

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

Regular Session

Tuesday

October 28, 1997

All Supervisors Present

Pledge of Allegiance to the Flag

Verbal update on Legislation by Donald Peterson

Verbal report by County's Financial Advisor, Leifer Capital, from Jeff Leifer and Barbara Lloyd

P/C unan. Adopted the consent calendar

Approved the minutes of 10/14/97

Appointed Harley Davis to the Oakdale Rural Fire Protection District 97-844

Appointed In-Lieu of Election where no candidates filed 97-845

Accepted resignation of Thomas Hallinan from the Advisory Board on Substance Abuse Programs 97-846

Approved proclamation for Phil Jenkins, Director of Emergency Dispatch, upon his resignation 97-847

Approved the 1998 Board of Supervisors' Calendar 97-848

Accepted the Annual Report of Substandard Housing and Code Enforcement Activities in compliance with the State of California Revenue and Taxation Code for 1996 Section 17274 – DER 97-849

Approved and authorized the Chairman to sign an agreement with Constance R. Hornig to Provide Special Counsel Services – DER 97-850

Approved the agreement between DSS and the State of California Employment Development to provide GAIN/CalWORKS Job Services for period through 6/30/98, and authorized the Director of DSS, or his Deputy Designee, to sign the agreement and any amendments not to exceed the amendment amount of \$40,595 97-851

Approved providers being credentialed by the Managed Care Services Division of the Department of Mental Health as Behavioral Health Panel providers for National Health Plans and authorized the Chairman to sign the Provider Panel form 97-852

Concurred with the PIC and approved the extension of the contract training and closing dates for Modesto City Schools' "Youth Employment Services", Contract #678, Title II-C Youth Employment Programs, to 6/30/98, and allocated an additional \$134,000 from the Department of Employment and Training Budget to the MCS contract to fund this program - Employment and Training 97-853

Authorized the acceptance of two used ambulances and donated canine team equipment from the American Medical Response with the estimated value of \$11,000; directed Fleet Services Manager to complete the necessary Department of Motor Vehicles forms to transfer titles; and, directed the Auditor-Controller to add these vehicles to the Sheriff Operations Inventory (201202) – Sheriff 97-854

Accepted Stanislaus County Treasury Pool's July 1997 Monthly Investment Reports as prepared by the Stanislaus County Treasurer/Tax Collector's Office and reviewed for conformity with State Law and Local Investment Policy by the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign for the Board that the report has been reviewed and accepted - Treasurer/Tax Collector 97-855

Rejected the bid for Fox Grove River Access Project 97-856

Approved FY 1997/98 Transportation Development Act Claim; authorized the Director of Public Works to execute and submit the claim to SAAG; and, authorized the Auditor-Controller to make the appropriate budget adjustments 97-857

B/S unan. Adopted the 1997-98 Services Charges and authorized the transfer of any fund balances into the General Reserve and/or the System Replacement Funds (funds shall retain all interest earned) for the Del Rio Heights Landscape District - Parks and Recreation 97-862 (1-2378)

P/C unan. Approved Use Permit #97-21 for Paul and Jacklyn Dumas to establish a private non-commercial landing zone helipad for a helicopter in the A-2-40 (General Agriculture) zone on a 39.28 acre site at 9307 Woodward Lake Court, off Twenty-Eight Mile Road, between Dorsey Road and Woodward Reservoir, Oakdale area subject to the eleven Conditions of Approval; ordered a Negative Declaration; and, find the project to be "De Minimis" for the purposes of the Fish and Game Codes 97-863 (1-2489)

B/S unan. After conducting a public hearing in accordance with Health and Safety Code Section 1442.5, approved closure of Stanislaus Medical Center effective midnight 11/30/97; authorized the CEO to sign contracts relating to the closure of SMC: Omnibus Agreement, DMC Lease Agreement for SBHC, all Risk Management Agreements, Detention Facilities Sub-Contract Agreement, Affiliation Agreement, Hospital Services Agreement and other related agreements and documents; authorized the CEO, Managing Director of the HSA and Auditor-Controller to fulfill the legal requirements of the closure of SMC; authorized the CEO, the Managing Director of the HSA and all other officers, employees and agents of the County to take all actions necessary to implement the Board's decision; directed the CEO to prepare reduction-in-force, early retirement, transfer and other personnel actions on 11/4/97; and, directed the CEO to prepare a report for Board consideration and action related to County-wide and Department specific impacts related to the closure of SMC 97-865 (1-2735)

Recessed at 10:50 a.m.

Reconvened at 11:05 a.m.

S/C unan. Authorized the preparation, sale and delivery of the Stanislaus County 1997 Series B Certificates of Participation (Refundings) in an aggregate principal amount not to exceed \$17 million; approved appointment of First Trust of California, Na to Act as Trustee and Escrow Agent; approved the forms of the Escrow Agreement, the Site Lease, the Lease Agreement, the Trust Agreement, the Assignment Agreement, the Purchase Agreement, Amendment #1 to the Site Lease, Amendment #1 to the Lease Agreement, the Supplemental Trust Agreement and Amendment #1 to the Assignment Agreement; approved the form of the Preliminary Official Statement so that it may be distributed to potential underwriters and investors; approved the form of the Continuing Disclosure Agreement; delegated authority to the CEO and Members of the Debt Advisory Committee to take additional actions indicated in the resolution, as necessary, to complete issuance and sale of the 1997 Refunding Certificate 97-858 (3-1114)

B/S unan. Approved the Franchise Refuse Hauler Rate Adjustment Policy; adopted the Refuse Rate Adjustment Policy; and, authorized the Director of DER to effect changes in the scope of work of the agreement for professional services between the County and Hilton, Farnkopf & Hopson to assist staff in reviewing the rate review applications that would be submitted under the new policy, should it be approved and adopted 97-859 (3-1677)

B/P unan. Authorized the Sheriff's Office staff to prepare an application for the Board of Corrections Violent Offender Incarceration Grant Program from the State of California; authorized the submission of the application with necessary certification and assurances to the Board of Corrections prior to 11/3/97; adopted a resolution, as required by the State, certifying that the Board of Supervisors agrees to all terms and conditions of the grant and has appropriated a minimum 10% cash hard match for the Project and has reviewed, approved and is committed to the need for additional staff and operating costs should they result from the projects for which funds are being

requested and agrees to fully and safely staff and operate the facility; appointed the Assistant Executive Officer as the County Construction Administrator; appropriated 10% cash match as recommended in this report and authorized the CEO and Auditor-Controller to establish a Project Budget; and, if the grant is awarded, authorized the staff to hire consultants and to proceed with the Project - Sheriff 97-860 (3-2272)

B/C unan. Approved the continuance of item B-11- Approval of Acquisition of Modesto Garbage Co., by USA Waste Services, Inc./United Waste Systems, Inc., and Authorization of the Chairman of the Board to Sign Amendment No. 1 to the Franchise Agreement (Area 3) - Environmental Resources, to November 4, 1997 97-861 (4-2490)

**Convened to sit as the Stanislaus County Capital Improvement Authority at 11:52 a.m.**

B/P Approved the Consent Calendar  
Approved the minutes for 1/7/97

S/C unan. Authorize the preparation, sale and delivery of the Stanislaus County 1997 Series B Certificates of Participation (Refundings) in an aggregate principal amount not to exceed \$17 Million; approved appointment of First Trust of California, Na to Act as Trustee and Escrow Agent; approved the forms of the Escrow Agreement, the Site Lease, the Lease Agreement, the Trust Agreement, the Assignment Agreement, the Purchase Agreement, Amendment #1 to the Site Lease, Amendment #1 to the Lease Agreement, the Supplemental Trust Agreement and Amendment #1 to the Assignment Agreement; approved the form of the Certificates as Set Forth in the Trust Agreement and the Supplemental Trust Agreement; consented to the Preparation and Distribution by the County of the Preliminary Official Statement and Final Official Statement; authorized the Chairman, Secretary and Other Officers of the Authority to take additional actions necessary to consummate the sale and delivery of the 1997 Refunding Certificates 97-858

**Reconvened to sit as the Stanislaus County Board of Supervisors at 11:54 a.m.**

Referred to DSS, Department of Employment and Training and the Department of Planning and Community Development a letter from the California Trade and Commerce Agency regarding the upcoming Job Creation Investment Fund Grant Program workshops.

S/C unan. Accepted letter a letter from Phil Jenkins, Director of Emergency Dispatch, submitting his resignation effective October 31, 1997 97-866

B/S Appointed Supervisor Paul to the seven County region (Fresno, Kings, Mariposa, Merced, Stanislaus, and Tulare) Foreign Trade Zone Advisory Board as requested by the Merced County Board of Supervisors. 97-867

Acknowledge receipt of claims and referred to the Chief Executive Officer-Risk Management the following claims: Marcus & Trisha Busby; Amended Claim for Nettie Mestas; Amended Claim for Donald Floyd Evans; Amended Claim for Bill Wall; Mark Martinez; Dolores Hernandez; Jara D. Beckum; Rebecca Spencer; Billy Ray Spencer; Michael P. McOwen; and Teresa Romero Lopez

Supervisor Caruso reported on the recent San Joaquin Valley Supervisors Association meeting. He also noted the fatal accident at Mitchell and River Road. San Joaquin County has opened their new County hospital and has requested partnership with other Counties.

Adjourned to Closed Session: Conference with Legal Counsel - Existing: Case No.1: Mary Shurtz; Thomas B. Shurtz; Michael W. Shurtz and John C. Shurtz vs. Betty Jean Pike; Stanislaus County; and Does 1 to 50,

inclusive. Superior Court of the State of California in and for the County of Stanislaus Case No. 41034. Case No. 2: Steve Eastburn vs. Paul Embree, M.D., David Johnston, M.D., Stanislaus Medical Center and Does 1 to 50, inclusive. Superior Court of the State of California in and for the County of Stanislaus Case Number 83948. Government Code Section 54956.9. Labor Negotiations: Agency Negotiator Reagan Wilson: Employee Organizations: OES, AFSCME, SRPA, DSA, SCEA, SEIU, Local 535, CAA, CNA, OE3. Government Code Section 54954.5(f) at 12:00 p.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.)