

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

Regular Session

Tuesday

July 1, 1997

All Supervisors Present

Pledge of Allegiance to the Flag

Tom Van Groningen thanked the Board and the CEO for their support during the floods to the Greater Modesto Area Churches

S/P unan. Adopted the consent calendar

- Approved the minutes of 6/24/97 97-526
- Approval to Reappoint Fred Wilder to the Salida Fire Protection District Board 97-527
- Appointed Christopher Savage to the Stanislaus Consolidated Fire Protection District Board 97-528
- Appointed Robert Fores to the Stanislaus County Free Library Advisory Board 97-529
- Approved a resolution commending Jan Wysong for promoting Equal Rights in County Government 97-530
- Approved a commendation for Chief Deputy Probation Officer, Jan F. Wysong, upon his retirement 97-531
- Approved request from the Modesto Junior Chamber of Commerce (Jaycees) for use of the Courthouse Lawn and electricity on Friday, 7/4/97, for the Fourth of July Parade 97-532
- Authorized the CEO to sign an amendment to roll over the existing terms and conditions for a one month extension for Jail Medical Services contract with California Forensic Medical Group (CFMG) through 7/31/97 97-533
- Assigned County vehicles to the Greater Modesto Area Churches for use in Flood Relief Work in Stanislaus County 97-534
- Approved the donation of surplus chairs to the Riverbank Historical Society 97-535
- Assigned the Transit Manager (087400) Position in the Public Works Department to the Unclassified Service and designated the position as management; and, authorized amendment to the Salary and Position Allocation Resolution to reflect this change 97-536
- Accepted the completed Water and Sewer Extension Project to the Agricultural Center, Post Facility, and other areas of the Public Safety Center; approved the final contract with the contractor, Allen A. Waggoner Construction, Inc. of Modesto, CA as follows: Original contract - \$384,600; Total Change Orders - \$65,440; and, Final Contract Cost - \$450,040; approved the final contract change of 38 calendar days for unusually severe weather during construction; authorized the Chairman, on behalf of the Board, as the awarding authority, to sign the completion documents; and, accepted the contract and authorized the necessary recording of the Final Notice of Completion and all other necessary close out activities 97-537
- Authorized the Mental Health Director, or his Designee, to sign the following agreements with Family Service Agency: agreement for the First Step Program to provide drug recovery services for women and their children and an agreement for the True Colors Program to provide drug and alcohol recovery services for Stanislaus County Honor Farm Inmates - Mental Health 97-538
- Authorized the Sheriff to sign the agreement with the 1997 38th District Fair Board and Sheriff to provide security 97-539
- Authorized the Auditor-Controller to establish a deposit up to \$15,000 for the County's Third Party Administrator, United Administrative Services for the County's Medical Savings Account (MSA) - Risk Management 97-540

- Approved the agreement for Liability Claims Management Services between ESIS, Inc., and the County of Stanislaus through 6/30/98; and authorized the Chairman to sign the agreement - Risk Management 97-541
- Approved the renewal of a contract with the California Department of Education for administration of Child Care and Development Block Grant funds for FY 1997/98 and authorized the Director of DSS, or his Deputy Director Designee, to sign the agreement and any amendments not to exceed the original contract amount of \$869,555 - Social Services 97-542
- Authorized the renewing of agreements between the Department of Social Services and Multipurpose Senior Services Providers for FY 1997/98 and authorized the Director of DSS, or his Deputy Director Designee, to sign the amendments and any amendments not to exceed the Multipurpose Senior Services Program Budget amounts 97-543
- Authorized the CEO to execute the agreements for the period of 7/1/97 through 6/30/98 with the law firms of Grize Orrestine & Hertle and Perry & Associates for continued provision of Legal Indigent Defense Services which the Public Defender is unable to represent and authorized the CEO to sign an extension and/or amendment to the agreements during the term of the contracts 97-544
- Authorized the Auditor-Controller to increase appropriations and estimated Public Facility Fee (PFF) revenue by \$230,000 in the Crows Landing Road Widening Project account to fund the Right-of-Way Acquisition, appraisal services, and design engineering modifications 97-545
- Approved Salida Road Account Expenditures to Cogdill and Giomi, A.E. Ambrose, Ross F. Carroll, Inc. and Mid-Valley Engineering and authorized the Auditor-Controller to issue warrants in the amounts of \$1,600 payable to Cogdill and Giomi, \$322.22 payable to A.E. Ambrose, \$98,765 to Ross F. Carroll, Inc. and \$984.97 to Mid-Valley Engineering 97-546

P/B (4-1)(Simon abstained) Approved the Pre-Placement Physical Abilities Testing and Ergonomic Loss Prevention Programs; authorized the CEO, or his Designee, to enter into an agreement with Andersen and Baim Physical Therapy to provide Pre-Placement Physical Abilities Testing services; and, authorized the HSA and the CEO-Risk Management Division to combine their technical safety and physical therapy expertise to provide ergonomic loss prevention services to County Departments 97-547 (1-300)

B/C unan. Accepted the Stanislaus County Courthouse Reuse and Expansion Study as prepared by Daniel C. Smith and Associates; authorized the CEO to negotiate and execute an agreement for architectural services with Design Partnership for design of the Phase A: immediate courtroom, minor DA office changes and an optional remodel Phase B for consolidated administration not to exceed \$98,000; authorized the Auditor-Controller and CEO to establish the initial project budget for the Courthouse Project; authorized the Project Team to return to the Board with design and bid documents for approval prior to going out for bid; authorized the purchase and set up of a modular building for the temporary office space for Sheriff's Civil Division; and, authorized staff to contract for hazardous materials consulting services 97-548 (1-1912)

Referred to the Elections Department and the Department of Planning and Community Development two resolutions from the Turlock Joint Elementary School District and the Turlock Joint Union High School District regarding their intention to annex territory to Community Facilities District and to levy a special tax

This Board has received a letter from Stradling, Yocca, Carlson and Ruth Law Firm requesting Board of Supervisors approval of Chatom Union School District, Keyes Union School District, Modesto City Schools, Newman-Crows Landing Unified School District, Oakdale Joint Union High School District, Oakdale Union School District, Patterson Joint Unified School District, Sylvan Union School District and the Stanislaus County Office of Education in the connection with its borrowing and the issuance of 1997-98 Tax and Revenue

Anticipation Notes and authorized the Clerk to the Board to notify Stradling, Yocca, Carlson and Ruth that the Board will not authorize issuance of 1997-98 Tax and Revenue Anticipation Notes within forty-five days and, therefore, the Chatom Union School District, Keyes Union School District, Modesto City Schools, Newman-Crows Landing Unified School District, Oakdale Joint Union High School District, Oakdale Union School District, Patterson Joint Unified School District, Sylvan Union School District and the Stanislaus County Office of Education may issue the obligation in its own name. California Government Code Section 53853(b.)

Referred to the Department of Planning and Development a letter from the Department of Conservation regarding the 1996 Important Farmland Map and 1994-96 Land Use Conversion table for Stanislaus County.

Referred to County Counsel a letter from the Stanislaus-Ceres Redevelopment Commission requesting the introduction and sponsorship of a revised ordinance further regulating the siting and operation of adult-oriented businesses within the unincorporated areas of Stanislaus County in order not to overly-burden the South Ninth Street Project Area with more than their fair share of such business establishments

S/C unan. Accepted a letter from Wagerman Associates, Inc., announcing their intent to withdraw from their contract with Stanislaus County effective 7/1/97 and authorized a letter of thanks to be sent 97-549

Acknowledged receipt of claims and referred to the Chief Executive Officer-Risk Management the following claims: Roy L. Whitford; Rick Mitchell; Arthur Vitoria; Julie Nusbaum; Roy Whitford/Hartford Insurance as Subrogee; and, Dennis W. Taylor

Supervisor Caruso asked for an update on the Abandon House Ordinance and County Counsel stated the ordinance was in the process of being completed by the Planning and Community Development Department

Verbal report on the State Budget Augmentation for Solado Creek was given 97-550

A notice was given that the agenda item concerning the purchase of real property located at 3705 Oakdale Road, Modesto, CA 95356 (APN 052-63-19) from AT&T has been moved to the 7/8/97 Agenda 97-551

The CEO announced workshops to help plan the future of Stanislaus County Parks were scheduled throughout the County during July

Adjourned to Closed Session: Conference with Legal Counsel - Existing Litigation: Stanislaus Superior Court Case No. 148363 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). Conference with Legal Counsel - Existing Litigation: Stanislaus Superior Court Case No. 148362 brought by Matthew Ward, John Ward, III, 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 10:10 a.m.

Adjourned at 11:35 a.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.)