

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

December 16, 2003

A reception was held for the Stanislaus County fire fighters who served in the 2003 Southern California fires at 5:30 p.m.

The Chairman presented resolutions to each Stanislaus County Fire District that sent fire fighters to the 2003 Southern California fires.

Juan Mercado spoke regarding the need for sidewalks, storm drains, and streetlights in the Bret Harte community, particularly along Glenn Ave. He noted that TID and the school district are working together to address the problems regarding the canal that runs behind Bret Harte school, and they want to cooperate with the County. He noted that the County has contributed money towards the Gallo Arts Center.

Valentin Loza spoke regarding problems with flooding in the Bret Harte area, and that children have to walk through water to get to and from school.

Nicolas Barajas noted that there is a problem with garbage in the Crows Landing Road area.

Mariana Basto would like a Library to be placed in the Bret Harte neighborhood and for sidewalks to be paved. She is concerned about her kids growing up in this neighborhood.

Maria Lizama spoke regarding cars speeding on Lassen Avenue and the danger this creates for the children in the neighborhood.

Edith Sanchez spoke regarding the need for more law enforcement in the Bret Harte community, and the problem of trash and delinquent people in the alleys. She asked the Board to listen to their needs and to take action.

Cecilia Garcia noted that they want a better future for their children in the Bret Harte community. She spoke regarding the need for street lighting and increased public safety.

Amelio Iniguez spoke regarding the problems gangs are causing in her neighborhood, including fighting and drive by shootings. She noted the need for street lighting in the Bret Harte area.

Mary Barrale spoke regarding year round school, dangers present in their community, and the need for sidewalks, streetlights and increased police protection.

Jaime Garcia spoke about people in South Modesto living in fear and he asked the Board for help in cleaning up those neighborhoods.

Javier spoke regarding problems in the Glenn Avenue area with crime, traffic, and the need for street lighting, sidewalks, and storm drainage.

Miguel Donoso spoke regarding the need for storm drainage in the Bret Harte area, and problems this community has regarding the canal, gangs, and trash in the alleys. He noted that TID and the school district are working together to address the issues with the canal. He stated that people of the Bret Harte community pay taxes and want to know what services are being provided to them. He also noted that gang members and drug users meet at the park, and that the park has no lights and no parking.

Supervisor Caruso noted that the County is already working on many of the issues brought up by residents of the Bret Harte community. There was a neighborhood meeting two weeks ago at Hinshaw School regarding the canal, street lighting, roads, drainage and sidewalks. Only 100 people, instead of the expected 500 attended this meeting. He noted that Caltrans held the money for the sidewalk project, which will delay the project until February 2004. He noted that the canal issue is being addressed by TID and that the County is working with them. He stated that residents of the Bret Harte area would be getting ballots in the mail regarding the formation of a lighting district. The County is looking at dry wells to assist with the drainage problems in this area. He is working with the Sheriff's office to address crime in this area. The Parks Commissioner has applied for a grant to be used for the park. Supervisor Caruso will be holding another neighborhood meeting at Hinshaw School in January, and he will make sure that everyone is invited.

John Mataka thanked all the Bret Hart community members who came to the Board meeting. He noted that the Board of Supervisors has done a lot of good things in the Grayson area lately, and he attributed these accomplishments to good communication between the County and the community. He asked whether Redevelopment money could be used in the Bret Hart area. He also spoke regarding the Fink Road Landfill expansion, and provided the Clerk with a transcript from a California Integrated Waste Management Board meeting to be distributed to the Board of Supervisors.

Dave Thomas spoke regarding an essay that appeared in the Modesto Bee regarding the First Amendment. He also read excerpts from the 12/12/03 Modesto Bee article regarding the Ex-CEO Reagan Wilson. He spoke regarding the improper use of credit cards by the former CEO and the need for more oversight. He asked about various Board policies.

Dr. Walker, Public Health Officer, gave a verbal update regarding the Influenza A epidemic.

C/P unan. Adopted the consent calendar after removing from consent items *C3 Approval to Purchase the Property Adjacent to Geer Road Landfill, 612 Triangle Ranch Road, Modesto, California (APN 009-29-15); and, *C4 Approval to Award Contract for the Shackelford Safe Route to School (Sr2s) Project to Professional Construction Services of Pleasant Hill, California

*A1 Approved the minutes of 12/09/03

*A2 Adopted and waived the second reading of Ordinance C.S. 869 amending Chapter 7, Section 7.12.030 of the Stanislaus County Code for the holding of administrative hearings for animal infractions ORD-54-R-1 2003-1166

*A3 Appointed Margie Neder and Betty Jean Morganti to the Mental Health Board 2003-1167

*A4a Reappointed Leo Avila, Jr. and Jenice Sechler to the Stanislaus County Housing Authority 2003-1168

*A4b Reappointed James Cartia and Allen Zanker to the Stanislaus Consolidated Fire Protection District 2003-1169

*A4c Reappointed Anita Hellam to the Advisory Board on Substance Abuse Programs 2003-1170

- ***A4d** Reappointed Mildred Zanker and Ismael Saldana to the Stanislaus County Parks and Recreation Commission 2003-1171
- ***A4e** Reappointed Jack Leguria and Heidi McNally-Dial to the Economic Development Action Committee 2003-1172
- ***A4f** Reappointed Arthur Filice, Betty Scheuber, Steve Amador and Bart Ingles to the Storm Drain District No. 8 2003-1173
- ***A4g** Reappointed Everett B. Souza, Jr., Robert Caulton and Kern Hunewill to the Turlock Mosquito Abatement District Board 2003-1174
- ***A4h** Reappointed Tom Maring, Everett Souza, Jr. and Ray Murphy to the West Stanislaus Resource Conservation District Board 2003-1175
- ***A4i** Reappointed Walter Rea, Sr. to the Patterson Cemetery District Board 2003-1176
- ***A4j** Reappointed Traci Trujillo to the Area VI Board on Developmental Disabilities 2003-1177
- ***A4k** Reappointed Terrance Withrow, Dean Martin, Peter Katsufrakis, Gerald Merchant, Carl Collins and Stewart James to the Assessment Appeals Board 2003-1178
- ***A4l** Reappointed William Pringle, Carl Ott, Kandy Schmidt and Fred Wilder to the East Side Mosquito Abatement District Board 2003-1179
- ***A4m** Reappointed Bob Wikoff, Dr. Michael Rossini, Linda Sawdey and John Cremin to the Emergency Medical Services Committee 2003-1180
- ***A4n** Reappointed Teresa Angle, Everett Johnson and Romy Angle to the Juvenile Hall Justice League 2003-1181
- ***A4o** Reappointed Michael Krausnick to the Law Library Board of Trustees 2003-1182
- ***A4p** Reappointed Catalina Elsasser and Gerry Kilgore to the Animal Advisory Board 2003-1183
- ***A4q** Reappointed David Lemos to the Hazardous Waste Management Advisory Committee 2003-1184
- ***A4r** Reappointed Rod Hawkins to the Fire Code Board of Appeals 2003-1185
- ***A4s** Reappointed Arie Rose Martin, Ora Scruggs, George Sharp, Dwight Bateman and Linda White to the In-Home Supportive Services Advisory Board 2003-1186
- ***A4t** Reappointed Sylvia Lopez to the Stanislaus County Equal Rights Commission 2003-1187
- ***A5** Amended the term ending date of Stanislaus County Employee Retirement member Nick Blom 2003-1188
- ***A6** Approved the Conflict of Interest Code for the Stanislaus County Airport Land Use Commission BD-77-3 2003-1189
- ***A7** Consolidated the Measure "P" the Library Sales Tax Measure Election with the General Primary Election on 3/2/04 2003-1190
- ***A8** Approved the unification of the Turlock Joint Elementary School District and the Turlock Joint Union High School District to create the new Turlock Joint Unified School District; adopted the unification resolution, map and legal description for the new Turlock Joint Unified School District; and directed the Clerk to file the resolution, map and legal description with the Auditor-Controller, Assessor and State Board of Equalization 2003-1191
- ***A9a** Approved a commendation for Jeanne Hardin upon her retirement from Stanislaus Regional 911 2003-1192
- ***A9b** Approved a commendation for Katherine Laughton upon her retirement from Stanislaus Regional 911 2003-1193
- ***B1** Approved the closure of Animal Services for four training days and County holidays in 2004 – Animal Services 2003-1194
- ***B2** Approved the Public Facilities Fees Annual Financial Report for fiscal year ending 6/30/03 – Auditor-Controller M-64-C-17 2003-1195

- *B3 Approved establishing and recognizing a separate bargaining unit for the classifications of Lieutenant and Custodial Lieutenants in accordance with Employee Relations Ordinance 3.68.190; amended the Salary and Position Allocation Resolution to change the bargaining unit for the Lieutenant and Custodial Lieutenant classifications; recognized the Stanislaus Sheriff's Management Association (SSMA) as the authorized representative of the bargaining unit; and, authorized the Interim CEO/Personnel Director to commence bargaining with the newly recognized bargaining unit 2003-1196
- *B4 Approved the contribution of twelve assorted items from the County Store merchandising project to be given as appreciation awards to County Employee Mentors at the Fifth Annual Stanislaus County Employee Mentor Program Recognition Dinner to be held on 1/22/04 2003-1197
- *B5 Approved three new positions for FY 2003/04 to support priority business operations in CSA's Automation Projects, Child Care Services and Integrated Family Services; and, authorized the CEO to amend the Salary and Position Allocation Resolution to add three new positions to the CSA Fund 1631: one Social Worker Supervisor II, one Application Specialist, and one Accounting Supervisor – CSA 2003-1198
- *B6 Introduced and waived the first reading of Ordinance C.S. 870 amending Chapter 14.12 of the Stanislaus County Code concerning water conservation - DER ORD-54-R-2 2003-1199
- *B7 Approved HSA to accept funds in the amount of \$804,092 from the California Department of Health Services, Emergency Preparedness Office, for the continuation of preparedness efforts under the Comprehensive Strategic Local Bioterrorism Preparedness Plan (Center for Disease Control Focus Areas); authorized the Chairman to sign the Certification Against Supplanting Form; authorized the HSA Managing Director, or her Designee, to sign the agreement; and, authorized the Auditor-Controller to make the budget adjustment and carryover any remaining funds at year-end – HSA 2003-1200
- *B8 Approved the distribution of \$30,252.61 in excess proceeds from the 5/8/02 sale of tax defaulted property belonging to James Littell; and, authorized the Auditor-Controller to issue a check based on the Claim for Excess Proceeds, submitted in compliance with the requirements of R&T Code §4675, to the State of California Department of Toxic Substances Control in the amount of \$30,252.61 – Treasurer/Tax Collector 2003-1201
- *B9 Accepted the Stanislaus County Treasury Pool's October 2003 Monthly Investment Report as prepared by the Stanislaus County 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 on behalf of the Board that the report has been reviewed and accepted – Treasurer/Tax Collector 2003-1202
- *B10 Approved the mutual release from a software-licensing agreement between the County and Macro 4 for the mainframe and authorized the CSA Director, or his Assistant Director Designee, to sign the mutual release not to exceed the total amount of \$10,050.30 for the period April 2003 through December 2003 – CSA 2003-1203
- *B11 Authorized the CEO to execute an agreement for special services relating to Program Management, Project Management and Construction Management Services for the County's Capital Projects and authorized the CEO to execute "work orders" for additional construction management services provided such work orders are within existing approved budgets for Capital Projects 2003-1204
- *B12 Declared two County modular trailers at the Sheriff's Operations Center on Hackett Road as surplus property; authorized the demolition of these trailers based upon the finding of the County Purchasing Agent that these modular trailers are no longer usable and have a value of less than \$1,000; and, authorized the expenditure of up to \$3,000 from the CEO Plant Acquisition Budget for removal and disposal of these trailers 2003-1205

- ***B13** Approved purchasing new open system licenses for the Oracle Finance Systems, reducing the current annual maintenance costs from \$300,000 to \$104,000; approved including in the purchase the licenses for automating procurement processes (e-procurement) to improve efficiency and tighten controls; this purchase will also include support for County staff to upgrade to the web based financials without any additional external costs; authorized the Interim CEO to sign a new contract with Oracle; and, authorized the Auditor-Controller to set up a project fund and budget 2003-1206
- ***C1** Directed the Auditor-Controller to increase Appropriations by \$1,750 in the project account, per the financial transaction sheet, for additional design services for the Mitchell Road Bridge at Tuolumne River Approach Slabs Replacement Project; and, authorized the Purchasing Agent to amend the design contract for Davis-King & Associates to reflect additional work and the \$1,750 increase in the contract amount – PW 2003-1207
- ***C2** Directed the Auditor-Controller to increase Appropriations by \$1,850 in the project account, per the financial transaction sheet, for additional design services for LaGrange Road Bridge at Tuolumne River Bearing Pads Replacement Project; and, authorized the Purchasing Agent to amend the design contract for Davis-King & Associates to reflect additional work and the \$1,850 increase in the contract amount – PW 2003-1208

C/M unan. ***C3** Finds that the Notice of Intent to Purchase Real Property was published by the Clerk of the Board pursuant to Government Code §25350; **amended** the staff recommendations to authorize County Counsel to negotiate a final purchase agreement to acquire approximately 100 acres adjacent to the Geer Road Landfill, authorized the Chairman to execute the agreement; and, authorized the Director of Public Works to execute escrow documents necessary for the purchase – PW 2003-1209

M/G (4-0) (Caruso abstained) ***C4** Awarded the contract for the Shackelford Safe Route to School (SR2S) to Professional Construction Services of Pleasant Hill, CA, in the amount of \$538,233; directed the Auditor-Controller to increase Appropriations by \$550,000 and Estimated Revenue by \$450,000 per the financial transaction sheet; and, Authorized the Purchasing Agent to establish a contract with Professional Construction Services of Pleasant Hill, CA, for the contract amount of \$538,233 - PW 2003-1210

G/P unan. **6:35pm** Finds the project for GPA #2003-04 and Rezone Application #2003-09, Star Quest, a proposal to rezone and amend the General Plan designation of a 1.5-acre lot from Planned Industrial (PI) to Planned Development (PD) to allow a multi-sport facility to teach gymnastics, cheer, karate, and tumbling for children, located on the northeast corner of Pentecost Drive and Bitritto Way in the Modesto area, to be De Minimis for the purposes of collection of Fish and Game fees pursuant to California Code of Regulations §753.5 by adopting the findings of fact contained in the Certificate of Fee Exemption, those findings being based on the analyses presented in the initial study; ordered the filing of the Certificate of Fee Exemption with the Stanislaus County Clerk-Recorder's Office; adopted the Mitigated Negative Declaration pursuant to California Code of Regulations §15074(b), by finding that on the basis of the whole record, including the initial study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgement and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code §21152 and California Code of Regulations §15075; finds that the project is consistent with the overall goals and policies of the Stanislaus County General Plan; that the proposed Planned Development zoning is consistent with the Planned Development General Plan designation; approved GPA #2003-04 and Rezone Application #2003-09 - Star Quest, subject to the Development Standards and Mitigation Measures; and, introduced, waived the reading, and adopted Ordinance C.S. 865 for the approved Rezone Application #2003-09 - Planning ORD-54-Q-3 2003-1217; 2003-1218

M/G unan. **6:40pm** Finds the project for General Plan Amendment (Community Plan Amendment) Application #2003-07 and Rezone Application # 2003-04 - Christina and Daniel Donovan, a request to amend the Stanislaus County General Plan (Keyes Community Plan) and rezone a 4.7 acre parcel from Keyes Community Plan designation of "Commercial" to Low Density Residential (LDR) and zoning from R-1 US to R-A (Rural Residential) to permit eventual development of four residential ranchettes of 1+ acre, located within the Sphere of Influence of Keyes Community Services District, located at the northwest corner of Nunes Road and Washington Road in Keyes, to be De Minimis for the purposes of collection of Fish and Game Fees pursuant to California Code of Regulations, §753.5, by adopting the findings of fact contained in the Certificate of Fee Exemption, those findings being based on the analyses presented in the initial study; ordered the filing of the Certificate of Fee Exemption with the Stanislaus County Clerk-Recorder's Office; adopted the Mitigated Negative Declaration pursuant to CEQA Guidelines §15074(b), by finding that on the basis of the whole record, including the initial study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgement and analysis; adopted the Mitigation Monitoring Plan pursuant to CEQA Guidelines §15074(d); ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code §21152 and CEQA Guidelines §15075; finds that: (A) the Community Plan Amendment from Commercial to Low Density Residential is consistent with the overall goals and policies of the County General Plan and will maintain a logical land use pattern without detriment to existing and planned land uses, (B) the proposed R-A (Rural Residential) zoning is consistent with the Low Density Residential designations of the County General Plan and Keyes Community Plan, (C) the project will not result in the reduction of the jurisdiction's share of regional housing needs and (D) the County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service; approved GPA (Community Plan Amendment) Application #2003-07 and Rezone Application #2003-04 - Christina and Daniel Donovan; **amended** the item to add the condition that the applicant agrees to install sewer lines and hook-ups to each of the properties that will be placed, and to include in the Covenants Conditions and Restrictions language that would require all homeowners to hookup to the sewer when available, as soon as available; and, introduced, waived the reading, and adopted Ordinance C.S. 866 for the approved Rezone Application #2003-04 - Planning ORD-54-Q-4 2003-1219; 2003-1220

C/P (4-1)(Grover opposed) **6:45 p.m.** Finds the project for GPA #2001-09, and Rezone Application #2001-16 - Crows Landing Flea Market (a.k.a. El Rematito Marketplace), a request to rezone and amend the General Plan designation of 18.65 acres from Agriculture to Planned Development (PD) to allow upgrading and expansion of the existing legal non-conforming Crows Landing Flea Market, located at 3113 Crows Landing Road, north of Hackett Road in the Ceres area to be De Minimis for the purposes of collection of Fish and Game fees pursuant to California Code of Regulations, §753.5, by adopting the findings of fact contained in the attached Certificate of Fee Exemption, those findings being based on the analyses presented in the initial study; ordered the filing of the Certificate of Fee Exemption with the Stanislaus County Clerk-Recorder's Office; adopted the Mitigated Negative Declaration pursuant to CEQA Guidelines §15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgement and analysis; adopts the Mitigation Monitoring Plan pursuant to CEQA Guidelines §15074(d); ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code §21152 and CEQA Guidelines §15075; finds that: (A) the General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses, (B) the County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service, (C) the amendment is consistent with the General Plan goals and policies, (D) the proposed Planned Development

zoning is consistent with the Planned Development General Plan designation, and (E) the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; approved GPA #2001-09, Rezone Application #2001-16 - Crows Landing Flea Market (a.k.a. El Rematito Marketplace), subject to the attached amended Development Standards and Mitigation Monitoring Plan; **amended** the Conditions of Approval to: add that there shall be no selling of vehicles on property, that gate areas shall be constructed of fencing or iron or metal gates, not cable, and that the applicant acknowledges the County's Right to Farm Ordinance and shall cooperate with adjacent farmers to accommodate agricultural practices including spraying; and, introduced, waived the reading, and adopted Ordinance C.S. 867 for the approved Rezone Application #2001-16 - Planning
ORD-54-Q-5 2003-1221; 2003-1222

Recessed at 9:20 p.m.

Reconvened at 9:26 p.m.

M/P unan. **6:50 p.m.** The Board returned to the Planning Commission, GPA #2003-01, Rezone Application #2003-03, and Vesting Tentative Map Application #2002-02 - Riopel and Associates, a two part request: (Part One) a request to amend the General Plan and Rezone a 19.16 acre parcel from Urban Transition/General Agriculture to Planned Development to allow for the development of a 4.43± acre dual-use landscaped drainage basin with a 0.24 acre park, and (Part Two) a request to create 53 residential lots of 8,000+ square feet from a 13.77 acre site, consisting of two parcels, which will be served by the drainage basin proposed in Part One, located in the Denair area; and, recommended that the Planning Commission address the traffic issues and return this matter to the Board of Supervisors - Planning
ORD-54-Q-6 2003-1223

M/G unan. **6:55 p.m.** Adopted the amendments to the Housing Element of the Stanislaus County General Plan; adopted a Negative Declaration; and, **amended** the item to incorporate the four page Amendment to Draft Housing Element Update – Planning
2003-1224

G/M unan. **B14** Approved proceeding with the 12th Street Office Building and Parking Garage Project in accordance with project agreements approved on 10/8/02; approved the plans and specifications (final design documents) for the 12th Street Project, Bid Package 5, Construction; set the bid opening date as 2/18/04 at 2:30 p.m.; authorized the Interim CEO to issue a request for bids and advertise; approved the revised schedule for the project; authorized the Interim CEO to negotiate and execute project related agreements or work authorizations for professional services, provided the contracts or work authorizations are within the approved project budget; authorized the Interim CEO to negotiate and execute agreements for printing and other services necessary to administer the project, provided the agreements for such services are within the approved project budget; and, authorized the Interim CEO to issue a RFP for testing and specialty inspection services, and to negotiate and execute contracts with the successful proposers
2003-1211

G/C unan. **B15** Approved the implementation of an Ethics Training Program for Stanislaus County Employees
2003-1212

P/G unan. **B16** Awarded the construction contract for the Empire Neighborhood Park to the lowest bidder, Goodland Landscape Construction, Inc., for \$800,000.; authorized the Director of the Department of Parks and Recreation, or his Designee, to issue the Notice to Proceed, contingent upon receipt of the proper insurance and bonds; authorized the Director of the Department of Parks and Recreation, or his Designee, to negotiate and execute contracts for necessary professional services within budget; approved the amendment to the total project budget from \$1,261,849 to \$1,420,202 (an increase of \$158,353); authorized the Auditor-Controller to make the necessary budget adjustments; and, approved the use of

Park Bond Act 2002 (Proposition 40, Roberti-Z' Berg-Harris) Grant funds in the amount of \$251,167 to fund a portion of the total project budget – Parks and Recreation 2003-1213

C/P unan. **B17** Accepted the Annual Equal Rights Report for 2003 2003-1214

S/C unan. **B18** Approved the revised design for the Gallo Arts Center; authorized the Interim CEO to issue a notice inviting bids for the Gallo Arts Center Project; set the bid opening date as 2/4/04 at 2:30 p.m.; authorized staff to continue negotiation of an operating agreement between the Central Valley Center for the Arts, the Gallo Arts Center LLC, and the County and to return to the Board to obtain final Board approval; approved a revised schedule for the Gallo Arts Center Project; authorized the Interim CEO to negotiate and execute project related agreements or work authorizations for professional services provided the agreements or work authorizations are within the approved project budget; authorized the Interim CEO to negotiate and execute agreements for printing and reprographic services necessary to administer the project, provided the agreements for such services are within the approved project budget; and, authorized the Interim CEO to issue a RFP for testing and specialty inspection services, and to negotiate and execute a contract with the successful proposer 2003-1215

C/M unan. **D1** Approved the 2004 Williamson Act Contracts to be forwarded to the Clerk-Recorder's Office for filing; and, **amended** the item to reflect the Revised Exhibit No. 1 – Planning 2003-1216

Corr 1 Referred to the Department of Environmental Resources, Agricultural Commissioner and U.C. Cooperative Extension, a public notice from California State Water Resources Control Board regarding upcoming hearings on Water Quality Control Policy for Developing California's Clean Water Act.

Corr 2 Acknowledged receipt and referred to the CEO- Risk Management Division the following claims: Angelique Simmons, Lamar Simmons, and Jovahn McDowell (deceased minor); Carol Bright Tougas; Alvin Ho; Trina Goblirsch; and, Sharon Newport.

Supervisor Grover spoke regarding the education of health care workers, especially nurses, and the need for these type of workers throughout the State. He requested that the Board appoint a high caliber group from the private sector to look into this shortage of healthcare workers and develop an increase in capacity over the next three to five years. The Board supported the idea of developing a committee.

Supervisors Caruso and Paul attended the recent Latino Community Roundtable Dinner and presented awards on behalf of the Board.

The Interim CEO informed the Board, and discussion ensued, regarding the State budget. The Interim CEO noted that the State Legislature adjourned without addressing the VLF backfill to cities and counties. The VLF shortage to Stanislaus County is a \$16 million issue in the current budget. She wanted the Board to know that other counties and cities that will be taking legal action. She and the County Counsel have been in contact with the CAO and County Counsel Associations regarding this matter and are considering the County's options. The VLF fees are critical to HSA, BHRS and to the basic health care of the citizens of our County. The dramatic reduction in the State's bond rating does not currently impact California counties but it is something that must be monitored. She noted that there is a possibility that the State will cancel \$5.4 billion of highways and transit projects that already in the pipeline and shift \$1 billion of transportation money into the general funds shortage which will hurt the Prop 42 transportation efforts. The Governor's budget proposal is due on 1/10/04 and she encourages the public to speak to their legislators about what is becoming a crisis at the City and County level for the State's failure to balance their budget. Currently the DMV is not distributing VLF moneys to cities or counties, which is a monthly hit to the general fund of \$2.4 million. The DMV says they will not distribute VLF

funds. At the Health Executive Committee, the Auditor-Controller said that the cash flow, for both the County's and the healthcare funds, has decreased in the last few weeks. Health Realignment funds have also been frozen by the State. Once the Governor has issued his State budget proposal the staff will bring a strategy to the Board with the next round of budget choices. It is important that the community be made aware of the essential services that will be impacted by the loss of this funding. The State is legally obligated to pay cities and counties these funds. The County Counsel informed the Board that a number of counties and cities will be filing lawsuits against the State in the next two weeks, and he will keep the Board informed. There is indication that the Governor will support the lawsuit. The litigation will cause immediate action by the State. The Board wants to make sure the County acts swiftly to address these funding shortfalls.

Chairman Simon announced that there will be a Board of Supervisors Closed Session Special Meeting on Monday, 12/22/03 at 3:00 p.m. in the Chambers Conference Room, 1010 Tenth Street, Modesto, CA for Closed Session: Public Employee Appointment: Title: Chief Executive Officer. Government Code Section 54954.5(e)

The Chairman thanked the Board for the opportunity to have served as the 2003 Chairman of the Board of Supervisors.

Adjourned at 11:04 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.)