

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

October 7, 2003

John Schaper, HSA Assistant Director of Ancillary Services, introduced Dr. Del Morris, HSA Medical Director, to the Board.

Employee Service Award for those honored for thirty years of service was given to Rosendo Verduzco - DER. Employee Service Awards for those honored for twenty-five years of service were given to John Aud – DER; Linda Vargo – DER; Mary E. Guerrero – Treasurer/Tax Collector’s Office; and, Ed Fenton – CEO/Risk Management Division.

G/P unan. Adopted the consent calendar

- *A1 Approved the minutes of 9/30/03
- *A2 Set a public hearing on 11/4/03 at 9:25 a.m. to consider an appeal of the Planning Commission’s approval of Use Permit Application #2002-30 – Salida Hulling Association 2003-907
- *A3 Proclaimed October 2003 as Library Card Sign-up month 2003-908
- *A4a Commended Mary Leibham upon her retirement from the Department of Child Support Services 2003-909
- *A4b Commended George Lambert upon his retirement from the City of Patterson 2003-910
- *A5 Appointed Martin Reyes to the East Stanislaus Resource Conservation District Board 2003-911
- *B1 Accepted the completed Bid Package 1, Abatement and Demolition, of the 12th Street Office and Building and Parking Garage Project; approved the final completed contract with the contractor, Delta Oilfield Services, Inc., of Woodland, CA for the original contract in the amount of \$179,200, less total change orders in the amount of \$5,475, less proposed change 04 in the amount of \$26,000, to equal a final contract amount of \$147,725; approved a deductive change, PC 04, in the amount of \$26,000 to eliminate relocating trees and demolishing a portion of the parking lot and sidewalks from the contract; authorized the Chairman, on behalf of the Board of Supervisors as the awarding authority, to sign the completion documents; and, authorized the necessary recording of the Final Notice of Completion and all other necessary close out activities 2003-912
- *B2 Accepted the report of the Modesto Main Library Accessibility dated August 2003; approved a project to remodel the Modesto Main Library public restrooms and checkout counter to improve accessibility; approved the project schedule and budget; authorized the Auditor-Controller to create a project account for this project in the amount of \$150,905 and transfer funds; and, authorized the project manager to negotiate and execute contracts and agreements for professional services as long as they are within budget 2003-913
- *B3 Authorized the Treasurer/Tax Collector to issue partial release of County liens placed upon real property of Floyd McCown – Treasurer/Tax Collector 2003-914

- *C1 Approved Project Agreement #2003-03 with Kleinfelder, Inc., for groundwater monitoring at the Fink Road Landfill, in an amount not to exceed \$213,423, and authorized the Chairman to sign the agreement- PW 2003-915
- *D1 Approved Salida Park Account expenditures to Grover Landscape Services Inc. and SCM Corporate Group; authorized the Auditor-Controller to issue a warrant in the amount of \$15,780 to Grover Landscape Services Inc; and, authorized the Auditor-Controller to issue a warrant in the amount of \$789 to SCM Corporate Group – Planning 2003-916
- *D2 Rescinded a portion of Williamson Act Contract #1627-1974 (Claribel Road, District 1) and approved new contract pursuant to Minor Lot Line Adjustment Application 2003-29; 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 2003-917
- *D3 Rescinded a portion of Williamson Act Contract #1078-1972 (26 Mile Road, District 1) and approved new contract pursuant to Minor Lot Line Adjustment Application 2003-31; 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 2003-918

C/M unan. **B4** Awarded a contract to the low bidder, McFadden Construction, Inc., for \$1,112,000 for construction of the Grayson Community Center and Park and related off-site improvements to Mary and Laird Streets in Grayson, CA; authorized the Project Manager to issue the Notice to Proceed contingent upon receipt of the proper insurance and bonds; authorized the Project Manager to negotiate and execute contracts for necessary professional services as long as they are within budget; authorized the Auditor-Controller to transfer budget appropriations within the original project budget to reflect the actual bids;

and, authorized the CEO to plan and conduct a public ground breaking ceremony to coincide with the start of construction 2003-919

C/M unan. **B5** Approved the Area Agency on Aging's FY 2002/03 Area Plan Year-End Report on the 2001-2005 Planning and Service (PSA) Plan and authorized the Chairman to sign the report transmittal letter to the California Department of Aging – AAA 2003-920

G/P unan. **B6** Approved acceptance of credit cards with convenience fee as payment for property taxes; authorized the Chairman and the Treasurer/Tax Collector to sign a contract with Electronic Data Systems Corporation (EDS), to provide such service; and, approved the convenience fee schedule as documented in the contract with EDS – Treasurer/Tax Collector 2003-921

Corr 1 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Stacey Dawn Hance, and Michael Reardon.

Supervisor Grover announced that there will be a meeting regarding the Tiger Salamander on 10/24/03 at 1 p.m. in the Board Chambers, and Congressman Radanovich and Congressman Cardoza will be present at this meeting. He also noted that the filing period for CEO applicants closed on Friday 10/3/03.

Supervisor Caruso noted that farmers are very pleased with the Board's position and efforts regarding the Tiger Salamander. He noted that there was another meeting with the community in the Parklawn area and he is working with staff to resolve their concerns. He also attended the groundbreaking ceremony for the Keystone Pacific Business Park, which was well attended.

Supervisor Paul attended the Hispanic Leadership Council event on Friday night to raise money for scholarships. She welcomed the Modesto Soroptomist and presented them with a proclamation from the Board. She also attended the International Festival this weekend. She reminded everyone that October is Domestic Violence Awareness Month, and asked for people to speak out and stop this travesty.

The Interim CEO reminded us that today is the recall election day. She noted that 10/12/03 is the last day for the Governor to sign or veto bills, and that some bills could have a significant impact on our financial status.

Adjourned to closed session at 10:09 a.m. for conference with Legal Counsel: Anticipated Litigation – Initiation of Litigation. One Potential Case. Government Code §54956.9.

Adjourned at 11:30 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.)