

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

Regular Session

Tuesday

August 12, 1997

All Supervisors present

Pledge of Allegiance to the Flag

The Government Finance Officers Association of the United States and Canada presented two award plaques: Certificate of Achievement for Excellence in Financial Reporting and Award for Outstanding Achievement in Popular Annual Financial Reporting to the Stanislaus County Auditor-Controller Byron Bystrom

Joash Paul voiced his concerns regarding the closure of the SMC facility.

Representatives from the offices of Senator Monteith, and Assemblymembers House and Cardoza, presented Certificates of Recognition for their efforts in promoting Employee Safety in Stanislaus County

P/C unan. Adopted the consent calendar after removing from the agenda consent item * B-2 - Approval for Submission to Reapply for the Office of Criminal Justice Program (OCJP) Career Criminal Grant - District Attorney, and moving item *B-18 - Approval to Accept the Juvenile Crime Enforcement and Accountability Challenge Grant as Funded by the State Board of Corrections, from consent to non-consent for discussion

- Approved the minutes of 7/22/97 97-604
- Adopted and waived the second reading of Ordinance C.S. 651 establishing speed zones on various County roads 97-605
- Reappointed Wendell Chun and Larry Hunter and appointed Jerry Langham to the PIC 97-606
- Appointed Troyce Weese to the Keys Fire Protection District 97-607
- Accepted resignations of Henry Howard and Lynda Aqueche from the Empire MAC 97-608
- Accepted resignation of P. Franklin Moore from the Salida Sanitary District 97-609
- Approved request from the Multihull Racing Association for use of Woodward Reservoir for their Annual Summer Classic Regatta on Saturday and Sunday, 9/13 and 14/97 97-610
- Commended Librarian Darrielle Rogers 97-611
- Approved the amendment to extend the expiration date of the MOU approved by the Board on 12/17/96 for rail planning services between San Joaquin, Sacramento and Stanislaus Counties for three years, and authorized and directed the CEO to execute an amendment to extend the above referenced MOU 97-612
- Board concurred with the PIC regarding the addition of Central California College of Massage Therapy and Medical Emergency Training Systems Inc., to JTPA Individual Referral (IR) Vendor List and authorized the Director of the Department of Employment and Training, or her Designee, to sign Individual Referral agreements and modifications with the agencies 97-613
- Board concurred with the PIC and adopted the following optional Job Training Partnership Act (JTPA) Waiver Request; authorized the Chairman to sign and submit to the State of California the request for Waivers and Performance agreement: (a). allow Stand-Alone Job Search, Job Search Assistance, and Work Experience for All Youth and Adults; (b). allow Post-Termination Services and Training, including On-the-Job Training, for up to one year for all titles; (c). waive the requirement that Youth On-the-Job Training assignments must pay the average adult wage; (d). allow flexibility to offer the full range of Employability Enhancement Training to all youth regardless of age; (e). allow a 10% window for Title IIB Summer Youth Employment and Training (SYETP) Program, consistent with the Title II-C, Year-Round Program; (f). allow prescribed use of limited JTPA Title II and Title III funds for employment generating activities;

- (g). exclude persons who transfer to another JTPA program for continuation of services from the calculation of entered employment rate for the Title from which they were transferred; (h). allow the program income earned in one JTPA Title to be used for any JTPA Title; and, that the County not request the following optional waiver: (a). exclude Social Security Disability Income (SSDI) as income in determining eligibility for Title II services 97-614
- Authorized the Director of DER to receive grant monies from the California Integrated Waste Management Board Used Oil Block Grant Program in the amount of \$84,550; approved the 1997-98 FY Grant Budget; authorized the Director of DER to contract with Oricom to provide services; and, authorized the Auditor-Controller to make departmental transfers and roll forward unexpended Appropriations into FY 98/99 and FY – DER 97-615
- Approved Stanislaus County application for California Healthcare for Indigents Program (CHIP) to initiate the flow of Tobacco Tax Funds for FY 1997/98 and authorized the HSA Managing Director, or Designee, to sign the application - Health Services Agency 97-616
- Authorized the purchase of .95 acres on 18 South Abbie Street, Empire, to locate modular units for County Library, Sheriff's Office, County Health Services Agency and Empire School District Services at a purchase price of \$70,000 and authorized the Auditor-Controller to make the transfers 97-617
- Authorized the reestablishment of the Library Literacy Project Budget Index #602029 97-618
- Approved the providers list for credentialing by the Managed Care Services Division of the Stanislaus County Department of Mental Health as Behavioral Health Panel Providers for National Health Plans and authorized the Chairman to sign the form for authorization of National Health Plans Provider Panel 97-619
- Authorized the Chief Probation Officer to purchase one new Holland tractor using funds from the Caltrans Trust Account (Index 172528, Subobject 9000) in the amount of \$16,906 and authorized the Auditor-Controller to make the fund transfer – Probation 97-620
- Authorized the Chief Probation Officer to enter into an agreement with the State Board of Control to provide \$71,356 for the purpose of collection of restitution fines 97-621
- Authorized the Sheriff to submit a proposal to the Office of Criminal Justice Planning for an Anti-Drug Task Force Program; authorized the Chairman to sign the model resolution to accompany the proposal; authorized the Sheriff to execute the agreement with the Office of Criminal Justice Planning to implement the plan; and, directed the Auditor-Controller to increase Revenue and Appropriations 97-622
- Approved the renewal agreement between the Regents of the University of California, Davis, to provide staff development for Eligibility and Adult Services Staff and authorized the Director of the Department of Social Services, or his Deputy Director Designee, to sign the agreement and any amendments not to exceed the original contract amount of \$32,400 97-623
- Approved the acceptance of the Medi-Cal Enhancement (SB 1255) Revenues through funding by California Medical Assistance Commission and authorized the Managing Director of HSA, or her Designee, to sign the amendment to the Medi-Cal contract - Stanislaus Medical Center 97-624
- Discharged the Treasurer/Tax Collector of accountability for County Department accounts which are uncollectible and have been previously charged to the Collections Division in the amount of \$746,403.95 97-625
- Accepted funding augmentation from the Office of Criminal Justice Planning under the Statutory Rape Vertical Prosecution (SRPP) Grant from \$150,000 to \$159,564 and directed the Auditor-Controller to establish Appropriations and Revenues under Index 205823 - District Attorney 97-626
- Approved the submission of Statutory Rape Vertical Prosecution Program (SRPP) Grant application to Office of Criminal Justice Planning for FY 97-98; adopted and certified a resolution for the

SRPP Grant and delegated James C. Brazelton, DA, as the official authorized to execute the application, grant award agreement, and any modification thereof; and, directed the DA to return to the Board upon grant approval for authorization to accept the grant funds - District Attorney

97-627

Set a public hearing for the 1997-1998 Final Budget on 9/30/97 at 9:25 A.M.

97-628

Approved status report on conditions to the effectiveness of the 10th Street Place "master agreement" previously approved by the Board on 7/22/97; approved, as appropriate, authorized the CEO to execute the following documents: (a). an agreement for the sale of the existing Modesto City Hall block to Stanislaus County; (b). a reciprocal easement, operation and maintenance agreement among RDA, the JPA, and the 10th Street Place Project Developer; (c). a grant deed for the convey from the City of Modesto to Stanislaus County of the City's real estate property located at the southeast corner of 11th Street and G Street in Modesto behind the existing County Administration Building; (d). an enabling declaration establishing a plan for condominium ownership in the Public Administration Center (the "condominium declaration") (approval as to form only); (e). a memorandum of the Master Agreement to be recorded referencing the parking rights of the City and the County in the 10th Street Place garage as set forth in the Master Agreement; (f). staging plan for the 10th Street Place Project; (g). a real estate agreement for the sale of the County Administration Building and related property to Stanislaus County Office of Education; (h). a reservation of easement providing that score will grant a perpetual easement for 911 transmission lines and the dedication plaque; (i). a lease agreement providing that SCOE will lease the 911 premises to the County for \$1.00 per year until the Emergency Services Department relocates to a new facility; and, (j). a fiscal independence agreement

97-629

Approved the resolution accepting the "plan of cooperation" contracts and funding for the Superior Court's Title IV-D Child Support Enforcement Commission and Family Law Facilitator in accordance with AB 1058, Chapter 957 of the statutes of 1997; authorized the CEO of the County, or his Designee, the Auditor-Controller, or his Designee, and the Executive Officer of the Superior Court to do all things necessary to implement said plan of cooperation contracts including, but not limited to, the execution of said plans of cooperation for June 1997 and for the FY 97/98; designated the Auditor-Controller, or his designee, to represent the County's interests in conjunction with the performance of said plan of cooperation contracts and programs and to otherwise assist in all matters necessary to assure reimbursement of all appropriate County and Court costs

97-630

Approved amending the Salary and Position Allocation Resolution for the CEO to add one Administrative Secretary, Confidential Bargaining Unit, Classified Service, salary of \$10.99 to \$13.37 per hour, and reclassified one existing position of Administrative Secretary to Executive Secretary, Confidential Bargaining Unit, Unclassified Service, salary of \$11.72 to \$14.50 per hour

97-631

Approved Contract CO#1 for the 1994/95 STP A.C. Overlay Program STOL-5938(062) contracted with George Reed, Inc., of Modesto, CA and authorized the Auditor-Controller to make the monetary transfers

97-632

Authorized the Auditor-Controller to increase appropriations by \$11,000 in the Fresno Avenue/Denair School Turnaround Project account

97-633

Authorized the Auditor-Controller to increase appropriation for the Seismic Phase I River Road at San Joaquin River Project in the amount of \$10,000 in Index 301101, Subobject #6328, project #160016 and authorized the Auditor-Controller to increase Federal revenue in the amount of \$10,000 in Subobject #2760 in the project account

97-634

Find that the Final Map for the Gibbus Ranch Subdivision is in compliance with the previously approved Tentative Map; find that Stanislaus County has adopted a Specific Plan covering the area proposed to be included within the Final Map; find that the Final Map, together with the

provisions for its design and improvement, is consistent with the Specific Plan for the area; authorized the Chairman to sign the Final Map and Subdivision Improvement agreement; rejected all roads, highways, avenues, alleys, ways, lanes, places, etc.; and, authorized the Final Map to be filed and recorded as presented 97-635

Approved the request by Our Land of Assumption Church to hold a festival parade on the Walnut and Greenway Avenues and authorized the Director of Public Works to issue a permit for the event subject to standard conditions 97-636

Approved Salida Planned Development Road Account Expenditure to Ross F. Carroll, Inc.; approved Salida Storm Drain Account Expenditure to Delamare-Fultz Engineering; approved Salida Park Account Expenditure to Kencor Development; and, authorized the Auditor-Controller to issue warrants in the amounts of \$7,809 payable to Ross F. Carroll, Inc, \$2,575 to Delamare-Fultz Engineering and \$63,171.81 to Kencor Development 97-637

B/S unan. Accepted the three-year Juvenile Crime Enforcement and Accountability Challenge Grant as funded by the State Board of Corrections; authorized the Chief Probation Officer to finalize and sign contract with the Board of Corrections; directed the Auditor-Controller to make the necessary financial transactions; authorized the Chief Probation Officer to contract with the center for Human Services to provide direct program services and to develop contracts with other service providers as specified in the grant application; amended the Salary and Allocation resolution to add three Deputy Probation Officer positions and one Legal Clerk III for the term of the agreement to accommodate the positions in this grant; and, authorized the Chief Probation Officer to complete a request for qualifications/proposal for evaluation research required by the grant and to finalize and sign the contract for the evaluation 97-638 (1-1626)

S/C unan. Approved the Rezone Application No. 96-01 and adopted related Ordinance C.S. 652 for Walter Koenig to rezone 8.22 acres of vacant land from Planned Development 134 (Expired) to a new Planned Development to allow development of two fast food restaurants and a gas station/mini mart located at the southwest corner of McHenry Avenue and Kiernan Avenue, north of Modesto; ordered the filing of a Negative Declaration, based on the initial study; find that the proposed Planned Development is consistent with the County General Plan; find that development of the property will increase activity there, necessitating on-and off-site improvements; approved Rezone Application #96-01 subject to the Development Standards and Development Schedule; and, find this project to be "De Minimis" for the purposes of Fish and Game Codes 97-643 & 97-644 (1-2773)

C/P unan. Authorized the Mental Health Department to continue its expansion of the Children's System of Care Collaboration with various County Departments, non-profit agencies and health care providers to continue State mandated Early and Periodic Screening Diagnosis and Treatment (EPSDT) Medi-Cal Services for Children; authorized Mental Health Director to sign amendments to the following existing agreements for the provision of Medi-Cal services mandated by the EPSDT Program which increases funding for services as indicated: A. Center for Human Services for Outpatient Mental Health Services for Children, Adolescents and their Families from \$159,000 to \$487,478, an increase of \$328,478; B. Center for Human Services for School-Based Services from \$506,941 to \$723,859, an increase of \$216,918; C. Sierra Vista Children Adolescents and their Families from \$250,000 to \$861,800, an increase of \$611,800; and, authorized the Mental Health Director to sign an agreement with Moss Beach Homes, Inc., through Stanislaus Community Counseling Center, for the provision of Outpatient Mental Health Services to County Foster Children, Adolescents, and their Foster and Birth Families, in the amount of \$130,000 97-639 (2-2932)

Recessed at 10:05 a.m.

Reconvened at 10:15 a.m.

B/C unan. Approved contracting with Solbourne and Oracle Corporation to purchase and install the Oracle Government Financial application; authorized the Chairman to sign the contract; authorized establishing a DOVE Financial/Payroll Project Budget in the amount of \$8,552,179; authorized the CEO to enter into a written agreement with the County Treasurer to borrow \$7,387,679 to be used as a source of funding for the DOVE Project; authorized the Auditor-Controller to make the monetary transfers; authorized the Auditor-Controller, with the approval of the CEO, to make any necessary financial/budget adjustments for the DOVE Project over the life of the project, such adjustments could include the establishment of multiple projects, appropriation adjustments for fixed asset purchases, etc.; and, authorized the CEO, or his designee, to locate and acquire building space adequate to house the Project Team for the duration of the project - MIS 97-640 (2-100)

S/B unan. Authorized the CEO to negotiate and execute agreement with AT&T Communication of California, Inc. (Seller), to purchase real property at 3705 Oakdale Road, Modesto, CA 95356 (APN 052-63-19) for the relocation of the Consolidated 911 Emergency Dispatch Center and authorized the funding for the purchase from the Interim Joint Powers Agency Financing 97-641 (3-809)

S/C unan. Approved the Revised Stanislaus County Alcohol and Drug Testing Policy and Procedures for Safety-Sensitive Drivers 97-642 (3-809)

Referred to the Department of Public Works a letter from the California Public Utilities Commission requesting submission of railroad grade separation projects for state funding by 10/1/97

Referred to the Department of Public Works and the Auditor-Controller the 1995-96 Annual Review of Capital Fees Collected by the Salida Fire Protection District

Referred to the Sheriff and the Chief Probation Officer information from the State Board of Corrections regarding the Request for Proposals for the Violent Offender Incarceration Grant Program

Referred to the CEO a request for a public hearing from Louis W. Hardouin regarding the Empire MAC's protest to the Sheriff's Department regarding the opening of a cocktail lounge in Empire

Referred to the Office of Emergency Services a letter from the Federal Emergency Management Agency requesting information describing the progress made on implementation of floodplain management measures

Referred to the Clerk Recorder a Notice of Hearing from Bill Jones, Secretary of State, regarding the upcoming Voting Systems and Procedures meeting

Referred to the CEO an invitation to join the Local Government NAAQS Network, an information network regarding the new National Air Ambient Quality Standards

C/P unan. Adopted a resolution and sent a letter of support to the California Public Utilities Commission regarding the Modesto Irrigation District's request for a resolution of support for their application to purchase PG&E's facilities to expand their electric service 97-645

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: John Roen; Darrell K. Bradley; Warren's Turf Group Inc.; Teena Matschinegg; Kevin S. Brown; Juan De Dios Solorio Flores; Bobby Scroggins; Trinidad Murillo & Maria Murillo vs. County of Stanislaus, County of Stanislaus Health Care; Amended Claim for Rick Mitchell; Edward Balbuena; Eddie Layman; Paul Bowman (County Employee); and Don Paculba

Supervisor Caruso will hold a meeting on 8/15/97 regarding the health issues on Crows Landing Road

Received a report on the Stanislaus County Fleet Services' experience with Electric Vehicle 97-604 (4-2919)

The CEO announced that SB 375, Library tax relief bill, was vetoed by the Governor and the County will pursue the reduction of the administrative cost with the Board of Equalization. Assemblymember House has said he will bring back the bill next legislative year if the County is unsuccessful at the Board of Equalization. The CEO noted that the Governor signed the Welfare Reform Bill. He also thanked the City of Modesto for their assistance with the relocation of Welfare recipients with City Community and Development Grant Funds. The County's COP reserve funds, about \$7.3 million, were bid out for reinvestment so that the County will receive \$1.4 million more over the next eighteen years. The CEO noted that the electronic monitoring program for the Juvenile Justice Program was started last Friday with four kids.

Adjourned to Closed Session: Conference with Legal Counsel - Existing Litigation: Donald C. Gardner Jr. Individually, and on behalf of Donald C. Gardner, III, a minor, Marilyn R. Gardner, Individually, and Donald C. Gardner, Sr., Individually, vs. Stanislaus County Sheriff's Department, Stanislaus County, Richard Wall, and DOES 1-100, inclusive, Superior Court of the State of California in and for the County of Stanislaus. Government Code Section 54956.9 at 11:44 a.m..

Adjourned at 1:00 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.)