

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

Regular Session

Tuesday

April 24, 2001

Supervisor Blom Absent

Pledge of Allegiance to the Flag

Miguel Donoso spoke regarding item \*B-3 and requested that the Board consider not changing the time of the Board meeting from 7:30 p.m. to 9:00 a.m. He also spoke regarding equal representation and opportunity in the redistricting process. He thanked the Board for the lighting installed in the Shackelford School area and stated that he would like to see more improvements in the low-income areas.

Raymond Ontiveroz spoke regarding potential traffic congestion problems in the Crows Landing Road and School Avenue area.

Don Terrell spoke regarding the appointment of Commissioners to the Valley Home Fire Protection District, various problems associated with the District, and his opposition to the consolidation of the District with the Oakdale Fire Protection District.

Spencer Carrington spoke regarding the appointment of Commissioners to the Valley Home Fire Protection District Board.

Gary Steel spoke regarding various problems associated with the Valley Home Fire Protection District Board and stated his opposition to the consolidation with the Oakdale Fire Protection District.

Larry Newcomb spoke regarding his concerns with the Valley Home Fire Protection District Board.

S/M (4-0) (Blom absent) Adopted the consent calendar

\*A1 Approved the minutes of 4/10/01

\*A2 Waived the second reading and adopted Ordinance C.S. 758, Amending No Parking Zones and Two Hour Parking Zones on Various County Roads ORD-54-H-9 2001-276

\*A3 Proclaimed 5/20 - 26/01 as Classified School Employee Week and 5/9/01 as Day of the Teacher in the Modesto City Schools 2001-277

\*A4 Proclaimed April as Sexual Assault Awareness Month and approved a request from the Haven Women's Center for use of the Courthouse lawn regarding Sexual Assault Awareness Month on 4/25/01 2001-278

\*A5 Approved request from CARE-ousel Therapeutic Riding for use of the Woodward Reservoir Area for their ride-a-thon fund raiser on 5/12/01 2001-279

\*A6 Approved request from the Rotary Club of Modesto North for use of the Frank Raines Park and Grayson Park as rest stops for their annual Charity Bike Ride on Saturday, 6/2/01 2001-280

\*A7 Approved request from the United Way for use of Bonita Pool and Park Area for their annual Great Westside Duck Race on 10/13/01 2001-281

\*A8 Approved request to conduct a special mailed ballot election on 7/17/01 from the Empire Union School District for consideration of changes in Community Facilities District #1987-1 2001-282

\*A9 Approved change in representation of members Paul Antigua and Victor Lopez on the Stanislaus/Ceres Redevelopment Commission 2001-283

- \*A10 Accepted the resignation of Fred J. Dickinson from the Mental Health Board 2001-284
- \*A11 Approved the Senior Award Resolutions for the Department of Aging and Veterans Services/Commission on Aging Senior Awareness Day on 5/5/01; accepted the recommendations of the Senior Awards Committee for the five senior award recipients; and, requested that each Board Member be available on Senior Awareness Day, Saturday, 5/5/01, to present the Senior Award Resolution to the recipient from his or her district 2001-285
- \*A12 Approved request from Mid-Valley Water Ski Club for use of the Modesto Reservoir for “Ski Day for Kids” with PALS on 5/5/01 2001-286
- \*A13 Approved request from the Boys Scout for use of the Mountain Point Area of Woodward Reservoir for their Boy Scouts Camporee on 5/4, 5/5, and 5/6/01 2001-287
- \*A14 Set a public hearing on 5/8/01, 9:30 a.m., to consider an appeal of the Planning Commission’s approval of Application #2000-09-Pacific Bell Wireless-Ott Farms for a monopole tower 2001-288
- \*B1 Amended the Salary and Position Ordinance related to Psychiatrists to enhance recruitment and retainment efforts by consolidating the existing classifications of Psychiatrist (976800) and Child Psychiatrist (924200) into a single classification entitled Psychiatrist, and employees in this classification should remain designated as represented and unclassified employees assigned to Bargaining Unit A; established the compensation level for Psychiatrist at \$65.67 to \$79.82 per hour; authorized a 5% certification differential for any Psychiatrist certified by the American Board of Psychiatry and Neurology and/or the American Board of Child Psychiatry and Neurology; increased the compensation for professional on call duty for employees working in the classification of Psychiatrist to the rate of \$200 per night and \$300 per day and weekends and holidays; and, authorized a 3% differential for any employee in the classification of Psychiatrist assigned responsibility as Assistant Medical Director at Stanislaus Behavioral Health Center – Behavioral Health and Recovery Services 2001-289
- \*B2 Amended the Salary and Position Allocation Resolution for Stanislaus Regional 911 to add two extra help, reserve classifications of Reserve Call Taker at an hourly salary range of \$10.00 per hour to \$12.16 and Reserve Dispatcher at an hourly salary range of \$12.00 per hour to \$14.58; and, approved the Y-Rating of current extra help employees working in the classification of Emergency Call Taker or Emergency Dispatcher in the new, applicable extra help classification – CEO 2001-290
- \*B3 Approved changing the time of the 6/19/01 Board Meeting from 7:30 p.m. to 9:00 a.m.; set the public hearing for the consideration and adoption of the FY 2001-02 Proposed Budget on 6/19/01 at 9:40 a.m. and 6/20/01 at 9:00 a.m. if necessary; directed the Clerk of the Board to advertise the public hearings; and, authorized the Clerk of the Board to make appropriate changes to the Public Notices if fee increases are proposed as part of the Budget Process – CEO 2001-291
- \*B4 Approved establishing the Public Agency Retirement System-Retirement Plan (PARS-REP) for the Managing Director of the Health Services Agency; approved a resolution to adopt the Public Agency Retirement Systems Retirement Enhancement Plan (PARS REP); approved agreement for administrative services between Phase II Systems, as Trust Administrator to the PARS Trust and authorized the County Treasurer-Tax Collector to sign; and, authorized the County Auditor-Controller to transfer funds previously held by the Hartford to PARS – CEO 2001-292
- \*B5 Authorized the Director of DET, or his Designee, to execute an agreement and any subsequent amendments with the State of California EDD for the purpose of conducting the 2001 Labor Market Survey 2001-293
- \*B6 Adopted the recommendations of the Nuisance Abatement Hearing Board regarding Abatement Hearing #2001-05, on property located at 1023 Alamo Avenue, Modesto – DER 2001-294

- \***B7** Approved the Preventive Health Care for the Aging Program Application for funding request to the Department of Health Services for FY 2001-02, with a contract term from 7/1/01 through 6/30/02, not to exceed a total contract amount of \$55,000; and, authorized the HSA Managing Director, or her Designee, to sign and execute the application – HSA 2001-295
- \***B8** Approved Independent Contractor Agreement between Guardsmark, Inc. and the HSA for Security Services at 800-830 Scenic Drive, Modesto for the period of 1/1/01 through 12/31/01; and, authorized the Purchasing Agency, or his Designee, to sign the agreement 2001-296
- \***B9** Authorized the CEO, on behalf of the Board, to accept funding under the Supplemental Law Enforcement Services (SLES) from the State Controller for FY 2000-01; authorized the establishment of the Supplemental Law Enforcement Services Oversight Committee as defined in this item; and, directed the Auditor-Controller to deposit funds received into the Interest Bearing Trust Fund for Supplemental Law Enforcement Services – Sheriff 2001-297
- \***B10** Authorized the Sheriff to purchase two Ford Taurus Sedans, for the Sheriff’s Detective Unit, through State of California COPS Funding Program; authorized the Sheriff to purchase two Ford Ranger Pick-up Trucks for the Sheriff’s Special Investigations Unit; increased the County Fleet by four vehicles; and, directed the Auditor-Controller to increase Estimated Revenues and Appropriations 2001-298
- \***B11** Approval of the State Department of Health Services Contract #00-91804 with the Stanislaus County HSA for the California Safe Communities Injury Prevention Project; and, authorized the HSA Managing Director to sign and execute the contract, and any amendments thereafter 2001-299
- \***C1** Approved the FY 2000/01 Transportation Development Act Claim; and, authorized the Director of Public Works to execute and submit the claim to StanCOG 2001-300
- \***C2** Approved annexation of territory to the North McHenry Lighting District without an election – (Smith Trust Annexation), after making the following findings: find that the territory is owned by 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 said district; find that the Stanislaus County Code, §21.40.040, requires the installation of a street lighting system to serve the territory; find that the territory proposed to be annexed is not within the limits of any other lighting district; find that the 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, §19056; ordered that the territory be annexed to the North McHenry Lighting District of Stanislaus County; find the fact of filing of the petition was received by the Clerk of the Board on 4/18/01; ordered that, pursuant to the Streets and Highways Code §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; and, directed the Public Works Department 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 – Public Works DL-29-A-1 2001-301
- \***C3** Approved the Plans and Specifications for the traffic signalization and intersection improvements at Crows Landing Road and School Avenue Project; authorize the Clerk of the Board to schedule the dates for advertising 5/2 and 5/9/01; set the bid opening for 5/16/01 at 2:30 p.m.; and, authorized the Auditor-Controller to increase Appropriations 2001-302
- \***D1** Approved Salida Road Expenditure to O’Dell Engineering; and, authorized the Auditor-Controller to issue a warrant in the amount of \$5,570.00 to O’Dell Engineering 2001-303

M/C (4-0) (Blom absent) **9:25 a.m.** Introduced, waived the reading, and adopted Ordinance C.S.759, Ordinance Amendment #2001-01, revision to the Zoning Ordinance Section 21.12.625 to add vessels to the definition of a vehicle storage yard  
ORD-54-H-10 2001-309 & 2001-310

S/C (4-0) (Blom absent) **B12** Appointed Larry Haugh as the Stanislaus County Auditor-Controller for the remainder of the elected term ending on 12/31/02 pursuant to Government Code §25304, to fill the vacancy created by the retirement of Auditor-Controller, Byron Bystrom, which was effective 3/31/01  
2001-304

P/M (4-0) (Blom absent) **B13** Authorized the Director of Parks and Recreation to apply for a Land and Water Conservation Fund Program Grant for Empire Neighborhood Park which is available through the California Department of Parks and Recreation Resources Agency; adopted a resolution approving the Application for Land and Water Conservation Fund Program Grant for Empire Neighborhood Park Development Project; and, authorized the Director of Parks and Recreation to sign and forward all documentation necessary to submit the application  
2001-305

M/S (4-0) (Blom absent) **B14** Approved the County's Transportation Improvement Strategy and Priorities as it relates to the StanCOG Update of the Regional Transportation Plan; authorized the Movement of Goods as a primary strategy in the County's Transportation Project recommendations to the StanCOG Policy Board for their consideration in the update of the Regional Transportation Plan; and, authorized the Board's representatives to the StanCOG Policy Board to work with other members to prioritize Countywide transportation projects in a manner to maximize the County's receipt of State and Federal Transportation Funding and to allow for timely completion of transportation projects  
2001-306

Recessed at 10:35 a.m.

Reconvened at 10:42 a.m.

S/C (4-0) (Blom absent) **B15** Awarded the Juvenile Hall Special Needs Housing General Construction Contract to Flintco, Inc. in the amount of \$2,447,900 to include their Base Bid and Alternate Bid 6,7,8 & 9; authorized the Project Manager to sign the contract on behalf of the board; awarded the Specialty Testing Contract for the Juvenile Hall Special Needs Housing Project to Frazan and Associates in the not-to-exceed amount of \$63,975; authorized the Project Manager to sign the contract on behalf of the Board; authorized the Project Manager to issue a NTP upon receipt of the proper insurance and bonds; and, authorized the Project Manager to complete and execute the contract with the Board of Corrections for the funding by the State of California  
2001-307

S/M (4-0) (Blom absent) **B16** Authorized the purchase of a new collections system from Columbia Ultimate Business Systems, Inc. with appropriate hardware and software; authorized Tom Watson to sign the six agreements, including software license agreements, software support agreements and purchase agreements with Columbia Ultimate Business Systems, Inc. to install and maintain a new collections system, including automated dialer, for the Treasurer-Tax Collector's Revenue Recovery Division in an amount not to exceed \$418,000; authorized the purchase of computer hardware and software to support the above collections system, not to exceed \$30,000; authorized the County's MIS Department to expend \$18,000 in resources to aid in the installation; and, authorized the Auditor-Controller to disburse payments from CIFA – Treasurer-Tax Collector  
2001-308

**Corr 1** Acknowledged the receipt of Final Report Part One for the City of Modesto/Housing Rehabilitation Program from the Stanislaus County 2000-01 Civil Grand Jury.

**Corr 2** Authorized the Clerk of the Board to notify the law firm of Stradling Yocca Carlson and Rauth (acting as bond counsel to the Yosemite Community College District) regarding the issuance of the 2001 Tax and Revenue Anticipation Notes by the County Board, and inform them that the Board will not authorize issuance within forty-five days and, therefore, the Yosemite Community College District may issue the obligation in its own name pursuant to California Government Code Section 53853(b).

**Corr 3** Referred to DER a letter from Covanta Energy stating that on 3/14/01, Ogden Energy Group officially changed its name to Covanta Energy Group, Inc. and the parent company, Ogden Corporation, is changing its name to Covanta Energy Corporation.

**Corr 4** Referred to the Department of Planning and Community Development a letter from Verizon Wireless notifying the Board of their intention to install nine panel antennas and one GPS antenna at the Modesto Reservoir site.

**Corr 5** Referred to the CEO/Emergency Services a letter from the California Energy Commission regarding an emergency exercise of the State's Energy Shortage Contingency Plan on 5/24/01.

**Corr 6** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Robert Ortega; Angela Parker; Ruben Rosas, Esther Rosas, Robert Rosas, Carmen Meza and George Martinez; Jacob Biglow; Eric G. LaJoure, Jordan A. Avilla-Lajoure; John McCarthy, Deidra McCarthy and Sean Patrick McCarthy, by and through his Guardian Ad Litem, and John McCarthy.

Supervisor Caruso attended a meeting, on the Westside of the County, with local ranchers. Next week he will be attending the San Joaquin Valley Supervisors' Association Spring Conference in Stockton.

Supervisor Mayfield noted an editorial in the Modesto Bee that the Board was intending to do away with the Clerk-Recorder's office. He noted that the Board has not taken any action on dissolving the Clerk-Recorder's office.

Supervisor Simon said that the only action the County has taken was to put in an interim person to run the office in the absence of the Clerk. He also noted that an incorrect comment was quoted in the Modesto Bee that there were issues regarding the recent elections. He noted that the Secretary of State investigated the allegations and found them to be baseless with no violations, by anyone, of the Elections Code. He noted that the Bee acted irresponsibly in printing this misinformation.

The CEO noted that Judy Ferreira, former County Librarian would be assisting in the daily running of the office and that Miss Matthews was supportive of these actions.

CEO reported that the County and the nine cities had worked together through the Economic Development Corporation to pursue some State planning money to help put together a Countywide Economic Development Plan. He noted that we received a half million dollars in competitive State grant awards. The County Wellness Safety Fair will be held May 21, 22, 23, 2001. He announced that he has been appointed as the President of the County Administrative Officer's Association for an 18-month term.

Adjourned to closed session at 11:20 a.m. for conference with Real Property Negotiator: Property: 10661 Dixon Rd., Oakdale (APN: 010-21-56). Negotiating parties: Reagan M. Wilson for Stanislaus County and Christine W. Schutz. Under negotiation: instruction will concern price and terms of payment. Government Code §54956.8. Conference with Legal Counsel-Existing Litigation: County of Stanislaus v. Pacific Gas and Electric Company. San Francisco County Superior Court Case #978370. GC §54956.9(a).

Adjourned at 12:30 p.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus  
State of California

BY: LILLIE L. FARRIESTER, Assistant Clerk of 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.)