

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

Regular Session

Tuesday

June 11, 2002

All Supervisors Present

Pledge of Allegiance to the Flag

C/P unan. Adopted the consent calendar after removing from the agenda, Item ***B12** - Approval to Conduct Ballot Procedure for Denair Highway Lighting District in Compliance with Proposition 218

- *A1** Approved the minutes of 06/04/02
- *A2** Commended Michael McElhiney upon receiving the 2002 Department of Agriculture's Honor Award 2002-418
- *A3** Accepted the resignation of Chris Patterakis from the Airport Advisory Committee 2002-419
- *A4** Proclaimed the month of June as National Homeownership Month 2002-420
- *A5** Introduced and waived the first reading of Ordinance C.S. 801 to amend the Stanislaus County Board of Supervisors' night meeting time to 6:30 p.m. on the third Tuesday of each month
ORD-54-K-3 2002-421
- *A6** Appointed Armand George Skol to the Stanislaus County Children & Families Commission 2002-422
- *A7** Commended Foster Farms of Turlock and Westland Technologies of Modesto for being selected as Employers of the Year by the Stanislaus County Employer Advisory Council (EAC) and the Employment Development Department (EDD) for their hiring and promotion of veterans 2002-423
- *B1** Approved Mental Health, Drug and Alcohol Treatment Services Agreements with providers for FY 2002/03; authorized the Interim BHRS Director, or his Designee, to sign the agreements for FY 2002/03; authorized the Interim BHRS Director, or his Designee, to sign an amendment to an agreement with Sodexo Operations, LLC; authorized the Interim BHRS Director, or his Designee, to negotiate and sign amendments to all the associated agreements for up to \$75,000 for FY 2002/03 only; and, authorized the Interim BHRS Director, or his Designee, to negotiate and sign agreements with Locum Tenens firms for temporary psychiatrists in FY 2002/03 as necessary and consistent with the total amount budgeted for psychiatric services 2002-424
- *B2** Approved a ten day time extension to the construction contract with Silveira General Construction for the Courthouse Access Ramp Project on PC (Proposed Change) #1, and approved a fourteen day time extension on PC #3 2002-425
- *B3** Authorized the CEO to grant a Fire and Emergency Access Easement to Hampton Inn and Suites, adjacent to the Breuners property – future Salida Library building 2002-426
- *B4** Approved a request for an Able-Bodied Adults Without Dependent Children (ABAWD) Waiver of Work Requirement/Time Limitations in the Food Stamp Program – CSA 2002-427
- *B5** Approved Agreement #MS-0203-14 with the California Department of Aging for administration of the Multipurpose Senior Services Program (MSSP) for FY 2002/03, to provide supportive services for frail elderly residents of our County; and, authorized the Director of CSA, or his Assistant Director Designee, to sign the contract and any amendments not to exceed the contract amount of \$738,208 2002-428
- *B6** Authorized extending the agreement between the County and Scenic Faculty Medical Group (SFMG) for the provision of administrative and teaching related services at HSA for a

- period of three (3) months, and authorized the HSA Interim Managing Director, or her Designee, to sign the amendment extending the agreement 2002-429
- *B7 Approved the acceptance of additional enhancement funding for HSA's Family Planning Program from the California Family Health Council, Title X, for the remainder of Calendar Year (CY) 2002 to enhance outreach and basic contraceptive services to the men and women in Stanislaus County; and, authorized the HSA Interim Managing Director, or her Designee, to sign and accept the addendum to the Basic Contraceptive Services Contract enhancing the Title X funding by \$26,719 2002-430
 - *B8 Approved the findings in the revised CEQA Initial Study and adopted a Negative Declaration for Empire Neighborhood Park; and, finds the project to be "De Minimis" for the purposes of the California Fish and Game Codes – Parks and Recreation 2002-431
 - *B9 Approved the submittal of a grant application to the State Off-Highway Vehicle Grant Program for the operation and maintenance of Frank Raines and La Grange Off-Highway Vehicle Parks for FY 2002/03; authorized the Director of Parks and Recreation to sign and submit the grant application; and, approved the associated resolution 2002-432
 - *B10 Accepted the Stanislaus County Treasury Pool's March, 2002 Monthly Investment Report as prepared by the T/TC's Office and reviewed for conformity with State law and Local Investment Policy by the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign that the report has been reviewed and accepted 2002-433
 - *B11 Adopted the Property Tax Administrative Cost Recovery Plan report determining that the property tax administrative costs of the County for FY 2000/01 are \$5,850,358, establishing the proportion of said costs attributable to incorporated cities and other jurisdictions and authorized the collection of said costs pursuant to the provisions of R&T Code §95.3 and County Code §4.44.10 – Auditor-Controller 2002-434
 - *C1 Adopted a resolution to summarily vacate a portion of a Public Utility Easement in the Town of Salida – PW 2002-435
 - *C2 Approved the Plans and Specifications for the Cowan Tract Road Widening on Crows Landing Road; set the deadline for submission of bids as 7/17/02, 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 2002-436
 - *C3 Set a public hearing on 7/30/02, at 9:30 a.m., regarding the FY 2002/03 Annual Assessments for CSA #10 - Salida; approved the Engineer's Report, prepared by the Engineer; and, authorized an assessment Ballot Procedure in conformance with Prop 218 for the FY 2002/03 Annual Assessments – PW CSA-10-A-5 2002-437
 - *C4 Approved Robertson Road Improvement Project appropriation and estimated revenue increase for design services by \$122,000; directed the Auditor-Controller to increase appropriations and estimated revenue by \$122,000 in the project account; and, authorized the Purchasing Agent to sign the appropriate amendments 2002-438
 - *D1 Rescinded Williamson Act Contract #74-1674 (W. Grayson Rd., District #5) and approved a new contract pursuant to Minor Lot Line Adjustment Application #2002-11; 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; and, 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 Department

2002-439

- *D2** Set a public hearing on 7/30/02, at 9:25 a.m., for the Stanislaus County/City of Turlock Consortium Budget and Work Plan for the 2002/03 FY HOME Investment Partnership Program

2002-440

C/B unan. **B13** Authorized staff to prepare for approval: a Master Development Plan, a City/County agreement modification, and a Keystone Pacific Development Agreement to initiate the first phase of the West Patterson Business Park – CEO

2002-441

Recessed at 10:15 a.m.

Reconvened at 10:23 a.m.

B/C unan. **B14** Authorized the formation of a new nonprofit 501(c) (6) corporation, currently called the Business and Workforce Alliance of Stanislaus County, Inc. (“Alliance”), to consolidate Workforce Investment Board (WIB) functions and economic development functions; authorized the incorporators to file all appropriate corporate documents and exemption applications; authorized the transfer of the WIB functions to the Alliance; approved the first year operating budget of \$1,092,805; approved the County’s proposed contributions to that budget of \$124,630 from County General Funds and \$582,210 from WIA funds to be included in the 2002/03 FY Budget; approved indirect costs of \$61,967 from the DET’s budget; approved an amount not to exceed \$100,000 for data and telecommunications and FFE expenses from the DET’s Budget; authorized the CEO to negotiate and execute an agreement with the Alliance to ensure compliance with the WIA of 1998; authorized the Auditor-Controller to transfer funds in accordance with the budget and the agreement between the Alliance and the County; and, authorized the County’s CEO to seek competitive proposals and execute a contract for the installation of data and communication lines and furnishings, fixtures and equipment for the Alliance space and the DET space on the ground floor of 10th Street Place

BD-71-A-1; BD-76-1; M-58-29 2002-442

B/S unan. **C5** Approved the FY 2002/03 Transportation Development Act Claim, and authorized the Director of Public Works to execute and submit it to the STANCOG

2002-443

C/P unan. **9:30am** The Board states they have received and considered staff reports and testimony today, and based upon staff reports and all attachments (A-L), other written correspondence, testimony received at the hearing and comments from Board members, the Board adopts the four staff recommendations set forth on pages 1 and 2 of the staff report and adopts the additional findings; the Board finds that the public interest and necessity require the proposed project (construction of the primary access road for the Diablo Grande Planned Development Project); finds that the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; finds the property described in the resolution is necessary for the proposed project; finds the offer required by GC §7267.2 has been made to the owners of record of the property to be acquired; finds pursuant to GC §51292, that the location of the improvements is not based primarily on a condition of the lower costs of acquired land in an agricultural preserve; finds that there is no land within or outside the preserve on which it is reasonably feasible to locate the public improvement; adopted a Resolution of Necessity, and

authorized County Counsel in conjunction with outside counsel, Mr. Balestracci, to initiate eminent domain proceedings to acquire the affected properties; that topography and design standards are the primary consideration for location, the Board finds that the finding in section 51292(a) can be made; the location of the cut-across road is limited by the location of the subdivision and Interstate 5, as well as the existing connector roads and points of intersection with Interstate 5, three alternatives to the proposed alignment were evaluated, the alternatives were determined to be impractical for reasons of cost, traffic flow, or engineering limitations, or a combination of these reasons and, based upon these factors, the Board finds that the finding in section 51292(b) can be made; the road location is primarily based upon topography and design standards needed to make the most direct route from the project to the highway; the Board finds that the conditions for determining public necessity have been satisfied; and, the Board finds that the two conditions required under section 51292, the Williamson Act, have been satisfied – PW 2002-444

Corr 1 Accepted letter of retirement with regrets from Larry B. Poaster, Ph.D., Director of BHRS, announcing his retirement from County service effective 8/9/02 and congratulated him on his many years of service.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Deborah Lewis (Amended Claim); and, Mildred Sweeten and Roy Sweeten.

Supervisor Caruso noted that he met with the I-5 Interchange people to resolve issues. He noted that he will be the President of the StanCOG again this year. He also attended, with the CEO, a meeting with the Attorney General in Stockton.

Supervisor Blom commented on a recent editorial regarding the use of Transportation Funds and that these funds were used for retro-fitting overpasses and bridges for earthquakes.

Legislative A. Postponed the Informational Report from CSA regarding the expansion of Medi-Cal Outreach to Children and Adults in Stanislaus County – No Vote Taken

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.)