

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

Regular Session

Tuesday

November 25, 1997

All Supervisors Present

Pledge of Allegiance to the Flag

P/C unan. Adopted the consent calendar

Approved the minutes of 11/4/97

Declared the results of the 1997 Consolidated District's election 97-890

Reappointed John Beltran and Glen Crow to the Orestimba Creek Flood Control District 97-891

Reappointed Raymond J. Lopes to the Newman Drainage District 97-892

Reappointed Tony Bravo, Sr. to the Westley Community Services District 97-893

Reappointed Tony Maciel, David Goubert and Ken Bays to the West Stanislaus Irrigation District 97-894

Reappointed Denise Williams and Marjorie Paiz to the Knights Ferry Municipal Advisory Council 97-895

Reappointed Garland R. Goesch to the Burbank-Paradise Fire Protection District 97-896

Reappointed Earl Perez, Mervyn Crow, Jr., and Clyde Peters to the Orestimba Creek Flood Control District 97-897

Reappointed Gregg Haskell, Shavon Haskell, and Brendt Noon, Sr. to the Knights Ferry Community Service District 97-898

Reappointed Fred E. Beltran, Sr. and appointed Steve Arnaudo to the Oak Flat Water District 97-899

Reappointed Gus D. Warren and Manuel Espinoza, Jr. and appointed David J. McNeir to the Monterey Park Tract Community Services District 97-900

Appointed Dan Lamb to the Reclamation District No. 2091 97-901

Appointed Donna Landers to the Keyes Municipal Advisory Council 97-902

Appointed Diane Noz to the Denair Municipal Advisory Council 97-903

Appointed Jane Lopes to the Valley Home Fire Protection District 97-904

Appointed Angela Alvarado and Rosenda Mataka to the Grayson Community Services District 97-905

Approved request from Mid-Valley Water Ski Club for use of Woodward Reservoir's main boat ramp for their Annual Polar Bear Ski Day on 12/31/97 and on 1/1/98 97-906

Proclaimed 11/24-30/97 as National Farm City Week 97-907

Approved the allocation of \$6,185.36 for payment of Possessory Interest Tax bill in accordance with Section 104.13(c) of the California Streets and Highway Code; allocated \$3,820.20 to the City of Modesto in accordance with Section 104.10 of the California Streets and Highway Code; and, allocated \$9,549.22 to the County Road Fund in accordance with the provision in 104.10 of the California Streets and Highway Code that its spending be limited to mass transit or streets and highway purposes 97-908

Approved the allocation of \$6,334.97 for payment of Possessory Interest Tax bill in accordance with Section 104.13(c) of the California Streets and Highway Code; allocated \$2,802.72 to the City of Modesto in accordance with Section 104.10 of the California Streets and Highway Code; and, allocated \$10,930.65 to the County Road Fund in accordance with the provision in 104.10 of the California Streets and Highway Code that its spending be limited to mass transit or streets and highway purposes 97-909

Approved an amended resolution authorizing the preparation, sale and delivery of the Stanislaus County 1997 Series B Certificates of Participation (Refunding) in an aggregate principal amount not to exceed \$17 million and delegated authority to the CEO and members of the Debt Advisory

- Committee to take additional actions indicated in the amended resolution, as necessary, to complete issuance and sale of the 1997 Refunding Certificates 97-910
- Approved the purchase of the following Fixed Assets under Vehicle Theft Special Revenue Index, the total not to exceed \$12,000: body wire (not to exceed \$7,000); laser network printer (not to exceed \$2,000); video cam recorder (not to exceed \$3,000); and directed the Auditor-Controller to transfer appropriations - District Attorney 97-911
- Concurred with the PIC's request for waiver to approve the modification of the County Service Deliver Area's (SDA's) Job Training Plan and authorized the Director of the Department of Employment and Training to sign documents needed to enable the waiver to be made 97-912
- Approved amending the agreement between the County of Stanislaus and Scenic Faculty Medical Group and authorized the HSA Managing Director, or her designee, to sign the amendment - Health Services Agency 97-913
- Approved the State Department of Health Services Contract for the Tobacco Control Education Program; authorized the HSA Managing Director to sign and execute contract amendment #89-97939; and, approved amending the Salary and Position Allocation List to add 2.0 Community Health Worker II positions - Health Services Agency 97-914
- Approved the designation of Denise C. Hunt, RN, MFCC, as Public Guardian pursuant to the Welfare and Institutions Code Section 8003 - Mental Health 97-915
- Authorized DSS to complete the application for the "Local Site Reinvestment Project" grant renewal; approved the agreement with the Foundation Consortium for School Linked services for a \$50,000 "Local Site Reinvestment Project Grant"; authorized the Director of DSS, or his designee, to sign the agreement and accept funds that are awarded; and, authorized DSS, as Council Fiscal Agent for this grant, to utilize \$46,500 of the funds awarded to issue a Request for Submission of Qualification to solicit a consultant(s) to provide project evaluation - Social Services 97-916
- Authorized DSS to renew the MOU with the California Department of Social Services (CDSS) for administration of the Temporary Emergency Food Assistance Program (TEFAP) through 9/30/2000 and authorized the Director of DSS, or his Deputy Designee, to sign the MOU and any amendments not to exceed the anticipated total amount of \$138,000, \$46,000 annually 97-917
- Accepted Stanislaus County Treasury Pool's August 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 97-918
- Accepted Stanislaus County Treasury Pool's September 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 97-919
- Approved a resolution to authorize the Tax Collector to sell Tax-Defaulted Property for no less than the minimum price noted pursuant to the Revenue and Taxation Code 97-920
- Authorized the use, by Acme Construction, of Aderholt Speciality Company and Golden State Plastering as substitutes for the listed subcontractors, Kent Lathing and Drywall for the Agricultural Center 97-921
- Authorized the CEO to execute agreements in an amount not to exceed \$30,000 with the Turlock Irrigation District to provide electrical service to the Agricultural Center and the Ray Simon Regional Criminal Justice Training Center and authorized the Auditor-Controller to make payments 97-922

- Approved the adjustment of County Library schedules in order to close all libraries at 6:00 p.m. on New Year's Eve 97-923
- Approved amending the Salary and Position Allocation Resolution to reflect the reinstated positions - Health Services Agency 97-924
- Authorized the closure of the Animal Services Center on days and hours of public operation in conjunction with the holidays 97-925
- Approved the appointment of members to the Comprehensive Youth Service Act Planning Council consistent with the requirements of Chapter 3.2 of the Comprehensive Youth Services Act.- Probation Department 97-926
- Approved the Plans, Specifications and Funding Agreement for the Empire to Johansen High School Bike Lane Project; set the Bid Opening for 12/30/97, at 2:05 p.m., and authorized the Clerk of the Board to advertise the bid opening on 12/3/97, 12/10/97, and 12/17/97; approved the funding agreement as submitted and authorized the Chairman to execute the funding agreement; and, authorized the Auditor-Controller to increase appropriations by \$2,000 and increase estimated Federal revenue by \$1,770.60 and State revenue by \$229.40 in the project account to cover the costs of printing and advertising 97-927
- Approved an Environmental Finding of Categorically Exempt under CEQA guidelines for the Empire to Johansen High School Bike Lane Project and authorized the Auditor-Controller to increase appropriations and estimated Federal revenue in the project account by \$50.00 to cover the recording fee required by the County Clerk 97-928
- Approved the right-of-way acquisition agreement for the Boyle Parcel for the Crows Landing Road Widening Project; authorized the Chairman to sign the said right-of-way acquisition agreement; and, authorized the Auditor-Controller to issue a warrant in the amount of \$5,000 payable to Fidelity National Title Company for escrow #902347-TO 97-929
- Approved amendment #1 to the agreement for independent contractor services with Advanced Building Cleaners, Inc., dated 2/25/97, adding 15.08 miles of curbed streets in various locations throughout the County and authorized the Chairman to execute the amendment 97-930
- Authorized the Chairman to execute the easement deed located in the Somerset Estates Drainage Basin to City of Modesto 97-931
- Adopted a resolution to summarily vacate a portion of a Storm Drain Easement in Deerfield Subdivision east of the City of Oakdale 97-932
- Set public hearing regarding Grantee Performance of Community Development Block Grant No. 95-STBG-923/Bret Harte Sewer Connections for 1/6/98 at 9:25 a.m. 97-933
- Set public hearing for General Plan Amendment #97-04 and Rezone Application #97-05 - B & H Manufacturing Company for 12/16/97, at 7:15 p.m. 97-934
- Set public hearing for General Plan Amendment #97-05 and Rezone Application #97-06 - Patricia Paul for 12/16/97, at 7:20 p.m. 97-935
- Approved Salida Park Account Expenditures to Stanislaus County Planning Department; approved Salida Storm Drain Account Expenditures to Union Pacific Railroad Company and Ross F. Carroll, Inc.; authorized the Auditor-Controller to approve a transfer of funds in the amount of \$55 to the County Planning Department; and, authorized the Auditor-Controller to issue warrants in the amount of \$1,000 payable to Union Pacific Railroad Company and \$155,047.50 payable to Ross F. Carroll, Inc. 97-936

B/C unan. Authorized an increase of \$120,000 (total) in Revenues and Appropriations for furniture for the Ray Simon Regional Criminal Justice Training Center Construction Project; increased anticipated revenue in the amount of \$440,282 for reimbursement from Modesto Junior College for a credit related to cost savings from construction of the Regional Fire Training Center; and, transferred \$79,718 from the General Fund, Plant Acquisition Budget, for the purchase of furnishings at the POST Center 97-937 (1-92)

B/P unan. Authorized the acceptance of \$279,470 of Department of Education Grant Funds for the Education Life Skills and Employment (ELSE) Program for Inmates; directed the Auditor-Controller to set up a special Revenue Index to capture costs and track revenues; authorized the Sheriff to sign contracts with Friends Outside, Stanislaus Literacy Center, and Excel Corporation; authorized the purchase of five computers with an estimated cost of \$11,300; directed the Auditor-Controller to carry forward unused funds at the end of the fiscal year; and, directed the Auditor-Controller to transfer Inmate Welfare Trust Fund - Sheriff 97-938 (1-210)

P/B unan. Authorized a contribution in the amount of \$15,000 from the Economic Development Budget for the County's contribution to Stanislaus Partners in Education 97-939 (1-1401)

C/S unan. After conducting a public hearing made the findings that: (a) public interest and necessity require the proposed project; (b) the proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; (c) the property described in the resolution is necessary for the proposed project; and, (d) that the offer required by Section 7267.2 of the Government Code has been made to the owners of record of the property to be acquired; adopted a Resolution of Necessity; and, authorized County Counsel to initiate Eminent Domain Proceedings to acquire the affected properties located on Crows Landing Road for the Crows Landing Road Widening Project 97-941 (1-2202)

Sitting as Stanislaus County Redevelopment Agency at 9:55 a.m.

B/S unan. Approved consent calendar

Approved minutes of 9/23/97

Accepted the Financial Report of the Stanislaus County Redevelopment Agency and authorized its submittal to the Board of Supervisors as required by Health and Safety Code Section 33080.1

97-942

Provided the November issue of the Redevelopment Journal to the Board

P/S unan. Authorized the commitment of a \$35,350 loan for off site public infrastructure improvements and associated Public Development fees to Nunes Oil Company, Keyes, CA; authorized the Executive Director of the Agency to act on all matters pertaining to the loan; and amended the loan commitment for an additional \$3,000 bringing the total to \$38,350 97-943 (2-2730)

B/C unan. Accepted the Salida Boulevard Corridor Plan 97-944 (2-2068)

B/C unan. Approved the commitment of \$14,500 to prepare Downtown Component of Master Storm Drainage Plan for Salida, CA 97-945 (2-1781)

Supervisor Simon attended the recent opening of Covent Soup Company

Reconvened as the Board of Supervisors at 10:22 a.m.

Recessed at 10:23 a.m.

Reconvened at 10:32 a.m.

B/C unan. Increased Appropriation and Revenue for six months of the 1997/98 FY by \$221,264 in Appropriations and \$109,109 in Revenue to cover staffing, fixed asset and facility improvement costs; transferred \$112,155 from Contingencies to the Animal Services Department to cover the net increased cost of the recommendations and directed the Auditor-Controller to increase Animal Services Appropriations and

Revenue; authorized the purchase of fixed assets including three computers, one printer, a storage unit and one fully equipped Animal Services Patrol Vehicles (\$45,000); authorized facility repair/renovation either through Building Maintenance or contracted services (\$10,500); authorized the receipt of private funding to offset the cost of an Animal Services Informational Publication; authorized the CEO, working with the Animal Services Director, to issue a request for qualifications (RFQ) for an overall facility needs assessment and space plan, estimated cost of the needs Assessment/Space Plan is \$6,000; and, amended the Salary and Position Allocation Resolution to make the specific staffing changes 97-940 (2-446)

S/P unan. Adopted the Statement of Values from the National Association of Counties for our County 97-946

Accepted a letter from the Knights Ferry Community Service District Board of Directors thanking this Board for the \$62,500 grant for construction needs and the purchase and installation of a new water storage tank

Referred to the CEO a resolution as requested by the California Trade and Commerce Agency for the purposes of obtaining Job Creation Investment Funds

Referred to the Department of Environmental Resources, Parks, and the Department of Community Development a copy of the Draft Recovery Plan for Upland Species of the San Joaquin Valley, California, and is asking for comments to be made regarding this plan

B/C unan. Adopted a resolution of support as requested by the City and County of San Francisco urging the California State Legislature to amend the California Vehicle Code to allow the issuance of special interest license plates depicting a Red Ribbon and to establish a fund which would allocate the proceeds from the sale of this plate to go to Aids research 97-947

Referred to Public Works a letter from the property owners in the Westley Triangle petitioning the Board for the formation of a lighting district

Referred to Public Works a letter from the property owners in the Westley Triangle requesting approval to form a landscaping district

Acknowledged receipt of claims and referred to the Chief Executive Officer-Risk Management the following claims: Enrique M. Vargas; Brett Perrault; Serah-Martinez-Ibarra; James N. Burks; David Giller; Michael P. McDougall; Esmeralda Lopez; Amended Claim for Mark Martinez; Faye Slusher; Wayne Karlee; Timothy J. Helfer; Carole Woodruff and Jon Hodge; Patricia Sweeny; and, Robert Van Schaick

Supervisor Blom and Paul attended the annual CSAC conference in San Mateo County. Supervisor Blom was elected to the CSAC Executive Committee.

Supervisor Simon informed the Board that the Jail cost will come before the Board of Corrections. He also serves on the Governor's Emergency Service Plan Committee which recently finished the plan.

The CEO attended the County Fire Districts Board of Directors Organization meeting regarding the letter recently sent to the Board of Supervisors. The CEO, Supervisor Caruso and Ed Persike went to the Bay Area to speak to NASA and Navy officials regarding the Crows Landing Air Field.

Adjourned to Closed Session: Conference with Labor Negotiator: Agency Negotiator Reagan Wilson: Employee Organizations: OES, AFSCME, SRPA, DSA, SCEA, SEIU, Local 535, CAA, CNA, OE3, and Management Employees. Government Code Section 54954.5(f) at 11:15 a.m.

Closed Session Announcement:

B/S unan. Approved effective immediately, management employees, including Department Heads, shall, upon approval, be limited in their vacation cashout, or conversion to deferred compensation, to an amount which will not exceed the amount of vacation time earned in a calendar year period. The amount of vacation that can be earned in any given year period will include Special Vacation Time defined in Stanislaus County Ordinance Section 3.36.020(D) will include all holiday time that converts to vacation time; this vacation time, if cashed out or converted to deferred compensation, other than the lump sum final payoff upon termination, shall, consistent with the Ventura decision, be included with the calculation of final compensation for retirement purposes, consistent with the employee's applicable retirement tier; and, consistent with the application of the recent California Supreme Court decision in the Ventura case, "Old Holiday" time that continues to be on employee accrual balances, shall not be included as part of final compensation for retirement purposes if cashed out according to current policy

97-947A

Adjourned at 12:10 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.)