

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

Regular Session

Tuesday

June 12, 2001

All Supervisors Present

Pledge of Allegiance to the Flag

Arlene Stevens of the Earl Pride Scholarship Committee presented scholarship awards to the 2001 Earl Pride Scholarship recipients.

C/S unan. Adopted the consent calendar after removing from the consent calendar item ***B-12**, Approval to Introduce and Waive the First Reading of an Ordinance Relating to Alcohol Consumption in Community Parks – Department of Parks and Recreation

***A1** Approved the minutes of 6/05/01

***A2** Adopted and waived the second reading of Ordinance C.S. 762 Regarding Refuse Removal by Owners or Occupants of Property and Permit Fees for Industrial Refuse Collection
ORD-54-H-14 2001-414

***A3** Accepted the resignation of Susan Winget from the Stanislaus Consolidated Fire Board
2001-415

***A4** Approved request from the Modesto Jaycees for use of the Courthouse lawn and electricity on Wednesday, 7/4/01, for the Annual Fourth of July Parade
2001-416

***A5** Commended Beverly Finley upon her retirement from the HSA
2001-417

***B1** Approved and authorized the Director of BHRS, or his Designee, to sign agreements with organizational providers and independent Locum Tenens for FY 2001/02; authorized the Director of BHRS, or his Designee, to negotiate and sign amendments to agreements with organizational providers for up to \$50,000 in FY 2001/02; authorized the Director of BHRS, or his Designee, to negotiate and sign agreements with Locum Tenens providers for temporary psychiatrists in FY 2001/02, as necessary and consistent with the total amount budgeted
2001-418

***B2** Approved Business Plan for Stanislaus Behavioral Health Center for FY 2000/01 – BHRS
2001-419

***B3** Approved submission of a grant application to the California Arts Council by the Stanislaus Arts Council via resolution; and, authorized the CEO, or his Designee, to execute the FY 2001/02 State-Local Partnership Grant contracts from the California Arts Council
2001-420

***B4** Authorized the CEO to enter into a 5-year agreement with CLS Investments for lease of approximately 6,000 sq. ft. at 121 Downey St., Ste. 102 in Modesto; authorized the relocation of the AAA and Department of Veteran Services to 121 Downey St., and to vacate their current facility at 822 12th St., Modesto; and, authorized the expenditure of \$7,900 for data and telecommunications improvements and other one-time relocation expenses
2001-421

***B5** Approved recommendations to proceed with the emergency repair of water damage at the former Modesto City Hall Bldg., located at 801 11th St., Modesto; ratified and authorized the CEO to proceed with abatement and repair of the public facility directly related to the emergency situation; delegated the authority to the CEO to procure the necessary equipment, services, and supplies for the abatement and repair without giving notice for bids; based on substantial evidence, made the finding that the emergency will not permit the delay resulting from competitive solicitation for bids, and that the action is necessary to respond to the emergency; and, authorized the CEO to inform the Board the status of the emergency action

- and remind the Board to vote by 4/5 at the next Board meeting and every 14 days thereafter until the action is terminated 2001-422
- ***B6** Approved an amendment in the amount of \$22,900 to the Architect's Contract with LRS Architects Inc., for the design and contract administration of additional work at the Juvenile Hall Special Needs Housing Unit to include: a) straighten the loop fire lane and install a new gate system for fire trucks, b) increase the storage space and add a connecting corridor, and c) add an enclosed partially covered recreation yard; and, authorized the Project Manager to negotiate and sign Change Orders with the General Contractor, Flintco, Inc., for additional work as long as the changes do not exceed the amount budgeted for these changes 2001-423
 - ***B7** Set a public hearing for Tuesday, 7/10/01, 9:30 a.m., to consider the introduction, waiving of the reading, and adoption of Ordinance C.S.763, to increase/decrease existing fees for the Clerk-Recorder's Office ORD-54-H-15 2001-424
 - ***B8** Approved the DET to receive and expend Program Year 2001-02 WIA Funds in accordance with the approved Stanislaus County Strategic Five-Year Local Plan; authorized the DET Director to sign all WIA related sub-grant agreements and any modifications or adjustments as required by the State; and, authorized the DET Director, or his Designee, to enter into and sign agreements and contracts to expend PY 2001-02 WIA funds in amounts which may exceed \$100,000 2001-425
 - ***B9** Approved DET to receive and expend \$385,000 in Governor's Workforce Investment Act 15% Grant Funds funded under the WIA, to operate a vocational ESL Program in Stanislaus County 2001-426
 - ***B10** Approved HSA to submit Immigrant Initiative to the California Family Health Council for funding period 7/1/01 through 12/31/01; and, approved the HSA Managing Director, or her Designee, to sign the contract and accept \$50,000.00 for this initiative 2001-427
 - ***B11** Authorized the Library to apply for the Presidents, Politics and Power Grant 2001-428
 - ***B13** Authorized the submittal of a pre-application for the Urban Park and Recreation Recovery Program available from the National Parks Service, for the Fairview Neighborhood Park Development Project; and, authorized the Parks and Recreation Director to sign and submit the pre-application and the full application and any supporting documentation, once a grant offer is made 2001-429
 - ***B14** Adopted a resolution making Welfare and Institutions Code §603.5 applicable to Juvenile Traffic Infraction cases, which will allow these cases to be dealt with at Adult Traffic Court – Superior Court 2001-430
 - ***B15** Received and filed the annual Compliance Audit for the Stanislaus County Treasury for the period ending 6/30/00 – Treasurer-Tax Collector 2001-431
 - ***B16** Approved the discharge of the accountability of the Treasurer-Tax Collector for County departmental accounts which are uncollectible and have been previously charged to the Revenue Recovery Division in the amount of \$139,853.55 2001-432
 - ***B17** Authorized a Joint Powers Agreement between the City of Oakdale and the County of Stanislaus for the purpose of financing, in part, from County General Fund Contingencies, the preparation of a South Oakdale Industrial Specific Plan; authorized the CEO to sign the Joint Powers Agreement; and, authorized the Auditor-Controller to advance the sum of \$71,000.00 to the City of Oakdale and to set up an interest bearing receivable account to the County – CEO C-7-A-17 2001-433
 - ***B18** Authorized DER to purchase vehicles and equipment through the Household Hazardous Waste Grant; authorized the Auditor-Controller to establish the necessary accounts to receive and disburse the grant funds; and, authorized the Director of DER to purchase equipment as identified in the Budget Journal in Attachment A 2001-434
 - ***C1** Approved a Purchase Agreement to acquire road right-of-way at the northeast corner of the intersection of Albers Road and Workman Road for the improvement of that intersection;

authorized the Chair to execute the agreement; authorized the Auditor-Controller to increase Appropriations by \$1,000 in the project account; and, authorized the Auditor-Controller to issue a warrant for the purchase amount of \$500 payable to Fidelity National Title Company
2001-435

***C2** Awarded contract for the Anderson Road Bridge at Orestimba Creek Reconstruction Project to Agee Construction Corporation of Clovis, CA, in the amount of \$919,845; authorized the Auditor-Controller to make the financial arrangements; and, authorized the Purchasing Department to establish a contract with Agee Construction Corporation of Clovis, CA
2001-436

***C3** Approved an agreement for professional services with Nolte Associates, Inc., for engineering construction management services for construction of the Anderson Road Bridge at Orestimba Creek Project for an amount not to exceed \$150,000; authorized the Chair to execute the agreement; and, authorized the Auditor-Controller to increase appropriations and estimated revenue
2001-437

***C4** Awarded contract for the Traffic Signalization and Intersection Improvements at Crows Landing Road and School Avenue Project to Collins Electric Company; and, authorized the Purchasing Department to establish a contract with Collins Electric Company
2001-438

***C5** Approved a purchase agreement to acquire road right-of-way from the McWhorter Parcel on the west side of Albers Road South of Claribel Road; authorized the Auditor-Controller to increase appropriations by \$25,500 in the project account; and, authorized the Auditor-Controller to issue a warrant for the purchase amount of \$24,500 payable to First American Title Company
2001-439

***D1** Approved the issuance by the Stanislaus County Redevelopment Agency of the Stanislaus County Redevelopment Agency 2001 Anticipation Notes; authorized the Chair and the Clerk of the Board to sign the resolution approving issuance by the Stanislaus County Redevelopment Agency of the Stanislaus County Redevelopment Agency 2001 Loan Anticipation Notes
2001-440

B/M unan. ***B12** The Board made the finding that the subject Ordinance regarding alcohol consumption in community parks is not subject to the CEQA; and, introduced and waived the first reading of Ordinance C.S. 764, amending §18.06.080 of the County Code – Department of Parks and Recreation
ORD-54-H-16 2001-441

C/B unan. **B19** Accepted the update on the Westley Tire Fire site
2001-442

B/C unan. **9:25 a.m.** Conducted ballot procedure and public hearing to receive comments regarding the proposed formula for calculation and levy of annual assessments to pay for street lighting services in the Almond Wood Lighting District in compliance with Prop 218; and, authorized the Auditor-Controller to tabulate the ballots for the Almond Wood Lighting District and submit the results to the Board at the next scheduled meeting
DL-25-23 2001-446

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

B/S Approved the Consent Calendar
9:30 a.m., III-*A, Approved the minutes of 5/1/01

S/B **9:30 a.m., VI-A,** Authorized the borrowing of funds in anticipation of the receipt of loan funds and the issuance and sale of 2001 Loan Anticipation Notes both in the amount of 4.525 million dollars; authorized the Stanislaus County Redevelopment Agency Executive Director to act on all matters pertaining to this borrowing; and, authorized the Auditor-Controller to establish the necessary budgetary accounts
2001-447

Reconvened to sit as the Stanislaus County Board of Supervisors at 9:55 a.m.

S/B unan. **9:35 a.m.** Approved the Property Tax Administrative Cost Recovery Plan and adopted a resolution determining that the Property Tax Administrative Costs of the County for FY 1999/00 are \$6,452,180 establishing the proportion of said costs attributable to incorporated cities and other jurisdictions and authorizing the collection of said costs pursuant to the provisions of the R&T Code §95.3 and Stanislaus County Code §4.44.10 2001-448

S/M unan. **B20** Adopted a resolution approving the Stanislaus County Implementation Plan for the Substance Abuse and Crime Prevention Act of 2000 (Proposition 36); authorized the formal submission of the Implementation Plan to the State of California; authorized the Auditor-Controller to increase budget expenditures and revenues for FY 2000/01 for the Substance Abuse and Crime Prevention Act Budget Unit in Fund 1506 and the Probation Casework Budget; the Board amended the item to authorize appropriations for FY 2001/02 for the Substance Abuse and Crime Prevention Act Budget Unit in Fund 1506 and the Probation Casework Budget to be incorporated into the adopted Proposed Budget for FY 2001/02 consistent with the Alcohol and Drug Related Coordinating Council's recommended funding allocation of 72% for the BHRS Substance Abuse and Crime Prevention Act (SCAPA) Budget Unit or \$510,058, 25.5% or \$180,646 for the Probation Department Casework Budget Unit and 2.5% or \$17,710 for the Superior Court Budget; amended the Salary and Position Allocation Resolution consistent with the staffing impacts section of this item; the Board made further amendments to the item by ordering that additional amendment to the Salary and Position Allocation Resolution for Probation – Casework Services be submitted for subsequent Board approval consistent with the Alcohol and Drug Related Coordinating Council's recommended funding levels; and, ordered that an Advisory Council review be brought back to the Board in six months 2001-443

Recessed at 11:05 a.m.

Reconvened at 11:15 a.m.

M/C unan. **B21** Approved an agreement for support services between Stanislaus County and LAFCO and authorized the Chair to execute the agreement; established an Agency Fund Budget for LAFCO; and, amended the Salary and Position Allocation Resolution for three new positions as stated in the staffing impacts effective 7/1/01 2001-444

Removed from the Agenda, to be brought back to the Board at a future unspecified date, Item **B22** - Approval to Accept High Technology Grant Funds from State of California; Purchase Equipment; and, Increase Appropriations and Estimated Revenues – Sheriff

B/C unan. **B23** The Board amended the item to remove Staff Recommendation #2; approved implementing the Renaissance 2000 Project and use of Tobacco Tax Funds for FY 2001/02 and FY 2002/03; and, directed the CEO to incorporate this plan into the 2001/02 Final Budget and into the 2002/03 Proposed Budget when it is prepared in the Spring of 2002 2001-445

Corr 1 Acknowledged receipt of Final Report, Part Six, for the Stanislaus County Clerk-Recorder from the Stanislaus County 2000-01 Civil Grand Jury.

Corr 2 Referred to DER, Covanta Energy Form 10-K for the year ended 12/31/00 and Form 10-Q for the quarter ended 3/31/01 for the Stanislaus Waste-to-Energy Financing Agency and Covanta Stanislaus, Inc. (formerly Ogden Corporation).

Corr 3 Referred to the Department of Public Works and to StanCOG, a letter from Tuolumne County and Cities Area Planning Council requesting comments regarding the relinquishment of La Grange Road (J59) into the State highway system.

Corr 4 Referred to the Department of Parks and Recreation, a letter from the California State Department of Parks and Recreation regarding the status of the 2000 Parks Bond Acts programs.

Corr 5 Referred to the Chief Probation Officer a Public Hearing Notice from the Department of the Youth Authority regarding proposed changes relating to court-ordered victim restitution and restitution fine deductions from trust account deposits of California Department of Corrections inmates housed in Youth Authority facilities.

Corr 6 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: American Manufacturers Mutual (Ins. Henry Evangelista); Meliza Planesi; Vanessa Montemarano, Jeramy Montemarano; Kristin Johns; and, Explorer Insurance Company.

Supervisor Caruso said that he and Supervisor Blom attended the DMC meeting regarding their Emergency Room. Supervisor Blom stated that DMC has added staff to the Emergency Room to reduce the waiting time, and is continuing to work with the County for extended hours at the County Clinics in order to help divert people who would otherwise come to the DMC Emergency Room.

Legislative A. Accept Progress Report from HSA/Scenic Faculty Medical Group addressing the role of Scenic Faculty Medical Group in the HSA Clinics and Residency Program

Adjourned to closed session at 12:38 p.m. for conference with Real Property Negotiators for the following parcels: 1) Richland and Evans in Ceres, CA (APN: 040-09-05). Negotiating Parties: Ben Volkardt III, and Fred Miller. Agency Negotiator: Reagan M. Wilson or Patricia Hill Thomas for Stanislaus County. Under negotiation: both price and terms of payment; and, 2) property to be identified in downtown Modesto for Multi-Disciplinary Interview Center Project for Stanislaus County CSA. Negotiating Parties: not yet identified. Agency Negotiator: Reagan M. Wilson or Patricia Hill Thomas for Stanislaus County. Under negotiation: identification of possible property, price and terms of payment. Pursuant to GC §54956.8.

Adjourned at 1:10 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.)