

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

Regular Session

Tuesday

February 14, 2006

All Supervisors Present

Pledge of Allegiance to the Flag

Chairman Simon recognized Christine Ferraro Tallman as a recipient of the Certified Clerk of the Board Designation by the California Clerk of the Board of Supervisors Association.

Robert Stanford spoke regarding the importance of the Sheriff's Department Gang Suppression Unit, and he raised concerns regarding the Sheriff's Department's stretched resources and staffing.

Grover/Mayfield unan. Adopted the consent calendar after removing from the agenda item ***A2b** Approval to Adopt and Waive the Second Reading of Ordinance C.S. 948 Amending Title 11 of the Stanislaus County Code Adding a No Parking Zone on "C" Street in Empire and Nunes Road in Keyes; and Amending a No Parking for Specific Times Zone on Boyce Lane in the Modesto area – PW; and, after removing from consent item ***B5d** Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board Regarding 3730 Dakota Avenue, Modesto CA (CE No. 04-2056) – DER
ORD-54-Y-10 2006-118

***A1** Approved the minutes of 2/7/06

***A2a** Adopted and waived the second reading of Ordinance C.S. 947 amending Title 11 of the Stanislaus County Code adding a speed zone on Tuolumne Road in the Turlock area, Morrow Road in the Modesto area, and Bartch Avenue in the Patterson area – PW
ORD-54-Y-9 2006-88

***A3** Accepted the resignation of Stacey Morgan-Foster, J.D. from the Stanislaus Economic Development and Workforce Alliance 2006-89

***A4** Appointed Kristine Costa to the Mountain View Volunteer Fire Protection District Board 2006-90

***A5** Proclaimed the Week of 2/13/06 – 2/17/06 as Stanislaus County Employee Wellness Week 2006-91

***A6** Proclaimed the Month of March 2006 as Social Worker Recognition Month – CSA 2006-92

***A7** Set a public hearing on 3/21/06, at 6:45 p.m., to consider an appeal of the Planning Commission's decision to uphold staff determination regarding the use of a structure at 6137 McCracken Road, Westley as a second dwelling 2006-93

***B1** Approved a RFP process to select providers to operate Older Americans Act Titles III and VII and Older Californians Act Programs for FY 2006/07 – Aging & Veterans 2006-94

***B2** Authorized the Interim Purchasing Agent to issue a RFP on behalf of Link2Care, the In-Home Supportive Services Public Authority, of Stanislaus County to solicit proposals for an insurance broker; and, authorized the Executive Director of the IHSS Public Authority to select an insurance broker for an initial three-year period and two additional years on a year-by-year basis for a total of five years – CSA 2006-95

***B3** Approved the contract between Southwestern Bell Corporation (SBC) and Stanislaus County for the lease of fiber optic voice and data lines when higher capacity network is required and authorized the Chairman to execute the contract – SBT 2006-96

- ***B4** Amended the Salary and Position Allocation Resolution to upgrade one Associate Planner position to Manager II as approved by the Local Agency Formation Commission (LAFCO) 2006-97
- ***B5a** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 401 Imperial Avenue, Modesto, CA (CE No. 05-2933) – DER 2006-98
- ***B5b** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 1500 Eureka Street, Modesto, California (CE No. 05-2198) – DER 2006-99
- ***B5c** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at Maze and Spencer Boulevard, Modesto, California (CE No. 05-2847) – DER 2006-100
- ***B5e** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 531 Sutter Avenue, Modesto, California (CE No. 05-2416) – DER 2006-101
- ***B6a** Adopted the decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisances at 510 East Hatch Road, Modesto, California (CE No. 04-4020) – DER 2006-102
- ***B6b** Adopted the decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisances at 442 Olivero Road, Modesto, California (CE No. 04-3746) – DER 2006-103
- ***B7** Approved the closure of the Stanislaus County Libraries on various holidays in 2006 and 2007 – Library 2006-104
- ***B8** Authorized the County Librarian to accept the Bill and Melinda Gates Foundation Grant in the amount of \$72,000 to provide public access computer hardware and software upgrades to the Stanislaus County Free Library System; authorized the County Librarian, or her Designee, to sign an agreement with the Bill and Melinda Gates Foundation for grant funding; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$72,000 as detailed in the Budget Journal form – Library 2006-105
- ***B9** Approved the award of two and one-half year agreements for Promoting Safe and Stable Families, Child Abuse Prevention, Intervention, and Treatment, and County Children’s Trust Fund, totaling \$1,532,671, to: Sierra Vista Child and Family Services, Parent Resource Center, Center for Human Services, Haven Women’s Center, and Moss Beach Homes d.b.a. Aspira; approved the two and one-half year contract with BHRS for \$112,500; and, authorized the Director of CSA, or his Designee, to sign the agreements, and any amendments, not to exceed the agreement amounts – CSA 2006-106
- ***C1** Approved limiting access on American Avenue at Kiernan Avenue to right turns only – PW 2006-107
- ***C2** Accepted the Stewart Road frontage improvements and approved the filing and recording of the final map of Leer Court at Del Rio Subdivision north of Modesto; finds that the final map is in substantial compliance with the previously approved tentative map; finds that Stanislaus County has adopted a specific plan covering the area proposed to be included within the final map; finds that the final map, together with the provisions for its design and improvement, is consistent with the specific plan for the area; rejected the road (Leer Court) within the gated development; accepted the street improvements including the storm drain system along the Stewart Road frontage; authorized the Chairman of the Board to sign the final map; and, authorized the final map to be filed and recorded as presented – PW 2006-108

Mayfield/O'Brien (4-0)(Grover abstained) ***B5d** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 3730 Dakota Avenue, Modesto, California (CE No. 04-2056) – DER 2006-109

Mayfield/Grover unan. **B10** Accepted the report regarding the Public Health Department's Sexually Transmitted Disease Program – HSA 2006-110

O'Brien/Grover unan. **9:25am** Finds that the notice of the public hearing to consider the formation of the Paradise South Landscape and Lighting District (West Modesto area) and to conduct a ballot procedure and levy of the annual assessment in compliance with Proposition 218 was given pursuant to Government Code §53753(b), Streets and Highways Code §22552, and Streets and Highways Code §22588; conducted the public hearing to receive comments regarding the formation of the Paradise South Landscape and Lighting District, the proposed method for calculating the amount of the annual assessment, and the levy of the annual assessment to pay for the street lighting service; and, authorized the Clerk of the Board to oversee the tabulation of ballots and submit the results to the Board of Supervisors at the scheduled Board meeting on 2/28/06 – PW DLA-03-2 2006-114

Recessed to sit as the Stanislaus County In-Home Supportive Services Public Authority at 9:36 a.m.

Grover/Mayfield unan. Approved the consent calendar
9:30am (*II-A) Approved the minutes of 9/27/05

Mayfield/Grover unan. **9:30am (V-A)** Authorized the Purchasing Agent to issue a RFP on behalf of Link2Care, the IHSS Public Authority of Stanislaus County, to solicit proposals for an insurance broker; and, authorized the Executive Director to select an Insurance Broker after completion of the RFP process for an initial three-year period with an option for two additional years 2006-115

Mayfield/O'Brien unan. **9:30am (V-B)** Accepted the First Year Progress Report for Link2Care, the IHSS Public Authority of Stanislaus County 2006-116

Reconvened to sit as the Stanislaus County Board of Supervisors at 10:03 a.m.

O'Brien/Mayfield unan. **B11** Authorized the acceptance of a grant from the National Children's Alliance for the Child Abuse Interview, Referral and Evaluation (CAIRE) Center and authorized the CSA Director, or his Designee, to sign the agreement not to exceed the total contract amount of \$10,000 for the period of 1/1/06 through 12/31/06 – CSA 2006-111

DeMartini/O'Brien unan. **B12** Approved a MOU between Stanislaus County and the City of Patterson to research and identify potential cooperative regional water treatment options for communities on the west side of Stanislaus County; authorized expenditure of a fixed fee amount of \$17,400 from Crows Landing account for County participation in a City of Patterson initiated study of water quantity, quality, source identification and regional treatment options; and authorized the CEO to sign the MOU on behalf of the Board of Supervisors C-4-A-6 2006-112

Grover/DeMartini (4-0)(O'Brien abstained) **E1** Introduced, waived the reading and adopted as an urgency measure Ordinance C.S. 949 amending provisions of the itinerant vendor ordinance (Chapter 6.68) to regulate sales by roadside vendors – County Counsel ORD-54-Y-11 2006-113a & 2006-113b

Corr 1 Referred to the CEO-Economic Development Unit, a copy of the 2006 Business Issues and Legislative Guide from the California Chamber of Commerce.

Corr 2 Referred to DER, a letter from the California Regional Water Quality Control Board Central Valley Region regarding the Rotational Intensive Basin Monitoring Program that is being conducted in the County from November 2005 through October 2006 as part of the statewide Surface Water Ambient Monitoring Program (SWAMP).

Corr 3 Referred to the Department of Planning and Community Development, DER, and Parks and Recreation, a letter from the United States Department of the Interior, Bureau of Land Management, regarding a workshop for representatives of County government, State agencies and local non-governmental organizations to discuss the social and economic aspects of public lands on 3/1/06 in Jackson, CA.

Corr 4 Referred to the Department of Planning and Community Development, a letter from UC Davis regarding a course on timber harvest planning and regulation in California to be held on 3/17/06 in Redding, CA.

Corr 5 Referred to the Chief Executive Office, a letter from the Madera County Board of Supervisors requesting opposition to the proposed State changes to auto insurance rating factors.

Corr 6 Referred to Planning and Community Development, a letter from the City of Modesto regarding the proposed Regional Water Treatment Plant within the Agricultural Preserve to provide drinking water for the west and downtown areas of the city.

Corr 7 Referred to DET and the Stanislaus Economic Development and Workforce Alliance, a letter from Valley Fresh extending the mass lay off of approximately 416 employees, per the Worker Adjustment and Retraining Notification (WARN) Act, by two weeks for the time period between 2/13/06 and 2/26/06.

Corr 8 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Anny Schomburg; Ivy J. Forrest; and, Steve Strout.

Supervisor DeMartini spoke regarding the importance and the need for the water project in the Crows Landing area. He noted that by partnering with the City of Patterson, it would be a cost effective way to bring reliable and secure water supplies into the new industrial park and also to alleviate the problems that Crows Landing has with its water supply. In addition, he reported that the Airport Advisory Committee is moving ahead with airport infrastructure improvements and plans to build 50 new aircraft hangers using funds from property taxes on aircraft. He noted that these hangers would also generate rent money, which will help improve the airport. He is glad the Board agreed last year to give back the County's share of property tax money to the airport for these needed improvements.

The CEO reported that he, Supervisor O'Brien, Supervisor Grover and the Director of Communications and Legislative Affairs leave tomorrow for Washington D.C. to meet with our federal representatives. He noted that AB959-Frommer regarding certified public expenditures has passed the Assembly and has moved to the State Senate, and that SB9-Denham regarding the negative bail-out, is in a Senate Appropriations Suspense file. He gave a brief overview of the County's 2006 State and Federal Legislative Platform as proposed.

Grover/O'Brien unan. **Legislative A.** Approved the Stanislaus County 2006 Legislative Platform as **amended** to strike Item No.3, on page 14, regarding Food Stamp Fingerprint Requirements

Adjourned to closed session at 10:59 a.m. for conference with Legal Counsel - Existing Litigation: The Committee Concerning Community Improvement, et al. vs. City of Modesto, County of Stanislaus, et al., United States District Court Case No. CIV F 04-6121. Government Code §54954.5 (c).

Adjourned at 12:27 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.)