

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

August 3, 2004

A moment of silence was observed in honor of the memory of Newman City Councilman Alfred "Bush" Rose.

A resolution proclaiming August 2004 as Child Support Awareness Month in Stanislaus County was presented to Tamara Thomas, Assistant Director of Child Support Services.

Henry Dill noted that the State Budget has been signed, and that the IHSS Program has not been cut. He stated that the United Domestic Workers (UDW) employees did their part in contacting their legislators, and now they are waiting for the Board to do their part regarding the labor negotiations.

Naria Jordan read a statement from the UDW regarding the State budget and the In-Home Supportive Services Program.

Dave Thomas spoke regarding his public record request concerning the Board of Supervisors' compensation and expenses. He thanked the Interim CEO and the Clerk of the Board for supplying the requested information.

June Kidd spoke in support of increased wages and medical benefits for IHSS employees.

Simon/Paul unan. Adopted the consent calendar

- *A1 Approved the minutes of 7/27/04
- *A2a Appointed Mickey Peabody to the Nuisance Abatement Hearing Board 2004-576
- *A2b Appointed Terrance Withrow to the Assessment Appeals Board 2004-577
- *A2c Appointed Michael Skinner to the Mountain-Valley Emergency Medical Services Regional Advisory Committee 2004-578
- *A3 Reappointed Eddie Best and Sam Bartlett to the Keyes Fire Protection District 2004-579
- *A4a Consolidated the Hughson Unified School District Bond Election with the General Election to be held on 11/2/04 2004-580
- *A4b Consolidated the Oakdale Rural Fire Protection District Special Tax Election with the General Election to be held on 11/2/04 2004-581
- *A4c Consolidated the City of Turlock Municipal Election with the General Election to be held on 11/2/04 2004-582
- *A4d Consolidated the City of Turlock Use Tax Measure with the General Election to be held on 11/2/04 2004-583
- *A4e Consolidated the City of Newman Municipal Election with the General Election to be held on 11/2/04 2004-584
- *A5 Approved \$5,000 for the Sister County Program from the Community Support Budget 2004-585
- *B1 Authorized the Director of the Department of Aging and Veterans Services (Area Agency on Aging) to sign Grant Agreements #AP-0405-30, #TV-0405-30, and #HI-0405-30, and any

- subsequent amendments with the California Department of Aging for FY 2004/05; authorized the Director of the Department of Aging and Veterans Services (Area Agency on Aging) to sign contracts, and any subsequent amendments, with service providers for Older Americans Act and Older Californians Act services for FY 2004/05; and, authorized the CEO to approve budget changes related to contract amendments which do not increase overall County contributions to programs – Aging & Veterans 2004-586
- ***B2** Approved and authorized the Chairman to sign FY 2004/05 contracts with the California Department of Food and Agriculture for Pest Detection and Nursery Inspection – Agriculture Commissioner 2004-587
 - ***B3** Approved a resolution to levy FY 2004/05 benefit assessments rates for the following lighting districts: Airport Neighborhood, Almond Wood, Country Club-Zone A, Country Club-Zone B, Crows Landing, Deo Gloria, Denair, Empire, Fairview, Gibbs Ranch, Gilbert Road, Golden State, Hillcrest, Mancini Parks Homes, Monterey, North Oaks, North McHenry, Olympic, Patterson Gateway, Peach Blossom, Richland, Salida, Schwartz Baize, Sunset Oaks, Sylvan Village, and Tempo Park; and, authorized the Auditor-Controller to add the assessments to the 2004/05 Tax Roll – Auditor-Controller 2004-588
 - ***B4a** Adopted the decision of the Nuisance Abatement Hearing Board regarding 2951 Marshall Road, Crows Landing, California (CE No. 03-2726) – DER 2004-589
 - ***B4b** Adopted the decision of the Nuisance Abatement Hearing Board regarding 209 Olivero Road, Modesto, California (CE No. 03-3980) – DER 2004-590
 - ***B4c** Adopted the decision of the Nuisance Abatement Hearing Board regarding 105 Pecos Avenue, Modesto, California (CE No. 03-1686) – DER 2004-591
 - ***B4d** Adopted the decision of the Nuisance Abatement Hearing Board regarding 127 Kendea Road, Modesto, California (CE No. 03-3141) – DER 2004-592
 - ***B5** Approved receipt of the FY 2004 Grant from the State Office of Homeland Security to enhance local homeland security efforts in the amount of \$1,826,628 and directed the Auditor-Controller to establish a new special revenue fund budget and establish appropriations consistent with the budget journal rolling over funds at year end 2004-593
 - ***C1** Finds that the final map for Diablo Grande Unit No. 1A Patio Homes-Phase 2 Subdivision 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 2004-594
 - ***C2** Approved the Disadvantaged Business Enterprise (DBE) Program and the annual goal for Federal FY 2004/05; authorized the Interim CEO to execute the DBE Program; and, directed the Clerk to publish a notice setting forth the annual goal and the comment period criteria – PW 2004-595

Grover/Mayfield unan. **9:25am** Finds that notice of the public hearing was published in compliance with §6066 of the Government Code; conducted a public hearing to receive comments regarding the 2004/05 annual assessments; set the 2004/05 annual assessments as shown on Exhibits “A” through “U” for the following County Service Areas and Landscape and Lighting Districts: CSA No. 4-Bristol Glen, CSA No. 5-Starlite Place, CSA No. 6-Raymond Tract, CSA No. 7-Modesto Auto Center, CSA No. 8-Honey Bee Estates, CSA No. 9-River/Souza, CSA No. 11-Gilbert Road, CSA No. 12-Peach Blossom Estates, CSA No. 13-La Jolla, CSA No. 14-United Pallet, CSA No. 15-Patterson Gateway, CSA No. 16-Olive Ranch Estates, CSA No. 17-Sunray Estates, CSA No. 18-Atlas Park, CSA No. 19-Tuolumne-Gratton, CSA No. 20-Summit, Riverdale Landscape and Lighting District, Riverview Landscape and Lighting District, Shackelford Landscape and Lighting District, Howard-McCracken Landscape and Lighting District,

Laurel Landscape and Lighting District; made the Engineer's Reports a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessments to the 2004/05 Tax Roll
– PW 2004-598

A legislative update was given by Don Peterson, Stanislaus County's Legislative Advocate. He spoke regarding AB 824 (Matthews) a proposal to provide more State funding for the IHSS Program in Stanislaus County and three other counties. He noted that the legislature failed to provide the County the full funding for the cost of the Peterson trial, and he recommended that a letter be sent to State legislators and the Governor regarding this issue. He also noted that SCA 4 (Torlakson) has passed the legislature, and updated the Board regarding its potential negative impact to the County's vehicle license fees (VLF), local property taxes, and sales tax. He recommend that a letter be sent to the State legislators to remedy the negative property tax bail out, and he has drafted an Amendment to address this issue. Both Proposition 65 and SCA 4 will be on the ballot in November 2004, and the Governor has indicated that he will oppose Prop 65 and support SCA 4.

Paul/Simon unan. **B6** Authorized the Auditor-Controller to advance funds to Stanislaus Consolidated Fire Protection District for operational expenses through 8/24/04, under Government Code §23010, not to exceed \$500,000; directed the Auditor-Controller to continue to work with staff from the Stanislaus Consolidated Fire Protection District to identify their funding needs; and, authorized County staff to review all available options to provide fire protection services in the event the District does not continue to be financially viable – Auditor-Controller DF-20-A-1 2004-596

Recessed at 11:22 a.m.

Reconvened at 11:32 a.m.

Paul/Grover unan. **B7** Authorized the Auditor-Controller to advance funds to Oakdale Rural Fire District for operational expenses under Government Code §23010 in an amount not to exceed \$400,000 – Auditor-Controller DF-8-B-16 2004-597

Corr 1 Referred to the Sheriff and the Chief Executive Office, a letter from NASA requesting support of their intention to change the legislative jurisdiction of a portion of the Crows Landing Flight Facility.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Edward G. Staiger EGS & Company Trust dba Merced Neon Sign Company; Tamara Workman; and, Rayna Brown.

Supervisor Simon requested information regarding the request for use of Public Defender funds for the Peterson Trial. County Counsel explained that the exact request for funds is unknown, but usually the funds are used for expert testimony, copying of photos and other uses, but not attorney expenses. Nevertheless, it is a confidential decision made by the court, and the requests will not be known until after the trial is over. It is already public knowledge that the County's cost is approaching \$1 million at this time.

Supervisor Mayfield stopped by Animal Services to adopt a dog and noted that only 28 of the 60 adopt-a-pet cages were occupied. He wanted to know why the adoption center is not full. The Interim CEO noted that the State has laws on the adoption process. The Chairman requested information on the various pet adoption agencies.

The Interim CEO announced that there will be a town hall meeting regarding the West Nile Virus on Wednesday, 8/11/04 from 4:00 to 6:00 p.m. at the Harvest Hall on Cornucopia Way, Modesto.

Adjourned at 11:52 a.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.)