

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

Regular Session

Tuesday

February 7, 2006

All Supervisors Present

Pledge of Allegiance to the Flag

Cornelis Miller raised concerns regarding his wife's special dietary and medical needs being met at the Public Safety Center. He noted that he met with Captain DeLeon, two Sergeants, two nurses and Dr. Cantrell regarding his wife's care. He provided copies of a document to the Board regarding different options for his wife. Captain DeLeon noted that all of the inmates at the Public Safety Center receive medical care. He has looked into this issue and reassured the Board and Mr. Miller that his wife is getting the medical care that she needs.

Mayfield/O'Brien unan. Adopted the consent calendar

- \*A1 Approved the minutes of 1/31/06
- \*A2 Proclaimed the Week of 3/12/06-3/18/06 as Portuguese Immigrant Week in Stanislaus County  
2006-75
- \*A3 Appointed Lenore A. Maurice to the Advisory Board on Substance Abuse Programs  
2006-76
- \*A4 Accepted the resignation of Myrna Lebert from the Stanislaus Child Development Local  
Planning Council  
2006-77
- \*B1 Approved the Child Abuse Prevention Council's amended by-laws and appointed the Child  
Abuse Prevention Council's members – CSA BD-81-2 2006-78
- \*B2 Adopted a resolution to authorize the Director of DER, or her Designee, to apply for the FY  
2006/07 Waste Tire Cleanup and Amnesty Event Grant to enforce waste tire regulations  
and pay for the cost of cleanup, abatement and other remedial actions related to the illegal  
disposal of waste tires; authorized the Director of DER, or her Designee, to sign the Waste  
Tire Enforcement Grant application form and to receive reimbursement from the Waste  
Management Board for expenditures incurred in FY 2006/07; the grant would provide up  
to \$213,240 to DER's general fund for expenses to implement amnesty day events and  
waste tire cleanups throughout Stanislaus County; DER staff time and any advertising or  
education is not reimbursable by the grant; and, authorized the submittal of a joint funding  
request for a Waste Tire Cleanup and Amnesty Event Grant on behalf of the cities of  
Ceres, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford, and the  
unincorporated areas of Stanislaus County, to the California Integrated Waste Management  
Board – DER  
2006-79
- \*B3 Approved a one-day closure of the Modesto office of the Women, Infants, and Children (WIC)  
Supplemental Nutrition Program, of the Health Services Agency, on 2/10/06, due to its  
relocation – HSA  
2006-80
- \*B4 Approved a MOU between Stanislaus County and the Stanislaus Economic Development and  
Workforce Alliance for the provision of administrative services related to the  
implementation of the Economic Development Bank Program; authorized the CEO to sign  
the MOU, approved a \$30,000 annual stipend from the Economic Development Bank  
appropriation to be paid to the Workforce Alliance to offset audit and accounting costs for  
program implementation; and, the stipend will be pro-rated at 37.5% or \$11,250 to reflect  
the remainder of FY 2005/06  
2006-81

- \*C1** Approved the annexation of territory (Varni Bros.) to the North McHenry Lighting District without an election; finds that the territory more particularly described on Exhibits “A” and “B” is owned by petitioner, and that petitioner’s ownership represents 100% of the total assessed valuation of all taxable property within the territory proposed to be annexed into said district; finds that Stanislaus County Code §21.40.040 requires the installation of a street lighting system to serve the territory; finds that the territory proposed to be annexed is not within the limits of any other lighting district; finds that public necessity, safety and welfare require that the territory be annexed to the lighting district; ordered that the requirements of notice, hearing, and election shall not be applicable to this proceeding, pursuant to Streets and Highways Code §19056; ordered that the territory be annexed to the North McHenry Lighting District of Stanislaus County; finds the fact of filing of the petition was received by the Clerk of the Board on 2/1/06; ordered that, pursuant to the Streets and Highways Code §19000, et seq., the cost of conducting and maintaining the lighting district shall be assessed against the individual parcels of land within the district’s boundaries; directed the Clerk of the Board to send a certified copy of the resolution ordering the annexation to the lighting district to the Department of Public Works, the offices of the Assessor, Elections, Auditor-Controller, and the Clerk Recorder; and, directed the Department of Public Works to send a certified copy of the resolution ordering the annexation to the lighting district and all other required documents and the processing fee to the State Board of Equalization – PW DL-29-A-7 2006-82
- \*C2** Finds that the ordinance amending Title 11 of the Stanislaus County code adding a speed zone on Tuolumne Road in the Turlock area, Morrow Road in the Modesto area, and Barch Avenue in the Patterson area is not subject to CEQA (Public Resources Code §2100, et. seq.); and, introduced and waived the first reading of Ordinance C.S. 947 amending Title 11 of the Stanislaus County Code – PW ORD-54-Y-9 2006-83
- \*C3** Finds that the ordinance amending Title 11 of the Stanislaus County Code adding a no parking zone on “C” Street in Empire and Nunes Road in Keyes and amending a no parking for specific times zone on Boyce Lane in the Modesto area, is not subject to CEQA (Public Resources Code §2100, et. seq.); and, introduced and waived the first reading of Ordinance C.S. 948 amending Title 11 of the Stanislaus County Code – PW ORD-54-Y-10 2006-84
- \*C4** Approved the annexation of territory (Riopel) to the Denair Lighting District without an election; finds that the territory more particularly described on Exhibits “A” and “B” is owned by petitioner, and that petitioner ownership represents 100% of the total assessed valuation of all taxable property within the territory proposed to be annexed into said district; finds that Stanislaus County Code §21.40.040 required the installation of a street lighting system to serve the territory; finds that the territory proposed to be annexed is not within the limits of any other lighting district; finds that public necessity and welfare require that the territory be annexed to the lighting district; ordered that the requirements of notice, hearing, and election shall not be applicable to this proceeding, pursuant to Streets and Highways Code §19056; ordered that the territory be annexed to the Denair Lighting District of Stanislaus County; finds the fact of filing of the petition was received by the Clerk of the Board on 2/1/06; ordered that, pursuant to the Streets and Highways Code §19000, et seq., the cost of conducting and maintaining the lighting district shall be assessed against the individual parcels of land within the district’s boundaries; directed the Clerk of the Board of Supervisors to send a certified copy of the resolution ordering the annexation to the lighting district to the Department of Public Works, the offices of the Assessor, Elections, Auditor-Controller, and the Clerk Recorder; and, directed the

Department of Public Works to send a certified copy of the resolution ordering the annexation to the lighting district and all other required documents and the processing fee to the State Board of Equalization – PW DL-2-A-2 2006-85

Grover/DeMartini unan. **B5** Approved the criteria and process for Enterprise Zone 40 Expansion requests and approved a Workgroup to review and make recommendations regarding expansion requests 2006-86

Grover/O'Brien unan. **B6** Authorized the Department of Parks and Recreation to accept donations of labor, materials and funding for Broadway Park Improvements from the Salida Rotary Club, and authorized the Director of Parks and Recreation to sign all necessary documents for completion of the Broadway Park Improvement Project – Parks and Recreation 2006-87

**Corr 1** Acknowledged receipt of the California State Association of Counties 2005 Annual Report.

**Corr 2** Referred to the Department of Planning and Community Development, a copy of the 2005 Annual Technical Report on Implementing and Monitoring of the San Joaquin River Agreement and the Vernalis Adaptive Management Program.

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Ceres Unified School District; David Gilliam; and, LeighAnn Toledo.

Supervisor O'Brien gave a Safety Board update and reported that the 4<sup>th</sup> Quarter Report for 2005 shows that every County department is 100% compliant.

Supervisor DeMartini will be going to the Patterson City Council meeting tonight where they will be considering a MOU with the County concerning the surface water project for Crows Landing in conjunction with the City of Patterson. He asked for an update on the Shackelford area sewer hook-up project. The CEO noted that he would provide Supervisor DeMartini with updated information regarding this project.

The CEO reported that the Federal Budget Reconciliation Bill was passed by the House last week, and that it will significantly impact local government including a reduction in funding for child support enforcement programs. The Director of Child Support Services is working with state and federal representatives trying to develop a solution to maintain the high quality of service provided. The CEO anticipates that the County's Federal and State Legislative Platform for 2006 will be brought to the Board for consideration next week. He also noted that he, along with Supervisor Grover, Supervisor O'Brien, and the Director of Communications and Legislative Affairs will be going to Washington D.C. next week to speak with our federal representatives.

Adjourned to closed session at 9:23 a.m. for conference with Labor Negotiator - Agency Negotiator: Rick Robinson. Labor Organization: Deputy Sheriff's Association (DSA). Government Code §54954.5(f); and, conference with Legal Counsel: Anticipated Litigation – Significant Exposure to Litigation. One Potential Case. Government Code §54954.5(c).

Adjourned at 10:35 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.)