

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

Special and Regular Session  
District Two Vacant  
Pledge of Allegiance to the Flag

Tuesday

December 16, 2008

Special Session convened at 6:00 p.m.

**Recessed to Closed Session at 6:00 p.m.** for conference with Legal Counsel - Anticipated Litigation - One Case. Government Code §54956.9(c).

**Reconvened at 6:30 p.m.** for Regular Session

A moment of silence was held in memory of Stanislaus County Chairman of the Board Thomas W. Mayfield.

A tribute to Stanislaus County Chairman of the Board Thomas W. Mayfield was presented.

Loretta Carhart spoke regarding the bus service in the City of Modesto.

Monteith/Grover (4-0)(District Two vacant) Adopted the consent calendar after removing from the agenda item **\*B5** Approval to Designate Health Net as the Local Initiative Health Plan in Stanislaus County for Medi-Cal Managed Care Patients in Accordance with the State of California's Two-Plan Model for Medi-Cal Managed Care – Health Services Agency

- \*A1** Approved the minutes of 12/09/08
- \*A2** Accepted the resignation of Judy Perez from the Empire MAC 2008-835
- \*A3** Approved the Amended Bylaws of the Rock Creek Water District DW-14-11 2008-836
- \*A4** Approved and adopted the amendments to the Stanislaus County Conflict of Interest Code 2008-837
- \*B1** Approved the closure of Animal Services Shelter on various days in the year 2009 – Animal Services 2008-838
- \*B2** Approved renewal agreements with service providers of mental health and ancillary services for calendar year 2009 as listed in the agenda item; authorized the BHRS Director, or her Designee, to sign the agreements; and, authorized BHRS Director, or her Designee, to negotiate and sign amendments to the agreements to add services and payment for services up to \$50,000 per agreement, budget permitting, throughout calendar year 2009 – BHRS 2008-839
- \*B3** Approved the amendment with Rogers Drug Stores Pharmacy, Inc. for Pharmacy Services; and authorized the BHRS Director, or her Designee, to sign the amendment – BHRS 2008-840
- \*B4** Approved funding for an Economic Development Bank Proposal from the Economic Development Bank for FY 2008-09 in the amount not to exceed \$300,000 for the development of a Specific Plan for the Riverbank Industrial Business Park; authorized the CEO, or his Designee, to execute an agreement with the jurisdiction receiving funding from the Economic Development Bank for the 2008-09 fiscal year funding cycle; and,

authorized the Auditor-Controller to establish any and all necessary accounting protocols for the administration, tracking, disbursement and reimbursement of funds – CEO  
2008-841

- \*B6** Accepted the FY 2008-09 Grant from the California Department of Insurance for the District Attorney’s Office Automobile Insurance Fraud Program totaling \$189,512; authorized the DA to sign the grant award agreement including any extension, or amendments; approved a formal resolution as required by the State to receive this grant funding; and, directed the Auditor-Controller to increase appropriations and estimated revenue by \$4,608 per the budget journal – DA 2008-842
- \*B7** Authorized GSA to donate a variety of surplus office equipment to the Center for Human Services, a local community-based organization focused on youth counseling and education – GSA 2008-843
- \*B8** Approved the holiday closure schedule for the Urgent Care Center operations of the HSA; and, authorized the Managing Director of HSA to take those reasonable actions necessary to implement the holiday closure schedule – HAS 2008-844
- \*B9** Amended the Rules of Behavior as they pertain to internet use, for the Stanislaus County Library System as detailed in the agenda item Attachment A; and, amended Regulations Governing Special Purpose Rooms, for the Stanislaus County Library System as detailed in the agenda item Attachment C – Library 2008-845
- \*B10** Approved the request from the Mid-Valley Water Ski Club for exclusive use of the Main or South Shore Boat Ramp at Modesto Reservoir for their 54th Annual Polar Bear Day Event on 01/01/09; required Mid-Valley Water Ski Club to pay the \$90 exclusive use fee and the \$10 reservation fee; and, directed Mid-Valley Water Ski Club to adhere to the requirements as set forth by the Department of Parks and Recreation 2008-846
- \*B11** Authorized the expenditure of the Salida Planned Development Park fees to install a pilot well, controllers, monitoring system, and any other associated expenses for water conservation efforts and the use of non-potable water for CSA 10 in Salida; authorized the Parks and Recreation Director, or her Designee, to proceed with the water conservation project, negotiate and sign agreements not to exceed \$50,000 including contingency fees; and, directed the Auditor-Controller to establish a capital project fund called CSA-10, Salida Parks and Streetscapes, Water Conservation Project, Countrystone Park and make the necessary budget adjustments per the financial transaction sheet – Parks and Recreation 2008-847
- \*B12** Authorized the Sheriff to enter into and sign an agreement with Turlock Irrigation District to provide security patrol services; and, directed the Auditor-Controller to increase estimated revenue and expense appropriations in the amount of \$39,479 in the Sheriff Operations Budget for FY 2008-09, according to the budget journal – Sheriff 2008-848
- \*B13** Approved the submission of an application to the State of California, Integrated Waste Management Board (CIWMB), Tire-Derived Product Grant Program, for funding in the amount of \$72,008.50 for FY 2008-09, for the Stanislaus County Sheriff’s Regional Training Division; authorized the Sheriff, or his Designee, to sign and submit the application to the State of California, Integrated Waste Management Board; directed the Auditor-Controller, upon award of the grant, to increase estimated revenue and appropriations in the amount of \$72,008.50 in the Stanislaus County Sheriff’s Regional Training Division Budget for FY 2008-09 according to the budget journal; and, approved the resolution for the acceptance of the funding and identification of the signing authority for the grant – Sheriff 2008-849
- \*B14** Declared six County vehicles as surplus and authorized these vehicles to be auctioned; directed the Auditor-Controller to deposit all receipts from the sale of these vehicles into the

California Multi-Jurisdictional Methamphetamine Enforcement Team (CAL-MMET) Fund 1780.0028885.46000; and, directed the Auditor-Controller to increase appropriations to CAL-MMET Fund 1780.0028885.84070 by the proceeds amount to facilitate the replacement of vehicles – Sheriff 2008-850

- \*B15** Authorized the Department of Planning and Community Development to collect a fee effective 01/01/09, from any applicant for a building permit, assessed at the rate of four dollars (\$4) per one hundred thousand dollars (\$100,000) in valuation as determined by the building official, with appropriate fractions thereof, but not less than one dollar (\$1); authorized the County to retain 10% of the fees collected to be used for related administrative costs and for code enforcement education; and, authorized the County to transmit the remainder to the California Building Standards Commission for deposit in the Building Standards Administration Special Revolving fund established under Section 19831.7 of the Health and Safety Code – Planning 2008-851
- \*B16** Approved the purchase of a mobile command vehicle from Dodgen Industries, Inc. for the cities of Turlock and Ceres from Homeland Security Funding; and, authorized the GSA-Purchasing Agent to issue a purchase order for Dodgen Industries, Inc. after receipt of all required bidder's bonds in accordance with the RFP – OES/Fire Warden 2008-852
- \*B17** Authorized the Sheriff and the County's Purchasing Agent, to execute a lease with the City of Patterson for space at 33 South Del Puerto Avenue, Patterson, CA for the Sheriff Department's West Area Command Law Enforcement Operations – Sheriff 2008-853
- \*C1** Finds that Ordinance C.S. 1048 is not subject to CEQA (Public Resources Code, §2100 et. seq.); introduced and waived the first reading of Ordinance C.S. 1048 amending §11.08.040 of the Stanislaus County Code, amending green curb markings on Maud Avenue in the Keyes area; and, §11.08.110 of the Stanislaus County Code, amending blue curb markings on Elm Street in the Denair area – PW ORD-55-I-4 2008-854
- \*C2** Finds that Ordinance C.S. 1049 is not subject to CEQA (Public Resources Code, §2100 et. seq.); introduced and waived the first reading of Ordinance C.S. 1049 amending §11.08.020 and 11.08.120 of the Stanislaus County Code, amending No Parking Anytime Zones on Rodden Road and Rancheria Drive in the northeast Oakdale area; and, amending No Truck Parking Zones on Seventh Street in the Keyes area and Paradise Road and Florette Avenue in the west Modesto area – PW ORD-55-I-5 2008-855
- \*C3** Authorized the Director of Public Works to sign a Deferred Improvement Agreement with City of Patterson for the Patterson Yard – PW 2008-856
- \*C4** Adopted plans and specifications for the Denair Lighting District Improvements - Phase I and set the bid opening date and time for 01/28/09, at 2:00 p.m.; directed the Clerk of the Board to publish notice inviting bids for the project as required by law and set 01/28/09, prior to 2:00 p.m., as the deadline for submission of bids; and, directed the Public Works Department staff to mail a notice inviting bids to trade journals as required by law – PW 2008-857
- \*C5** Increased the appropriated funds for the Construction Contract with Agee Construction Corporation, Clovis, California, by the amount of \$100,418.00 for the construction of the Stanislaus County Intersection Improvements - Phase 2: Santa Fe Avenue Bridge Widening and Retrofit Project; authorized the Director of Public Works to execute a contract change order with Agee Construction Corporation for an additional \$100,418.00 and to sign necessary documents; and, directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet – PW 2008-858
- \*D1** Rescinded all or a portion of Williamson Act Contract #1978-3516 & Contract #1982-3795 (Wren Road, in the Oakdale area); approved a new contract pursuant to Minor Lot Line Adjustment #2006-37, Batezell 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 2008-589

**\*E1** Introduced and waived the first reading of Ordinance C.S. 1050 approving the Amended Modesto Redevelopment Plan clarifying that the land uses described in the plan match the City of Modesto General Plan and the Redevelopment Agency’s Master Plan; and, finds that Ordinance C.S. 1050 is not subject to CEQA (Public Resources Code §2100 et seq.) pursuant to CEQA Guidelines §15378(b)(2), (4) – County Counsel  
ORD-55-I-6 2008-860

Grover/O’Brien (4-0)(District Two vacant) **6:40 pm** Conducted the public hearing; finds that GPA #2008-05, a minor text amendment to add the Stanislaus County Multi-Jurisdictional Hazard Mitigation Plan to the Safety Element of the General Plan, is exempt from CEQA pursuant to State CEQA Guidelines, §15601(b)(3) and ordered the filing of the Notice of Exemption; finds that: (a) the General Plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses, and (b) the County and other affected government agencies will be able to maintain levels of service consistent with the ability of the government agencies to provide a reasonable level of service; and, approved GPA #2008-05 - Minor Text Amendment to add the Stanislaus County Multi-Jurisdictional Hazard Mitigation Plan to the Safety Element of the General Plan – Planning 2008-863

O’Brien/Grover (4-0)(District Two vacant) **6:45 pm** Conducted the public hearing; and, approved the Stanislaus County District Attorney and Stanislaus County Sheriff’s Department Expenditure Plans for the State Supplemental Law Enforcement Services Fund (SLESF) 2008-864

O’Brien/Monteith (4-0)(District Two vacant) **B18** Authorized the CEO to prepare and submit an application for funding under the Department of Corrections 2007 Local Youthful Offender Rehabilitative Facility Construction Funding Program (SB-81); approved the formal resolution as required by the State for submission of the application; and, directed staff to return to the Board of Supervisors with a detailed implementation plan if State funding is approved – CEO 2008-861

Monteith/Grover (4-0)(District Two vacant) **B19** Authorized the CEO to rescind notice of intent to terminate the existing agreements effective 12/31/08 with the cities of Modesto, Ceres, Patterson, Hughson, and Waterford for the provision of Animal Services; and, authorized and approve the CEO to negotiate preliminary agreements with the Cities who will be participating in a new animal shelter – CEO 2008-862

**Corr 1** Referred to the Department of Parks and Recreation and to the Fish and Wildlife Committee, a letter from the State Department of Fish and Game regarding their intent to recommend a J-18 Pacific-Grizzly Flat Apprentice Either-Sex Deer Hunt.

**Corr 2** Referred to the CEO, a copy of the Treasurer's Statement of Assets for 09/25/08, with the Accountant's Report and Management Comments from the Auditor-Controller.

**Corr 3** Acknowledged receipt of the Stanislaus County Employees' Retirement Association (StanCERA) Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2008.

**Corr 4** Acknowledged receipt of the California State Association of Counties Excess Insurance Authority Annual Report.

**Corr 5** Referred to the Department of Planning and Community Development, a copy of a resolution from the City of Modesto approving an amendment to the Modesto Urban Area General Plan.

**Corr 6** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Modesto City Schools; David Lucas; Andrea Marlene Mazza; and, Arnoldo Picazo Ramirez.

Vice-Chairman DeMartini gave a report on the work done by the Westside Healthcare Task Force, a coalition made of Stanislaus County, Merced County, three hospitals, two healthcare districts, three cities and healthcare providers, which are working to improve healthcare on the West Side. He thanked County staff, including the CEO-Economic Development Unit and County Counsel for their help with this taskforce.

The CEO reflected on the Year 2008 and expressed his appreciation to the Board for their leadership during these very difficult times. He reminded the public that most County offices will be closed on 12/26/08 and 01/02/09. He reported that the State Assembly and Senate are meeting concerning the State Budget deficit, and that there has not been much progress yet. He will keep the Board updated regarding the State Budget situation.

Supervisor Grover spoke regarding Ryan Dickerson and announced that there will be a dedication of the Ryan Hunter Dickerson Reading Tree in his memory on Tuesday, 12/30/08 at 3:30 p.m., at the Stanislaus County Modesto Library Children's Room, located at 1500 I Street, Modesto.

Adjourned at 8:06 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.)