

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

May 25, 1999

Miguel Donoso requested to speak on Item B-12, Approval of the Job Creation Investment Fund Implementation Plan and Five-Year Job Creation, and that the report did not mention the fact that the Hispanic community is the fastest growing and the least education and requested the new board have at least 50% representation.

Ray (no last name given) requested a clean-up day for the Shackelford area and invited the Board to participate in a community protest march in the area against gang activity 6/25/99, from 4-5:30

David Johnson spoke on dumping in the Shackelford area and properties that are not kept up that have weeds in the alleys which are a fire hazard

Kathy Halsey, from Pacific Bell, informed the Board of their Community Enrichment Program and the availability of \$350,000 worth of competitive grants in the areas of: education, health care, economic development and community access to the information highway

Tim Johnson requested that alleys be closed in the Modoc Avenue area

P/M unan. Adopted the consent calendar (1-1080)
Approved minutes for 5/11/99
Approved the amendment of the Empire Municipal Advisory Council By-laws 1999-384
Approved amending expiration dates of members to the Salida Municipal Advisory Council 1999-385
Reappointed Colleen Bare to the Library Advisory Board 1999-386
Approved commendation for the Salvation Army's thirty year anniversary celebration and ground breaking ceremony on 6/6/99 1999-387
Authorized property owned by Stanislaus County to be part of the proposed Eastin Water District and authorized the CEO to sign the petition to the Stanislaus County LAFCO for the initiation of proceedings to form the proposed Eastin Water District 1999-388
Authorized the acceptance of Westside Energy Work Groups findings 1999-389
Accepted the completed Stanislaus County Agricultural Center, at the Public Safety Center, with substantial completion date of 8/26/98; approved the final contract with the contractor, as follows: ACME Construction Company, of Modesto, CA: original contract of \$9,833,000; total change orders of \$781,175; final contract cost of \$10,614,175; approved the final payment to LPA, Architects, as outlined in amendment 5, expanded conference facility, for \$7,930;

- authorized the Chairman on behalf of the Board of Supervisors, 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 1999-390
- Set the public hearing for the 1999-2000 Proposed Budget on 6/29 & 30/99 at 9:30 a.m. 1999-391
- Approved an increase to General Assistance Grants by 2.84% effective 7/1/99 in accordance with Welfare and Institutions Code 17000.5 - Community Services Agency 1999-392
- Approved the Stanislaus County PIC's Local Plan Initial 1999 Modification to the local Welfare-To-Work Plan; authorized the Director, Department Employment and Training, or her designee, to sign the Welfare-to-Work related subgrant agreements or other documents required by the State Employment Development Department or Labor; and, authorized the Chairman, on behalf of the Board of Supervisors, to sign the Local Plan Modification 1999-393
- Authorized the Director of Parks and Recreation to receive and expend grant funds from the California Department of Parks and Recreation and authorized the Auditor-Controller to make the appropriate budget entries - Environmental Resources 1999-394
- Authorized the Chief Probation Officer to allow Juvenile Court Work Program participation in the Modesto Farmers Market and donation of surplus produce to various community shelter agencies and authorized profit from sales to be used as additional support for the program – Probation 1999-395
- Approved the agreement between the County Personnel Administrators' Association of California (CPAAC) referred to as "CPAAC", GatesMcDonald, and the County of Stanislaus for Unemployment Compensation Services for the period 5/1/99 through April, 2002; and, authorized the Chairman to sign the agreement on behalf of the Board of Supervisors - Risk Management 1999-396
- Authorized the Auditor-Controller to issue a check based on the Distribution of Excess Proceeds submitted in compliance with the requirements of Revenue and Taxation Code Section 4675 to Barbara A. Kilner in the amount of \$8,429.72 from the 2/26/98 Sale of Tax Defaulted Property belonging to Leland C./Lynn M. Shay - Treasurer/Tax Collector 1999-397
- Find that all Subdivision Improvements of Countrystone, Unit No. 4, by the Subdivision Improvement agreement, executed by Countrystone Development Company, LLC, California Limited Liability company and the Stanislaus County Board of Supervisors on 7/28/98, have been constructed to the satisfaction of Stanislaus County, said agreement was recorded 7/29/98, as document #98-0068781-00, Stanislaus County Records; accepted all streets, avenues, roads, and the drainage system within Countrystone, Unit #4, for maintenance by Stanislaus County; pursuant to Section 66499.7(a) of the Subdivision Map Act, authorized the release of Performance Bond #174616S that was issued by Developers Insurance Company in the amount of \$300,000 for Faithful Performance of the Subdivision Improvement Agreement; and, pursuant to Section 66499.7(b) of the Subdivision Map Act, upon receipt of a Mechanic's Lien guarantee, authorized the release of Labor and Materials Bond #174616S that was issued by Developers Insurance Company in the amount of \$150,000 for payment of labor and materials, the Mechanic's Lien Guarantee must be dated a minimum of 35 days after the filing of the appropriate Notice of Completion; be in the amount of \$150,000; be prepared by a title company; be to the benefit of Stanislaus County; and state that there are no Liens of Record 1999-398

Approved annexation of territory to the Sunset Oaks Lighting District without an election (Country Oak Manor Annexation); find that the territory of Sunset Oaks Lighting District is owned by the petitioner, and that petitioner's ownership represents 100% of the total assessed valuation of all taxable property within the territory proposed to be annexed into the said district; find that Stanislaus County C.S. 21.40.040 requires the installation of a street lighting system to serve territory; find that the territory proposed to be annexed is not within the limits of any other lighting district; find that public necessity and welfare require that the territory be annexed to the lighting district; ordered that the requirements of notice, hearing and election shall not be applicable to this proceeding pursuant to Streets and Highways Code Section 19056; ordered that the territory shall be annexed to the Lighting District of Stanislaus County; find the fact of filing of the petition was received by the Clerk of the Board; ordered that pursuant to the Streets and Highway Code Section 19000, et seq., the cost of conducting and maintaining the lighting district shall be assessed against the individual parcels of land within the District's boundaries; directed the Clerk of the Board to send a certified copy of the resolution ordering the annexation to the Lighting District to the Department of Public Works, the offices of the Assessor, Elections, Auditor-Controller and the Clerk-Recorder; and, directed the Department of Public Works to send a certified copy of the resolution ordering the annexation to the Lighting District and all other required documents and the processing fee to the State Board of Equalization

1999-399

Adopted a resolution to summarily vacate a portion of Kern Street and E Street easement in the town of Westley

1999-400

Approved the Salida Road Account Expenditure to O'Dell Engineering and authorized the Auditor-Controller to issue a warrant in the amount of \$2,160 payable to O'Dell Engineering

1999-401

Adopted the resolution authorizing the issuance of Turlock Joint Union High School District 1997 General Obligation Bonds, Series 1999, in an amount not to exceed \$27,000,000

1999-402

Approved support for SB 939 Clarifying the Emergency Medical Services Funding Sources

1999-403

B/M unan. Authorized the CEO to take actions necessary to purchase approximately 2,100 Acres of real property from Fred and Jill Vogel for the future expansion of Fink Road Landfill; authorized the CEO to execute the exhibits to the real property purchase agreement prior to close of escrow including: a) a five month agricultural lease to allow Vogel to retain the crops from the current crop year; b) a bill of sale which provides that Vogel transfers personal property to the County; and c) a water agreement, which transfers to the County Vogel's existing water distribution system, a water distribution easement and a storm drainage easement; authorized the Auditor-Controller to issue a cashier's check for the purchase of the Vogel property, closing costs and environmental costs in an amount not to exceed \$14,020,000 from Fink Road Landfill account retained earnings (Fund 4021, Org. 0041100); authorized staff to close escrow and take title to the property by no later than 6/9/99; authorized the CEO to execute an agreement with SCS Engineers to expand the scope of their current work relating to environmental review and permitting on the Landfill Expansion Area; authorized the Auditor-Controller to increase appropriations in account #63280 (Contracts), Fund 4021, Org. 0041100 in the amount of \$1,511,660 for the agreement with SCS Engineers; and, authorized staff to make application to annex the existing landfill property to either the Oak Flat Water District or the Del Puerto Water District (1-1097

1999-404

P/B unan. Approved the Franchise Collection Refuse Rate Adjustments effective 7/1/99 – DER (1-1866
1999-408

Recessed at 11:10 a.m.

Reconvened at 11:25 a.m.

Recessed at 12:30 p.m.

Reconvened at 1:30 p.m.

B/C (4-0) (Mayfield abstained-conflict of interest, owns property in area of proposed project) Continued public hearing to 6/8/99 at 9:25 a.m., for the purpose to hear rebuttal from the proponent, received comments from staff, Board deliberation and decision for Rezone Application #99-03 and Parcel Map Application #99-05 for Sierra Grain Terminal, LLC to change zoning from General Agriculture to Planned Development on both a 53-acre site and along a 50-foot wide strip adjacent to the BN&SF Railroad. An additional request is to create three parcels of 33.75, 9.64 and 9.64 acres for the purpose to construct and use a grain mill facility and expand railroad sidings on property located at 4636 Geer Road in the Hughson area. A Mitigated Negative Declaration will be considered
1999-409 (1-2705

Recessed at 3:55 p.m.

Reconvened at 4:00 p.m.

Supervisor Blom absent

C/M 4-0 (Blom absent) Approved the Job Creation Investment Fund Implementation Plan and Five-Year Job Creation to be submitted to the California Trade and Commerce Agency and referred the Job Creation Plan to the Workforce Investment Board for implementation
1999-405 (8-2565

M/C 4-0 (Blom absent) Approved proceeding with the final design for the City-County Emergency Dispatch Center Project; reviewed and approved architectural design development work for the Stanislaus County and City of Modesto Emergency Dispatch Center; authorized the issuance of various FRPs for Dispatch Communication Systems; authorized the CEO to negotiate a contract with the current computer aided Dispatch System vendor for the transition of the existing system to the new facility; and, authorized the CEO and the Auditor-Controller to create the project budget based upon the previously approved funding plan for the City-County Emergency Dispatch Project
1999-406 (8-1894

M/P 4-0 (Blom absent) Introduced and waived the first reading of Ordinance C.S. 697 imposing regulations upon the operation of gambling establishments within the unincorporated territory of Stanislaus County (8-1810
ORD-54-C-11 1999-407

Referred to the Management Information Services Department the annual audit letter from Charter Communications as required by the franchise agreement

Referred to the CEO a letter from Kings County Boardmember Alene Taylor requesting a \$10,000 contribution to the California Central Valley Economic Development Corporation in the 1999-00 Fiscal Year

Accepted the reports and referred to the CEO to prepare a response for the Stanislaus County Grand Jury Final Report Part Four and Five

Refer to the Management Information Services Department a letter from the State of California Department of Information Technology regarding Merced County's Y2K pilot project for Y2K readiness.

Referred to the Department of Planning and Community Development a letter from the California Farm Bureau Federation Office of the General Counsel regarding the implementation of the Farmland Security Zone (FSZ)1998 legislation

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Chad Mahu; Harold E. Sloan; Leslie D. Canham; Kenneth E. Krause and Millie E. Krause; Kurtis Wayne Harris; Michael Haner; Carolyn Lanzy; Matthew T. Rieffanaugh; Union Pacific Railroad, et al; all being members of the Patterson Environmental Response Trust; Joan Vanhorne; Kurtis Wayne Harris; Barry Bartlett; William Pozzouli; and, William Pozzouli

Supervisor Caruso attended a recent Valley-Wide Economic Development Strategic Meeting in Fresno

Supervisor Paul attended the graduation of the Independent Living Skills Program

M/C 4-0 (Blom absent) Approved the Chief Executive Officer's FY 1998-99 Third Quarter Fiscal Report; authorized the CEO and Auditor-Controller to make the necessary adjustments and transfers and other technical adjustments as recommended in the report; directed the CEO to take the necessary actions to end the Fiscal Year in a positive fiscal position; authorized the Auditor-Controller to make the necessary year-end closing entries as approved by the CEO; amended the Salary and Position Allocation resolution to reflect the staffing changes outlined in the staffing impacts; approved the 1999-00 Proposed and Final Budget process and schedule; and, authorized the CEO to issue a request for qualifications for professional services to evaluate the County's technology and information services, and preparation of a Technology Strategic Plan 1999-410 (8-873

Adjourned at 4:40 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.)