

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

Regular Session

Tuesday

March 26, 2002

Supervisor Simon absent

Pledge of Allegiance to the Flag

Presented a Proclamation for the Girl Scout Troops to Lee Means, proclaiming the week of 3/10/02 as Girl Scout Week.

County Counsel, Mick Krausnick, presented a Commendation to Assistant County Counsel, Vern Seeley, upon his retirement from County service.

Mary Whetstone, President of ASA, spoke regarding the work ASA has done at the Animal Shelter. She also requested an update on the planned new shelter. The CEO noted that the County is gathering information regarding the new Spay-Neuter Program in order to determine what size to build the shelter.

P/C (4-0) (Simon absent) Adopted the consent calendar

- \*A1 Approved the minutes of 3/12/02 and 3/19/02
- \*A2 Appointed Daniel Downey to the Commission on Aging 2002-164
- \*A3 Reappointed Nancy Smith, David Cerutti, Marlene Katsufrakis and Clea Triplett to the Animal Advisory Board 2002-165
- \*A4a Commended Eddy Cash-Dudley, Lillie Clark, Lila Huff, Angie Olivo, and Beatriz Valdovinos as the recipients of the Minority Women of the Year Awards for 2002 2002-166
- \*A4b Commended Roland Nyegaard, M.D. as the recipient of the 2002 John Darroch Memorial Award 2002-167
- \*A4c Commended John Turner as the recipient of the 2001 Equal Rights Award 2002-168
- \*A5a Proclaimed 4/7 – 13/02 as International Building Safety Week 2002-169
- \*A5b Proclaimed 4/14 – 20/02 as Safety Seat Checkup Week 2002-170
- \*A5c Proclaimed 4/1/02 as Cesar Chavez Day of Service and Learning 2002-171
- \*A6 Accepted the resignation of Robert Fores from the Library Advisory Board 2002-172
- \*A7 Appointed, in-lieu of election, Steve Wilson, Noralynn Goold, Lawrence Elliott, Christopher Mondo, Pat Shade, Roy Santiago, Kurt Vander Weide, J. Wilmar Jensen, Lee Sturgill, Todd Hand, James De Martini, Ruthanne Lara, and Diane Sol to the Republican Party County Central Committee 2002-173
- \*A8 Appointed, in-lieu of election, Inalee Bhend, Rickey McGill, Daniel Downey, Lisa Mantarro Moore, Marco Sepulveda Hallinan, Maggie Mejia, Mike Lenahan, Sandra Lucas, Ora Scruggs, Ken Groves and Mary Schatz to the Democratic Party County Central Committee 2002-174
- \*A9 Accepted the Clerk-Recorder's Declaration of the Results of the Consolidated Election conducted on 3/5/02 DF-8-14; DI-1-20 2002-175
- \*B1 Authorized the Director of BHRS to accept adjusted Federal Substance Abuse and Mental Health Services Administration Block Grant Funding for the Dual Diagnosis Project for FY 2001/02 2002-176
- \*B2 Approved submission of a grant application by the Stanislaus Arts Council to the California Arts Council for program funding; and, authorized the CEO, or his Designee, to execute

- the FY 2002/03 State and Local Partnership Grant contracts from the California Arts Council 2002-177
- \*B3 Approved an increase in the Workers' Compensation Trust Account from \$300,000 to \$500,000 for payment of benefits to recipients – CEO/Risk Management Division 2002-178
  - \*B4 Authorized the Director of DET, or his Designee, to execute an agreement and any subsequent agreements with the State of California Employment and Development Department for the purpose of conducting the 2002 Labor Market Survey in Stanislaus County 2002-179
  - \*B5 Authorized the submittal of a pre-application to the National Parks Service for the Urban Park and Recreation Recovery Rehabilitation Grant, for the Fairview Neighborhood Park Development Project; authorized the Director of the Parks and Recreation Department to sign and submit the pre-application; and, authorized the Director of the Parks and Recreation Department to sign and submit the full application and any supporting documentation, once a grant offer is made 2002-180
  - \*B6 Authorized the Sheriff to redirect previously approved, unexpended Public Facility Fees to the Equestrian Center Project 2002-181
  - \*B7 Approved the Bylaws governing the Juvenile Hall Service League as modified by the Juvenile Hall Service League Board of Directors on 2/12/02 – Probation BD-50-13 2002-182
  - \*B8 Authorized the HSA to issue RFPs for the relocation of the McHenry Medical Office 2002-183
  - \*B9 Adopted a Resolution to implement GC §31641.56, which would allow employees to buy back part-time service rendered between full-time service periods – CEO 2002-184
  - \*C1 Approved the Plans and Specifications for the Albers Road Widening Project from Claribel Road to Warnerville Road; set the deadline for submission of bids as 5/1/02, prior to 2:30 p.m.; directed Public Works' staff to mail the Notice Inviting Bids to Trade Journals as required by law; and, directed the Auditor-Controller to increase appropriations by \$3,000 in the project account to cover the costs of advertising and publishing – PW 2002-185
  - \*C2 The Board finds that Ordinance C.S. 789 amending Title 11 of the County Code to add No Parking Zones on Coffee Road, CrowsLanding Road and Frazine Road, and amending an existing No Parking Zone on Imperial Avenue, is not subject to the CEQA; and, introduced and waived the first reading of Ordinance C.S. 789 ORD-54-J-7 2002-186
  - \*D1 Set a public hearing on 4/16/02, at 7:35 p.m., for Rezone Application #2001-19 – Ray Gritton 2002-187
  - \*D2 Rescinded Williamson Act Contract #91-4213 and approved 2 new contracts pursuant to Minor Lot Line Adjustment Application 2002-01; authorized the Planning Director to execute new contracts; 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 2002-188

B/C (4-0) (Simon absent) **B10** Approved certain Transportation Control Measures that will help mitigate negative impacts to air quality and that will begin to address the "severe status" classification of the Valley air quality; and, adopted a Resolution to implement local government Transportation Control Measures 2002-189

B/C (4-0) (Simon absent) **B11** Approved the contract with Mark Gaffney to design (based on County Team input) and build our Fair Exhibit at the 2002 California State Fair for \$7,000; authorized the CEO to sign the contract; approved the expenditure of \$3,500 from the Cooperative Extension Budget for the first installment of the contract to Mark Gaffney; and, approved the expenditure from the Cooperative Extension Budget for the second installment of the contract for \$3,500 to Mark Gaffney after the opening of the 2002 State Fair in 8/2002 2002-190

B/C (4-0) (Simon absent) **B12** Accepted the CEO's Mid-Year Report for FY 2001-02; authorized the CEO to make the necessary budget adjustments to achieve a \$5,900,000 fund balance at the end of FY 2001-02; directed the CEO, in collaboration with County Departments, to ensure that operations remain within budget policies and budgeted appropriations; reaffirmed budget priorities for 2001-02; authorized the CEO to use appropriations for contingencies to adjust salaries and benefits in General Fund budget units if the units do not generate sufficient savings to absorb labor contract increases; authorized the CEO to adjust MIS charges within General Fund budget units; amended the Salary and Position Allocation Resolution as stated in staffing impacts effective the start of the 4/6/02 pay period; and, authorized the CEO and the Auditor-Controller to make 2001-02 Revenue Adjustments, including approval of the technical adjustments on Attachment D, and to make budget adjustments and transfers to balance 2001-02 funds 2002-191

B/C (4-0) (Simon absent) **9:25a.m.** Approved final cost reimbursement for demolition of a structure located at 5001 E. Monte Vista Avenue, Denair, CA, and authorized the T/TC to recover these costs by special assessment and a lien upon the property, and cause the same to be recorded on the Assessment Roll and, thereafter, said assessment shall constitute a special assessment against, and a lien upon, the property; and, ordered that all proceeds received from payment of this assessment in satisfying the lien upon the property shall be paid to the Stanislaus County Treasurer, who shall transfer the same to Demolition Trust Fund #6268, Org. #00664110, Account #63280 – PW 2002-192

P/M (4-0) (Simon absent) **9:30a.m.** Adopted the Draft 2002-07 CDBG Consolidated Plan and the Annual Work Plan for FY 2002-03; authorized a 30-day period for public review; and, set a public hearing for 5/7/02, at 9:25 a.m., to adopt the Final 2002-07 CDBG Consolidated Plan and the Annual Work Plan for FY 2002-03 – Planning and Community Development Department 2002-193

**Recessed at 10:08 a.m.**

**Reconvened at 10:19 a.m.**

**Corr 1** Referred to CSA, a letter from the State Department of Social Services notifying us that Stanislaus County qualifies for Refugee Employment Social Services funding effective 10/1/02.

**Corr 2** Referred to DER and the Agricultural Commissioner, a letter from the Department of Fish and Game regarding proposed regulatory action relative to mammal hunting and trapping.

**Corr 3** Referred to the Department of Public Works, a letter from CSAC with information regarding the passage of Proposition 42, which dedicated sales tax on gasoline to transportation.

**Corr 4** Acknowledged receipt and referred to the Department of Planning and Community Development a letter from Urban Futures Incorporated regarding the Ceres Redevelopment Agency's process in preparing an amendment to the Redevelopment Plan for the Ceres Redevelopment Project.

**Corr 5** Referred to BHRS, a letter from the Victim Compensation and Government Claims Board encouraging all counties to utilize the funds allocated to them to provide group mental health counseling and education or activities to promote tolerance for individuals who may be at risk for discrimination as a result of the events on 9/11/02.

**Corr 6** Referred to HSA, a letter from the State of California Health and Human Services Agency regarding the changes to the Health Insurance Portability and Accountability Act (HIPAA).

**Corr 7** Referred to DET, a letter from Americ Disc USA-California regarding the possible layoff of their employees from their Stanislaus County site.

**Corr 8** Referred to the CEO and the Department of Planning and Community Development, a letter from California State Senator Joseph Dunn requesting support for SB1509, which is legislation that would financially reward cities and counties for approving new affordable housing developments.

**Corr 9** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Estate of Sam Hauter, Wahbia Alghazaly Moneef Hauter, Sedqi Hauter, Rassam Hauter, Moneef Hauter, Maher Hauter, Mosheer Hauter, Moshtak Hauter, a minor, Ashwak Hauter, a minor, Burhan Hauter, a minor, Hamzah Hauter, a minor, by and through their Guardian ad Litem, Wahbia Hauter (Amended Claim); Monica A. Valladares; Geico Insurance for their insured Piedy Kittrell; Steven C. Lewis; Jorge Moran; Mercury Insurance for their insured Mary E. Rutherford; and, Christine Wade.

Chairman Mayfield spoke on the new information the Planning and Community Development Department gives to their customers on how to access the services of the Department.

Supervisor Paul absent at 11:53 a.m.

Adjourned to closed session at 11:53 a.m. for conference with real property negotiators concerning vacant property in Grayson, CA (APN 16-34-03 and APN 16-34-06). Agency Negotiators: Reagan M. Wilson and Patty Hill Thomas. Owner Negotiators: Harold/Jeff Arambel; and, Trinidad Gutierrez. Under negotiation: both terms of payment and price - GC §54956.5(b). Public employee appointment for the Agricultural Commissioner – GC §54954.5(e). Public Employee Performance Evaluation: Title: Chief Executive Officer – GC §54954.5(e).

Adjourned at 12:40 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.)