

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

October 29, 2002

Chairman Mayfield presented a proclamation to Darlene Wiseman, CCS Coordinator, which proclaims the month of October 2002 as California Children's Services Month.

Modesto Mayor, Carmen Sabatino, read portions of a letter sent to the County on 10/23/02, regarding the refinancing of his home and a lien that was placed against him. County Counsel, Mick Krausnick, read a letter dated 10/24/02, which responded to Mr. Sabatino addressing the issues in his letter, stating the lien was a State of California issue and not a County issue. Mr. Sabatino conceded the lien was removed by the State on Friday, 10/25/02.

George Killian spoke regarding the training that the 2002/03 Grand Jury received and other civic Grand Jury issues.

P/C unan. Adopted the consent calendar after removing from consent Item ***B14** - Approval of Amendment No. 1 to the Agreement for Farm Management Services with Sunflower Ranch Management Company, Inc., for the County's Agricultural Property Located Adjacent to the Fink Road Landfill - Public Works

- *A1 Approved the minutes of 10/08/02 and 10/15/02
- *A2a Accepted the resignation of Noé Páramo from the Stanislaus County Children's Council 2002-798
- *A2b Accepted the resignation of Saúl García from the Equal Rights Commission 2002-799
- *A2c Accepted the resignation of Jeanette Lyng Robinson and Apryl Neal from the WIB Youth Advisory Council 2002-800
- *A2d Accepted the resignation of Ken Beswick from Reclamation District #2063 2002-801
- *A3 Approved amending the County's COI 2002-802
- *A4a Proclaimed October 2002 as California Children's Services Month 2002-803
- *A4b Proclaimed November 2002 as California Court Adoption and Permanency 2002-804
- *A4c Proclaimed 11/16 – 17/02 as Hmong New Year Celebration 2002-805
- *A5 Approved adjusting the term ending date for Anne Starck on the Commission on Aging 2002-806
- *B1 Approved FY 2002-03 contracts with the California Department of Food and Agriculture and the California Department of Pesticide Regulation for pest detection and pesticide use enforcement; authorized the Chairman to sign the contracts; directed the Auditor-Controller to increase appropriations and revenue; amended the Salary and Position Allocation Resolution to add one Agricultural Assistant I position; authorized the purchase of two vehicles for the Pest Detection Program – Agricultural Commissioner 2002-807
- *B2 Approved an agreement with the State Department of Mental Health to fund a Staff Support Technician to provide administrative support for the Building the Employment Services Team, and authorized the Director of BHRS, or his Designee, to sign the agreement 2002-808
- *B3 Approved an agreement with the State Department of Mental Health for the provision of Mental Health Services for FY 2002-03, and authorized the Director of BHRS, or his Designee, to sign the agreement 2002-809
- *B4 Approved Amendment #1 to the agreement between City of Modesto and County of Stanislaus relating to Administration of Service Agreement for Supply and Acceptance of Solid Waste, and authorized the Chairman to sign the amendment – DER C-6-H-16 2002-810

- *B5** Authorized the Director of DER to administer and receive Beverage Container Recycling Funds for the period of 2001-03 from the California Department of Conservation to promote beverage container recycling and litter clean-up, and to act as the lead agency for the participating cities; authorized the Director of DER to sign the funding agreement to receive the funds for the period of 2001-03; authorized the Auditor-Controller to make necessary financial transactions; authorized the submittal of a joint funding request on behalf of the cities of Hughson, Newman, Oakdale, Patterson, Turlock, Waterford and the unincorporated areas of Stanislaus County to the Department of Conservation’s Division of Recycling; and, acknowledged the following verbiage as required by the Department of Conservation Division of Recycling: “The Director of DER is hereby authorized and empowered to execute in the name of the cities of Hughson, Newman, Oakdale, Patterson, Turlock, Waterford and the unincorporated areas of Stanislaus County all necessary forms and information hereto for the purposes of securing payment to implement and carry out the purposes specified in Section 14581(a)(4)(A) of the California Beverage Container Recycling and Litter Reduction Act and provide information regarding this program to the department upon request. The Stanislaus County Department of Environmental Resources will be the responsible party to provide records to the Department of Conservation’s Division of Recycling should an audit be performed” 2002-811
- *B6** Authorized the HSA Interim Managing Director, or her Designee, to negotiate necessary Lease/Purchase Agreement documents to enter into an agreement with Lasalle Bank National Association for the replacement of a Nuclear Medicine Imaging Camera and related equipment with a principal amount not to exceed \$345,000; following review and approval by County Counsel, authorized the CEO, or his Designee, to enter into the agreement; and, authorized the HSA to make space renovations to accommodate the new nuclear medicine equipment 2002-812
- *B7** Introduced and waived the first reading of Ordinance C.S. 810 to amend Chapter 9.60 of the County Code concerning fair hearing processes of the Indigent Health Care Program – HSA
ORD-54-L-2 2002-813
- *B8** Approved the updated Indigent Health Care Program (IHCP) scope of benefits and benefit exclusions reflecting changes resulting from the closure of Stanislaus Medical Center and clarifying language related to existing Board approved medical and dental benefits – HSA 2002-814
- *B9** Approved an agreement between the Office of Statewide Health Planning and Development (OSHPD) and Stanislaus County HSA under which OSHPD provides training funds to the HSA under the Song-Brown Family Physician Training Act, and authorized the HSA Interim Managing Director, or her Designee, to sign the agreement 2002-815
- *B10** Accepted a report from Supplemental Law Enforcement Oversight Committee (SLEOC) related to Supplemental Law Enforcement services for FY 2001-02 – Sheriff 2002-816
- *B11** Authorized the Sheriff to accept Department of Education Third Year Funding to continue Transitional Road to After Custody and Self-Sufficiency (TRACS) Program for inmates; directed the Auditor-Controller to set up Organizational Unit #0028333 to account for these funds, carry forward balances at the end of the FY, and to establish the necessary appropriations and revenues; and, authorize the Sheriff to negotiate and sign agreements with the service providers to continue this program – Sheriff 2002-817
- *B12** Authorized the Sheriff to contract with the California Department of Corrections (CDC) to establish a Partnership in a State Monitored Inmate Programs and Recidivism Study; authorized the Sheriff to sign the agreement that will provide the CDC with Federal funding in order to conduct the study; authorized the Sheriff to accept \$114,981 from the US Department of Education Correctional Education Division; authorized the Sheriff to transfer Department of Education funding to CDC and accept CDC Administrative Fees equaling 5% of total grant funds awarded, approximately \$5,749; and, directed the Auditor-Controller to increase appropriations and revenues – Sheriff 2002-818

- *B13 Accepted the Stanislaus County Treasury Pool’s August, 2002 Monthly Investment Report as prepared by the Stanislaus County 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 – T/TC
2002-819
- *C1 Directed the Auditor-Controller to increase appropriations and estimated revenue by \$158,615.05, to cover extra work and quality assurance inspections associated with the Albers Road Widening Project – PW
2002-820
- *C2 Adopted a resolution to summarily vacate Acacia Street and a portion of Mission Street in the Town of Salida – PW
2002-821
- *C3 Directed the Auditor-Controller to appropriate funds in the amount of \$101,000 to cover the costs of advertising, publishing, construction, and construction engineering for the Pelican Road Flood Control Project – PW
2002-822
- *C4 Approved Amendment #1 to the Right-of-Way Acquisition Agreement for the acquisition of property at the northwest corner of Albers Road and Patterson Road; authorized the Chairman to execute the amended agreement; authorized the Auditor-Controller to increase appropriations and estimated revenues by \$7,500.00 in the project account; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$7,500.00 payable to Abraham Deviser and Cynthia Deviser – PW
2002-823
- *C5 Approved an amendment to the Professional Services Agreement with Nichols Consulting Engineers; and, authorized the Chairman to execute the amendment – PW
2002-824
- *C6 Directed the Auditor-Controller to increase appropriations by \$17,904 and increase estimated revenue by \$15,848.62 in the project budget for material testing and inspection services for the FY 2000/01 Asphalt Concrete Overlay Program Project – PW
2002-825
- *C7 Approved the Institution of Proceedings for the formation of CSA #20 – Summit, to provide the extended County service of drainage control within the Summit Corporate Center Industrial Subdivision; approved the Engineer’s Report, prepared by the County Engineer, for CSA #20 – Summit; approved an assessment ballot procedure in conformance with Proposition 218 for the proposed formula for calculating the annual assessment; set a public hearing on 1/14/03, at 9:30 a.m., regarding the formation of CSA #20 – Summit, and the proposed formula for calculating the annual assessment; and, ordered that notice of the public hearing be given by mail, pursuant to GC Section 53753(b) – PW
CSA-20-1 2002-826
- *C8 Approved the institution of proceedings for the formation of CSA #17 – Sunray Estates, to provide the extended County service of drainage control and maintenance of a park and landscaping within the Sunray Estates Residential Subdivision; approved the Engineer’s Report, prepared by the County Engineer, for CSA #17 – Sunray Estates; approved an assessment ballot procedure in conformance with Proposition 218 for the proposed formula for calculating the annual assessment; set a public hearing on 1/14/03, at 9:25 a.m., regarding the formation of CSA #17 – Sunray Estates and the proposed formula for calculating the annual assessment; and, ordered that notice of the public hearing be given by mail, pursuant to GC Section 53753(b) – PW
CSA-17-1 2002-827
- *C9 Finds that all subdivision improvements for the Lands of Adam Planned Development have been constructed to the satisfaction of Stanislaus County; and, accepted all streets, avenues, ways, roads, and street drainage system within the Lands of Adam Planned Development for maintenance by Stanislaus County – PW
2002-828
- *D1 Approved Salida Park Account expenditure to Polhemus Enterprises; approved Salida Road Account expenditure to Neumiller & Beardslee; authorized the Auditor-Controller to issue a warrant in the amount of \$2,902.75 to Polhemus Enterprises; and authorized the Auditor-Controller to issue a warrant in the amount of \$45.00 to Neumiller & Beardslee – Planning and Community Development Department
2002-829

- ***D2** Authorized the expenditure of \$25,000 of Home Investment Partnership (H.O.M.E.) Program funds for the purchase of a single-family residential lot in the Riverdale Park neighborhood – Planning and Community Development 2002-830
- ***D3** Set a public hearing for 12/10/02 at 9:25 a.m. regarding the review of the Stanislaus County Redevelopment Agency Plan and Implementation Plan – Planning and Community Development 2002-831
- ***D4** Set a public hearing for 11/12/02 at 9:25 a.m. for Rezone Application #2002-16, Grayson Community Center – Planning and Community Development ORD-54-L-4 2002-832

B/S unan. ***B14** Approved Amendment #1 to the agreement for Farm Management Services with Sunflower Ranch Management Company, Inc., for the County's agricultural property located adjacent to the Fink Road Landfill; authorized the CEO to sign the amendment; and, authorized the Auditor-Controller to deposit funds into the Fink Road Landfill (Agricultural Property) Account to cover the operation and maintenance costs for the property as set forth in the Farm Management Contract – PW 2002-833

P/C unan. **B15** Authorized the HSA to apply to the California Department of Health Services, Sexually Transmitted Disease (STD) Branch, for an amount not to exceed \$40,000 for the Chlamydia Screening Project (ClaSP) for continued screening of Chlamydia in Stanislaus County for the period of 7/1/02 – 6/30/03; and, authorized the HSA Interim Managing Director, or her Designee, to sign the application and accept funds, if awarded 2002-834

Recessed at 10:23 a.m.

Reconvened at 10:30 a.m.

P/S unan. **B16** Accepted the FY 2001-02 Third Annual Report from the Stanislaus County Family Violence Death Review Team – HSA 2002-835

P/S unan. **B17** Authorized the Sheriff's Department to enter into an agreement with the E&J Gallo Winery Incorporated for the purchase of one Bell Long Ranger II Helicopter in the amount of \$400,000, and to establish the required insurance coverage and complete the transfer of the asset as required; declared listed aircraft items as surplus property and authorized the sale of this property consistent with county Purchasing Policy, with any net proceeds to be deposited into the Sheriff's Aero Squadron Account in dedicated funds; and, authorized the Auditor-Controller to increase estimated revenue and appropriations in the dedicated funds Aero Squadron Account in an amount equal to the actual amount received from the sale of the parts 2002-836

Supervisor Paul absent at 11:02 a.m.

S/B (Paul absent) (4-0) **B18** Approved the Telecommunications Strategy for County Departments – CEO 2002-837

Corr 1 Discussed letter regarding the Transportation Sales Tax Initiative for Stanislaus County – no action was taken.

B/S (Paul absent) (4-0) **Corr 2** Opposed Proposition 50 on the 11/05/02 election as requested in the letter received by the Madera County Board of Supervisors. 2002-840

Corr 3 Referred to DER a re-notice from the State Water Resources Control Board regarding an application to appropriate water by permit for the Thomson Family Trust to divert water from tributaries which are tributary to Angels Creek thence New Melones Reservoir.

Corr 4 Referred to the Chief Probation Officer a notice from the State Board of Corrections regarding an update of public hearing dates for the revision of the Minimum Standards for Local Juvenile Facilities.

Corr 5 Designated Supervisor Pat Paul as the member to serve on the Ballot Processing Panel for the 11/5/02 Consolidated General Election.

Corr 6 Referred to DER and to the Agricultural Commissioner, a copy of the San Joaquin Valley Drainage Monitoring Program 1998 from the State Department of Water Resources.

Corr 7 Referred to Emergency Services/CEO, a letter from the State Office of the Director of Emergency Services regarding the declaration of Stanislaus County as a contiguous County as a disaster area due to the wildfire in Santa Clara County.

Corr 8 Referred to the CEO, a letter from the Judicial Council of California seeking comment on a revised model for appointment, evaluation, discipline and removal of the Chief Probation Officer.

Corr 9 Referred to the DCSS, a letter from the California Department of Child Support Services regarding general information on new legislation AB 2934 and AB 3032.

Corr 10 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Jacqueline Ramirez (Minor); Maximiliana Mora; David Frank Koot; Larry Harper; Joan Stark; Frances Burnett; and, Benjamin Overton.

Supervisor Caruso attended the Red Ribbon Week Ceremony. He stated that his recent San Joaquin Valley Supervisors' Conference was a success and thanked the staff for their support and assistance. He also noted that there were numerous concerns expressed regarding fiscal impacts to counties due to IHSS.

The Chairman invited everyone to attend the 2002 Annual Retreat of Stanislaus County's Unincorporated Communities to be held at the Agricultural Center, 3800 Cornucopia Way, Modesto, on Saturday, 11/2/02, beginning at 8:00 a.m.

S/B (Paul absent) (4-0) **Legislative A.** Accepted the First Quarter Financial Report, July-September 2002 –
CEO 2002-838

S/B (Paul absent) (4-0) **Legislative B.** Approved a resolution for CSAC Board of Directors urging the State of California to recognize and accept its administrative oversight and fiscal responsibilities to the mandated In-Home Supportive Services (IHSS) Program – CEO 2002-839

Adjourned to closed session at 11:53 a.m. for conference with legal counsel on existing litigation - one case: Majorie Dalmaceda and Nica Dalmaceda, a minor, by and through her Guardian ad Litem, Marjorie Dalmaceda, vs. the County, David J. Gaddy, and Does 1 through 100 - #306966, filed in Superior Court on 12/21/01, pursuant to GC §54956.9; and, cancelled the matter pertaining to public employee/employment to consider recommendation and appointment of the Chief Probation Officer.

Adjourned at 12:34 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.)