

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

January 29, 2002

Chairman Tom Mayfield gave the State of the County Address.

Kathy Kohrman, Interim Director of CSA, presented CSAC Challenge Awards to the HSA and CSA award recipients.

Roland Ens spoke regarding the exclusion of portions of the discussion of an agenda item from the minutes for the 1/8/02 BOS meeting. The COB noted that the minutes are only a summary of the Board's actions and that a copy of the audiotape of the meeting could be obtained from the Clerk's office.

S/P unan. Adopted the consent calendar after removing from consent Item ***B3** - Approval for Community Services Agency to Redirect Funds to the Health Services Agency to Provide Services and Activities which will Decrease Youth at Risk and Teen Pregnancies and will Increase Community Involvement and Leadership Skills for Youth

***A1** Approved the minutes of 1/15/02

***A2** Adopted and waived the second reading of Ordinance C.S. 785, amending the Campaign Reform Ordinance ORD-54-J-4 2002-43

***A3a** Appointed Steve Amador to the Storm Drainage District #8 Board 2002-44

***A3b** Appointed Anitra LaDonna Hankins to the Area VI Board on Developmental Disabilities 2002-45

***A4** Accepted the resignation of Jeff Jue from the WIB and the Children and Families Commission 2002-46

***A5** Approved request from the DA's Office for use of the Courthouse lawn on 3/9/02 for the Vigil of Hope March by the Carole Sund/Carrington Memorial Reward Foundation 2002-47

***A6** Approved request from E Clampus Vitus for use of the La Grange Gold Dredge historical site on 4/19/02 and 4/20/02 for their annual spring event 2002-48

***A7** Approved the Board of Supervisors' 2002 Board Committee Assignments 2002-49

***B1** Authorized the CEO to enter into an agreement with Stanislaus Consolidated Fire Protection District to provide Fire Chief Services for the District; and, directed the Auditor-Controller to adjust appropriations in the OES/Fire Warden Budget DF-20-20 2002-50

***B2** Approved the budget of the West Modesto Community Services Center building; authorized, as part of the Mid-Year Budget, the transfer of contingencies into specified budget units to support the West Modesto Community Services Center building and associated operations; designated the location as a remote site to permit contractors to provide selected services; and, approved the addition of one Administrative Clerk II to CSA's Position Allocation List to provide reception functions in the multi-user section of the building – CEO 2002-51

***B4** Approved the Standard Agreement with the California Healthcare for Indigents Program (CHIP) for FY 2001-02 using Tobacco Tax Funds to support clinics and community providers; and, authorized the HSA Managing Director, or her Designee, to sign the Standard Agreement 2002-52

- *B5** Authorized the T/TC to sell sixty-one tax-defaulted properties in Stanislaus County, pursuant to §3694 of the R&T Code, for the minimum bid noted; and, authorized the T/TC to re-offer those parcels which do not obtain the minimum bid at a price which is deemed appropriate by the TC pursuant to R&T Code §3698.5(c) 2002-53
- *B6** Received the update on the emergency repair of water damage at the former Modesto City Hall Building located at 801 11th Street – CEO 2002-54
- *C1** The Board finds that the territory (River Ranch Estates in the Oakdale area) more particularly described on Exhibits "A" and "B" 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 the Almond Wood Estates Lighting District of Stanislaus County; finds that Stanislaus County Code, §21.40.040, requires the installation of a street lighting system to serve the territory; finds that the territory proposed to be annexed is not within the limits of any other lighting district; finds 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, §19056; finds the fact of filing of the petition was received by the Clerk of the Board on 1/24/02; ordered that the territory be annexed to the Almond Wood Estates Lighting District of Stanislaus County; ordered that, pursuant to the Streets and Highways Code, §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 to send a certified copy of the resolution ordering the annexation to the Lighting District to the Department of Public Works, 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 SBE DL-25-25 2002-55
- *D1** Rescinded all or portions of Williamson Act Contract Nos. 79-0988, 71-0359, 78-3243, 76-6255, 72-1059 and approved new contracts - pursuant to Minor Lot Line Adjustment Application Nos. 2001-43, 2001-64, 2001-72, 2001-77; authorized the Planning Director to execute 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; finds that 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; 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 and Community Development 2002-56
- *D2** Approved an increase of owner-occupied loan limits to \$45,000 for housing rehabilitation and \$60,000 for reconstruction in the CDBG Program – Planning and Community Development 2002-57
- *D3** Set a public hearing on 2/19/02 at 7:35 p.m. for Use Permit Application #98-21 for Steve and Gari Sperry in the Oakdale area – Planning and Community Development 2002-58

- ***D4** Rescinded all or portions of Williamson Act Contract #72-0609 and approved a new contract - pursuant to Minor Lot Line Adjustment Application #2001-73 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; 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 and Community Development 2002-59
- ***D5** Authorized the Planning and Community Development Department to enter into negotiations for potential purchase of real property for housing-related projects 2002-60
- ***Legislative A.** Authorized support of Proposition 42, the Transportation Congestion Improvement Act – CEO 2002-61

P/C unan. ***B3** Authorized CSA to redirect \$78,000 of previously authorized CalWORKS Incentive Funds to the HSA to provide services and activities which will decrease youth at risk and teen pregnancies and will increase community involvement and leadership skills for youth; authorized the Director of CSA, or his Designee, to sign a contract amendment with the HSA and any subsequent amendments not to exceed the total contract amount of \$153,000; and, authorized the Auditor-Controller to make the appropriate adjustments to the HSA and CSA budgets – HSA 2002-62

B/S unan. **B7** Authorized staff to continue working with Catholic Charities, Community Housing and Shelter Services and the United Samaritans Foundation to assure the continuation of Clean and Sober Living Perinatal Programs in Stanislaus County; authorized the use of \$250,000 of Stanislaus County Tobacco Funds to assist in the start up and transition process; and, authorized the \$250,000 to be transferred to BHRS for this purpose – CEO 2002-63

S/B unan. **B8** Approved the contract for the seventh year of the State-County Property Tax Administration Program; authorized the CEO to sign the contract and any amendments; directed the Assessor and the CEO to report back to the Board after the seventh year of this program; and, authorized the Auditor-Controller to accept \$866,155 from the State Department of Finance; and, directed the Auditor-Controller to make the necessary accounting entries – Assessor 2002-64

B/C unan. **B9** Approved a resolution for the purpose of issuing Tobacco Settlement Asset-Backed Bonds, that modifies the forms of various documents that were previously approved by the Board of Supervisors on 11/7/00 pursuant to Board Resolution #2000-893; ratified other actions that were previously approved by Board Resolution #2000-893; and, approved certain other related actions that are necessary to effectuate the issuance of Tobacco Settlement Asset-Backed Bonds by the California County Tobacco Securitization Agency (the JPA) – CEO J-3-7 2002-65

S/B unan. **B10** Approved the Treasurer-Tax Collector's policy for investment of the endowment funds generated by the securitization of the revenue stream from the Master Settlement Agreement with the tobacco companies, in accordance with California State Statutes, as prepared by the County T/TC; and, authorized the Auditor-Controller to establish such accounts as are necessary to properly account for bond proceeds and investment earnings generated by the securitization
J-3-8 2002-66

B/C unan. **9:25 a.m.** Finds the project for Rezone Application #2001-13 - GCU Trucking, Inc., to change the zoning from Planned Development No. 90 to a New Planned Development to allow for the development of a truck parking and dispatch facility on a 11.5 acre site located on the east side of Welty Road, between the San Joaquin/Stanislaus County line and Spencer Road, in the Vernalis area, to be "De Minimis" for the purposes of collection of Fish and Game fees pursuant to California Code of Regulations §753.5; adopted the Findings of Fact contained in the attached Certificate of Fee Exemption, which are based on the analysis presented in the Initial Study; ordered the filing of the Certificate of Fee Exemption with the Stanislaus County Clerk-Recorder's Office; adopted the Mitigated Negative Declaration pursuant to CEQA Guidelines §15074(b); finds that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgement and analysis; adopted the Mitigation Monitoring Plan pursuant to CEQA Guidelines §15074(d); ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office, pursuant to Public Resources Code §21152 and CEQA Guidelines §15075; finds that: (a) the project is consistent with the overall goals and policies of the County General Plan, (b) the proposed Planned Development zoning is consistent with the "Commercial" General Plan designation, (c) the project will increase activities in and around the project area and increase demands for roads and services, thereby requiring dedication and improvements; approved Rezone Application # 2001-13 - GCU Trucking, Inc., subject to the attached Development Standards/Schedule; and, introduced, waived the reading and adopted Ordinance C.S. 786 for the approved Rezone Application #2001-13 - Planning and Community Development.
ORD-54-J-3 2002-67 & 2002-68

Board Recessed at 10:50 a.m.

Supervisor Paul absent at 10:50 a.m.

Board reconvened at 10:59 a.m.

Corr 1 Referred to the CEO a letter from the State of California's Office of Emergency Services Disaster Assistance Programs Branch, Individual Assistance Section, announcing an extension of the filing deadline for its nationwide Economic Injury Disaster Loan Program (EIDL) implemented for businesses impacted by the 9/11/01, terrorist attacks.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Salvador Gerolaga.

B/C (4-0) (Paul absent) **Legislative B.** Approved the Legislative Platform for 2002 – CEO 2002-69

Supervisor Simon noted that his former Field Representative, Libby Lane, is now the PIO for the County and he welcomed his new Field Representative, Denise Blassingame.

Supervisor Caruso attended the first meeting of the Election Oversight Committee. He noted that the committee had questions and were given good information from the Clerk-Recorder.

Paul Baxter, Interim Clerk-Recorder, also updated the Board on the Election Oversight Committee meeting. He informed the Board that Dr. Giventer and Professor Randy Seifken were appointed as co-chairs of the Committee. The Committee was given a binder of source material on the Clerk-Recorder's Office. He stated that the new federal and State reapportionment boundaries has caused the Clerk-Recorder's Office to secure new polling places. He also gave the Board a copy of the new absentee ballot applications that voters will receive by Friday, 2/1/02.

Adjourned at 11:33 a.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.)