

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # \*B-13

Urgent

Routine

AGENDA DATE July 27, 2010

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Consideration of a Request From the City of Modesto to Share the Cost of a "Measure M" Vote for the Parklawn Neighborhood to be Placed on the November 2, 2010 Ballot

STAFF RECOMMENDATIONS:

Approval to fund from the Community Support Fund up to 50% of the cost of a "Measure M" vote for the Parklawn Neighborhood, to be placed on the November 2, 2010 ballot.

FISCAL IMPACT:

The cost of the election is estimated to be between \$10,000 and \$15,000. The City of Modesto has, during the City Council Meeting of July 13, 2010, requested that staff place a "Measure M" vote for the Parklawn Neighborhood on the November 2, 2010 ballot with the condition that the cost of election to be shared by Stanislaus County, City of Modesto and residents of the Parklawn Neighborhood. Because funding sources from the Parklawn Neighborhood are unknown at this time, this request is to fund up to 50% of the cost of the election, the County portion estimated at between \$5,000 and \$7,500. No general fund resources would be required as funding is, with the Board's support, available in the Community Support Fund to address this request.

BOARD ACTION AS FOLLOWS:

No. 2010-489

On motion of Supervisor DeMartini, Seconded by Supervisor Monteith  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Grover

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION: THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR AND PLACED ON NON-CONSENT FOR DISCUSSION AND CONSIDERATION

ATTEST:

  
CHRISTINE FERRARO TALLMAN, Clerk

File No.

**DISCUSSION:**

There is in place in the City of Modesto the Citizens Advisory Growth Management Act of 1995, commonly known as "Measure M". This Measure states that the City Council shall not approve, authorize, or appropriate funds for sewer improvements without first holding an advisory election as provided by California Elections Code section 9603. During its City Council Meeting of July 13, 2010, the City Council took action to request that staff place a "Measure M" vote for the Parklawn Neighborhood on the November 2, 2010 ballot with the condition that the cost of election would be shared by Stanislaus County, City of Modesto and residents of the Parklawn Neighborhood.

Because funding sources from the Parklawn Neighborhood residents are unknown at this time, County staff are requesting that the County authorize funding up to 50% of the cost of the election. The City has estimated the cost of the election at approximately \$10,000 to \$15,000. Based on this information, the County portion could be up to \$7,500. No general fund resources would be required as funding is, with the Board's support, available in the Community Support Fund to address this request.

While holding a "Measure M" election is required for the City of Modesto to consider extending sewer improvements to the Parklawn neighborhood, it is important to note that resources have not been identified to address the costs associated with the infrastructure improvements themselves. The requested action would make possible the connection of sewer infrastructure in the Parklawn neighborhood to the City's sewer system, but would not provide for the funding needed to install the infrastructure itself.

**POLICY ISSUES:**

While the election itself has no impact on addressing infrastructure issues in the Parklawn neighborhood, it would satisfy the City's requirements that a "Measure M" election be held and that the County participate in funding the costs associated with the election. As funds are identified, the development of infrastructure improvements in County Islands would support the Board's priority of a Well Planned Infrastructure, a Healthy Community, a Safe Community, and Effective Partnerships.

**STAFFING IMPACTS:**

There are no staffing impacts associated with this item.

**CONTACT PERSON:**

Richard W. Robinson, Chief Executive Office, Telephone 525-6333.

*Utility Planning and Projects; William Wong, 571-5801, wwong@modestogov.com*

**ACTION: Resolution 2010-312 (Lopez/Hawn; 6/0; Marsh absent)** accepting the Preliminary Design Report dated June 2010 for the Emerald Trunk Sewer Relief Project as complete.

**ACTION: Resolution 2010-313 (Lopez/Hawn; 6/0; Marsh absent)** approving an agreement with NorthStar Engineering Group, Inc., for final design services for Emerald Trunk Sewer Relief Project in an amount not to exceed \$454,090 for the identified scope of services, plus \$45,409 for additional services (if needed), for a maximum total amount of \$499,499, and authorizing the City Manager, or his designee, to execute the Agreement.

### **COUNCIL COMMENTS & REPORTS**

Councilmember Lopez announced Council in the Park on Saturday, July 24, 2010 from 8:00 am-10:00 am at the Farmer's Market at 16th Street.

Councilmember Olsen announced her last meeting will be November 3, 2010.

### **CITY MANAGER COMMENTS & REPORTS**

None.

### **WRITTEN COMMUNICATIONS**

17. Consider a letter from Parklawn United Neighbors requesting the City of Modesto provide direction to staff to add a Measure M Vote to November 2, 2010 ballot. (Funding Source: Not Applicable (Continued from the July 6, 2010 Council meeting at the request of Parklawn Representative))  
*City Clerk; Stephanie Lopez, 577-5397, slopez@modestogov.com*

**ACTION: Motion (Hawn/Geer; 6/0; Marsh absent)** requesting staff place a "Measure M" vote for the Parklawn Neighborhood on the November 2, 2010 ballot with the condition that the cost of election to be shared by Stanislaus County, City of Modesto, and residents of the Parklawn Neighborhood.

### **NEW BUSINESS**

18. Consider approving the initial steps towards regionalization of building permit inspection and plan check services in cooperation with Stanislaus County. (Funding Source: General Fund)
  - Resolution approving the initial steps towards regionalization of building permit inspection and plan check services in cooperation with Stanislaus County recommended.*Community & Economic Development; H. Brent Sinclair, 577-5228, hbsinclair@modestogov.com*