

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

Regular Session

Tuesday

October 5, 2004

All Supervisors Present

Pledge of Allegiance to the Flag

Chairman Caruso, on behalf of the Board of Supervisors, presented a plaque to Assistant CEO Patty Hill Thomas in appreciation for her outstanding dedication and hard work while she served as the Interim CEO for the County. Ms. Hill Thomas thanked the Board and County employees, and she stated how honored she is to work for Stanislaus County.

The Kickoff for the Stanislaus County United Way Campaign was presented by Stanislaus County Librarian Vanessa Czopek.

The CEO announced that the staff report regarding out-of-county waste would not be presented at the 10/12/04 meeting as earlier requested, but more likely would be coming at the 11/2/04 Board meeting. Supervisor Mayfield requested that it be heard at the 10/19/04 off-site meeting in the City of Ceres. Supervisor Paul requested that the public receive a copy of this report as soon as the Board receives it. Supervisor Simon recommended that the Board convene in the Chambers before the off-site meeting to consider this report, and then adjourn to the Joint Meeting with the City of Ceres. The Chairman directed staff to schedule a Board meeting on 10/19/04 at 5:30pm in the Board Chambers to consider the staff report regarding out-of-county waste; this meeting will then be adjourned to the Joint Meeting with the City of Ceres at 7:00 p.m. He also directed staff to properly notice this Board meeting schedule change.

Simon/Paul unan. Adopted the consent calendar

*A1 Approved the minutes of 9/28/04

*A2a Appointed Newmon Fink to the Tuolumne River Regional Park Citizen's Advisory Committee
2004-764

*A2b Appointed Haiyan Wang to the Stanislaus County Free Library Advisory Committee
2004-765

*A3 Proclaimed October 2004 as Domestic Violence Awareness Month
2004-766

*A4a Approved request from the Haven Women's Center for use of Oregon Park for a Tree Planting
Ceremony honoring past and current victims of domestic violence on Monday, 10/18/04
2004-767

*A4b Approved request from Calvary Seniors for use of the Frank Raines Park Recreation Hall on
1/9-12/05; 3/13-16/05; 5/1-4/05 and 10/2-5/05
2004-768

*A4c Approved request from Modesto Centre Plaza for use of the Courthouse lawn for the City of
Modesto Celebration of Lights Holiday Parade on Saturday, 12/4/04
2004-769

*A5 Proclaimed 10/21-31/04 as Red Ribbon Week
2004-770

*B1 Authorized the Chairman to sign the FY 2004/05 Glassy-Winged Sharpshooter Contract with
the California Department of Food and Agriculture and directed the Auditor-Controller to
increase Revenue and Appropriations and make the necessary financial transactions
– Agricultural Commissioner
2004-771

*B2 Authorized the Chairman to sign the FY 2004/05 Sudden Oak Death Disease Contract with the
California Department of Food and Agriculture and directed the Auditor-Controller to

- increase Revenue and Appropriations and make the necessary financial transactions
 – Agricultural Commissioner 2004-772
- *B3 Approved the transfer of \$408,000 from Appropriations for Contingencies to the Sheriff Detention Budget and the District Attorney Criminal Division Budget for costs related to the People v. Peterson Trial; directed the Auditor-Controller to increase Appropriations in the DA Criminal Division Budget in the amount of \$280,000; directed the Auditor-Controller to increase Appropriations in the Sheriff Detention Budget in the amount of \$128,000; and, directed the Auditor-Controller to establish a new budget unit within the Sheriff Detention Budget to administer Sheriff Detention expenses related to the People v. Peterson Trial 2004-773
 - *B4 Introduced and waived the first reading of Ordinance C.S. 898 amending Sections 6.32.010 and 6.32020 and repealing Section 6.32.030 of the Stanislaus County Code regarding the inspection and permitting of employee housing/labor camps – DER 2004-774
 - *B5 Introduced and waived the first reading of Ordinance C.S. 899 adding Chapter 16.32 to the Stanislaus County Code regarding regulations and procedures concerning the operation of mobile home parks – DER 2004-775
 - *B6 Approved an independent contractor agreement between Guardsmark, Inc. and HSA for security services at 800-830 Scenic Drive and 700 17th Street, Modesto, for the period 7/1/04 through 6/30/05; and, authorized the HSA Managing Director, or her Designee, to sign the agreement – HSA 2004-776
 - *B7 Authorized HSA to enter into an agreement with the California Department of Health Services and to accept an allocation of funds in the amount of \$853,605 to enable the local Public Health System to prepare for and respond to bioterrorism, infectious disease outbreaks, and other public health threats and emergencies; and, authorized the HSA Managing Director, or her Designee, to sign the agreement, sign subsequent certification against supplantation forms for this grant, accept these funds, and apply for and accept carryover or other available funds under this program – HSA 2004-777
 - *C1 Awarded contract for \$112,841.67 to Donlee Pump Company of Ceres, California, for purchase and installation of above ground fuel storage and dispensing system; and, authorized the Purchasing Agent to establish a contract with Donlee Pump Company of Ceres, California, for the contract amount – PW 2004-778

Mayfield/Grover unan. **B8** Authorized DER to host a Food Processing Residue Use Program “Summit” meeting – DER 2004-779

Grover/Paul unan. **9:25am** Finds the project for Rezone Application #2003-15, Raman V. Patel, a request to rezone 1.88 acres from PD 203 (Planned Development) to PD (Planned Development) to allow the development of a 95 room hotel located east of Highway 99 on Kiernan Court, Salida, 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 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 judgment and analysis; adopted the Mitigation Monitoring Plan pursuant to California Code of Regulations §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 California Code of Regulations §15075; finds that the project is consistent with the overall goals and policies of the County General Plan and that the proposed Planned Development zoning is consistent with the Planned

Development General Plan designation; finds the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; approved Rezone Application #2003-15, subject to the attached development standards with the modification of Condition No. 29; and, introduced, waived the reading and adopted Ordinance C.S. 897 for the approved Rezone Application #2003-15 – Planning ORD-54-T-1 2004-780 & 2004-781

Corr 1 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: State Farm Insurance for their insured George Campbell; Karen Alexander; and, Gino and Tina Gonzalez.

Supervisor Grover noted that he and Dan Souza, Director of BHRS, leave tomorrow for Washington D.C. to discuss Medicare funding for the Stanislaus Behavioral Health Center.

Chairman Caruso noted that tomorrow at 10:30 a.m., he will attend the ribbon cutting ceremony for the Compressed Natural Gas Station at the Morgan Road location.

Supervisor Simon asked for the status of raising the TOT tax. He requested that staff bring a report back to the Board regarding this issue.

The CEO confirmed that staff is continuing to work on reimbursement for the People v. Peterson trial. He also noted that he will present an analysis of the Propositions that are on the November ballot as correspondence to the Board.

Adjourned at 9:56 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.)