

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

Regular Session

Tuesday

February 24, 1998

Supervisor Mayfield absent

Pledge of Allegiance to the Flag

The Board presented the Proclamation for March 1998 as Social Worker Recognition Month

P/S (4-0) (Mayfield absent) Adopted the consent calendar

Approved the minutes of 2/10/98

Proclaimed 3/8-14/98 as Portuguese Immigrant Week 98-137

Commended the 100 Years of Professional Social Work 98-138

Appointed Ron Malik as the Member-at- Large to the Parks Commission 98-139

Amended the COI Code for Stanislaus Union School District 98-140

Amended the term expiration dates for Crows Landing Community Services District and Grayson  
Community Services District 98-141

Approved CEO Reagan M. Wilson's Performance Evaluation, Pay for Performance Payment and  
conversion of Sick Leave 98-142

Approved the Health Services Agency purchase of Konicas radiology film processing equipment for  
\$51,600 98-143

Approved candidates for credentialing by the Stanislaus County Department of Mental Health Managed  
Care Services Division as Behavior Health Panel Providers for National Health Plans; approved  
providers who are being credentialed by the Managed Care Services Division of the Department  
of Mental Health as Mental Health Panel Providers for Medi-Cal; and, authorized the Chairman  
to sign the forms  
98-144

Directed the Purchasing Agent to extend the Grazing Lease Agreement at Joe Domecq Wilderness Area  
to commence on 3/1/98 and to terminate on 2/28/99 98-145

Approved the filing of an application for FY 1999-2000 Off Highway Vehicle Operations and  
Maintenance Grant 98-146

Awarded Family Preservation and Support Program Services contracts as follows: Modesto City Schools  
for \$11,154; Parent Resource Center #1 for \$5,270; Parent Resource Center #2 for \$6,032; and,  
Turlock Police Services #1 for \$18,447 totaling \$40,903 and authorized the Director of DSS, or  
his Deputy Director Designee, to sign the agreements and any amendments not to exceed the  
contract amounts 98-147

Discharged the Treasurer Tax Collector of accountability for County Departmental accounts which are  
uncollectible and have been previously charged to the Collections Division in the amount of  
\$598,564.07 98-148

Accepted Stanislaus County Treasury Pool's November 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  
98-149

Accepted Stanislaus County Treasury Pool's December 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 98-150
- Affirmed the State of Emergency Proclamation issued by the Director of Stanislaus County's Emergency Services, request made to the Governor to proclaim a State of Emergency in Stanislaus County on 2/11/98, and directed all appropriate action to be taken relative to the State of Emergency 98-151
- Appointed Carlos De La Cerda to Substance Abuse Counselor II Position 8368 at the Fifth Step - Mental Health 98-152
- Approved and increased Appropriations for the Roberts Ferry Bridge at Tuolumne River Project and authorized the Auditor-Controller to increase Appropriations and Revenues 98-153
- Approved submitting an agreement with SCS Engineers to provide professional services for site evaluation/planning for the future expansion of the Fink Road Landfill; authorized the Chairman to sign the agreement; authorized the Purchasing Agent, or his Designee, to approve purchase orders for future engineering services in accordance with the 1998 Master Agreement; return the Master agreement to Department for further processing; and, authorized the Auditor-Controller to make the necessary transfers and budget entries 98-154
- Find that the Final Map of Wittfield Park, Unit No. 7 is in substantial 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; reject all roads, highways, avenues, alleys, ways, lanes, place, etc.; authorized the Chairman to sign the Final Map and the Subdivision Improvement agreements; and, authorized the Final Map to be filed and recorded as presented 98-155
- Accepted portion of Granite Lane between McWilliams Way and Emerald Avenue for maintenance by Stanislaus County and accepted that portion of Emerald Avenue between Granite Lane and Woodland Avenue for maintenance by Stanislaus County 98-156
- Approved request by Doug Fluetsch, representing Merlock Bicycle Racing Club, to hold a bicycle race on County roads and authorized the Director of Public Works to issue a permit for the event subject to standard conditions 98-157
- Accepted the information only item on the Guidance Package for Keyes Area General Plan and Zoning Amendments by Signature Development 98-158

S/C (4-0) (Mayfield absent) Accepted the Chief Executive Officer's Mid-year Report for FY 1997-1998; authorized the CEO and the Auditor-Controller to make the necessary budget adjustments and transfers as recommended in the Report; directed the CEO, in collaboration with County Departments, to ensure that operations remain within budget policies and budgeted appropriations; directed the CEO to prepare the Third Quarter Fiscal Report for consideration on 4/28/98; reaffirmed Budget Priorities for 1998-1999; amended the Salary and Position Allocation Resolution as stated in staffing impacts effective the start of the First Pay Period in March 1998; approved the Fixed Asset Schedule (B) 98-159 (1-436)

P/S (4-0)(Mayfield absent) Introduced and waived the first reading of C.S. 663 the Ordinance Amendment #97-02 regarding amendments to the Text of the Stanislaus County Code relating to family day care homes, minimum lot sizes, nonconforming uses, second dwelling units, surface mining and reclamation, and yard requirements; ordered the filing of a Negative Declaration based upon the Initial Study; ordered the filing of a Certificate of Fee Exemption based upon a finding of de Minimis impact on Fish and Wildlife Habitat; and,

amended the ordinance to allow on parcels of one or more the 1200 square foot limit will not apply 98-166 (1-1862P/C  
Clerk-Recorder to sign the lease agreement 98-160 (1-2658

**Adjourned to sit as the Stanislaus County Redevelopment Agency at 9:53 a.m.**

S/P (4-0)(Mayfield absent) Approved Consent Calendar (2-2776  
Approved minutes of 11/25/97  
Authorized the Executive Director to retain the services of Charles E. Strand of Turlock, to  
conduct the 1997/98 Redevelopment Agency Audit and prepare the necessary reporting  
documents for submittal to the Office of the State Controller 98-167

P/S (3-0)(Caruso abstained and Mayfield absent) Authorized the commitment of \$50,000 from the Housing Set-  
Aside Fund for purposes of local match in the 1998 General Allocation for State Community Development  
Block Grant Program for Housing Rehabilitation  
98-168

**Reconvened to sit as the Stanislaus County Board of Supervisors at 9:56 a.m.**

P/C (4-0)(Mayfield absent) Introduced and waived the First Reading of Ordinance C.S. 659 regarding Public  
Nuisances and find that the C.S. 659 is not subject to the Public Resources Code Sections 21000 et seq. (CEQA)  
98-169 (2-2611

**Adjourned to sit as the Stanislaus County Capital Financing Authority at 10:37 a.m.**

P/C (4-0)(Mayfield absent) Approved Consent Calendar (3-318  
Approved the minutes of 2/10/98

S/C (4-0)(Mayfield absent) Approved a resolution authorizing the issuance of Stanislaus County Series A of  
1998 Certificates of Participation (Downtown Project) in an amount not to exceed \$30,000,000; approved the  
forms of the Trust Agreement, Certificate Purchase Agreement, Continuing Disclosure Agreement and other  
contracts and agreements and authorized the CEO and other County Officials to take whatever steps necessary  
to complete the issuance and sale of the Series A of 1998 Certificates of Participation; approved the form of the  
Preliminary Official Statement and authorized the CEO or his Designee to make whatever changes are necessary  
to deem it final for distribution to prospective purchasers of the Certificates and to further authorized delivery of  
a final official statement to actual purchasers of certificates; and, authorized the Chairman, Secretary and other  
Officers of the Authority, jointly and severally, to do any and all things and to execute and deliver any and all  
documents which they deem necessary and advisable to complete the issuance and sale of the Series A of 1998  
Certificates of Participation (Downtown Center) 98-170

**Reconvened to sit as the Stanislaus County Board of Supervisors at 10:46 a.m.**

**Recessed at 10:47 a.m.**

**Reconvened at 10:55 a.m.**

P/C (4-0)(Mayfield absent) Authorized the CEO to sign, on behalf of the County, a MOU between the Courts  
and the county delineating implementation of the Lockyer-Isenberg Trial Court Funding Act of 1997 (AB233) to  
Stanislaus County; directed the Auditor-Controller to make the necessary financial transaction changes in

accordance with the legislation and if applicable, upon implementation of cleanup legislation and/or direction given by the State Controller's Office; and, amended the Salary and Position Allocation Resolution to transfer positions from the current Trial Court Indexes at the time the fund transfers are made by the Auditor-Controller  
98-161 (3-1038)

S/C (4-0)(Mayfield absent) Approved City/County Joint Powers Agency related actions for the 10th Street Place Project and related budget issues; authorized the CEO and Auditor-Controller to make the necessary budget adjustments to the Project Budget; and, approved the increase in the Project Budget of \$500,000 for Public Art to be shared 50% RDA; 50% JPA (25% County)  
98-163 (3-2280)

P/C (4-0)(Mayfield absent) Approved a resolution authorizing the issuance of Stanislaus County Series A of 1998 Certificates of Participation (Downtown Project) in an amount not to exceed \$30,000,000; approved the forms of the trust agreement and other contracts and agreements and authorized the CEO and other County Officials to take whatever steps necessary to complete the issuance and sale of the Series A of 1998 Certificates of Participation; and, approved the form of the preliminary official statement and authorized the CEO, or his Designee, to make whatever changes are necessary to deem it final for distribution to prospective purchasers of the Certificates and to further authorize delivery of a final official statement to actual purchasers of Certificates  
98-164 (4-2300)

**Supervisor Paul absent at 12:02 p.m.**

S/C (3-0)(Mayfield and Paul absent) Approved recommendations to seek \$2 million from the State Board of Corrections for funding of two 15-bed High Security Housing Units to house preadjudicated violent juvenile offenders; approved appointing Patricia Hill Thomas as Contract Administrator, the Auditor-Controller as the County Financial Officer, attested that the county will adhere to all laws and regulations and to the terms of future contracts, agreed to supply matching funds in the amount of \$222,222 within 30 days of grant award, certified that the Board has reviewed; and, approved the Staffing Plan and operation cost associated with operating the facility consistent with Title 15 Regulations, and certifies that the County has ownership of the construction site  
98-162 (4-2171)

S/C (3-0)(Mayfield and Paul absent) Approved in concept a proposal to enter into an agreement with the City of Modesto for the joint operation of the Emergency Dispatch Center and approved the concept to form a Joint Powers Agency between the City of Modesto and County for the provision of Emergency Dispatch Services  
98-165 (4-456)

Acknowledged receipt of letter from the California State Department of Social Services notifying Stanislaus County to proceed with the implementation of its CalWORKS program

Referred to the DSS a letter from the California State Department of Social Services regarding the application process for Community Based Family Resource and Support Funds

Referred to the Department of Planning and Community Development a Notice of Proposed Action from the Department of Conservation regarding the California Land Conservation (Williamson) and the Open Space Subvention Acts

Acknowledged receipt of letter from the City of Newman thanking the Board for the decision to proceed with a feasibility study to construct retention dams on Orestimba and Salado Creeks

Acknowledge receipt of claims and referred to the CEO-Risk Management the following claims: Amended

Claim for Eva Rodriguez; Amended Claim for Juana Garcia; Chris Haile; Lisa Molnar; Deborah & Danny Holmes; Lourdes Guzman; George C. Solimine; Wayne P. Burton; John J. Zuzula; and, Gary Wasmund

C/S (3-0)(Mayfield and Paul absent) Board found emergency contract for repair of Del Puerto Canyon Road too late for the agenda as item was requested after the agenda was prepared and that action on the resolution was necessary 98-171 (5-300)

C/S (3-0)(Mayfield and Paul absent) Approved emergency contract for repair of Del Puerto Canyon Road finding that: a.) flooding by Del Puerto Creek and runoff due to heavy rainfall has seriously damaged Del Puerto Canyon Road throughout its length causing the road to be unstable and subject to collapse without warning; b.) the condition of Del Puerto Canyon Road is a safety hazard, posing a clear and imminent danger to the public and demands immediate action to prevent or mitigate loss of or damage to life, health and property; c.) the condition of Del Puerto Canyon Road constitutes an emergency requiring the immediate removal of debris and repair of the roadway including the reconstruction of embankments and removal of unstable material and the necessary repair will not permit a delay resulting from a competitive solicitation for bids; determined that the repair of Del Puerto Canyon Road is a project that is exempt from the CEQA under California Code of Regulations, Title 14, Section 15269(A); filed a notice of exemption for the project to repair Del Puerto Canyon Road pursuant to the California Code of Regulations, Title 14, Section 15062; authorized the Department of Public Works to undertake all work and action necessary to remove debris from and repair Del Puerto Canyon Road and to abate any dangerous conditions or nuisances existing along the roadway; authorized the negotiation and execution of an agreement for independent contractor services with Teichert Construction of Turlock, CA for the removal of debris from and repair of Del Puerto Canyon Road without adopting plans, specifications, plan sheets or working details and without giving notice for bids pursuant to Public Contract Code Sections 22035 and 22050; and, authorized the Auditor-Controller to transfer \$250,000 to the Del Puerto Canyon Road Construction Project Account 98-172

Supervisor Caruso attended the LAFCO Workshop in Diablo Grande on Saturday but had to vacate due to the rising creek.

The CEO, County Counsel, Deputy County Counsel, and the Planning Director met with the Hughson City Council at their meeting on Monday regarding Capital Facility Fees.

Adjourned at 12:25 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.)