservoir Bay View Boat Ramp Area and Picnic Shelter for the Kaiser Permanente Central Valley Triathlons on Sunday, 08/24/08 and Saturday, 09/27/08 2008-373
 - ***A5b** Approved request from Empire Head Start for use of the Empire Community Park and Picnic Shelter Area for their year end event on Tuesday, 06/10/08 2008-374
 - ***A5c** Approved request from Rotary Club of Salida for use of the Salida Park for their Second Annual "Music Concerts in the Park" Series on 07/24/08, 08/07/08 and 08/21/08 2008-375
 - ***A5d** Approved request from Nineveh Outreach for the use of Oregon and Fairview Parks on Saturdays from 06/07/08 through 12/06/08 to provide food and clothing to the community 2008-376
- ***B1** Approved and authorized the Chairman to sign the FY 2008-2009 Cantaloupe Surveillance Contract with the California Cantaloupe Advisory Board – Agricultural Commissioner 2008-377
- ***B2** Approved and authorized the Chairman to sign the FY 2008-2009 Wildlife Services Contract with the United States Department of Agriculture – Agricultural Commissioner 2008-378
- ***B3** Approved and authorized the Chairman to sign the contract with the California Department of Transportation for County provided axle-load scale testing services for fiscal years 2008-2009, 2009-2010, 2010-2011 – Agricultural Commissioner 2008-379
- ***B4** Approved and authorized the Chairman to sign the FY 2008-2009 Egg Quality Contract with the California Department of Food and Agriculture – Agricultural Commissioner 2008-380
- ***B5** Approved Agreement 07-77212-000 with the State Department of Mental Health for the provision of mental health services for FY 2007-2008 through FY 2009-2010; authorized

the BHRS Director, or her Designee, to sign the agreement; and, authorized the BHRS Director to sign amendments to the agreement throughout FY 2007-2008, 2008-2009 and 2009-2010 – BHRS 2008-381

- *B6** Authorized the BHRS Director to accept Mental Health Services Act Workforce Education and Training Funds effectively immediately; and, authorized the BHRS Director, or her Designee, to sign the subsequent amendment to agreement 07-77350-000 with the State Department of Mental Health for the provision of training and services pursuant to the Mental Health Services Act Workforce Education and Training Plan submission – BHRS 2008-382
- *B7** Recognized the accomplishments of the Crows Landing Steering Committee for fulfillment of its pre-development advisory purpose and formally dissolved the Committee – CEO BD-70-5 2008-383
- *B8** Introduced and waived the first reading of Ordinance C.S. 1042 amending §2.36.020 of the Stanislaus County Code to update Safety Board membership; and, finds that the subject Ordinance does not have the potential for causing a significant effect on the environment and, pursuant to §156061(b)(3) of Title 14 of the California Code of Regulations is exempt from CEQA – CEO ORD-55-H-4 2008-384
- *B9** Ratified ordinances passed by Turlock Rural Fire District and Hughson Fire District adopting and amending the 2007 California Fire Code; and, authorized the Stanislaus County Fire Warden, or his Designee, to file a copy of the findings, with the Building Standards Commission as prescribed by Government Code §17958.7 and 13869.7 – CEO/Fire Warden DF-04-33; DF-12-B-24 2008-385
- *B10** Approved the amended agreement with Sierra Vista Child and Family Services for providing counseling and parent education services; and, authorized the CSA Director, or her Assistant Director Designee, to sign the amended agreement not to exceed the total agreement amount of \$372,088 for the period of 06/01/07 through 06/30/08 – CSA 2008-386
- *B11** Approved the new Salvage Policy – GSA 2008-387
- *B13** Approved the contract with the California Department of Health Services for Medi-Cal Administrative Activities (MAA) for the period of 07/01/08 through 06/30/11; and, authorized the HSA Managing Director, or her Designee, to sign the contract – HAS 2008-388
- *B14** Approved the Underground Storage Tank Local Oversight Program contract No. 08-018-250 with the State Water Resources Control Board; authorized the Director of DER, or her Designee, to sign the contract; and, authorized the Director of DER, or her Designee, to sign any future amendments to the contract No. 08-018-250 not exceeding the original contract amount – DER 2008-389
- *B15** Approved entering into a contract with Crout and Sida Criminal Justice Consultants, Inc. for architectural programming services for the Public Safety Center Jail Expansion Project; authorized the CEO to execute and sign agreements, purchase orders and work authorizations for professional architectural programming services to manage the project at a cost no greater than \$128,000; and, authorized the Auditor-Controller to transfer \$17,142 of appropriations from Services and Supplies to Fixed Assets as recommended in the journal voucher – CEO 2008-390
- *B16** Approved the 2008 agreement between the 38th Agricultural Association - Stanislaus County Fair Board and Stanislaus County for the Sheriff to provide security at the Fair; and, authorized the CEO and the Sheriff-Corner to sign the agreement on behalf of the County – Sheriff 2008-391

- ***B17** Approved the Independent Contractor Agreements in excess of \$100,000 for various contractors for FY 2007-2008; and, authorized the HSA Managing Director, or her Designee, to sign the agreements – HAS 2008-392
- ***B18** Authorized the Auditor-Controller to issue checks totaling \$189,250.88 per the list of claims for excess proceeds submitted in accordance with Revenue and Taxation Code §4675 from the 02/28/07 Sale of Tax Defaulted Properties – T/TC 2008-393
- ***B19** Accepted the Stanislaus County Treasury Pool's April 2008 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 distributed to the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign on behalf of the Board that the report has been reviewed and accepted – T/TC 2008-394
- ***B20** Authorized the CEO to finalize and execute the agreements for the period of 07/01/08 through 06/30/11 with the law firm of Grisez, Orestein & Hertle and the law firm of Perry & Associates for the continued provision of legal representation of indigents which the Public Defender is unable to represent due to conflict of interest – CEO 2008-395
- ***B21** Authorized the CEO to enter into a written agreement with the County Treasurer to borrow a maximum of \$40 million to fund the annual cash advance of the property tax delinquencies for FY 2008-2009; authorized the commitment of uncollected taxes and penalties to secure the advance to each participating jurisdiction's operating fund, pursuant to Revenue and Taxation Code §4705; and, authorized the Stanislaus County Auditor-Controller and Treasurer to establish funds and accounts and take such other actions as they deem necessary and as may be permitted by law to fund the Teeter Plan through an internal borrowing from the Treasurer-Tax Collector – Auditor-Controller 2008-396
- ***B22** Set a public hearing on 07/15/08, at 6:35 p.m., to introduce and waive the first reading of an ordinance to amend Chapter 7.50 Animal Services Fees, to adopt fees set forth in the Department of Animal Services 2008 Fee Schedule, to repeal Chapter 7.52 Veterinary Services Fees, and to adopt a Two Tier Fee Schedule for the Stanislaus County Alternative to Euthanasia (SCATE) Program; and, **corrected** the typographical error for the proposed fee amounts located in the table on page 7 of the staff report to reflect the correct amounts as follows: "\$72.00 for Low income SCATE vouchers, and \$140.00 for Standard SCATE vouchers" – Animal Services ORD-55-H-5 2008-397
- ***B23** Authorized the Sheriff to re-apply for the Adult Mentally Ill Offender Crime Reduction Grant from the Corrections Standards Authority to provide intensive supervision and therapeutic support services to mentally ill offenders; authorized the Sheriff to accept the funding; and, approved a resolution as required by the Corrections Standards Authority authorizing the Sheriff to re-apply for the Mentally Ill Offender Crime Reduction Grant – Sheriff 2008-398
- ***B24** Approved entering into an agreement with POSitive Technology.com, Inc. for the design, delivery and installation of a park campground reservation system and a retail management and reporting system; authorized the Director of Parks and Recreation, or her Designee, to sign an agreement with POSitive Technology.com, Inc., for the design, delivery, and installation of a park campground reservation system and a retail management and reporting system at an amount not to exceed \$213,695.80; authorized the Director of Parks and Recreation, or her Designee, to sign amendments to the agreement for an overall total not to exceed \$245,750.17, that includes contingency funding up to \$32,054.37, which is equal to a maximum of 15% of the total contract amount; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$65,750.17 as detailed in the Budget Journal Form – Parks 2008-399

- *C1 Authorized the Director of Public Works to sign and submit the applications for the renewal of the General Leases with the California State Lands Commission for three existing County bridges: Las Palmas Road Bridge across the San Joaquin River; Carpenter Road Bridge across the Tuolumne River; and Geer-Albers Road Bridge across the Tuolumne River
– PW 2008-400
- *C2 Adopted plans and specifications for the Stanislaus County 2008 Chip Seal Program (Asphalt Emulsion) and set the bid opening date and time for 06/25/08, at 2:30 pm.; approved the purchase of chip for the Stanislaus County 2008 Chip Seal Program (Asphalt Emulsion); and, directed the GSA Director/Purchasing Agent to publish notice inviting bids for the project as required by law and set 06/25/08, prior to 2:30 pm., as the deadline for submission of bids – PW 2008-401
- *C3 Adopted the resolution to authorize the Public Works Director to enter into an agreement with PG&E Company to allow the installation of PG&E SmartMeter communication equipment on specified County-owned street light poles; and, authorized the Public Works Director to sign the Street Light License Agreement with the PG&E Company – PW 2008-402
- *C4 Authorized the Director of Public Works to sign the Project Charter for State Route 219 Phase II Improvements for Plans, Specification and Estimate and Right of Way Phases of the Project with the Department of Transportation and StanCOG – PW 2008-403
- *C5 Adopted a resolution authorizing a MOU with the California Department of Transportation to conduct Resolution of Necessity hearings to assist in acquiring property for State Route 219 Phase II Improvements and to provide appraisal packages for the acquisition of property on local segments of Carver Road and Tully Road; and, authorized the Chairman to sign the MOU – PW 2008-404
- *C6 Approved the purchase agreement for the subject acquisition; authorized the Chairman to execute the agreement; directed the Auditor-Controller to increase appropriations and estimated revenue for the Ladd Road at McHenry Avenue Intersection Improvement Project by \$116,073 per the financial transaction sheet; and, directed the Auditor-Controller to issue a warrant in the total amount of \$116,073, payable to Fidelity National Title Company, for the purchase amount of \$114,573 and \$1,500 for estimated escrow fees and title insurance – PW 2008-405
- *D1 Rescinded all or a portion of Williamson Act Contract No. 1972-0619 (Lake Road, Southwest of La Grange) and approved a new contract pursuant to Minor Lot Line Adjustment 2007-45 (Mooneyham) and authorized the Planning Director to execute a new contract; 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 2008-406
- *D2 Approved the authorization of continued participation with the City of Turlock in the HOME Investment Partnerships Consortium; and, authorized the Interim Director of Planning and

Monteith/DeMartini(4-0)(Grover absent) ***B12** Approved the new Vehicle Replacement Plan; dissolved the GSA Vehicle Replacement Fund (fund 5022) effective 07/01/08; authorized repayment from the remaining funds, the Ag Commissioner and the DA an amount equal to the depreciation paid on vehicles purchased by the respective departments, approximately \$141,915; authorized transfer of remaining funds equal to the operating deficit created upon establishment of the Vehicle Replacement Fund, to the GSA Fleet Services Division (fund 5021), approximately \$308,000; authorized return of any remaining funds to the General Fund; and, reassigned all vehicles out of the Vehicle Replacement Fund to the appropriate Departments – GSA 2008-408

DeMartini/Monteith (4-0)(Grover absent) **B25** Accepted the Updated Juvenile Justice System Needs Assessment for Juvenile Detention Facilities; authorized staff to issue a RFP for Programming Services, and to return to the Board for final selection of the most qualified firm; and, authorized the CEO and Department of Planning and Community Development to initiate an environmental review as required by CEQA, and if necessary to issue a RFQ for Professional Consulting Services to complete the CEQA review – CEO 2008-409

Corr 1 Referred to the Department of Planning and Community Development a letter from the Children’s Health Forum regarding the Lead Hazard Reduction Demonstration Grant Program through the Department of Housing and Urban Development (HUD).

Corr 2 Referred to the CEO a letter from Oates Investments supporting the annexation of the West Patterson Business Park in Patterson, CA into the Stanislaus Enterprises Zone.

Corr 3 Referred to the District Attorney, Chief Probation Officer and the Sheriff copies of the “Life after Lockup: Improving Reentry from Jail to the Community” and “The Jail Administrator’s Toolkit for Reentry” from the U.S. Department of Justice’s Bureau of Justice Assistance Jail Reentry Roundtable Initiative.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Frank Sottile; Samuel Porter; Colleen Jackson, Thirel Gene Jackson, Ronald Gene Jackson and Douglas A. Jackson; Kevin P. Voss; Francisco Ramirez; Joshua Lefler; and, Santos Samuel Martinez, Jr.

Adjourned to closed session at 9:35 a.m. Conference with Legal Counsel - Existing Litigation -- One Case: County of Stanislaus v. Wallace Ryburn and Barbara Ryburn. Stanislaus County Superior Court Case No. 37867. Government Code §54956.9(a)

Closed Session Announcement: O’Brien/DeMartini (4-0)(Grover absent) Approved the Settlement Agreement, which includes the owners to pay \$100,000 to Stanislaus County, both parties agree not to disparage the other party, and both parties dismiss the Complaint and Cross-Complaint; authorized the Chairman to sign the Agreement; and, directed County Counsel to finalize the agreement and to take all steps necessary to resolve the litigation 2008-410

Adjourned at 9:49a.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.)