

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

Regular Session
All Supervisors Present

Tuesday

June 3, 2003

Pledge of Allegiance to the Flag

Miguel Donoso thanked the County for the meeting held by the Planning and Community Development on 5/21/03 regarding community improvement for the Bret Harte area. The community will be meeting with Supervisor Caruso regarding drug and gang activity.

P/C unan. Adopted the consent calendar

***A1** Approved the minutes of 5/20/03

***A2a** Adopted and waived the second reading of Ordinance C.S. 830 increasing building permit and inspection fees – PW

***A2b** Adopted and waived the second reading of Ordinance C.S. 831 establishing new fees and amending existing fees collected by DER

***A2c** Adopted and waived the second reading of Ordinance C.S. 837 increasing and establishing fees for furnishing copies of an identifiable public record – County Counsel

***A2d** Adopted and waived the second reading of Ordinance C.S. 838 establishing new fees and amending existing fees for the Agricultural Commissioner

***A2e** Adopted and waived the second reading of Ordinance C.S. 839 establishing a veterinary service fee – Animal Services

***A2f** Adopted and waived the second reading of Ordinance C.S. 843 establishing an animal service fee – Animal Services

***A2g** Adopted and waived the second reading of Ordinance C.S. 844 amending Chapter 7, Section 7.20.015 Entitled “Notice – License Fees” of the Stanislaus County Code – Animal Services

***A2h** Adopted and waived the second reading of Ordinance C.S. 845 amending Chapter 7, Section 7.32.190 Entitled “Notice – Fine for Impounded Nonpayed or Unneutered Dog” of the Stanislaus County Code - Animal Services

***A2i** Adopted and waived the second reading of Ordinance C.S. 846 amending Chapter 7, Section 7.32.060 Entitled “Notice – Unlicensed, Tattooed Animal” of the Stanislaus County Code - Animal Services

***A2j** Adopted and waived the second reading of Ordinance C.S. 847 amending Chapter 7, Section 7.32.090 Entitled “Duration - Livestock” of the Stanislaus County Code - Animal Services

***A3** Proclaimed June 2003 as National Homeownership Month

***A4** Accepted the resignation of Ed Lara from the West Stanislaus County Fire Protection District Board

***B1** Approved the Property Tax Administrative Cost Recovery Plan; adopted the report determining that the property tax administrative costs of the County for FY 01/02 are \$5,716,460; established the proportion of said costs attributable to incorporated cities and other jurisdictions; and, authorized the collection of said costs pursuant to the provisions of the R&T Code §95.3 and Stanislaus County Code §4.44.10 – Auditor/Controller

***B2** Approved the 2002 Equal Rights Commendations for Sheriff Les Weidman and Lieutenant Sandra Clark, as recipients of the Annual Equal Rights Award for their work in promoting Equal Rights

- *B3 Approved amendment to the Stanislaus County Public Facilities Fees Administrative Guidelines and introduced and waived the first reading of Ordinance C.S. 853 amending Section 23.07.030 of the Stanislaus County Code regarding fee adjustments or waivers
- *B4 Awarded a contract for landscape services to Grover Landscape Services, Inc. effective 5/1/03 through 4/30/06 for CSA and authorized the Director of CSA, or his Assistant Director Designee, to sign this contract not to exceed the total contract amount of \$124,860 for the three year period
- *B5 Approved the status report of emergency action on Courts elevator modification
- *B6 Approved a three month extension to the agreement between the County of Stanislaus and Scenic Faculty Medical Group (SFMG) for the provision of professional medical providers to staff County Primary Care Clinics and authorized the HSA Managing Director, or her designee, to sign the amendment extending this agreement - HSA
- *B7 Authorized the Sheriff's Department to submit an application to the United States Department of Education for Inmate Education Grant funding – Sheriff
- *B8 Authorized the Sheriff to apply for and accept \$501,201 from the Office of Criminal Justice Planning (OCJP) for an Anti-Drug Task Force Program for 2003-04; and, directed the Auditor-Controller to increase the estimated revenues and appropriations upon award of the grant – Sheriff
- *B9 Approved renewing the Charter Communications Cable Franchise for Areas 2 and 4 and to consolidate under one Master Franchise Agreement all areas in the County receiving Cable service from Charter Communications
- *B10 Authorized an agreement with the City of Modesto to operate, on behalf of the County, a cable casting master control room and to provide cable channel programming time for County meetings, programs and events within the City's franchise area; and, authorized the CEO to sign an agreement with the City of Modesto for an amount not to exceed \$198,000 for the first year of the agreement, and \$128,000 for each subsequent year of the agreement
- *C1 Adopted a resolution to summarily vacate a portion of River Road near the City of Ceres- PW
- *C2 Introduced and waived the first reading of Ordinance C.S. 852 amending Title 11 of the Stanislaus County Code, and finds that the subject ordinance is not subject to CEQA (Public Resources Code, §2100 et seq.) - PW
- *C3 Directed the Auditor-Controller to increase Appropriations and Estimated Revenue by \$7,000 to cover required environmental studies for the Crows Landing Road Widening, Phase II Project - PW
- *C4 Finds that all subdivision improvements required for the Atlas Park Subdivision have been constructed to the satisfaction of Stanislaus County; accepted all streets, avenues, roads, courts, open space park area, and the drainage system within the Atlas Park Subdivision for maintenance by Stanislaus County; finds that the final map is in substantial compliance with the previously approved tentative map; finds that Stanislaus County has adopted a specific plan covering the area proposed to be included within the final map; finds that the final map, together with the provisions for its design and improvement, is consistent with the specific plan for the area; authorized the Chairman to sign the final map; and, authorized the final map to be filed and recorded as presented - PW
- *D1 Approved Vesting Tentative Subdivision Map Application #2000-03 for Pope Subdivision - Planning
- *D2 Set a public hearing on 7/8/03 at 9:30 a.m. for the Stanislaus County / City of Turlock HOME Investment Partnership Program Consortium and Program Income Budgets and Work Plans for FY 03/04 - Planning
- *E1 Authorized the Clerk of the Board to notify the California School Cash Reserve Program Authority to issue Tax and Revenue Anticipation Notes on their own behalf – County Counsel

***Legislative A** Authorized support of AB 1568 – Property Tax Revenue Reallocation

C/M unan. **A5** Proclaimed June 2003 as Graffiti Summer Month

M/G unan. **B11** Approved provider agreements for Mental Health and Alcohol and Drug Services for FY 03/04; authorized the Director, or his Designee, to sign the agreements for FY 03/04; and, authorized the Director, or his Designee, to negotiate and sign amendments to the agreements up to \$75,000 for FY 03/04 only – BHRS

G/C unan. **B12** Approved an interim report on the Master Development Planning process for the North Gateway Business Park in the Salida area

C/P unan. **9:25am** Conducted a ballot procedure for Peach Blossom Estates Lighting District, in compliance with Prop 218, regarding the proposed formula for calculation and levy of annual assessments to pay for street lighting services; 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 5-1 in support of the assessment formula for calculating the annual assessment, and that a majority protest had not been filed regarding the proposed assessment; adopted the results of the ballot procedure; and, authorized the Auditor-Controller to levy the assessment for the Peach Blossom Estates Lighting District based on the results of the Prop 218 ballot procedure

M/G unan. **9:30am (A)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 4 – Bristol Glen; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

M/G unan. **9:30am (B)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 5 – Starlite Place; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

C/M unan. **9:30am (C)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 6 – Raymond Tract; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

M/P unan. **9:30am (D)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 7 – Modesto Auto Center; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

G/M unan. **9:30am (E)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 8 – Honey Bee Estates; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

C/M unan. **9:30am (F)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 9 – River / Souza; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

P/M unan. **9:30am (G)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 11 – Gilbert Road; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

P/C unan. **9:30am (H)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 12 – Peach Blossom Estates; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

C/G unan. **9:30am (I)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 13 – La Jolla; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

G/C unan. **9:30am (J)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 14 – United Pallet; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

C/M unan. **9:30am (K)** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; set the 2003/2004 Annual Assessment as shown on Exhibit “A” for CSA No. 15 – Patterson Gateway; made the Engineer’s Report a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessment to the 2003/2004 Tax Roll – PW

M/C unan. **B13** Accepted the 6/30/02 Treasury Oversight Committee Compliance Audit; approved the Stanislaus County Treasury Pool Investment Policy changes effective 7/1/03; and, approved the delegation of investment authority to the Stanislaus County Treasurer Tax Collector for a one year period – Treasurer/Tax Collector

M/G unan. **C5** Approved implementing Local Government Control Measures in the PM-10 (Particulate Matter 10 Microns in Size) Plan for the San Joaquin Valley; agreed to proceed with a good faith effort to implement the control measures identified in Exhibit A; committed implementing the control measures as listed with identified funding sources, recognizing that the availability of the funds necessary to fully implement the control measures will most likely depend on an increase in the funding programs or processes or various State and Federal agencies; and, if necessary the County agrees to consider modifications of the funding or schedules for the implementation actions

C/P unan. **Corr 1** Approved a letter of support of HR 20, The Clean Water Infrastructure Act, which would provide financial assistance to communities seeking to update wastewater treatment facilities.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Griselda Martinez; Evarista Gomez; James Kelly; Dannie Berchtold; and, William Pugh.

Supervisor Mayfield noted that he, as well as Supervisor Paul, Supervisor Grover, Supervisor Caruso and Chairman Simon, have all individually met with members of the dairy industry. He voiced his concerns about the viability of agriculture in general. Chairman Simon noted that several surrounding counties have become lead agencies regarding agriculture and environmental issues, and that we can learn from