

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

Regular Session

Tuesday

February 10, 2004

All Supervisors Present

Pledge of Allegiance to the Flag

A Patriotic Employer Certificate was presented to Stanislaus County by the National Committee for Employer Support of the Guard and Reserve.

Emilio Magana, organizer of the United Domestic Workers (UDW) of America, spoke regarding the current labor negotiations with the County.

Henry D. Dill also spoke regarding the UDW labor negotiations process with the County, and the importance of the work that domestic workers perform.

Patricia Boyd, an IHSS worker, asked the Board to consider IHSS employees for wage increases and benefits, noting that they work hard as caregivers.

Ann Sutherland, Fiscal Analyst for the UDW, noted that Stanislaus County staff has been one of the best county staffs to work with. She spoke regarding the labor negotiations with the County, and feels that the County can afford to give the IHSS workers fair wage increases.

Paul/Grover unan. Adopted the consent calendar

- *A1 Approved the minutes of 2/3/04
- *A2 Appointed Donald Murphy to the Salida MAC 2004-94
- *B1 Appointed for the 2004 term of the Stanislaus County Discipline/Equal Employment Opportunity Grievance Appeals Board: Kevin Williams, DER Director as the Department Head Member (Margaret Szczepaniak, HSA Managing Director and Jerry Powers, Chief Probation Officer as alternates); Martin Martinez, SEIU Local #535, as the Employee Member (Steve Macedo, Deputy Sheriff's Association, as first alternate, and Debbie Hiebert, SCEA, as second alternate); and, local attorney Darrell Champion to serve as the Chairperson (attorney Dave Walker as the alternate Chairperson) 2004-95
- *B2a Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 700 Bliss Road, Ceres, California (CE No. 00-726) – DER 2004-96
- *B2b Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 5345 9th Street, Keyes, California (CE No. 03-3480) – DER 2004-97
- *B2c Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 1245 Alamo Avenue, Modesto, California (CE No. 03-1898) – DER 2004-98
- *B2d Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 722 Bystrum Road, Modesto, California (CE No. 03-2123) – DER 2004-99
- *B2e Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 138 G Street, Turlock, California (CE No. 03-1557)– DER 2004-100
- *B3 Approved and authorized the HSA Managing Director, or her Designee, to sign the description of proposed expenditures and the standard agreement for the California Healthcare for Indigents Program (CHIP – Prop 99 Tobacco Tax Funds) for FY 2003/04 – HSA 2004-101

- *B4 Approved the California Department of Health Services Contract #03-75565 for the Nutrition Network Project with HSA, and authorized the HSA Managing Director, or her Designee, to sign and execute the contract and any amendments thereafter – HSA 2004-102
- *B5 Accepted the Stanislaus County Treasury Pool’s Compliance Audit for year ending 6/30/03 as prepared by the Auditor-Controller’s office, and reviewed for conformity with State law by the Stanislaus County Treasury Oversight Committee; accepted the Annual Certificates of Compliance from the Treasury Oversight Committee Members for year ending 12/31/03; and, approved amendments to the Stanislaus County Treasury Pool Investment Policy to be effective 2/23/04 – T/TC 2004-103
- *B6 Approved the bid documents for the Public Defender Tenant Improvements at 1021 I Street; authorized the Project Manager to advertise and issue invitations to bid; set the bid date for 3/16/04 no later than 2:30 p.m.; authorized staff to review bids and recommend award; and, authorized the Project Manager to negotiate and execute agreements for other professional services required for the management of the project as long as they are within the project budget 2004-104
- *C1 Approved plans and specifications for the Crows Landing Road Widening Project from Service Road to Keyes Road; directed the Clerk to publish notice inviting bids for the project as required by law, and set the deadline for submission of bids for 3/17/04, prior to 2:30 p.m.; directed Public Works staff to mail notice inviting bids to trade journals as required by law; and, directed the Auditor-Controller to increase Appropriations and Estimated Revenue by \$45,654.35 in the project account to cover the costs of advertising and publishing (\$3,000.00), additional engineering services (\$17,654.35), and for necessary quality assurance testing (\$25,000.00) – PW 2004-105
- *C2 Approved plans and specifications for the Turlock Lake Fishing Access Improvement Project; directed the Clerk to publish notice inviting bids for the project as required by law, and set the deadline for submission of bids for 3/17/04, prior to 3:00 p.m.; and, directed the Public Works staff to mail notice inviting bids to trade journals as required by law – PW 2004-106
- *C3 Approved purchase agreement to acquire road right-of-way on Carpenter Road, one and one-half miles north of Crows Landing Road; authorized the Chairman to execute the agreement; directed the Auditor-Controller to increase Appropriations by \$13,000 in the project account; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$7,400 payable to Fidelity National Title Company – PW 2004-107
- *D1 Rescinded a portion of Williamson Act Contract #0187-1971 (28 Mile Road, District 1), and approved new contract pursuant to Minor Lot Line Adjustment Application #2003-34 and authorized the Planning Director to execute a new contract; finds the new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years; finds there is no net decrease in the amount of the acreage restricted; in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; finds at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; finds after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in §51222; finds the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; finds the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; and, finds the lot line adjustment does not result in a

greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan - Planning 2004-108

Grover/Simon unan. **B7** Authorized and adopted a resolution in support of a strategy for preserving and growing manufacturing jobs in Stanislaus County 2004-109

Simon/Paul unan. **9:25am** Conducted the public hearing and **amended** the recommendations to: form a committee comprised of two Boardmembers (Supervisors Mayfield and Grover) to meet with two Modesto City Council members and the public regarding infrastructure and annexation to the City of the Robertson Road area, and to review CDBG funds and projects; and, the Board **continued the public hearing to 3/23/04 at 9:25 a.m.** to Consider Approval to Reallocate \$791,101 Community Development Block Grant Funds – Planning 2004-111

Recessed at 11:04 a.m.

Reconvened at 11:17 a.m.

Paul/Simon unan. **9:30am** After staff presentation, the Board opened the public hearing to consider an appeal of Stanislaus County Planning Commission’s approval for Use Permit Application #2002-28 - Santa Fe Aggregates, Inc., and considered testimony by project opponents and proponents; the Board closed the public hearing to further public testimony and submission of documents, and **continued the public hearing to 3/2/04 at 9:30 a.m.** for Board action; and, staff was directed to review and analyze written documents submitted late by the appellants and testimony presented at the public hearing, and to report back to the Board at the 3/2/04 meeting, including any revised recommendations - Planning 2004-112

Continued to 2/17/04, item **C4** Approval to Accept a Status Report on the County’s Public Transit System, Stanislaus Regional Transit, “StaRT” 2004-110

Corr 1 Referred to the CEO, a letter from the Amador County Sesquicentennial Committee requesting representatives from Stanislaus County to attend their celebration event on 6/14/04.

Corr 2 Referred to DER, the 2003 Fire/Life Safety Inspection Report for the Stanislaus County Honor Farm.

Corr 3 Referred to HSA, a copy of *Adolescent Health and Pregnancy Prevention: Policy Brief for California’s Lawmakers* from the Get Real About Teen Pregnancy Public Education Program.

Corr 4 Acknowledged receipt of the Stanislaus County 2003 – 2004 Occupational Outlook Report, from the Department of Employment and Training.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Storer Coachways and Antelmo Tapia Lemus.

Supervisor Paul presented a check to the Riverbank City Council on 2/9/04 for \$550,000 from funds generated through the Public Facility Fees Program.

Chairman Caruso requested information on the interruption and implementation of Measure X by DER.

The Interim CEO reported that a ground-breaking for the Empire Park Project will be held on 2/28/04 at 10:00 a.m. She also noted that the County is very involved in the budget process in Sacramento and will bring a report to the Board next Tuesday.

Adjourned to closed session at 1:17 p.m. for conference with Legal Counsel - Existing Litigations: Connie Santilanes vs. Mabel Kud, Ira Perez, County of Stanislaus, State of California and Does 1 to 50 filed in Stanislaus County Superior Court July 30, 2002 Case No. 313233. Government Code §54956.9.

Adjourned at 2:20 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.)