

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

Regular Session
Supervisor Simon absent

Tuesday

March 13, 2001

Presentation of Flag by Girl Scout Troops and Pledge of Allegiance to the Flag.

Presented a proclamation to the Girl Scout Troops proclaiming the week of 3/12/01 as Girl Scout Week.

M/C (4-0) (Simon absent) Adopted the consent calendar after removing from the consent calendar item *B6 – Approval to Include a Fountain and Fencing in the Plans for the Garden of Healing for Victims of Crime; and, after pulling off of the Agenda item *D3 – Approval of Salida Planned Development Road Account Expenditure

- *A1 Approved the minutes of 2/27/01
- *A2 Adopted and waived the second reading of Ordinance C.S. 754, Amending Property Tax Administration Costs, Chapter 4.44 of the Stanislaus County Code ORD-54-H-6 2001-158
- *A3 Proclaimed the month of March as Social Worker Recognition Month 2001-159
- *A4 Commended Ashante Williams, Carla Ann Perez, Inell Sheppard, Jean Marie Miscisin, Marguerite Dill, and Maria Tuiasosopo upon their “Women of the Year” nomination by the Minority Women Network of Stanislaus County 2001-160
- *A5a Appointed Patrick Alves to the Storm Drain District #8 Board of Directors 2001-161
- *A5b Appointed Joe M. Borba to the Riverdale Park Tract Community Service District Board 2001-162
- *A6 Reappointed Gary Dial, Arlene Stevens, Howard Mallory and Marianne Rucker and accepted the resignation of Stella Beratlis from the Earl Pride Scholarship Committee M-72-9 2001-163
- *A7 Appointed Christine Ferraro Tallman as the Clerk of the Board of Supervisors 2001-164
- *A8 Commended Pat Glatke upon her retirement from the Stanislaus County Sheriff’s Department 2001-165
- *A9 Authorized the Clerk-Recorder to conduct a special election on 5/22/01 on behalf of Patterson Unified School District for their General Obligation Bond Election 2001-166
- *A10 Proclaimed 3/21/01 as the Assyrian New Year Day 2001-167
- *B1 Approved and authorized the Chair to sign the FY 2000/01 Weed Management Contract with the California Department of Food and Agriculture, and directed the Auditor-Controller to increase Revenue and Appropriations, assign appropriate account numbers and make the necessary financial transactions – Agricultural Commissioner 2001-168
- *B2 Approved and authorized the Chair to sign the amended FY 2000/01 Pest Detection Contract with the California Department of Food and Agriculture; and directed the Auditor-Controller to increase Appropriations and Revenue – Agricultural Commissioner 2001-169
- *B3 Approved the Public Facilities Annual Financial Review for the FY ending 6/30/00 – Auditor-Controller 2001-170
- *B4 Approved the amendment to the Net Negotiated Amount and Drug Medi-Cal Agreement with the State Department of Alcohol and Drug Programs for FY 2000/01; authorized the Director, or his Designee, to sign future amendments to the Net Negotiated Amount and Drug Medi-Cal Agreement proposed by the State in FY 2000/01, not to exceed \$100,000 – BHRS 2001-171

- ***B5** Authorized the CEO to negotiate and execute an agreement for professional services for development of demographic analysis and projection of demand for Health Services and other County services – CEO 2001-172
- ***B7** Approved the restriction of locations where an unwanted newborn infant may be taken within Stanislaus County to public and private hospital emergency departments, pursuant to the new Child Abandonment Law (AB1764), that became effective 1/1/01 – HSA 2001-173
- ***B8** Authorized the appointment of Karri Hawkins to the position of Software Developer II, HSA, at the fifth step of the salary range, \$25.85 per hour – HSA 2001-174
- ***B9** Authorized the Sheriff to make application to the Department of Alcoholic Beverage Control for a grant for local law enforcement to assist in the regulation of ABC Licensees in Stanislaus County; adopted a resolution undertaking a project designated as “Targeted Abatement Project”; and, authorized the Sheriff to sign any grant application forms – Sheriff 2001-175
- ***B10** Approved the discharge of the accountability of the Treasurer-Tax Collector for departmental accounts which are uncollectible and have been previously charged to the Revenue Recovery Division in the amount of \$142,080.90 – Treasurer-Tax Collector 2001-176
- ***B11** Adopted a resolution authorizing school districts under the jurisdiction of the County Superintendent of Schools to issue and sell school bonds directly, pursuant to State law – Debt Advisory Committee 2001-177
- ***B12** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding Abatement Hearing #2001-03, located at 5537 Claus Road, Modesto – DER 2001-178
- ***C1** Authorized the Auditor-Controller to increase Appropriations by \$64,000 and to increase Anticipated Federal Revenue by \$44,265 for preliminary engineering for the River Road Bike Lane Project; and, authorized the Auditor-Controller to make accounting adjustments as necessary to complete the design of the project – Public Works 2001-179
- ***C2** Authorized the Auditor-Controller to increase Appropriations by \$95,565 and to increase Anticipated Federal Revenue by \$84,604 for the Westley Triangle Landscape Project; and, authorized the Auditor-Controller to make accounting adjustments as necessary to complete the Westley Triangle Landscape Project – Public Works 2001-180
- ***D1** Approved the amendment to the Stanislaus County Home Investment Partnerships Program (HOME) Guidelines that eliminates the clause relating to the lien amount reduction over a period of forty years – Planning and Community Development 2001-181
- ***D2** Approved the amendment to the Stanislaus County Program Income Reuse Plan to include new construction – Planning and Community Development 2001-182
- ***D4** Set public hearing for Rezone Application #2000-17 – Walter Koenig for 4/10/01 at 9:25 a.m.
ORD-54-H-7 2001-183
- ***D5** Set public hearing for Crows Landing Flight Facility Reuse Plan for 4/10/01 at 9:30 a.m.
BD-70-2 2001-184

M/C (4-0) (Simon absent) ***B6** Amended item to accept the gift of time, materials and services provided from Jim Rende, Vintage Pools and Lois Ables; approved the inclusion of a fountain in the plans for the Garden of Healing for victims of crime on the Courthouse lawn; approved use of County water and electricity to operate the fountain; and, approved a wrought iron fence encircling the garden – DA 2001-185

B/M (4-0) (Simon absent) **B15** Approved the agreement with Modesto City Schools (MCS) for the expansion of the After School Learning Program to include services to families who are not eligible for the TANF Program; authorized the CSA Director, or his Assistant Director Designee, to sign the agreement not to exceed the total contract amount of \$540,960; approved the agreement with Stanislaus Office of Education (SCOE) for the expansion of the After School Learning Program to include services to families who are not eligible for the TANF Program; and, authorized the CSA Director, or his Assistant Director Designee, to sign the agreement not to exceed the total contract amount of \$919,632 - CSA 2001-188

B/C (4-0) (Simon absent) **9:20 a.m.** The Board concurred with the Planning Commission's recommendations for Rezone Application #2000-21, Parcel Map Application #2000-33 and Variance Application #2000-05 – Lapham Partners, based on the information contained in the staff report, testimony received from staff and other individuals that spoke on this issue; the Board issued a Mitigated Negative Declaration, based on the Initial Study and Mitigation Measures; made the finding that the project is De Minimis for the purpose of Fish and Game Codes; finds that the project is consistent with the overall goals and policies of the County General Plan and Salida Community Plan; finds that the proposed PI Zoning is consistent with the Planned Development General Plan description; determined that none of the findings set forth in the staff report precluding the parcel map approval can be made; determined that sufficient evidence has been put forth to make all the three findings set forth in the staff report required for the approval of the variance application; finds that the project will increase activity in and around the project area, and increase demands for roads and services, thereby requiring dedications and improvements; approved Rezone Application #2000-21, subject to the attached development standards and conditions; approved Variance Application #2000-05; approved Parcel Map Application #2000-33, subject to the attached development standards and conditions; and, introduced, waived the reading, and adopted Ordinance C.S. 755, for the approved Rezone Application #2000-21, for Lapham Partners to rezone approximately 9.0 acres from A-2-40 (General Agriculture) to Planned Industrial and create 9 parcels ranging from 0.59 to 1.56 acres on property located on the southeast corner of Pirrone Road and Pirrone Court, just east of Highway 99, in the unincorporated community of Salida, to allow the development of a planned industrial business park with permitted uses under §21.42.02 of the Stanislaus County Zoning Ordinance – Planning and Community Development

ORD-54-H-5 2001-190 & 2001-191

B/M (4-0) (Simon absent) **B13** Authorized an agreement with the California Institute for Mental Health to facilitate technical assistance to aid California counties in the implementation of Children's Systems of Care; and, authorized the Director of Behavioral Health and Recovery Services, or his Designee, to sign the agreement – BHRS 2001-186

P/M (4-0) (Simon absent) **B14** Approved the update report regarding 1-877-2ASSIST, the new Countywide toll-free phone service to our residents for reporting of issues within Stanislaus County – CEO 2001-187

Recessed at 10:32 a.m.

Reconvened at 10:41 a.m.

B/C (4-0) (Simon absent) **B16** Accepted the CEO's Mid-Year Report for FY 2000-01; authorized the CEO and the Auditor-Controller to make the necessary budget adjustments and transfers as recommended in the report and attachments; directed the CEO, in collaboration with County departments, to ensure that operations remain within budget policies and budgeted appropriations; directed the CEO to prepare the Third Quarter Fiscal Report for consideration on 5/15/01; reaffirmed budget priorities for 2001-02; and, amended the Salary and Position Allocation Resolution as stated in staffing impacts effective the start of the second pay period on 3/24/01 2001-189

Corr 1 Referred to the Department of Public Works and to StanCOG, a letter from the Tuolumne County & Cities Area Planning Council regarding the La Grange Road and the relinquishment of the road to Caltrans to become part of the State highway system.

Corr 2 Referred to DER, Form 10-Q of Ogden Corporation for the quarter(s) ended 3/31/00 and 9/30/00 from Ogden Energy Group, Inc.

Corr 3 Referred to the Chief Probation Officer a Notice of Proposal from the Department of Youth Authority regarding the amendment of the California Code of Regulations.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Roosevelt Moore; Curt Karish; Henry A. Gomez; and, Gary Darrell Hilton.

The Board accepted the Status Report on the CEO's Projects.

2001-192

Supervisor Caruso attended the City-County Luncheon Meeting held in Riverbank on 3/12/01.

Chair Paul attended and welcomed the American Legion at a meeting held in Modesto. She attended the opening of the new Archery Range located at the Modesto Reservoir. She also attended and had the honor of swearing in the Hispanic Chamber of Commerce Officers and thanked Dale Butler for helping make it possible for the Board to be part of the ceremony.

Supervisor Caruso and Chair Paul attended a meeting with the Mayors' Delegation Committee where they discussed ways to increase communication between the Cities and the County, and the use of the Tobacco Tax funds.

Supervisor Blom attended the NACO Legislative Conference and attended the Agricultural and Transportation Committee meetings.

The CEO welcomed the Modesto Rotary.

Adjourned to closed session at 11:56 a.m. for conference with Real Property Negotiators: property located at 4835 Sisk Road in Modesto, CA. Negotiating parties: Reagan M. Wilson for Stanislaus County and The Millers, owners of the property. Under negotiation: terms of payment and price. GC §54954.5(b). Conference with legal counsel – existing litigation: County of Stanislaus vs. South San Joaquin Irrigation District. Stanislaus County Superior Court. GC §54954.5 (c). Conference with legal counsel – anticipated litigation – significant litigation: two potential cases. GC §54954(c).

Closed Session Announcement:

B/M (4-0) (Simon absent) Approved Amendment No. 1 to the Woodward Reservoir agreement, which resolved the litigation between South San Joaquin Irrigation District and the County, and authorized County Counsel to sign all documents to conclude the litigation

2001-193

Adjourned at 1:15 p.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: LILLIE L. FARRIESTER, 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.)