

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

Regular Session

Tuesday

March 11, 2003

All Supervisors Present

Pledge of Allegiance to the Flag

A resolution proclaiming March 2003 as Social Worker Recognition Month was presented to Margaret Tynan, CSUS Social Work Department Chair, Lidia Caza, CSUS Student Association President, and Trish Reher from the National Association of Social Workers.

P/G unan. Adopted the consent calendar

*A1 Approved the minutes of 2/25/03

*A2 Adopted and waived the second reading of Ordinance C.S. 824 providing guidelines concerning the fee payment provisions of the Public Facility Fee Ordinance

ORD-54-M-7 2003-210

*A3a Accepted the resignation of Danielle Davis from the Stanislaus County Parks and Recreation Commission 2003-211

*A3b Accepted the resignation of Sharon Reeves from the Mental Health Board 2003-212

*A3c Accepted the resignation of Dave Simons from the Knights Ferry Municipal Advisory Council 2003-213

*A4a Appointed Shirley Foerster and Robert B. Schorr to the Mental Health Board 2003-214

*A4b Appointed Jeff Ericson to the Reclamation District 2091 (Chase Levee) Board 2003-215

*A4c Appointed Gail Clark to the Stanislaus County Children's Council 2003-216

*A4d Appointed Bruce Frohman to the Economic Development Action Committee 2003-217

*A5a Approved request from E Clampus Vitus for use of the La Grange Gold Dredge Historical Site on Friday, 4/18/03 through Sunday, 4/20/03 2003-218

*A5b Approved request from E Clampus Vitus for use of the La Grange Gold Dredge Camp on Friday, 10/17/03 through Sunday, 10/19/03 2003-219

*A6 Approved the amended by-laws for Reclamation District 2091 (Chase Levee) DR-4-27 2003-220

*A7 Approved the request from the City of Modesto for use of the Courthouse Lawn for the 8th Annual Family Cycling Festival and Criterium on Saturday, 5/17/03, and proclaimed the week of 5/12/03 as Bike Commute Week 2003-221

*A8 Proclaimed the week of 3/10/03 as Problem Gambling Awareness Week 2003-222

*A9 Approved request from the Stanislaus County Children and Families Commission for use of the Courthouse lawn on Saturday, 3/22/03 from 1:00 p.m. to 2:00 p.m. 2003-223

*A10 Set a public hearing on 3/25/03 at 9:35 a.m. to consider an appeal of Planning Commission decision on Use Permit Application #2002-22, Grover Landscape Services, Inc. 2003-224

*A11 Commended Jack Rickenbacker upon his retirement from the Assessor's Office 2003-225

*B1 Approved closing the Animal Services Center on various days in the year 2003 2003-226

*B2 Set a public hearing on 6/3/03 at 9:25 a.m. regarding the 2003/04 special assessment for Peach Blossom Estates Street Lighting District 2003-227

*B3 Approved the Status Report of Emergency Action on the Court's Elevator Modification Project 2003-228

- ***B4** Approved the California Department of Health Services contract for the period 7/1/02 through 6/30/05 for the Childhood Lead Poisoning Prevention and Medi-Cal and Lead Program allocation and authorized the HSA Managing Director, or her designee, to sign and execute the contract – Health Services Agency 2003-229
- ***B5** Accepted the Stanislaus County Treasury Pool’s January, 2003 Monthly Investment report as prepared by the Treasurer/Tax Collector’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 for the Board that the report has been reviewed and accepted 2003-230
- ***B6** Authorized the Sheriff to apply for a grant through the Department of Alcoholic Beverage Control (ABC) for local law enforcement to assist in the regulation of ABC Licensees; approved a resolution undertaking a project designated as “Targeted Abatement Project”; authorized the Sheriff to sign any grant application forms; and, if awarded, directed the Auditor-Controller to make the necessary budget adjustments 2003-231
- ***C1** Directed the Auditor-Controller to increase Appropriations and anticipated Revenue for the Shiloh Road Bridge Seismic Retrofit Project by \$15,000 – PW 2003-232
- ***C2** Approved the installation of stop sign traffic control, under the authorization granted to local authorities in Vehicle Code §21354, at Country Hill Lane at Indian Ridge Lane – PW 2003-233
- ***C3** Find that Ordinance C.S. 825 is not subject to CEQA (Public Resources Code §2100 et seq.); and, introduced and waived the first reading of Ordinance C.S. 825 amending Title 11 of the County Code, §11.08.060 to add two-hour parking zone on Broadway Avenue (Salida), §11.08.070 to add parking prohibited on certain streets at certain times on Zeering Road (Denair) and McHenry Avenue, §11.08.110 blue curb marking - streets designated on Danielle Court (Salida), and a red curb marking-streets designated on Paradise Road – PW ORD-54-M-8 2003-234
- ***C4** Directed the Auditor-Controller to increase Appropriations by \$50,000 to cover the cost of the escrows, appraisals, and right-of-way acquisitions for the Carpenter Road Traffic Signal Project – PW 2003-235
- ***C5** Approved an agreement to lease real property for cattle grazing on 760.4 acres of rolling hills adjacent to the west of the active Fink Road Landfill, and awarded the lease agreement to Paul Clarot for a five-year term – PW 2003-236
- ***C6** Approved the agreement between the County and the San Joaquin Regional Rail Commission to continue the study of the extension of the Altamont Commuter Express Service to Stanislaus County, and authorized the Chairman to sign the agreement – PW 2003-237
- ***D1** Set a public hearing on 4/1/03 at 9:25 a.m. regarding the Draft Community Development Block Grant Annual Work Plan – Planning & Community Development 2003-238
- ***D2** Set a public hearing on 4/1/03 at 9:30 a.m. for Rezone Application #2002-04 and Parcel Map Application #2002-05, Gerry Hughes – Planning & Community Development ORD-54-M-9 2003-239

C/M unan. **B7** Authorized the Ag Commissioner to enter into a cooperative agreement with the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) and Veterinary Services (VS) regarding the Exotic Newcastle Disease; authorized the Ag Commissioner to implement the surveillance program to prohibit against the spread of Exotic Newcastle Disease; accepted the \$647,992 from the United States Department of Agriculture (USDA) for the implementation of the surveillance program to prohibit against the spread of Exotic Newcastle Disease; and, authorized the Auditor-Controller to increase Appropriations and Estimated Revenue 2003-240

Corr 1 The Board approved a request from Supervisor Waterston, Fresno County, to make a presentation before this Board on 4/1/03 to describe Operation Clean Air.

Corr 2 Referred to DET, a letter from Albertsons' Inc. regarding the permanent closure of store #7268 located at 701 N. Golden State Blvd. in Turlock, which may result in the permanent layoff of some employees at this store on 5/2/03.

G/P (4-1) (Mayfield opposed) **Corr 3** Directed the CEO to write a letter of support, as requested by the Chair of the StanCOG Policy Board, to seek federal funds for various regional transportation projects; and, directed the CEO to include in the letter a request for further communication regarding the Pelandale/99 interchange, and further study of the implications of North Salida, the Crows Landing/Turlock area, and an intersection study 2003-241

Corr 4 Acknowledged receipt of the Comprehensive Annual Financial Report for the County of Stanislaus for FY ending 6/30/02 from the Auditor-Controller.

Corr 5 Referred to the Chief Executive Office and Probation Department, a letter from the Judicial Council of California regarding the Probation Services Task Force Draft Final Report which will be available for comment on 3/14/03.

Corr 6 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: David Johnson; Kevin Ray Hunter; Sandra Vaughn; Gerardo H. Hernandez; and, Sylvia Echols, Christopher Echols, a Minor, and Susan Palleson, a Minor.

Supervisor Caruso noted that the City of Ceres will be unveiling their new fire station at 4:00 p.m. tomorrow.

Chairman Simon noted that the Modesto Police Department has invited him to a meeting tonight, where Federal officers from the Department of Justice will be presenting a report on National Security.

Legislative A. The CEO gave a verbal report regarding the NACO Annual Legislative Conference and his meeting with our Congressional officials.

The CEO noted that staff continues to work on the County budget as it relates to the State budget, and that the State Legislature and the Governor are still at odds on how to solve the State fiscal crisis. He mentioned that County Department Heads, managers and employees have substantially cut their monthly operating expenses, and have created a large number of Countywide vacancies. He stated how proud he is of the Department Heads and the County employees with their suggestions and ideas regarding budget savings.

The CEO noted that on 2/25/03 and 3/4/03 the Modesto City Council discussed the Board's decision and activities regarding the Fink Rd. Landfill. The CEO will provide information regarding the Fink Rd. Landfill to the Council tonight.

Adjourned to closed session at 10:16 a.m. for Conference with Real Property Negotiators: Property Acquisition 10661 Dixon Road, Oakdale, CA (APN: 010-21-56). Agency Negotiator: Reagan M. Wilson. Owner Negotiator: Christine Shutz. Under negotiation: both terms of payment and price. Government Code §54956.8. Conference with Legal Counsel-Existing Litigation: City of Modesto vs. Viacom Outdoors et al; Case No. 329869. Government Code 54954.5 (c).

Closed Session Announcement:

P/C unan. Regarding City of Modesto vs. Viacom Outdoors et al, Case No. 329869, Government Code §54954.5 (c). Authorized the filing of a disclaimer of defendant County of Stanislaus in this action, whereby the County claims no interest in the property described in the eminent domain main action filed by the City of Modesto on 1/17/03 except for unpaid taxes, penalties and costs that have been secured upon the property and which amounts will be paid to the Tax-Collector upon the award of compensation pursuant to §1260.250 of the Code of Civil Procedure. The disclaimer provides that the County has no right to participate further in the proceedings, and the action authorizes Ray Simon, Chairman of the Board, to sign the disclaimer on behalf of the Board. 2003-242

Adjourned at 10:53 a.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: ELIZABETH A. KING, 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.)