

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

Regular Session

Tuesday

June 10, 1997

All Supervisors Present

Pledge of Allegiance to the Flag

Held ground breaking ceremony for the Agricultural Center at Service and Crows Landing Roads

Recessed at 9:15 a.m.

Reconvened at 9:58 a.m.

S/P unan. Adopted the consent calendar after removing Item *A-2, Approval of Appointment of Jerry Langan to Private Industry Council, from the agenda

Approved the minutes of 6/03/97 97-426

Approved and authorized the Director of Department of Aging and Veterans Services to sign contracts and amendments for Title III, V and VII Services for FY 1997/98 with the Salvation Army, Catholic Charities, Valley Caregiver Resource Center, CRLA, Center for Senior Employment, Merced County Community Action Agency, and Stanislaus County Sheriff's Department, contingent upon satisfactory contract negotiations with the AAA - Aging and Veterans' Services 97-427

Approved the proposed funding increases/decreases based on an amended Title III/VII Contract #30-9697 Notice of Grant Award #2, amended contract #OT-9596-30 for One-Time-Only (OTO), Federal Funds by U.S. Department of Agriculture (USDA) from Federal FY 1992 and 1994, and amended Title V contract # TV-9697-21 for FY 1996-97; authorized the Chairman to sign the Amendment #2 to Contract #20-9697, Amendment #1 to Contract #TV-9697-21, and Amendment #1 to Contract #OT-9596-30 between the Stanislaus County Department of Aging and Veterans Services and the California Department of Aging; and, directed the Auditor-Controller to make the appropriation budget adjustments 97-428

Set the public hearing for the 1997/98 Proposed Budget on 6/24/97, at 9:40 a.m. and directed the Clerk of the Board to advertise the public hearing 97-429

Approved and authorized the Chair to sign amendment #1 with Carroll, Burdick & McDonough for Special Counsel Services for the Waste-to-Energy Project - Environmental Resources 97-430

Authorized DER to accept the Hazardous Materials Emergency Preparedness Grant from the Region IV Local Emergency Planning Committee for \$9,375, and authorized the Auditor-Controller to establish the necessary accounts to receive and disburse the grant funds - Environmental Resources 97-431

Approved the State Local Oversight Program Contract #7-019-550-0 with the State Water Resources Control Board; authorized the Director of Environmental Resources to sign the contract; and, authorized the Director of Environmental Resources to approve any future amendments to Contract #7-019-550-0 not to exceed the original contract amount 97-432

Approved the increase in Revenues and Expenditure Appropriations to the Indigent Health Care Program Budget to recognize the receipt of Realignment Growth Monies in FY 1996/97 as noted on the Board Agenda - Departmental Financial Transactions Form - HSA 97-433

Introduced and waived the first reading of Ordinance C.S. 648 pertaining to traffic control for no parking zones on various County roads 97-434

Introduced and waived the first reading of the Ordinance Amendment to amend Title 16, Chapter 16.55, of the Stanislaus County Code in order to adopt the 1994 Uniform Fire Code with amendments and set a public hearing on 7/8/97 at 9:30 a.m. to adopt said Ordinance Amendment 97-435
 Set a public hearing for 6/24/97 at 9:35 a.m. on a request by George Avila on behalf of Arnold Avila, for a variance to the Flood Damage Prevention Ordinance Section 16.50.170 97-436
 Set a public hearing regarding the Annual Grantee Performance Report for the Community Development Block Grant Program for 7/22/97 at 9:25 a.m. 97-437

B/C unan. Accepted the 1996 Stanislaus County Agricultural Crop Report - Agricultural Commissioner 97-438 (1-955)

B/C unan. Authorized an agreement with the Center for Public Policy Studies at California State University, Stanislaus, to research and study the characteristics and dynamics of the County's unemployed, and authorized the CEO to sign the agreement which is based on the proposal submitted by the Center for Public Policy Studies 97-439 (1-1948)

B/S unan. Approved the Notice of Intention to purchase real property and authorized the publication notice pursuant to Government Section 6063 (publication once a week for three successive weeks) for the County's participation in the Joint Powers Agency ownership of the property bounded by 10th, 11th, J and K Streets in downtown Modesto; approved the Notice of Intention to purchase real property and authorized the publication notice pursuant to Government Code Section 6063 (publication once a week for three successive weeks) for the County's purchase of the City Hall block properties bounded by 10th, 11th, H and I streets in downtown Modesto; approved the space plan for the County and JPA portions of the new joint administration center as prepared by Dan Smith and Associates on behalf of the County and the JPA, and authorized the JPA Project Team to design a building reflecting the space plan; approved the budget and schedule for the JPA Project as approved contingent upon the approval of the other parties to this Project; approved the commencement of financing activities for the Stanislaus County 1997 Series B Certificates of Participation (City-County Downtown Administration Building, and all related projects, and purchase of relocation properties); approved appointment of the County's existing financing team, including the Municipal Financing Consultant, Special and Tax Counsel and Disclosure Counsel, and cause the necessary agreements to be executed by the CEO and other appropriate County officials; approved the reimbursement resolution related to expenditures for the Downtown and related projects. This resolution is needed to comply with the Internal Revenue Service Code which will allow the County to be reimbursed for such expenditures upon closing of the tax-exempt Certificates of Participation (COPS) expected to be issued within the next six months; authorized the CEO and other appropriate County officials to cause the solicitation and retention of the services of other professionals or firms as are required for the successful preparation and issuance of the COPS; authorized preparation of the necessary forms, agreements and other documents for the retention of additional financing services and the structuring of the financing, and directed the CEO to return to the Board as needed for approval by the Board as soon as practical; reviewed the Master Agreement between the County, the City, the City Redevelopment Agency and the Joint Powers Authority and authorized the CEO to return with this agreement for final consideration after the Redevelopment Agency public hearing not before 7/8/97; authorized the CEO to negotiate the Sales and Purchase Agreement for the County to purchase the City Hall Block properties from the City of Modesto to close escrow upon the completion and move to the new building; authorized the CEO to negotiate the Sales Agreement for the County Office of Education to purchase the County Administration block properties, the County Garage properties, the County Annex Building properties, and the parking lot to close escrow on completion and move to the new building 97-440 (2-2975)

P/C unan. Introduced and waived first reading of Ordinance Amendment C.S. 650 to amend Subsections A and B of the Stanislaus County Code, Section 2.44.020, regarding the Planning Commission Ordinance Appointment Section 97-441 (3-1169)

Referred to the Department of Planning and Community Development a letter from Magnum Hi-Tech regarding opposition of the potential placement of a tower on Woodland Ave., Modesto, CA

Referred to the Department of Planning and Community Development a letter from the State Department of Housing and Community Development regarding the awarding of an Economic Development grant from the 1996-97 California State Community Development Block Grant (CDBG) for the South 9th Street project in the amount of \$300,000

Referred to the Department of Environmental Resources a news release from the State Department of Water Resources regarding the extension of the public comment period for Supplemental Water Purchase Program

Referred to the Department of Environmental Resources the form 10-Q from Ogden Corporation for the quarter ended 3/31/97

S/B unan. Authorized a letter to be sent to the President of the United States asking for 60 more days for comment and explain how the United States Environmental Protection Agency's proposed new air quality standards will impact our community 97-442 (3-1364)

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Angela Bertles; Foster Farms Dairy; Sara Garcia; Vincenzo Tagliarino; and, Jintendra Raj Singh

Supervisor Caruso commented that he received a second call this month on a tornado, hail and flood warning for the west side

Adjourned to Closed Session: Conference with Legal Counsel: Existing Litigation: Jackie Bernal vs. Stanislaus County, Sheriff's Office, Stanislaus County Superior Court Case No. 34689. Government Code Section 54956.5(c). Conference with Labor Negotiator: Agency Negotiator - Reagan M. Wilson, Employee Organization SRPA. Government Code Section 54954. 5(f). Conference with Legal Counsel - Existing Litigation: Stanislaus Superior Court Case No. 148363, "Cross-Complaint Objection to Eminent Domain" brought by Theodore Cook, Patricia Ann Cook, Cross-Complainants vs. Redevelopment Agency of the City of Modesto; Michael Serpa; County of Stanislaus; City of Modesto; Joint-Powers Agency; and Does 1 through 25, inclusive, Cross-defendants. Government Code Section 54956.9 and 54954.5(c) at 11:55 a.m.

Adjourned at 1:15 p.m.

ATTESTED: REAGAN M. WILSON, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: CHRISTINE FERRARO TALLMAN, Clerk to 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.)