

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

Regular Session

Tuesday

October 28, 2003

All Supervisors Present

Pledge of Allegiance to the Flag

A moment of silence was held for Stanislaus County Employee Robert "Bob" Fairbank.

A commendation was given to George Lambert upon his retirement as the City Manager of Patterson.

A commendation was given to Mary Lopez upon winning the Anne Richardson Reading is Fundamental, Inc. Volunteer of the Year Award for 2003.

Lou Santistvan, President of the Health Services Foundation, presented a check to the Board for the purchase of a mammography machine for HSA.

Employee Service Awards for those honored for thirty years of service were given to Larry Burger - Library; Jim Griffin - Library; Susan Novak - Library; Ron Freitas - Planning and Community Development; and, Bob Kachel - Planning and Community Development. Employee Service Awards for those honored for twenty-five years of service were given to Marianne Rucker - Planning and Community Development; Richard Walke - Probation; and Bobby Atchison - Animal Services.

Miguel Donoso raised concerns regarding the availability of public transportation in the Crows Landing area.

Dave Thomas spoke regarding the property next to the Fink Road landfill.

Mayor Sabatino spoke regarding closure of I Street in downtown Modesto due to the Peterson trial. He suggested that the Board review the credit card transactions of the Sheriff and the District Attorney. He also spoke regarding the Board's and The Modesto Bee's review of Reagan Wilson's expenditures.

Georgianna McDonald spoke on various issues regarding the farm next to the Fink Road Landfill, including the Del Puerto Water District listed on property titles, the number of bees and amount of water used by the farm management.

Recessed at 10:31 a.m.

Reconvened at 10:43a.m.

P/G unan. Adopted the consent calendar after removing from consent item *C3 Approval of Plans and Specifications and Authorization to Bid for the Shackelford Safe Route to School (SR2S) Project, and item *C4 Approval to Increase Appropriations in the Project Account for the Shackelford Neighborhood Improvement Project

- *A1 Approved the minutes of 10/21/03
- *A2 Adopted and waived the second reading of Ordinance C.S. 860 extending a 1/8 cent transaction and use tax, administered by the State Board of Equalization for continued exclusive funding of the Stanislaus County Library System ORD-54-P-4 2003-987
- *A3a Accepted the resignation of Cecil Rhodes and John Willinger from the Youth Advisory Council of the Workforce Alliance 2003-988
- *A3b Accepted the resignation of Jennie Santillan from the Empire MAC 2003-989
- *A4 Appointed Jan Moore to the Salida MAC 2003-990
- *A5 Approved a commendation for Mary Lopez upon winning the Anne Richardson Reading is Fundamental, Inc. Volunteer of the Year Award for 2003 2003-991
- *A6 Approved a commendation for interagency law enforcement for their investigation of the home invasion robberies 2003-992
- *A7 Approved a request from the Department of Aging and Veterans Services for use of the Courthouse lawn on 11/11/03 for Veterans' Day activities 2003-993
- *A8 Approved the 2004 Board of Supervisors' Meeting Calendar 2003-994
- *A9 Approved a commendation for Jean Smith upon being named the 2003 Man of the Year by the American Legion, Post 74 2003-995
- *A10 Accepted the resignation of Irene Bettencourt and approved the appointment of James W. Lopes to the El Solyo Water District Board 2003-996
- *B1 Accepted the report from the Supplemental Law Enforcement Oversight Committee (SLEOC) related to Annual State Funding for Supplemental Law Enforcement Services for FY 2002/2003 – Sheriff 2003-997
- *B2 Accepted the Stanislaus County Treasury Pool's August 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 Treasury Pool Oversight Committee; and, authorized the Chairman to sign that the report has been reviewed and accepted – T/TC 2003-998
- *B3 Authorized the Sheriff to add one Deputy Sheriff-Coroner to be assigned to the Hughson Police Services in accordance with the existing contract for law enforcement; directed the Auditor-Controller to increase Appropriations and Estimated Revenues in the amount of \$56,729; and, amended the Salary and Position Allocation Resolution adding one Deputy Sheriff-Coroner to the Sheriff's Operations Division – Sheriff 2003-999
- *C1 Accepted the Crows Landing at Butte Avenue, Winmoore Way, and Hatch Road Signalization and Intersection Improvements Project as complete; directed the Purchasing Agent to increase the construction contract with Northern Electric of Lodi, CA, in the amount of \$883.63, for additional construction services; and, directed the Auditor-Controller to increase Appropriations by \$883.63 for additional construction services - PW 2003-1000
- *C2 Approved the purchase agreement to acquire the road right-of-way at the southwest corner of the intersection of Carpenter Road and Beverly Drive; authorized the Chairman to execute the agreement; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$7,620 payable to Ronald S. Roberts and Irma J. Roberts – PW 2003-1001
- *C5 Approved the filing and recording of the final map of Cote Di Or Subdivision; 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; rejected all roads, highways, avenues, alleys, courts, ways, lanes, places, etc.; authorized the Chairman to sign the final map; and, authorized the final map to be filed and recorded as presented – PW 2003-1002

P/G (4-0)(Caruso abstained) ***C3** Approved the Plans and Specifications for the Shackelford Safe Route to School (SR2S) Project; directed the Clerk of the Board to publish the notice inviting bids for the project as required by law, and set the deadline for submission of bids as 11/26/03, prior to 2:30 p.m.; directed the Public Works staff to mail the notice inviting bids to trade journals as required by law; and, directed the Auditor-Controller to increase Appropriations and Estimated Revenue by \$20,000 in the project account to cover the costs of advertising and publishing, and necessary quality assurance testing
– PW 2003-1003

P/G (4-0)(Caruso abstained) ***C4** Directed the Auditor-Controller to increase Appropriations in the project account for the Shackelford Area Improvement Project; and, directed the Purchasing Agent to increase the design contract of Thompson-Hysell Engineers in the amount of \$25,000 – PW 2003-1004

M/C unan. **A11** Accepted the follow-up report to the audit of purchasing card transactions of CEO Reagan Wilson for the period 7/1/98 through 6/30/03; disallowed an amount of \$20,120.05 due to failure to comply with the County's Purchasing Card Policy and County Code §2.08.030; approved withholding from any and all monies otherwise due to Reagan Wilson from the County in the amount of \$20,120.05; amended the motion to give Reagan Wilson the opportunity to meet with County staff as appropriate and to turn in other receipts within the next three weeks; and, directed the Auditor-Controller to report back to the Board in four weeks on 11/25/03 – Auditor-Controller 2003-1005

G/P unan. **B4** Accepted the report on operations of the Tax Collection Division from July through October 2003 – Treasurer/Tax Collector 2003-1006

C/P (4-1)(Mayfield opposed) **B5** Authorized the Chairman to sign two applications for Economic Development "Bank" Funding in the amount of \$100,000 to develop the Crows Landing General Aviation Master Plan; and, authorized the Chairman to co-sign with various City Mayors, an application for funding in the amount of \$420,000 for project development work for the Route 132 Infill Widening Project 2003-1007

Corr 1. No action was taken by the Board on a letter from the County of Fresno requesting financial support for Operation Clean Air and requesting that a member of the Stanislaus County Board of Supervisors be appointed as a representative for the Operation Clean Air's retreat on 11/7/03.

Corr 2 Referred to HSA, a copy of "Cancer Screening in California: Racial and Ethnic Disparities Persist" from the UCLA Center for Health Policy Research.

Corr 3 No action was taken by the Board on a letter received from the Friends of Life Flight, the Children's helicopter, requesting a resolution of support for the Life Flight Pediatric specialty team at the University of California, Davis Medical Center.

Corr 4 Referred to the Auditor-Controller and the CEO for review and recommendation to the Board, a letter from the City of Ceres Redevelopment Agency requesting approval of the subordination of tax sharing amounts to complete their bond financing

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Hilaria G. Rogers dba Gandarilla Building Services; Al Ho; Noe Ochoa; and, Diana Valle.

Supervisor Paul requested that a report be brought to the Board regarding the status of the County's transportation system. The Interim CEO will bring to the Board a Countywide transportation update report.

Supervisor Grover noted that more than 100 people attended the meeting regarding the species designation of the Tiger Salamander in Stanislaus County. He noted that this County is being designated as 18% vernal pool.

Chairman Simon met with Dan Lundgun regarding his run for Congress and his intent to form a California congressional coalition if elected. Ken Starr was at the meeting with Mr. Lundgun and he is representing the opposition before the Supreme Court on keeping the word "God" in the Pledge of Allegiance.

Leg. A M/G unan. Authorized a request to the California Department of Health Services to exempt Stanislaus Behavioral Health Center (SBHC) from the nurse-to-patient ratios established by AB 394 (Statutes of 1999), or at a minimum, to approve Doctors Medical Center's request for flexible implementation of the staffing ratios at SBHC 2003-1008

Leg. B M/C unan. Authorized support of SB 1194, The Mentally Ill Offender Treatment and Crime Reduction Act of 2003 2003-1009

The Interim CEO updated the Board on the request to Governor-Elect Schwarzenegger regarding the Federal Child Support penalty for the State's failure to build a statewide system. She will write a letter of opposition to the Governor on behalf of the Board.

Gary Hinshaw, Fire Warden, gave an update on the wildfires in Southern California. He informed the Board of the number of fatalities, loss of structures, and amount of acres involved in these fires. He noted that strike teams with engines and 58 firefighters were sent from Stanislaus County to the fires. He noted that all fire districts were cooperating with one another to cover the needs of the County. Animal Control and Health Services have been involved as well. The Chairman would like to have the fire staff come to the Board upon their return.

Adjourned to closed session at 12:40 p.m. for Labor Negotiations: Agency Negotiator Patricia Hill Thomas. Labor Organizations SCEA/AFSCME, SEIU, OE3, DSA, SCSSA, CAIR/CIR, CNA and UDW. Pursuant Government Code §54954.9(e).

Adjourned at 1:48 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.)