

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

Regular Session  
All Supervisors Present

Tuesday

September 24, 2002

Pledge of Allegiance to the Flag

Employee Service Awards for those honored for thirty years of service were given to Linda Weidman - DA; Eileen Melson – CEO; and, Rhonda Bieseimeier - CSA. Employee Service Awards for those honored for twenty-five years of service were given to Kathy Carter – CSA, and Marcia Bosma - HSA.

C/P unan. Adopted the consent calendar after removing from consent item **\*B2** - Approval to Adopt a Resolution to Authorize the Director of Environmental Resources and Parks and Recreation to Destroy Records, from the consent calendar

- \*A1** Approved the minutes of 09/17/02
- \*A2** Approved the 10/8/02 Board of Supervisors' meeting to be recessed and continued to the Harvest Hall at 7:00 p.m. regarding the Fink Road Landfill Expansion 2002-721
- \*A3** Approved the request from the Oakdale High School Cross Country Team for use of the Woodward Reservoir area on 9/26/02 and 10/03/02 2002-722
- \*A4** Approved the request from Hughson High School Cross Country Team for use of the Modesto Reservoir and Turlock Lake Park areas from 8/27/02 through 11/30/02 2002-723
- \*A5** Appointed in lieu of election, William Forrest Bunker, to the Westside Community Health Care District 2002-724
- \*A6a** Appointed David Lopez to the Stanislaus County Free Library Advisory Board 2002-725
- \*A6b** Appointed Charles Morris to the El Solyo Water District Board 2002-726
- \*B1** Approved an amendment to the contract with Ace Cash Express, Inc. for Food Stamp Coupon Issuance Services, extending the ending date to 6/30/03 and increasing the transaction fee effective 10/1/02; and, authorized the CSA Interim Director, or her Assistant Director Designee, to sign the amended agreement and any additional amendments not to exceed the transaction fee amounts as agreed to this date – CSA 2002-727
- \*B3** Approved the Grant Agreement for Project #OPO312 with the California Office of Traffic Safety for the expanded Child Occupant Protection Program; authorized the HSA Interim Managing Director, or her Designee, 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 2002/03 2002-728
- \*B4** Authorized the Chairman to sign a contract with the State Department of Transportation for Litter Abatement for FYs 2002/03, 2003/04, and 2004/05; and, authorized the Chief Probation Officer to administer the contract 2002-729
- \*B5** Authorized the Sheriff to apply for and accept grant funds of \$2,750,000 from the Office of the National Drug Control Policy (ONDCP) for the Central Valley California (HIDTA) High Intensity Drug Trafficking Area for the CY 2002; directed the Auditor-Controller to increase estimated revenues and appropriations for the CY 2002 for HIDTA; and, directed the Auditor-Controller to carry forward all remaining funds at FY end, due to the CY basis of the grant 2002-730
- \*B6** Authorized the purchase of 4.11 acres of vacant land in Grayson, owned by Trinidad Gutierrez, the Gutierrez Revocable Living Trust, Cindy Waldo and Maxine House (Parcel 01634-06) for the Grayson Community Center and Park, and authorized the CEO to

- execute appropriate documents upon satisfaction of the conditions set forth in the Real Property Purchase Agreement 2002-731
- \*B7** Approved continuing to 10/8/02, the matter of considering the potential purchase of land, the construction of a County office building and the development of private retail space in conjunction with the development of a County parking garage on property located at 12th and I Streets in Modesto – CEO 2002-732
- \*C1** Directed the Auditor-Controller to increase appropriations and estimated revenue for the Crows Landing Road Widening Project, Phase 1 (Cowan Tract, Left-Turn Lanes on Crows Landing Road), by \$83,100 in the project account to cover the costs of construction – PW 2002-733
- \*D1** Rescinded a portion of Williamson Act Contract #76-2290, #75-2023 (Washington Rd., District 2), rescinded a portion of Williamson Act Contract #72-0963 (Cottonwood Rd., District 5) and approved new contracts pursuant to Minor Lot Line Adjustment Applications #2002-04 and #2002-16, and 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 GC Section 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 2002-734
- \*D2** Rescinded a portion of Williamson Act Contract #73-1497 (El Pomar District 1), rescinded a portion of Williamson Act Contract #72-0816 (Tim Bell, District 1), rescinded a portion of Contract #73-1446 (Bell Rd., District 5) and approved new contracts pursuant to Minor Lot Line Adjustment #2002-21, #2002-24 and #2002-28, and 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 GC Section 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 2002-735

S/B unan. \***B2** Adopted a resolution to authorize the Director of DER and the Parks and Recreation Department to destroy certain records; and, amended the item to keep all records for a minimum of three years and to review all records for historical value and further retention prior to destruction 2002-736

P/B unan. **B8** Authorized the CEO, on behalf of the Board, to accept funding under the Supplemental Law Enforcement Services (SLES) from the State Controller for FY 2002-03; authorized the establishment of the Supplemental Law Enforcement Services Oversight Committee; and, directed the Auditor-Controller to deposit funds received into the interest bearing trust fund for SLES – Sheriff and the DA 2002-737

**Recessed at 10:55 a.m.**

**Reconvened at 11:07 a.m.**

B/S unan. **B9** Accepted the responses to the 2001/02 Stanislaus County Civil Grand Jury Final Reports Nos. 3, 4, 6, 7 and 9, and authorized the Chairman to forward it to the Presiding Judge of the Superior Court; directed the CEO to ensure that the recommended actions be followed and completed by each County Department as appropriate, and report back to the Board during the Mid-Year Budget evaluation; and, amended the item to direct a letter to be sent to the Attorney General and the Superior Court 2002-738

B/P unan. **B10** Approved amendments to agreements with provider organizations for FY 2002/03; and, authorized the BHRS Director, or his Designee, to sign the amendments for FY 2002/03 2002-739

B/S unan. **B11** Authorized the Chairman to sign and execute the MOU relating to the formation and operation of the Turlock Groundwater Basin Association; and, pursuant to Section 5.2.1 of the MOU, authorized the Director of DER, or his Designee, to serve as a member of the Governing Board of the association and to represent the County in all matters related to the association – DER 2002-740

C/S unan. **9:25am** Approved the request for continuance for GPA Application #2002-02 and Rezone Application #2002-06 - Kit Fox Vineyards Winery, to be continued to the Board meeting of 10/1/02 at 9:30 a.m. – Planning and Community Development Department ORD-54-K-9 2002-741

**Corr 1** Referred to the HSA, a letter from the Department of Health Services regarding the delay in the release of the Final RFP for the Stanislaus County Two-Plan Model Commercial Plan.

**Corr 2** Referred to DER, a copy of the SJVAPCD's REMOVE Program RFP.

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Joshua Luke Reavis, and Alberto Salazar.

Supervisor Paul attended a Local Government Commission where the vacancies on the first floor of the Joint County-City Building was discussed. She attended a meeting in Sacramento for the Proposition 10 Commission regarding people living alone.

Supervisor Caruso reported on the recent Water Coalition meeting. He noted that the Broadband Task Force had met. He informed the Board that the San Joaquin Valley Supervisors Association's Fall Conference will be held in Bass Lake on 10/16 & 17/02. He held a "sidewalk" chat regarding the landfill issue and thanked the Board for allowing the Board meeting on 10/8/02 to recess and continue at 7:00 p.m. at the Agricultural Center in the Harvest Hall to discuss the landfill matter.

The Assistant CEO reported on that the Ag Commissioner is working on a crop damage assessment for drought designation for livestock damage so that the County can be eligible for a share of the \$752 million worth of Federal funds to offset producer's losses due to drought conditions across the country.

Adjourned to closed session at 1:20 p.m. for conference with legal counsel on existing litigation on the following cases: County of Stanislaus, et al. vs. Pacific Gas and Electric Co., et al. - San Francisco County Superior Court; City of Modesto vs. Varni Bros, et al. - Stanislaus County Superior Court Case #311367, pursuant to GC §54954.5(c). Public employment appointments: Director for the CSA and Director of the HSA – Pursuant to GC §54954.5(e).

Adjourned at 2:42 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.)