

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

Regular Session

Tuesday

March 29, 2005

Chairman Grover absent

Pledge of Allegiance to the Flag

Employee service awards for thirty-five years of service were presented to CSA employees Sharon Schuchert and Lindsay Shephard, an award for thirty years of service was presented to Nancy Larson, and awards for twenty-five years of service were presented to Phyllis Camboia, Guadalupe Garza, Deborah Hiebert and Judith Presley.

Jack Davis showed photographs and voiced concerns regarding a trailer that is parked in front of a home in his neighborhood in Salida. He noted that he has contacted the CHP and Code Enforcement regarding this issue.

Georgiana Reichelt noted that subdivisions located in the County have rules, which are the Conditions included in the subdivision maps. She also voiced concerns regarding the City of Riverbank not following the correct process concerning their proposed redevelopment plan.

- O'Brien/DeMartini (4-0)(Grover absent) Adopted the consent calendar after removing from the agenda item
- ***B6** Approval of the New Information Technology (I.T.) Security Policy 2005-231
 - ***A1** Approved the minutes of 3/22/05
 - ***A2** Approved a commendation for Dennis Louis upon his retirement from BHRS 2005-215
 - ***A3a** Appointed Jan Viss to the Stanislaus County Children's Council 2005-216
 - ***A3b** Appointed Jeff Grover, Richard Robinson, Bev Hatcher and Greg Adams to the Stanislaus Economic Development and Workforce Alliance 2005-217
 - ***A4** Proclaimed the week of 4/10-16/05 as Emergency Dispatcher Week 2005-218
 - ***A5** Set a public hearing on 4/19/05, at 7:00 p.m., to consider an appeal of Planning Commission's denial of Use Permit Application No. 2003-35 – Gurdwara Sagar Church 2005-219
 - ***A6** Accepted the resignation of William K. Kurns from the Advisory Board on Substance Abuse Programs 2005-220
 - ***B1a** Adopted the recommendation of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 617 Marshall Avenue, Modesto, CA (CE No. 04-62) – DER 2005-221
 - ***B1b** Adopted the recommendation of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 1740 Denver Street, Modesto, CA (CE No. 04-3047) – DER 2005-222
 - ***B2a** Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 720 Lassen Avenue, Modesto, CA (CE No. 04-3432) – DER 2005-223
 - ***B2b** Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 1106 Herndon Road, Modesto, CA (CE No. 04-1028) – DER 2005-224
 - ***B2c** Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 1810 Seattle Street, Modesto, CA (CE No. 04-1265) – DER 2005-225
 - ***B2d** Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 0 Warnerville Road, Oakdale, CA (CE No. 04-3138) – DER 2005-226
 - ***B2e** Adopted the decision of the Nuisance Abatement Hearing Board regarding the nuisances at 4400 Mesa Drive, Riverbank, CA (CE No. 04-2638) – DER 2005-227

- *B3 Authorized HSA to enter into a sole source agreement with E-Team Inc., to provide the Active Surveillance Module of the E-Team Crisis Management Software System; authorized the Managing Director of HSA, or her designee, to sign and execute an agreement with E-Team Inc. for a web-based active surveillance system at a cost not to exceed \$131,750; and, authorized the Managing Director of HSA, or her Designee, to negotiate and sign any amendments to the agreement – HSA 2005-228
- *B4 Approved the uniform trustee appointment process of the Retirement Board members developed by the State Association of County Retirement Systems (SACRS)– StanCERA BD-36-A-13 2005-229
- *B5 Authorized the CEO to submit a grant application to the Bureau of Justice Assistance for 2005 Edward Byrne Memorial Justice Assistance Grant funding to enhance criminal justice processes; directed the Auditor-Controller to establish a special Revenue fund with estimated Revenue and Appropriations in the amount of \$123,737; and, approved the recommendations of the CEO to use the 2005 Edward Byrne Memorial Justice Assistance Grant for the continued funding for existing Sheriff and Probation Department staff 2005-230
- *C1 Approved plans and specifications for the Sperry Avenue Utility Undergrounding Project between Baldwin Road and Rogers Road; directed the Clerk to publish notice inviting bids for the project as required by law, and set the deadline for submission of bids as 5/11/05, prior to 2:00 p.m.; directed the Public Works staff to mail notice inviting bids to trade journals as required by law; directed the Auditor-Controller to increase Appropriations by \$70,000 in the project account to cover the expenses associated with the development of the project incurred during the design phase; and directed the Interim Purchasing Agent to increase the purchase order amount to the City of Patterson by \$60,000 for additional design services 2005-232
- *D1 Set a public hearing on 4/19/05, at 6:50 p.m., to consider GPA #2004-05 and Rezone Application #2004-12, Sequoia Apartments – Planning ORD-54-V-5 2005-233
- *D2 Set a public hearing on 4/19/05, at 6:55 p.m., to consider GPA #2000-09 and Rezone Application #2000-12, Valley Wood Preserving – Planning ORD-54-V-6 2005-234
- *D3 Rescinded all or a portion of Williamson Act Contract #1972-0705 (Locust Avenue and Apricot Avenue, Patterson Area), and approved new contract pursuant to Minor Lot Line Adjustment Application 2004-36 (David King) and authorized the Planning Director to execute new contracts; 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 2005-235
- *D4 Rescinded all or a portion of Williamson Act Contract #1976-2182 (Alfalfa Avenue, Patterson Area), and approved new contract pursuant to Minor Lot Line Adjustment Application

2004-65 (Richard Robinson) and authorized the Planning Director to execute new contracts; 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 2005-236

DeMartini/O'Brien (4-0)(Grover absent) **B7** Authorized the Parks and Recreation Department to conduct a Phase I - Environmental Site Assessment on the proposed property located on Del Puerto Canyon Road (AP# 025-008-005-000 and 025-003-025-000), 180-acre land donation to expand the Frank Raines Regional Park; authorized the Parks and Recreation Department to have the proposed property appraised; and approved the use of Public Facility Fees to pay for the Environmental Site Assessment and property appraisal – Parks & Recreation M-64-D-3 2005-237

Corr 1 Referred to the CEO, a letter from the Madera County Board of Supervisors requesting support of Assembly Bill 183 regarding the creation of a correctional conservation camp within one of the two female prisons located in Madera County.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Tammy J. King and Robert Benyamini.

Supervisor O'Brien noted that he would be supportive of a City of Riverbank Redevelopment Plan that incorporates some county pockets.

Adjourned to Closed Session at 9:46 a.m. for Conference with Legal Counsel: Existing Litigation: Jacqueline Adeline Ramirez, a minor, by and through her Guardian Ad Litem Roxana Regaldo, vs. County of Stanislaus et al, Stanislaus County Superior Court Case No. 315664. Government Code 54954.5(c).

Adjourned at 10:10 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.)