

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

Regular Session

Tuesday

October 30, 2001

Supervisor Caruso absent

Pledge of Allegiance to the Flag

The Board recognized Tony Mistlin for the Chief Estanislao Sculpture and Fountain located in the garden at the Courthouse.

Charlotte Haron with United Domestic Workers of America spoke regarding agenda item B-14 which created the IHSS Advisory Committee. She thanked the Board for the efforts that were made to create a committee that represents all the people of Stanislaus County.

Wayne Ashley spoke regarding the replacement of trees that have been cut down within the County on Victoria Drive, Modesto.

B/M unan. Adopted the consent calendar after removing from consent Item *B-3 - Approval to Authorize Director of Public Works to Appoint Hamid Hash as a Deputy Director for the Public Works Department Above the Mid-Point of Band F

*A1 Approved the minutes of 10/16/01

*A2 Commended City of Ceres Mayor Louie Arrollo and Council Member Stan Risen upon their retirement from the Ceres City Council 2001-812

*A3a Accepted the resignation of Minerva Daniel from the Stanislaus County Equal Rights Commission 2001-813

*A3b Accepted the resignation of Martina Sotelo from the Advisory Board on Substance Abuse Programs 2001-814

*A4 Proclaimed 11/2001 as California Court Adoption and Permanency Month 2001-815

*B1 Approved an agreement with STANCO (Stanislaus Affordable Housing Corporation); and, authorized the Director of BHRIS, or his Designee, to sign the agreement 2001-816

*B2 Appointed for the balance of the 2001 term of the Discipline/EEO Grievance Appeals Board the following Department Head alternates: Director of Stanislaus Regional 911, Jeanne Hardin; Auditor-Controller, Larry Haugh; Director of DER/Parks, Kevin Williams; and, appointed the named Department Head members for the 2002 term – CEO 2001-817

*B4 Approved the expenditure of Public Facility Fees for Stanislaus County Fire Warden/OES to complete the new Emergency Operations Center; authorized the expenditure of Public Facility Fees for computer equipment, office furnishings, improved power connectivity, lighting and additional radio equipment; and, directed the Auditor-Controller to transfer Public Facility Fee Funds and increase appropriations in the OES/Fire Warden Budget Unit – CEO 2001-818

*B5 Appointed Celeste Wheeler to the position of Research Attorney at the top of Management Salary Band E (\$3,430.40 biweekly) – Superior Court 2001-819

*B6 Accepted the FY 2000-01 Summary Report from the Stanislaus County Family Violence Death Review Team – HSA 2001-820

*B7 Approved the Standard Agreement for the EMS Appropriation (EMSA) for FY 2001-02; and, authorized the HSA Managing Director, or her Designee, to sign the agreement 2001-821

- ***B8** Approved applying for a California Family Health Council Wellness Peer Provider Program Grant; authorized the HSA Managing Director, or her Designee, to sign and execute the application; and, authorized the HSA Managing Director to negotiate and accept the grant if awarded 2001-822
- ***B9** Approved the California Department of Health Services Contract #01-15902 with the Stanislaus County HSA for the Youth Advocates Promoting Better Health Project; authorized the HSA Managing Director to sign and execute the contract, and any amendments thereafter; and, approved the Budget Journal to reflect the changes to the Legal Budget for FY 2001-02 2001-823
- ***B10** Approved a contract with the Victim Compensation and Government Claims Board for collection of restitution fines in FY 2001-02; and, authorized the Chief Probation Officer to enter into a contract with the Victim Compensation and Government Claims Board to accept up to \$79,208 in State monies to perform restitution collection duties – Probation 2001-824
- ***B11** Approved the Stanislaus County Treasury Pool’s 8/2001 Monthly Investment Reports as prepared by the Stanislaus County Treasurer-Tax Collector’s Office and reviewed for conformity with State law and Local Investment Policy by the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chair to sign that the report has been reviewed and accepted – T/TC 2001-825
- ***B12** Approved an agreement with Superior Court for payment of computer conversion; and, authorized the CEO, or his Designee, to sign the agreement 2001-826
- ***C1** Approved a Purchase Agreement to acquire road right-of-way on the south side of Claribel Road just west of Albers Road for the project to improve Albers Road from Claribel Road to Warnerville Road; authorized the Chair to execute the agreement; directed the Auditor-Controller to increase appropriations by \$10,000.00 in the project account; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$9,000.00 payable to Fidelity National Title Company – Public Works 2001-827
- ***C2** Approved a Purchase Agreement to acquire road right-of-way along the east side of Albers Road between Oakdale/Waterford Highway and Valk Road for the project to improve Albers Road; authorized the Chair to execute the agreement; directed the Auditor-Controller to increase appropriations by \$79,872.00 in the project account; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$78,872.00 payable to Fidelity National Title Company – Public Works 2001-828
- ***C3** Adopted a resolution to summarily vacate a portion of Spyres Way in north Modesto – Public Works 2001-829
- ***C4** The Board finds that Ordinance C.S. 773 is not subject to the CEQA (Public Resources Code, Sections 2100 Et Seq.); and, introduced and waived the first reading of Ordinance C.S.773, to amend Title 11 of the Stanislaus County Code, amending no parking zones and no truck parking zones on various County roads – Public Works ORD-54-I-8 2001-830
- ***C5** Approved a Cooperative Agreement between the County of Stanislaus, the City of Riverbank, and the City of Turlock to construct compressed natural gas fueling stations; and, authorized the Chair to execute the Cooperative Agreement C-1-A-5 & C-5-E-2 2001-831
- ***C6** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 5001 E. Monte Vista Ave., Denair, CA for Hearing #2001-001 – Public Works 2001-832
- ***C7** The Board finds that the Final Map of Vizcaya, Unit #2 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 all roads, highways, avenues, alleys, courts, ways, lanes, places, etc.; authorized the Chair to sign the Final Map and the Subdivision Improvement Agreement; and, authorized the Final Map to be filed and recorded – Public Works 2001-833

- *C8** Authorized the Auditor-Controller to set up a Special Trust Account for the Pirrone Road Realignment Project; as administrators of the Salida Traffic Fee Accounts, authorized the Auditor-Controller to transfer \$896,639.00 from the Salida Road-Supplemental-EIR Accounts #1, 2 and 3 to the County as security for the partial construction of Pirrone Road – the transfer will consist of \$298,879.67 from EIR Accounts #1 and 2 each and \$298,879.66 from EIR Account #3 to the newly established Pirrone Road Realignment Project Trust Account; allocated \$527,399 from the County’s Pirrone Road Realignment Project Trust Account to pay for the construction of Pirrone Road in front of Vizcaya, Units #1 and 2, after the improvements are completed; and, as administrators of the Salida Traffic Fee Accounts, approved the reimbursement agreement with SCM Salida Gateway, LLC – Public Works
2001-834
- *D1** Approved a Salida Planned Development Road Account expenditure to O’Dell Engineering; and, authorized the Auditor-Controller to issue a warrant in the amount of \$5,500.00 to O’Dell Engineering – Planning and Community Development
2001-835
- *D2** Approved rescinding Williamson Act Contract #70-0399; approved a new contract pursuant to Minor Lot Line Adjustment #2001-60 and authorized the Planning Director to execute a new contract; finds that 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 that 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 that at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; 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; finds that 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 that the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; and, finds that 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
2001-836
- *D3** Approved rescinding portions of 18 Williamson Act Contracts and approve contracts pursuant to Minor Lot Line Adjustment Applications 96-46, 2001-10, 17, 19, 20, 23, 24, 32, 34, 35, 38, 42, 44, 49, 58, 59 and 63 and authorize the Planning Director to execute the new contracts; finds that 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 that 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 that at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; 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; finds that 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 that the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; and, finds that 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
2001-837

***D4** Approved rescinding Williamson Act Contract #77-2767 and approved new contracts - Tom and Debbie Schwartz pursuant to Minor Line Adjustment #2001-41 and authorized the Planning Director to execute the new contract; finds that 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 that 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 that at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; 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; finds that 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 that the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; and, finds that 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
2001-838

B/S (4-1) (Mayfield opposed) ***B3** Authorized the Director of Public Works to appoint Hamid Hash as a Deputy Director for the Public Works Department; approved a salary of \$100,505.60, which is above the mid-point of Band F; and, authorized the Director of Public Works to provide Mr. Hash the full 40 hours of Management Leave for the remainder of CY 2001 – CEO
2001-839

Supervisor Caruso arrived at 9:26 a.m.

B/C unan. **B13** Accepted the report on the activities and accomplishments of the partnership between the PAL and the Parks and Recreation Department
2001-840

S/M unan. **B14** Appointed eleven individuals to the IHSS Advisory Committee; authorized the Advisory Committee to make recommendations for the establishment of an Employer of Record for the purpose of collective bargaining for wages and benefits by 1/1/03; and, authorized a stipend of \$20.00 per meeting for committee members – CSA
BD-75-2 2001-841

C/S unan. **B15** Approved the Department of Aging and Veterans Services' (Area Agency on Aging) Four-Year (2001 – 05) Area Plan; and, authorized the Chair and the Director of the Area Agency on Aging to sign the Transmittal Letter for submission to the California Department of Aging
2001-842

B/C unan. **B16** Accepted a written update on the Senior Network & Advocacy Program - Aging and Veterans Services – CEO
2001-843

B/S (4-1) (Mayfield opposed) **B17** Amended item to direct the CEO to implement a pilot program for three County Departments for a Telecommute Program and bring back a report to the Board
2001-844

Corr 1 Referred to the Probation Department and the Sheriff Department a letter from the Board of Corrections regarding grant funding for County Juvenile Facility and Adult Jail Construction.

Corr 2 Referred to the Emergency Services/CEO a letter from the Governor's Office of Emergency Services regarding the extension of the U.S. Small Business Administration Economic Injury Disaster Loan Program.

Corr 3 Referred to the Department of Planning and Community Development, Department of Public Works, and DER, a letter from the Department of Water Resources regarding the acquisition of 181 acres of land in Stanislaus County for flood management and habitat restoration.

Corr 4 Referred to the Emergency Services/CEO a letter from United States Senator Barbara Boxer regarding the government's efforts to prepare for and respond to acts of bioterrorism.

Corr 5 Chair Pat Paul and Supervisor Caruso volunteered to serve on the Ballot Processing Panel for the Primary Election on Tuesday, 11/6/01.

Corr 6 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Carolyn J. Johnson; John Allen Walker; Paul O'Neill (a minor, by and through guardian ad litem Gale O'Neill and Timothy O'Neill); David Perez; Kenneth Hoffman; California State Automobile Assoc. for Euguen Murray; State Farm Insurance on behalf of B.L. Lefton; Brenda Heiser; and, Universal Funding Corporation (Represented by Greenberg & Bass) (10/30/01).

Supervisor Caruso and Chair Paul attended the recent Domestic Violence Council conference. Supervisor Caruso noted that the traffic lights are in operation on Crows Landing Road at Shackelford School. He requested and received concurrence from the Board members to serve as the President of the San Joaquin Valley Region Supervisors Association of California Counties for 2002.

Chair Paul noted that the Proposition 10 Commission approved several contracts for service. The Board members asked for the CEO and the Commission to assist families with healthcare issues.

Recessed at 11:07 a.m.

Reconvened at 11:15 a.m.

Don Peterson, Legislative Advocate, gave a report on the legislative wrap-up for FY 2000-01.

Adjourned to closed session at 11:42 a.m. for conference with Labor Negotiator: Agency Negotiator – Reagan Wilson; Employee Organizations: SCEA/AFSCME, SCSSA, CAIR/CIR, OE3, Management and Confidential Employees. Government Code §54954.5(f). Existing Litigation: Stanislaus Consolidated Fire Protection District vs. Stanislaus County et al Superior Court Case No. CVO14448. Government Code §54954(c).

Adjourned at 12:20 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.)