

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

Special Session

Tuesday

October 14, 2003

All Supervisors Present

Pledge of Allegiance to the Flag

The Interim CEO announced that the Board of Supervisors' Agenda for the 10/14/03 meeting at 9:00 a.m. was not posted pursuant to the Brown Act requirements. Therefore, the 9:00 a.m. meeting was canceled and a Special Meeting of the Board of Supervisors was scheduled for 2:30 p.m. today.

Miguel Donoso thanked Jim Duval, Deputy Director of the Redevelopment Agency, for the good job that he is doing in the Bret Harte area. He noted that members of this community have met with the Modesto School District and TID regarding the canal issue.

P/C unan. Adopted the consent calendar

- *A1 Approved the minutes of 10/7/03
- *A2a Proclaimed 10/20-26/03 as United Nations Week 2003-922
- *A2b Proclaimed 10/23-31/03 as Red Ribbon Week 2003-923
- *A3 Appointed Raul Mendez to the Stanislaus County Children's Council 2003-924
- *A4a Appointed, in lieu of election where no candidates filed, Newman Drainage Service District Board 2003-925
- *A4b Appointed, in lieu of election where no candidates filed, Oak Flat Water District Board 2003-926
- *A4c Appointed, in lieu of election where no candidates filed, Reclamation District 2091 Board 2003-927
- *A4d Appointed, in lieu of election where no candidates filed, Riverdale Park Tract Community Services District Board 2003-928
- *A4e Appointed, in lieu of election where no candidates filed, West Stanislaus Irrigation District Board 2003-929
- *A5a Appointed, in-lieu of election, C. Bruce Orvis and Roy J. Orlando to the Rock Creek Water District Board 2003-930
- *A5b Appointed, in-lieu of election, Gary Horton, Ron Alton and Chris Reyes to the Salida Sanitary District Board 2003-931
- *A5c Appointed, in-lieu of election, Catherine Kirby and Hugh S. Corbalis to the Salida Municipal Advisory Council 2003-932
- *A5d Appointed, in-lieu of election, Kassandra Ingram, Eric Feichter and Tom E. Wright to the Knights Ferry Municipal Advisory Council 2003-933
- *A5e Appointed, in-lieu of election, John Azevedo and Steven Trinta to the Patterson Irrigation District Board 2003-934
- *A5f Appointed, in-lieu of election, Frank B. Clark and Louis F. Bricchetto to the Oakdale Irrigation District Board 2003-935
- *A5g Appointed, in-lieu of election, Cecil Hensley to the Modesto Irrigation District Board 2003-936
- *A5h Appointed, in-lieu of election, John Brubaker and Emil Rusca to the Salida Fire Protection District Board 2003-937

- ***A5i** Appointed, in-lieu of election, Adrian Stevens, Lawrence Newnam and Calvin Hess to the Industrial Fire Protection District Board 2003-938
- ***A5j** Appointed, in-lieu of election, Richard Camagna and Phil Silva to the Hughson Fire Protection District Board 2003-939
- ***A5k** Appointed, in-lieu of election, Jerry Hancock and Harlan Smith to the Ceres Fire Protection District Board 2003-940
- ***A5l** Appointed, in-lieu of election, Curtis R. Snell and Frances Phillips to the Keyes Community Services District Board 2003-941
- ***A5m** Appointed, in-lieu of election, J. Stanley Gustafson, Mildred A. Depalma and Ronald C. Allen to the Denair Community Services District Board 2003-942
- ***A5n** Appointed, in-lieu of election, James G. Crecelius, Roy A. Johnson and Dan Terwilliger to the Sand Creek Flood Control District Board 2003-943
- ***A5o** Appointed, in-lieu of election, Verl “Butch” Watkins, Joe Sallaberry, Steve Alvernaz and Armelin De Sousa to the Reclamation District 2063 Board 2003-944
- ***A5p** Appointed, in-lieu of election, Ward N. Burroughs and Albert William Rossini to the Eastside Water District Board 2003-945
- ***A5q** Appointed, in-lieu of election, Phillip Short to the Turlock Irrigation District Board 2003-946
- ***A6a** Appointed, in lieu of election and vacancies, Jennie Santillan and Randall Dean Locklin to the Empire Sanitary District Board 2003-947
- ***A6b** Appointed, in lieu of election and vacancies, William Henry Alexander, Davie Landers Jr. and Jeff Reed to the Keyes Municipal Advisory Council 2003-948
- ***A6c** Appointed, in lieu of election and vacancies, Thomas Osteen and Mike Lutterman to the Hickman Municipal Advisory Council 2003-949
- ***A6d** Appointed, in lieu of election and vacancies, Randall Dean Locklin and Curtis Erickson to the Empire Municipal Advisory Council 2003-950
- ***A6e** Appointed, in lieu of election and vacancies, Carl Wayne Hagens and Kathryn G. Holloway to the Denair Municipal Advisory Council 2003-951
- ***A6f** Appointed, in lieu of election and vacancies, Curtis King and Ronald Roberts to the Burbank-Paradise Fire Protection District Board 2003-952
- ***A6g** Appointed, in lieu of election and vacancies, Tony Bravo and Donald John Grischott to the Westley Community Service District Board 2003-953
- ***A6h** Appointed, in lieu of election and vacancies, Glenda Maisel and Eric Ulrich to the Knights Ferry Community Service District Board 2003-954
- ***A6i** Appointed, in lieu of election and vacancies, Lulu Polk and Maricela Vela to the Grayson Community Service District Board 2003-955
- ***A6j** Appointed, in lieu of election and vacancies, Mercy Mora and Allen Sanguinetti to the Crows Landing Community Service District Board 2003-956
- ***A6k** Appointed, in lieu of election and vacancies, Stan Duck and Keith Schneider to the Western Hills Water District Board 2003-957
- ***A6l** Appointed, in lieu of election and vacancies, Michael Evans and Greg M. Nunes to the Westport Fire Protection District Board 2003-958
- ***B1** Approved a MOU with Oakdale Rural Fire Protection District for use of public facility fees to construct a north area fire station; authorized the Chairman to sign the MOU on behalf of the County; and, authorized the transfer of up to \$300,000 in public facility fees as set forth in the MOU to the Oakdale Rural Fire Protection District
DF-8-B-19 & M-64-C-23 2003-959
- ***B2** Amended the Salary and Position Allocation Resolution to add a Staff Services Coordinator position in the Children and Families Commission office – Children and Families Commission 2003-960

- ***B3** Authorized the Director of DER to accept and sign the grant agreement with the State Office of Emergency Services for \$39,166; authorized the Director of DER to purchase necessary supplies and equipment to implement the grant agreement; authorized the Director of DER to approve and sign future amendments to the grant agreement not exceeding \$39,166; and, authorized the Auditor-Controller to make the appropriate financial transactions – DER
2003-961
- ***B4** Approved a second three month extension to the agreement between the County and 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 for a three month period – HSA
2003-962
- ***B5** Authorized the acceptance of funding in the amount of \$657,903 from the Children and Families Commission to establish the Comprehensive Perinatal and Child Preventive Health Program for the eight month period 11/1/03 – 6/30/04; authorized the Managing Director of HSA, or her designee, to sign and execute the contract; authorized an amendment to the Salary and Position Allocation; and, authorized HSA to recruit and fill requested positions on amended allocation list
2003-963
- ***B6** Authorized the County Librarian or her designee to sign a contract with Stanislaus Literacy Center (SLC) for delivery of adult literacy services in Stanislaus County
2003-964
- ***B7** Approved the transfer of 160 hours of vacation time from Deputy Public Defender Marlon Simon to Deputy Public Defender Maureen Keller
2003-965
- ***C1** Approved the annexation of territory to the North Oaks Estates Lighting District without an election (Tentative Parcel Map No. 2002-16 Annexation); finds that the territory more particularly described on Exhibits A and B is owned by petitioner, and that petitioner's ownership represents 100% of the total assessed valuation of all taxable property within the territory proposed to be annexed into said district; finds that Stanislaus County Code, §21.40.040, requires the installation of a street lighting system to serve the territory; finds that the territory proposed to be annexed is not within the limits of any other lighting district; finds that public necessity and welfare require that the territory be annexed to the lighting district; ordered that the requirements of notice, hearing, and election shall not be applicable to this proceeding, pursuant to Streets and Highways Code, §19056; ordered that the territory be annexed to the North Oaks Lighting District of Stanislaus County; finds the fact of filing of the petition was received by the Clerk of the Board on 10/8/03; ordered that, pursuant to the Streets and Highways Code §19000, et seq., the cost of conducting and maintaining the lighting district shall be assessed against the individual parcels of land within the District's boundaries; directed the Clerk to send a certified copy of the resolution ordering the annexation to the lighting district to Public Works, the offices of the Assessor, Elections, Auditor-Controller, and the Clerk-Recorder; and, directed the Department of Public Works to send a certified copy of the resolution ordering the annexation to the lighting district and all other required documents and the processing fee to the State Board of Equalization – PW
DL-28-17 2003-966

G/C unan. **B8** Accepted the responses to Grand Jury Final Reports Part Five and Part Six, Section 4; authorized the Chairman to forward the responses to the Presiding Judge of the Superior Court; directed the Interim CEO to ensure that the recommended actions approved by the Board be followed and completed by each County Department as appropriate; and, approved the written policy, contained herein, which instructs all County Departments to cooperate fully and protect the confidentiality of the Stanislaus County Civil Grand Jury
M-39-J-1 2003-967

M/C unan. **B9** Accepted the audit report for purchase card transactions of Chief Executive Officer Reagan M. Wilson for the period 7/1/98 through 6/30/03 and authorized implementation of the independent auditor's recommendations 2003-968

Corr 1 Referred to the Agricultural Commissioner and the Department of Planning and Community Development, a notice from the U.S. Fish and Wildlife Service regarding the reopening of the public comment period for the proposed listing of the California Tiger Salamander as a threatened species.

Corr 2 Referred to the Agricultural Commissioner and to the CEO/Emergency Services, a letter from the Governor's Office of Emergency Services regarding the U.S. Small Business Administration (SBA) declaring Merced County, and the contiguous counties of Fresno, Madera, Mariposa, San Benito, Santa Clara, Stanislaus and Tuolumne, as a disaster area due to agriculture losses caused by the hail storm on April 21, 2003.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claim: Ermila Torres.

Supervisor Caruso noted that he met with staff of the Riverdale Community Service District last night regarding the state of their community and the improvements they want to see made.

Supervisor Paul noted that she and Chief Probation Officer Jerry Powers were the MC for the Anti-Hate Rally program, and there was a very good turn-out of people who marched to Graceda Park.

The Interim CEO mentioned that there are a number of equal rights activities going on throughout the month of October. She noted that staff is developing a Race Communication Class at Probation, a new Crossing Cultural Bridges Class, and the Equal Rights Plan and activities this year. She also noted that the whole County organization is sensitive to this issue, and that staff is working with County departments to ensure that we have sensitivity about our diversity.

The Interim CEO reported on the State Budget. She noted that the Legislature is not in session, and is scheduled to reconvene on 1/5/04. This past weekend Governor Davis handled over 200 bills, one of which permits swimming in the Modesto Reservoir. Governor Davis is in the process of making over 100 appointments to State Boards and Commissions before he leaves office. The new Governor will take office on 11/15/03, and he has appointed a 68-member transition team. CSAC is encouraging a structural overhaul of the State and local government relationship with regards to financing property and sales tax.

The Chairman announced that there will be a Closed Session Special Meeting of the Board of Supervisors on 10/21/03 at 5:30 p.m., Chambers Conference Room, 1010 Tenth Street, Modesto, CA for Closed Session: Public Employee Appointment: Title: Chief Executive Officer. Gov't Code §54954.5(e).

Adjourned at 3:23 p.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.)