

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

Regular Session

Tuesday

July 11, 2000

Supervisor Paul absent

Pledge of Allegiance to the Flag

The CEO presented a plaque from Contra Costa County to Stanislaus County Board of Supervisors

The USDA Rural Development Funding for Salida Storm Drainage Construction Project was presented to the Board

B/S (Paul absent)(4-0) Adopted the consent calendar after removing from the consent calendar item \*B-10 Approval to Grant Pay Adjustments to Elected Department Heads' Compensation

Approved minutes for 06/27/00

Approved request from the Riverbank High School Cross Country Team for use of the Modesto Reservoir Area for Team Training 2000-545

Appointed Chuck Lyons to the East Stanislaus Resource Conservation District 2000-546

Appointed Colleen Bare and Robert Fores to the Stanislaus County Free Library Advisory Board 2000-547

Appointed Sheila Radford to the Economic Development Action Committee 2000-548

Appointed Hamilton A. Machado and Joe S. Rocha to the Hills Ferry Cemetery District 2000-549

Appointed Craig F. Grischott to the Patterson Cemetery District 2000-550

Appointed Richard B. Muniain to the Knights Ferry Cemetery District 2000-551

Appointed Tom Ott and Nick C. Blom to the Woodland Avenue Fire Protection District 2000-552

Appointed Dwayne Heinrich to the Salida Fire Protection District 2000-553

Appointed Anita Gildea-Phillips, Linda Becker, Tony Borba, Victoria Cortez, Kathy Jepson, Judith Thorkelson, Karie Ladd, Mike McGarity, Vickie Warren, Vickie Webb, Ester Rosario; Sadhu Ram Sharma and Judy Loretelli to the Stanislaus Child Care Planning Council 2000-554

Reappointed Ralph Becker and Garret Boer to the Salida Fire Protection District 2000-555

Approved a commendation for Charles R. McKenna upon his retirement from Stanislaus County District Attorney's Office 2000-556

Approved and authorized the Chairman to sign the amended Seed Enforcement (FY 99/00) and Glassy-Winged Sharpshooter Contracts (FY 99/00, 00/01) with the California Department of Food and Agriculture – Agricultural Commissioner 2000-557

Approved the list of providers who are being credentialed by Stanislaus County Behavioral Health and Recovery Services Managed Care Division as Behavioral Health Panel for National Health Plans and authorized the Chairman to sign the form 2000-558

Authorized the Director, or his Designee, to sign an agreement with the State Department of Mental Health for FY 2000-01 in which Stanislaus County agrees to administer the Managed Mental Health Care for Stanislaus County Medi-Cal Beneficiaries and to Operate the Mental Health Plan for Stanislaus County – Behavioral Health and Recovery Services 2000-559

- Authorized the CEO to accept the bid documents to install a fire sprinkler system; authorized the CEO to accept the bid documents to upgrade the security electronics system at Juvenile Hall; and, directed the staff to advertise for bids and confirm a date with the Clerk of the Board to receive bids 2000-560
- Approved the labor agreement between the County and the California Associations of Interns and Residents/Committee of Interns and Residents (CIR), representing the Resident Physicians' Bargaining Unit and implemented the provisions contained within the tentative agreement 2000-561
- Approved setting a date of 8/29/00, to consider a proposal to execute an agreement to purchase real property in Empire, CA for development as a neighborhood park and authorized the Clerk of the Board to advertise the Notice of the Intent to Purchase Real Property 2000-562
- Authorized the CEO to sign the extension of the contract with the Sacramento based Renaissance Consulting Group through 8/31/00, the completion date of the project for professional assistance in developing a strategy for the Community Development of New Programs, Partnerships and Expenditures Plans in the Early Childhood Development, Federal Welfare Reform and Tobacco Settlement Funds 2000-563
- Approved the renewal agreement WK-2000-34 with the Regents of the University of California, Davis and the Stanislaus County Community Services Agency to provide staff development for Eligibility Services Staff pursuant to the Annual California Department of Social Services Training Plan and authorized the Director of CSA, or his Assistant Director Designee, to sign the Employment Services Training Agreement WK-2000-34 and any amendments not to exceed the original contract amount of \$171,100 2000-564
- Approved Underground Storage Tank Local Oversight Program Contract #0-020-550-0 with the State Water Resources Control Board; authorized the Interim Director of DER to sign the contract; and, authorized the Interim Director of DER to approve any future amendments to Contract #0-020-550-0 not exceeding the original contract amount – DER 2000-565
- Authorized the Sheriff to sign the agreement with 2000 38th District Fair Board and Sheriff to provide security 2000-566
- Approved and authorized the Chairman to execute amendment #1 to the agreement to sell and purchase real property adjacent to Frank Raines Regional Park; authorized the Chairman to execute the grant of easement set forth in Exhibit B to Amendment #1; authorized the Chairman to execute the Quitclaim Deed set forth in Exhibit C to Amendment #1; authorized the Director of the Department of Parks and Recreation to open an escrow to conclude the purchase transaction and to take all necessary and reasonable steps required to successfully close the escrow and complete the property acquisition; and, approved and authorized the Auditor-Controller to make account expenditures necessary to complete the purchase transaction, including, but not limited to, authorization for the Auditor-Controller to issue a warrant in the appropriate amount to be deposited into escrow 2000-567
- Introduced and waived the first reading of Ordinance C.S. 734 to institute a Passport Photograph Fee of \$15.00 pursuant to Government Code Section §54985 – Clerk Recorder ORD-54-F-6 2000-568
- Established a new County Department of Child Support Services pursuant to Family Code Section 17304; directed the Auditor-Controller to establish a new organization in the Special Revenue Fund; amended the Salary and Position Allocation Resolution to add a

- new Department Head position of Director of Child Support Services at Band G and assign the position to the newly formed County Department of Child Support Services; and, will appointed a Director of Child Support Services consistent with the qualifications established by the State Department of Child Support Services in accordance with the California Family Code Section 17304 2000-569
- Approved the plans and specifications for the 2001 County Overlay - Phase 1 Project; authorized the Clerk Of The Board to schedule the dates for advertising the project on 7/19 & 26/00 and 8/2/00, with the bid opening scheduled for 8/9/00 at 2:30 p.m.; and, authorized the Auditor-Controller to increase Appropriations by \$2,000 in the Project account to cover the costs of advertising 2000-570
- Approved the Subdivision Improvement Agreement for Tentative Parcel Map #99-11 for Raiszadeh and authorized the Chairman to execute the subdivision improvement agreement – Public Works 2000-571
- Approved annexation of Territory to the Salida Highway Lighting District without an Election (Astoria Sound Annexation); find that the territory, more particularly described on Exhibits "A" and "B" ("territory"), is owned by petitioner, and that petitioner's ownership represents 100% of the total assessed valuation of all taxable property within the territory proposed to be annexed into said district; find that Stanislaus County Code, Section 21.40.040 ("Ordinance"), requires the installation of a street lighting system to serve the territory; find that the territory proposed to be annexed is not within the limits of any other lighting district; find that public necessity and welfare require that the territory be annexed to the lighting district; ordered that the requirements of notice, hearing, and election shall not be applicable to this proceeding, pursuant to Streets and Highways Code, Section 19056; ordered that the territory be annexed to the Salida Highway Lighting District of Stanislaus County; directed the Clerk of the Board to enter in the minutes of the Board of Supervisors the fact of the filing of the petition and the Board's approval of the resolution annexing to the lighting district; ordered that, pursuant to the Streets and Highways Code, Section 19000, et seq, the cost of conducting and maintaining the lighting district shall be assessed against the individual parcels of land within the district's boundaries; directed the Clerk of the Board of Supervisors to send a certified copy of the resolution ordering the annexation to the lighting district to the offices of the Assessor, Elections, Auditor-Controller, and the Clerk-Recorder; and, directed the Department of Public Works to send a certified copy of the resolution ordering the annexation to the lighting district and all other required documents and the processing fee to the State Board Of Equalization – Public Works DL-3-B-7 2000-572
- Set a public hearing for 8/22/00, at 9:25 a.m. to introduce, waive the reading of, and adopt an ordinance to set transit fares for Stanislaus Regional Transit (“StaRT”) – Public Works ORD-54-F-7 2000-573
- Set public hearing regarding the Stanislaus County/City of Turlock Consortium Consolidated Plan for the Home Investment Partnership Program for 8/8/00 at 9:30 a.m. – Planning 2000-574
- Approved the Home Investment Partnership Program Relocation Plan and Certification – Planning 2000-575
- Declared the Formation of the Eastin Water District in accordance with California Water Code Section 34500, the Board on 6/27/00 declared the results of the Eastin Water District Formation election and now, therefore, be it resolved that the Board shall by order enter on its minutes declare the territory (Eastin Water District) formed as a district and shall

issue Certificates of Election to the persons selected to the district office; and in accordance with California Water Code Section 34501, the Board shall immediately file for record in the Office of the Stanislaus County Recorder a certified copy of the order declaring the district formed – Planning DW-18-3 2000-576

Set public hearing for Rezone Application #2000-10 - Lemke Construction, Inc. for 8/8/00 at 9:35 a.m. – Planning 2000-577

Approved rescinding the Williamson Act Contract #73-1319 and a portion of Williamson Act Contract #73-1543 and approved new contract for the Hudelson Family Trust Lot Line Adjustment 2000-20 and, authorized the Planning Director to execute the new contract; find 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; find 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; find at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; find after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Section 51222; find 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; find the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; find 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 2000-578

Authorized support of the California Tire Recycling Enhancement Act (SB876) with the following modifications: 1. New tire fee should be directed to tire recyclers rather than the California Integrated Waste Management Board and 2. Tire incineration should be included in the definition of waste tire recycling – DER 2000-579

B/S (Paul absent)(4-0) Approved a 5% pay adjustment to the Assessor, Auditor-Controller, and Clerk-Recorder effective 7/1/00; approved a 1.22% pay adjustment to the District Attorney effective 7/1/00; and, authorized the CEO to complete an in depth comparison of duties among elected department heads and return to the Board with the findings and recommendations 2000-580

B/M (Paul absent)(4-0) Authorized CSA to redirect \$204,000 of previously authorized CalWORKs incentive funds to HSA for Outreach Expansion and Provision of Family Life Education Services; authorized the Director of CSA, or his Designee, to sign a contract with HSA and any amendments not to exceed the total contract amount of \$204,000; authorized an amendment to the Salary and Position Allocation to increase the HSA allocation in Budget Unit 4051 per the staffing section; and, authorized the Auditor-Controller to make the appropriate adjustments to the HSA budget 2000-581

B/S (Paul absent)(Caruso abstained)(3-0) Accepted the Status Report Regarding Modesto Tallow 2000-582

M/B (Paul absent)(4-0) Set the 2000/2001 Annual Assessment for the Riverdale Landscape and Lighting District; find that the notice of the public hearing was published in compliance with Section 6066 of the Government Code; conducted a public hearing to receive comments regarding the 2000/2001 Annual Assessment for the Riverdale Landscape and Lighting District; set the 2000/2001

Annual assessment as shown on exhibit "A" for the Riverdale Landscape and Lighting District; make the "Engineer's report for the Riverdale Landscape and Lighting District FY 2000/2001" a part of the record of this proceeding; and, authorized the Auditor-Controller to add the Annual Assessment to the 2000/2001 Tax Roll 2000-583

B/S (Paul absent)(4-0) Set the 2000/2001 Annual Assessment for the Shackelford Landscape and Lighting District; find that the notice of the public hearing was published in compliance with section 6066 of the Government Code; conducted a public hearing to receive comments regarding the 2000/2001 Annual Assessment for the Shackelford Landscape and Lighting District; set the 2000/2001 annual assessment as shown on Exhibit "A" for the Shackelford Landscape and Lighting District; made the "Engineer's report for the Shackelford Landscape and Lighting District FY 2000/2001" a part of the record of this proceeding; and, authorized the Auditor-Controller to add the Annual Assessment to the 2000/2001 Tax Roll 2000-584

S/B (Paul absent)(4-0) Set the 2000/2001 Annual Assessments for Various County Service Areas; find that notice of the public hearing was published in compliance with Section 6066 of the Government Code; conducted a public hearing to receive comments regarding the 2000/2001 Annual Assessments; set the 2000/2001 annual assessments as shown on exhibits "A" through "K" for the following county service areas: CSA # 4 - Bristol Glen; CSA #5 - Starlite Place; CSA #6 - Raymond Tract; CSA #7 - Modesto Auto Center; CSA #8 - Honey Bee Estates; CSA #9 - River/Souza; CSA #11 - Gilbert Road; CSA #12 - Peach Blossom Estates; CSA #13 - La Jolla; CSA #14 - United Pallet; and, CSA #15 - Patterson Gateway; made the Engineer's report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the Annual Assessments to the 2000/2001 Tax Roll 2000-585

B/M (Paul absent)(4-0) Introduced, adopted and waived the readings of Ordinance C.S. 731 regarding an amendment to Chapter 7.32, Section 7.32.180 of Stanislaus County Code to approve the mandatory microchipping of bite dogs – Animal Services ORD-54-F-2 2000-586(a) & 2000-586(b)

B/S (Paul absent)(4-0) Introduced, adopted and waived the readings of Ordinance C.S. 732 regarding an addition to the Stanislaus County Code for the purpose of increasing dog license fees – Animal Services ORD-54-F-3 2000-587(a) & 2000-587(b)

S/B (Paul absent)(4-0) Introduced, adopted and waived the readings of Ordinance C.S. 733 regarding an addition of Section 7.32.190 to Chapter 7.32 of the Stanislaus County Code – Fine for Impounded Nonspayed or Unneutered Dog(s) – to Allow the Department of Animal Services to Collect an Additional Fine for Unaltered Impounded Dogs, Pursuant to the Mandate of Section 30804.7 of the California Department of Food and Agriculture Code – Animal Services ORD-54-F-4 2000-588(a) & 2000-588(b)

B/S (Paul absent)(4-0) Accepted the Final Reports from the Stanislaus County 1999-2000 Civil Grand Jury: Part Sixteen for the Sheriff's Department Correctional Facilities Inspection; Part Seventeen for the Stanislaus County/Grant Thornton Audit; Part Eighteen for the Board of Supervisors/District Attorney West Stanislaus County Fire Protection District regarding the Westley Tire Pile; and, the 1999-2000 FY Stanislaus County Civil Grand Jury Final Report M-39-F-3 2000-589

Referred to DET a letter from the Proctor & Gamble Company regarding the permanent closure of all operations at its Modesto manufacturing facility

Referred to Public Works a letter from the California Energy Commission regarding the availability of loans for energy efficiency projects

Referred to Public Works a letter from the Salida Fire Protection District regarding the Annual Review and Report of Capital Facilities Fees Collected

Referred to DER and to the Agricultural Commissioner a Notice of Petition for Temporary Change from the State Water Resources Control Board involving the transfer of 86,580 acre-feet of water to areas within the Westlands Water District

Referred to Planning and Community Development a letter from the Department of Housing and Community Development Division of Community Affairs regarding the awarding of a \$500,000 grant to Stanislaus County from the 2000 General/Native American Allocation of the State Community Development Block Grant (CDBG) Program

Referred to Planning and Community Development a letter from the Stanislaus County Farm Bureau regarding the Proposed Merger 2002-02 McKinzie Tract Application

Referred to the Department of Employment and Training a letter from the State Employment Development Department regarding the Adult and Dislocated Worker Split Funding for PY 2000

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Xe Chue; Victor Quigley; Terry Foote; and, Mai Van, Neng Vang Xiong, Chai Xiong, Fong Xiong, Ka Nhia Xiong, Mai Xiong

Assistant CEO Patricia Hill Thomas noted that Supervisor Simon has worked with artist Betty Saletta and the Mistlin family regarding the placing of a water feature with the statue of Chief Stanislaus at the County Courthouse. Supervisor Simon noted that the entire project would be donated by the Mistlin family. The County would need to approve, in writing, that the allocation of space and the provision of electricity and a water line would need to be provided by the County. The current ordinance allows for the CEO to have authority to begin the project and a formal action will be taken by the Board on 8/8/00.

A discussion ensued regarding security around the plaza area. Assistant CEO Patricia Hill Thomas informed the Board of existing and future plans regarding this issue.

Supervisor Blom requested that the County become involved with the closing of manufacturing businesses in the area and Chairman Caruso noted that the CEO and SCEDCO have already started making contacts. He noted that the Tri-Valley Grower Cannery economic situation has the potential of having an impact on our local economy. Supervisor Mayfield noted that the farmers would be the last to be paid, since Tri-Valley is a co-op, and was not reducing the salaries of their management.

Supervisor Simon noted that the Proctor and Gamble plant has the potential for a new manufacture. Chairman Caruso noted that the Board is very active in pursuing new economic development in this County unlike what was indicated in a recent Modesto Bee editorial.

M/B (Paul absent)(4-0) Authorized opposition to SB673 (Tobacco Settlement)

2000-590

Received the status report on the Chief Executive Office's Projects and directed the CEO to return to the Board, on a monthly basis, with an update of projects being conducted by the CEO 2000-591

Adjourned at 11:15 a.m.

ATTESTED: REAGAN M. WILSON, Clerk  
of the Board of Supervisors  
of the County of Stanislaus  
State of California

BY: CHRISTINE FERRARO TALLMAN, Clerk to 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.)