

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

Regular Session

Tuesday

December 4, 2001

All Supervisors Present

Pledge of Allegiance to the Flag

The DARE Program update was presented by Sheriff Les Weidman.

Lee Tarkington Lundrigan spoke regarding campaign funding for local elections.

C/B unan. Adopted the consent calendar

***A1** Approved the minutes of 11/20/01

***A2a** Adopted and waived the second reading of Ordinance C.S. 775 to amend Title 11 of the Stanislaus County Code, amending no truck parking zones on Claus Road and Sisk Road, white zones - established on Herndon Avenue, and highways prohibited within residential areas on Chicago Avenue ORD-54-I-10 2001-913

***A2b** Adopted and waived the second reading of Ordinance C.S. 776 to amend Title 11 of the Stanislaus County Code, adding a two hour parking zone on Maud Avenue, no parking zones on various County roads, and repealing no parking zones on Crows Landing Road ORD-54-I-11 2001-914

***A2c** Adopted and waived the second reading of Ordinance C.S. 777 to amend Title 11 of the Stanislaus County Code, pertaining to traffic control to establish speed zones on various County roads ORD-54-I-12 2001-915

***A3a** Commended Phil Osterli, County Director and Farm Advisor of U.C. Cooperative Extension, upon his retirement 2001-916

***A3b** Commended Chief Dick Gaiser upon his retirement from the West Stanislaus County Fire Protection District and Patterson City Fire Department 2001-917

***A3c** Commended James B. Merriam upon his retirement from the Stanislaus County Board of Education 2001-918

***A4a** Reappointed Gus Warren, Garland Byther, and David J. McNeir to the Monterey Park Tract Community Services District Board 2001-919

***A4b** Reappointed Donald John Grischott, Tony Bravo, Jr. and Roy Haile, Jr. to the Westley CSD Board 2001-920

***A4c** Reappointed Wanda Bollinger to the Empire MAC 2001-921

***A5a** Appointed Ida Tucker to the Westley CSD Board 2001-922

***A5b** Appointed Patricia Albarico to the Knights Ferry MAC 2001-923

***A5c** Appointed Douglas J. Lucas to the Newman Drainage District Board 2001-924

***A5d** Appointed Anita Ballejos to the Empire MAC 2001-925

***A5e** Appointed Jerry Ann Gradford and Mary E. Jackson to the Monterey Park Tract CSD Board 2001-926

***A6** Accepted the resignation of Lynn Vinson from the Earl Pride Scholarship Committee 2001-927

***A7** Accepted the Clerk-Recorder's declaration of the election results for the Salida Fire Protection District DF-10-B-2 2001-928

***A8** Approved Oakdale Rural Fire District's request to consolidate with the Primary Election on 3/5/02, the District's election providing for the adoption of an increase in the existing special

tax and an increase of the appropriations limit of the District; and, referred this item to County Counsel to prepare an impartial analysis of the ballot measure

- DF-8-B-12 2001-929
- *A9** Proclaimed the month of 12/2001 as Drunk and Drugged Driving (3D) Prevention Month
2001-930
- *B1** Approved a resolution authorizing the CEO to submit a grant application to the California Department of Housing and Community Development for a Central Valley Infrastructure Grant in the amount of \$400,000 to facilitate Baldwin Road improvements at the West Patterson Business Park Development; and, authorized the CEO, or his Designee, to sign all necessary grant application documents
2001-931
- *B2** Appointed the following for the 2002 term of the Stanislaus County Discipline/Equal Employment Opportunity (EEO) Grievance Appeals Board: Larry Haugh, Interim Auditor-Controller, as the Department Head Member; Merry Baker (California Nurses Association) as the Employee Member on the panel; and local attorney Darrell Champion to serve as the Chairperson; appointed alternates to the panel as follows: a.) Jeanne Hardin, Director of Regional 911 and Kevin Williams, Director of DER and Parks, as the Department Head Alternates, b.) Kathleen Grundy (Service Employees International Union) as the First Alternate Employee Member, and Debbie Hiebert (SCEA) as the Second Alternate Employee Member; and, adopted the name "Discipline/Equal Employment Opportunity (EEO) Grievance Appeals Board" – CEO
BD-17-24 2001-932
- *B3** Amended the Salary and Position Allocation Resolution to reclassify one Clerical Division Supervisor to Manager II in the DA's Criminal Division – CEO
2001-933
- *B4** Increased the bilingual compensation rate for Confidential employees from \$.48 to \$.69 per hour; and, approved the CEO to authorize assignment pay of up to 10% for Confidential employees when given special assignments in addition to regular duties, which will extend beyond 30 days
2001-934
- *B5** Approved lighting the Homicide Victims' Memorial Tree during the Christmas holidays in a candlelight vigil ceremony on the Courthouse lawn on 12/11/01; and, approved use of the Courthouse lawn for the tree lighting ceremony and candlelight vigil on 12/11/01 – DA
2001-935
- *B6** Approved a contract between the Victim's Compensation and Government Claims Board (Formerly the State Board of Control) and the DA's Office in the amount of \$57,401, for a Paralegal to track, research and report on restitution to victims of violent crimes; authorized the DA to sign the contract; approved a Grant Award Agreement including any extension or amendments; and, directed the Auditor-Controller to adjust the budget
2001-936
- *B7** Accepted FY 2001-02 grant from the Department of Insurance for the DA's Workers Compensation Fraud Program totaling \$307,686; authorized the DA to approve a Grant Award Agreement including any extension or amendments; and, directed the Auditor-Controller to adjust the budget
2001-937
- *B8** Approval to Accept Fiscal Year 2001-2002 Grant from Department of Justice for District Attorney's Office Spousal Abuser Prosecution Program Grant and Related Budget Adjustments
2001-938
- *B9** Authorized the Director of DER to sign the Drinking Water Surveillance Program Grant Contract #01-15043, and any future amendments, with the State Department of Health Services; authorized the Director of DER to accept Stanislaus County Drinking Water Surveillance Program grant funds during FY 2001-02 through 2005-06; and, authorized the Auditor-Controller to establish the necessary accounts to receive and disburse the grant funds
2001-939

- ***B10** Approved the Description of Proposed Expenditure of California Healthcare for Indigents Program funds for FY 2001-02; and, authorized the HSA Managing Director, or her Designee, to sign the Description of Proposed Expenditure Certification 2001-940
- ***B11** Approved the State Department of Health Services Contract #01-15370 for the Children’s Dental Disease Prevention Program with the HSA; and, authorized the HSA Managing Director to sign and execute the contract and any amendments thereafter 2001-941
- ***B12** Amended the Position Allocation List to add one Librarian III at the Salida Library effective 1/1/02 – Library 2001-942
- ***B13** Approved the Probation Department’s Temporary Aid to Needy Families (TANF) Expenditure Plan 2001-943
- ***B14** Approved acceptance of the \$96,540 Juvenile Accountability Grant from the Office of Criminal Justice Planning to provide funding for the Public Defender’s and DA’s Offices; authorized the Public Defender to sign the grant award on behalf of the Board; adopted the Juvenile Justice Coordinating Council’s recommendation for use of the grant funds; and, directed the Auditor-Controller to adjust appropriations – Public Defender 2001-944
- ***B15** Approved the discharge of accountability of the Treasurer-Tax Collector for County departmental accounts in the amount of \$138,965.32, which are uncollectible and have been previously charged to the Collections Division 2001-945
- ***B16** Approved the discharge of accountability of the Treasurer-Tax Collector for County departmental accounts in the amount of \$101,415.92, which are uncollectible and have been previously charged to the Collections Division 2001-946
- ***B17** Approved acceptance of a grant from the State Office of Emergency Service (OES) for the State Domestic Preparedness Equipment Support Program in the amount of \$71,359; and, directed the Auditor-Controller to adjust appropriations – CEO 2001-947
- ***B18** Accepted the Report of Annual Inspection/Evaluation of Local Jail/Detention Facilities Pursuant to Section 459 of the State of California Health and Safety Code – DER 2001-948
- ***B19** Amended the Salary and Position Allocation Resolution to reclassify 15 Staff Nurse II positions to Staff Nurse III positions at HSA 2001-949
- ***C1** Approved Master Agreement and Project Agreement #2001-01 with Nichols Consulting Engineers, C.H.T.D., for the development of pavement management systems for Stanislaus County and the nine incorporated cities; authorized the Chair to execute the agreements; and, directed the Auditor-Controller to increase appropriations by \$360,000 and to increase anticipated revenue by \$351,708 – Public Works C-1-A-6; C-2-B-1; C-3-23; C-4-A-2; C-5-E-3; C-6-H-14; C-7-A-20; C-8-A-1; C-9-20 2001-950
- ***C2** Approved a resolution to extend the Abandoned Vehicle Abatement (AVA) Program through April, 2012 – Public Works 2001-951
- ***C3** Approved Contract CO#1 for additional paving at Modesto Reservoir, not to exceed \$55,000; extended the contract completion date from 10/29/01 to 11/30/01; authorized the Purchasing Agent to increase the contract amount with George Reed, Inc., for the 2001 Road Improvement Program by \$55,000 with a final contract cost of \$2,088,193; and, directed the Auditor-Controller to increase appropriations and estimated revenue – Public Works 2001-952
- ***D1** Set public hearing on 12/18/01 at 7:50 p.m. for GPA #2001-07 and Rezone Application #2001-11 - D & L Concrete Pump, Inc. – Planning and Community Development ORD-54-J-1 2001-953
- ***D2** Rescinded portions of three Williamson Act contracts and approved new contracts pursuant to Minor Lot Line Adjustment Applications #2001-26 (Silva Bros. Dairy) and #2001-62 (Christiansen) and authorized the Planning Director to execute the new contracts; finds that 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 that 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% 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 GC Section 51222; finds that 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 that the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; and, finds that 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 2001-954

***D3** Approved the following 2002 Williamson Act Contracts: #02-4441, #02-4442, #02-4448, #02-4449, #02-4450, #02-4451, #02-4452, #02-4453, #02-4456, #02-4459, #02-4462, and #02-4463 2001-955

S/B unan. **B20** Adopted the Information Technology (I.T.) Standards recommended by the I.T. Standards Special Interest Group (SIG) and ratified by the Department Heads at their meeting of 11/14/01; and, authorized the Purchasing Department to make I.T. purchases consistent with the County adopted I.T. Standards – CEO 2001-956

B/C unan. **B21** Approved the Stanislaus County Emergency Operations Plan – CEO/OES 2001-957

Corr 1 Accepted a letter from the Interim Clerk-Recorder, Paul Baxter, stating the office would be open on Monday, 12/31/01 to accommodate local title companies. The Board thanked Mr. Baxter for his efforts in this area.

Corr 2 Referred to the Sheriff and Public Works, a letter from the State of California Business, Transportation and Housing Agency announcing traffic safety grant opportunities for federal FY 2003, and inviting local and state governmental agencies to participate in the grant award process.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Ruth Salady, Leslie Fazio, Chris Graham, Dept. of General Services, Westside Self Storage.

Supervisor Blom noted that he attended the CSAC Conference held in Sacramento, where State budget issues were discussed.

Supervisor Mayfield noted that he attended the Ag Pavilion fundraiser.

Chair Paul stated that she attended the Women’s Auxiliary fundraiser and the retirement dinner for City of Modesto’s Park Department employee, Fred Allen.

Supervisor Caruso thanked all of the staff who supported the Salvation Army’s Celebrity Bell Ringer fundraiser.

Interim Clerk-Recorder, Paul Baxter, gave a brief update on the mailing of duplicate ballots and other related ballot issues for the City of Modesto City Council run-off election.

The CEO reported on the CSAC Conference and the State's budget crisis. He said that he anticipates significant reduction to the State's budget and noted that the key target for back funding their budget will be the counties' Vehicle License Fee.

Adjourned to closed session at 10:17 a.m. for a public employee appointment - County Librarian, pursuant to GC §54954.5(e). Conference with legal counsel - anticipated litigation on one potential case, pursuant to GC §54954.5(c).

Supervisor Blom left at 11:30 a.m.

Adjourned at 11:35 a.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: LILLIE L. FARRIESTER, 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.)