

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

Regular Session

Tuesday

December 3, 2002

All Supervisors Present

Pledge of Allegiance to the Flag

Samantha Phillips-Bland presented a plaque of appreciation to Supervisor Nick Blom from the California Family Health Council upon his retirement.

Linda Kirkland spoke regarding inadequate medical care provided to her nephew at the downtown Jail Infirmary by the California Forensic Medical Group (CFMG).

Ida May Mullins spoke regarding the need for traffic lights and sidewalks on various streets in the South Modesto area and submitted a signed petition, which was given to Supervisor Caruso.

B/P unan. Adopted the consent calendar after removing from the consent calendar Item **\*C8** - Approval of a Purchase Agreement to Acquire Property at the Southeast Corner of the Intersection of Crows Landing Road and Pecos Avenue

- \*A1** Approved the minutes of 11/12/02
- \*A2** Adopted and waived the second reading of Ordinance C.S. 813 to establish a fingerprint fee in the amount of ten dollars (\$10) to be collected by the Stanislaus County Sheriff's Department ORD-54-L-6 2002-884
- \*A3** Approved a request from the District Attorney for use of the Court House lawn on 12/10/02 at 6:30 p.m. to light the Homicide Victims' Memorial Tree and hold a candlelight vigil 2002-885
- \*A4** Accepted the resignation of George teVelde and appointed John Brubaker to the Salida Fire Protection District Board 2002-886
- \*A5** Accepted the resignation of Mary Jackson from the Monterey Park CSD Board 2002-887
- \*A6** Accepted the resignation of Barbara Casey and appointed Randall Locklin to the Empire Sanitary District Board 2002-888
- \*A7** Accepted the resignation of Lynn Hale from the Commission on Aging 2002-889
- \*A8** Accepted the resignations of Toni Hector and Bonnie Cyphers and appointed George Sharp to the IHSS Advisory Committee 2002-890
- \*A9** Proclaimed December 2002 as Drunk and Drugged Driving (3D) Prevention Month 2002-891
- \*B1** Authorized the CEO to negotiate and execute an agreement with the Keller Group to purchase and install furniture, fixtures, and equipment for the reconstruction of the County offices at 801 11<sup>th</sup> Street, as long as the agreement is within budget 2002-892
- \*B2** Approved paying out eight (8) hours of holiday pay instead of eight (8) hours holiday credit accrual for the Emergency Dispatchers Bargaining Unit during the bi-weekly period in which the holiday occurs for those employees working on the holiday, and approved re-evaluating this practice at the end of the FY, 6/30/03 – Emergency Dispatch 2002-893
- \*B3a** Adopted the decision of the Nuisance Abatement Hearing Board regarding 1518 Imperial Avenue, Modesto, CA, Hearing #CE 01-2142 – DER 2002-894
- \*B3b** Adopted the decision of the Nuisance Abatement Hearing Board regarding 1201 Inyo Avenue, Modesto, CA, Hearing #CE 02-1462 – DER 2002-895

- \***B3c** Adopted the decision of the Nuisance Abatement Hearing Board regarding 908 Wheatley Avenue, Modesto, CA, Hearing #CE 02-1523 – DER 2002-896
- \***B4** Accepted funding from the California Wellness Foundation, through the California Family Health Council for Peer Provider Teen Clinic for CY 2003, and approved the submittal of the Scope of Work and preliminary budget for the Peer Provider Teen Clinic located at the Paradise Medical Office, and to begin Peer Provider Services at the Hughson Medical Office; and, approved the HSA Managing Director, or her Designee, to sign the contract to accept \$100,000 for the Peer Provider Teen Clinical Services 2002-897
- \***B5** Approved the State Department of Health Services Contract Agreement (#97-11343 A03) for the Information and Education (I&E) Program for the HSA, and authorized the HSA Managing Director to sign and execute the contract 2002-898
- \***B6** Approved the closure of all libraries at 5:00 p.m. on Tuesday, 12/31/02 – Library 2002-899
- \***B7a** Approved the findings of the CEQA Initial Study and adopted a Negative Declaration for the development of the fishing access at Turlock Lake; and, finds the project to be De Minimus for the purposes of the California Fish and Game Codes – Parks and Recreation 2002-900
- \***B7b** Approved the findings of the CEQA Initial Study and adopted a Negative Declaration for the development of the Riverdale Fishing Access and Park; and, finds the project to be De Minimus for the purposes of the California Fish and Game Codes – Parks and Recreation 2002-901
- \***B8** Selected the proposal submitted by Universal Building Services and awarded a one-year contract with provision to extend four additional years for Janitorial Services for the Agricultural Center; and, authorized the Purchasing Agent to sign the agreement and any extensions of the term – Public Works 2002-902
- \***B9** Approved reaffirming the reimbursement rates for the Safety Shoes Reimbursement Program pursuant to County Code Section 2.60.020 (D) (3); authorized Department Head to pay up to \$100 per employee, per year, for the Safety Shoe features added to the Safety Shoe; directed Department Heads to establish a list of Safety Shoe features required, within the job categories under their jurisdiction; and, authorized Department Heads to exceed the one pair of Safety Shoes per year, per employee, whenever it is determined that the Safety Shoe has worn out before the year end time period due to on the job wear – Risk Management 2002-903
- \***B10** Approved establishing reimbursement rates for the Safety Prescription Lenses Reimbursement Program pursuant to County Code Section 2.60.020 (D)(3); approved the reimbursement rate for Safety Prescription Lenses up to \$120 per employee, per year; directed Department Heads to establish a list of job classifications, under their jurisdiction, that require the use of Safety Prescription Lenses; and, authorized Department Heads to exceed the one pair of Safety Prescription Lenses per year, per employee, whenever it is determined that the Safety Prescription Lenses have been destroyed due to on the job wear – Risk Management 2002-904
- \***B11** Accepted the Stanislaus County Treasury Pool’s September, 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 2002-905
- \***B12** Approved a Letter of Support for the San Joaquin Valley Resource Conservation and Development Council; authorized the Chairman to send a letter supporting the formation of the San Joaquin Valley Conservation and Development Council by the USDA; and, authorized the CEO to take the necessary steps to ensure the inclusion of Stanislaus County as a participant in the Council 2002-906

- \*C1 Set a Public Hearing on 1/7/03, at 9:25 a.m., to adopt a Resolution of Intention to vacate portions of the Jessup Road and Foote Road; and, authorized the Clerk of the Board to publish and post the hearing in accordance to §8320 and §8322 of the Streets and Highways Code – Public Works 2002-907
- \*C2 Approved Contract CO#1 for the Finch Road at Mariposa Road Traffic Signal Project with Teichert Construction of Turlock, CA; authorized the Purchasing Department to increase the contract amount by \$10,244.43; and, directed the Auditor-Controller to increase appropriations by \$10,244.43, to cover increased construction costs associated with the project – Public Works 2002-908
- \*C3 Adopted a resolution to summarily vacate a portion of Orange Blossom Road east of Oakdale – Public Works 2002-909
- \*C4 Directed the Auditor-Controller to increase appropriations by \$88,000.00 and estimated revenue by \$85,900.00, to cover professional engineering design and environmental studies for the Carpenter Road Traffic Signal Project – Public Works 2002-910
- \*C5 Approved a Master Agreement with Davis-King & Associates for archeological, historical and cultural studies for various Public Works projects 2002-911
- \*C6 Authorized the Chairman to vote in support of the proposed formula to calculate the annual assessments in CSA #17 for the parcel owned by Stanislaus County – Public Works 2002-912
- \*C7 Directed the Auditor-Controller to increase appropriations by \$6,000 and estimated revenue by \$5,311.80, for archaeological, historical and cultural studies for the Carpenter Road Reconstruction Project 1.5 miles north of Crows Landing Road – Public Works 2002-913
- \*C9 The Board finds that Ordinance C.S. 814 is not subject to the CEQA; and, introduced and waived the first reading of Ordinance C.S. 814 amending Title 11 of the County Code, §11.08.020 to add no parking zones on Merced Avenue (Denair) – Public Works  
ORD-54-L-7 2002-914
- \*C10 Approved the Project Agreement for Groundwater Monitoring at the closed Geer Road Landfill; and, authorized the Chairman sign the agreement – Public Works 2002-915
- \*D1 Approved Salida Storm Drain account expenditure to W.M. Lyles Company; approved Salida Storm Drain account reimbursement to the Redevelopment Agency; authorized the Auditor-Controller to issue warrants in amounts not to exceed \$902,618.45 to W. M. Lyles Company; and, authorized the Auditor-Controller to transfer \$527,486.55 to the Redevelopment Agency – Planning and Community Development 2002-916
- \*D2 Set a public hearing on 1/7/03, at 9:30 a.m., for Rezone Application # 2002-10, Parcel Map Application #2002-16 and Exception Application #2002-03 for Orlin C. Munns – Planning and Community Development  
ORD-54-L-8 2002-917

B/S (4-0) (Caruso abstained) \*C8 Approved a purchase agreement to acquire property at the southeast corner of the intersection of Crows Landing Road and Pecos Avenue; authorized the Chairman to execute the agreement; directed the Auditor-Controller to increase appropriations \$214,136 in the project account; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$212,136 payable to Fidelity National Title Company – Public Works 2002-920

C/P unan. A10 Accepted the Clerk-Recorder’s Declaration of the Results of the Consolidated Election conducted on 11/5/02 2002-918

B/P unan. B13 Accepted the informational report from the Multi-Disciplinary Interview Team regarding the Multi-Disciplinary Interview Center, including statistical data, accomplishments and future goals – DA 2002-919

B/S unan. **C11** Approved an agreement between Stanislaus County and the Salida Fire Protection District providing for the sale of land to the District for the construction of a new Fire Station; and, authorized the Chairman to sign the agreement and the Road Deed – Public Works 2002-921

C/P unan. **D3** Authorized the expenditure of \$81,500 of Home Investment Partnership (H.O.M.E.) Program funds for the purchase of three (3) Single Family Residential lots in the Riverdale Park Neighborhood – Planning and Community Development 2002-922

P/B unan. **9:30am** The Board finds that the Notice of Public Hearing to conduct an assessment ballot process in compliance with Proposition 218 regarding the formation of CSA #18 – Atlas Park and the proposed new formula for calculating the amount of the annual assessments, was published in compliance with GC §6066; authorized the Clerk of the Board to open the sealed ballot, tabulate, and immediately submit the results to the Board; the Clerk announced that the ballot passed by the landowners with a vote of 1-0 in support of the formation of CSA #18, and the assessment formula for calculating the annual assessments, and that a majority protest had not been filed regarding the proposed assessment; approved the formation of CSA #18 – Atlas Park; and, ordered that the Engineer’s Report be made a part of the record of this proceeding – Public Works CSA-18-2 2002-923

C/S unan. **9:35am** The Board finds that the Notice of Public Hearing to conduct an assessment ballot process in compliance with Proposition 218 regarding the formation of CSA #19 – Tuolumne Graton and for the proposed new formula for calculating the amount of the annual assessments, was published in compliance with GC §6066; authorized the Clerk of the Board to open the sealed ballots, tabulate, and immediately submit the results to the Board; the Clerk announced that the ballot passed by the landowners with a vote of 4-0 in support of the formation of CSA #19, and the assessment formula for calculating the annual assessments, and that a majority protest had not been filed regarding the proposed assessment formula; approved the formation of CSA #19 – Tuolumne Graton subject to approval by LAFCO as the Conditioning Authority; and, ordered that the Engineer’s Report be made a part of the record of this proceeding – Public Works CSA-19-1 2002-924

**Corr 1** Acknowledged receipt of a copy of the 2002 Annual Report from CSAC.

**Corr 2** Referred to the Department of Planning and Community Development a notice from the United States Department of Fish and Wildlife Service regarding the reopening of the comment period for the Sacramento Splittail.

**Corr 3** Referred to the Department of Planning and Community Development a letter from the California Department of Fish and Game regarding the Strategic Plan for Trout Management.

**Corr 4** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Maria Olaguez and Jose G. Medina; Marcy L. Batterson; Misty Marez; and, Gabriel Fisher.

Supervisor Caruso commented upon the recent Best Practices Retreat. He noted that he attended the Sheriff’s Citizens Academy graduation.

The CEO provided information to the Board on the La Grange Water System. Fire Chief Rambo of the Stanislaus Consolidated Fire Protection District reported upon the inadequacy of the fire hydrants during a recent fire. Discussion ensued regarding the responsibility of the Turlock Irrigation District (TID) to provide adequate water pressure to the community. The CEO will follow up with the TID regarding this

matter. An employee of TID spoke regarding their efforts to provide adequate water flow. He noted that TID is willing to work with the County and Stanislaus Consolidated Fire Protection District.

**Supervisor Paul absent at 11:15 a.m.**

The CEO reported on the update with the State budget, which will have a \$25 billion deficit over the next 20 months. He noted that the State is looking to local allocated funds, such as VLF funds, to assist in resolving their budget shortfall. The State's reallocation of these funds will impact the County's ability to provide services. Therefore, he directed staff to look at ways to cut the County's budget through program cuts and the use of reserves. The CEO noted that the Board meetings will be rebroadcast on the west side of the County through AT&T on Channel 19 on Saturdays at noon and on Fridays at 7:00 pm.

Supervisor Caruso asked for an update on the water availability issues for the proposed Salida growth. He noted that LAFCO has new legal requirements prior to annexations. The CEO informed the Board on the complexity of finding a solution for this issue. Discussion ensued regarding the traffic and water issues in this area. The CEO noted a long-term study regarding water supply for the entire County is in progress.

Adjourned at 11:38 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.)