

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

Regular Session

Tuesday

July 31, 2001

Supervisor Simon Absent

Pledge of Allegiance to the Flag

Miguel Donoso asked the Board to consider changing the time of the redistricting public hearings scheduled for 8/14/01 and 8/28/01.

Timothy Dunaway expressed his displeasure with the current process used by the County's MIA program in obtaining personal information from MIA applicants.

Constant Flierman spoke regarding fluoridation of the water by the City of Modesto and expressed his disappointment in the City disallowing him to vote on this issue as a County resident.

B/C (4-0) (Simon absent) Adopted the consent calendar after removing the following items from the consent calendar for discussion and consideration: Item \*C3 - Approval of Joint Powers Agreement with the City of Modesto for the Construction of Improvements to the Pelandale at Highway 99 (SR99) Interchange; and, Item \*C4 - Authorize Amendment No. 2 to the Agreement with SCS Engineers to Expand the Scope of their Current Work Relating to Environmental Review and Permitting of the Fink Road Landfill Expansion Area

\*A1 Approved the minutes of 7/10/01 and 7/24/01

\*A2 Accepted resignations of Leonard Mendonca and Valgene Melton; and, appointed Dennis Hartman and Doug Souza to the Denair Fire Protection District Board 2001-544

\*A3a Appointed James Garrison and Jacqueline Amaral to the Empire Sanitary District Board 2001-545

\*A3b Appointed Constant Fliermans and Mary E. DeAbreu to the Stanislaus County Equal Rights Commission 2001-546

\*A4a Approved consolidation of the Denair Unified School District Bond Election with the General Election on 11/6/01 2001-547

\*A4b Approved consolidation of the Waterford City Elections with the General Election on 11/6/01 2001-548

\*A4c Approved consolidation of the Modesto City Elementary School District Bond Election and the Modesto City High School District Bond Election with the General Election on 11/6/01 2001-549

\*A5 Approved request from the All Abilities Ski Club for exclusive use of the Modesto Reservoir dam area on Saturday, 8/11/01, for their Disabled Clinic 2001-550

\*B1 Approved the Public Safety Augmentation Fund Annual Report for the period ending 6/30/01 – Auditor-Controller 2001-551

\*B2 Approved the Electric Power Agreement with MID for the benefit of the Airport Neighborhood, Empire, Hillcrest, Riverview, Salida, Sylvan Village #2 and North McHenry Lighting Districts; and, authorized the Auditor-Controller to sign the Power Agreement DI-4-22; DL-29-A-2; DL-17-18; DL-1-24; DL-22-3; DL-38-5; DL-3-B-10; DL-12-13 2001-552

\*B3 Approved candidates for credentialing by the BHRS Managed Care Division, as Behavioral Health Panel Providers for National Health Plans; and, authorized the Chair to sign the Credentialing Form 2001-553

- \*B4** Approved the negotiated net amount and Drug/Medi-Cal Multi-Year Contract with the State Department of Alcohol and Drug Programs for FYs 2001/02, 2002/03 and 2003/04, and authorized the Director of BHRS, or his Designee, to sign the contract; authorized the Director of BHRS, or his Designee, to sign future amendments to the negotiated net amount and Drug/Medi-Cal Contracts which may be proposed by the State Department of Alcohol and Drug Programs in each of FYs 2001/02, 2002/03, and 2003/04, not to exceed \$100,000  
2001-554
- \*B5** Authorized the amendment of the Power Purchase Agreement for long-term energy and capacity between Covanta Stanislaus Inc. and PG&E – DER  
2001-555
- \*B6** Authorized the CEO to contract with Zachary Nathan Architect to provide design services for enhancement of access by disabled persons to the 11<sup>th</sup> Street entrance to the main Courthouse building; authorized the CEO to develop a plan concept to improve accessibility to the main Courthouse at the 11<sup>th</sup> Street entrance, and to develop cost and schedule estimates for implementation of the design work; directed the CEO to submit the recommended access design changes for review by the Board, along with project cost and schedule requirements; and, authorized the transfer of \$9,000 in existing appropriations from the Courthouse Remodel Fund to fund the Courthouse ADA and access improvement design services  
2001-556
- \*B7** Approved the completion of a Notice of Intent Form, which will designate CSA as the public agency to administer the Child Abuse Prevention, Intervention and Treatment and Community-Based Family Resource and Support Program Funds, through the California Office of Child Abuse Prevention, State FYs 2002-05; and, authorized the Chair to sign the Notice of Intent  
2001-557
- \*B8** Authorized the Director of DER to apply for and administer the FY 2001/02 Used Oil Recycling Block Grant from the California Integrated Waste Management Board; authorized the Director of DER to sign the grant agreement to receive funds in the current FY and in FYs 2002/03 and 2003/04; approved the 2001/02 FY Grant Budget; and, authorized the Auditor-Controller to make the necessary financial transactions within the existing Environmental Resources Fund and Organization Account, and roll forward unexpended appropriations into FY 2002/03 and 2003/04  
2001-558
- \*B9** Authorized applying for a Proposition 10 Mini-Grant from the Stanislaus County Children and Families Commission for a Foster Care Backpack Project; authorized the HSA Managing Director, or her Designee, to sign and execute the application; and, authorized the HSA Managing Director to negotiate and accept the grant, if awarded  
2001-559
- \*B10** Approved the State Department of Health AIDS Master Agreement and MOU (#01-15107); and, authorized the HSA Managing Director, or her Designee, to sign and execute the contract and MOU  
2001-560
- \*B11** Approved the State Department of Health Services amendment to the contract to provide Medi-Cal Outreach Services (#98-15614); and, authorized the HSA Managing Director, or her Designee, to sign and execute the agreement  
2001-561
- \*B12** Approved request by Community Service Organizations for the use of Salida Park, Salida, for a Community Outreach Program to be held every Wednesday in August 2001, to include 8/1, 8/8, 8/15, 8/22, and 8/29; waived the exclusive use fee and ordered that a one million dollar liability insurance policy be submitted for this program, which names Stanislaus County as co-insured on the policy; and, ordered participants to sign a Hold Harmless Agreement and leave the area in the same condition it was found – Parks and Recreation  
2001-562
- \*B13** Set a public hearing for 8/28/01, at 9:20 a.m., to set FY 2001/02 Annual Assessment Rates for Del Rio Heights Landscape Assessment District in the amount of \$179.50 per parcel - Parks and Recreation  
DLA-1-6 2001-563

- \***B14** Authorized the Sheriff to accept grant funds from the California Highway Patrol in order to collect traffic stop and other criminal justice demographic data; directed the Auditor-Controller to increase appropriations and estimated revenues; and, authorized the Sheriff, or his Designee, to sign a contract with the California Highway Patrol and to partner with CSUS and Stanislaus Regional 911 for the development of software 2001-564
- \***B15** Approved an educational stipend for Orlene Bell, Clinical Services Technician, for the summer semester of 2001 through the fall semester 2002 – BHRS 2001-565
- \***B16** Accepted the Stanislaus County Treasury Pool’s May, 2001 Monthly Investment Report 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 Chair to sign that the report has been reviewed and accepted 2001-566
- \***B17** 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 \$153,427.95 2001-567
- \***B18** 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 \$161,064.24 2001-568
- \***C1** Adopted a resolution to summarily vacate a portion of Truman Avenue in West Modesto – Public Works 2001-569
- \***C2** Approved awarding contract for the 2001 Road Improvement Program to George Reed, Inc. of Modesto; and, authorized the Purchasing Agent to establish a contract with George Reed, Inc. for the amount of \$2,033,193 – Public Works 2001-570
- \***C5** Approved increases in revenue and appropriations for the West Stanislaus Feasibility Study; and, directed the Auditor-Controller to increase estimated revenues and appropriations – Public Works 2001-571
- \***C6** Set a public hearing on 8/7/01, at 9:25 a.m.(a), regarding FY 2001/02 assessment for Shackelford Landscape and Lighting District – Public Works DL-36-2 2001-572
- \***C7** Set a public hearing on 8/7/01, at 9:25 a.m.(b), regarding FY 2001/02 assessment for Riverview Landscape and Lighting District – Public Works DL-38-4 2001-573
- \***C8** Set a public hearing on 8/7/01, at 9:25 a.m.(c), regarding FY 2001/02 assessment for Riverdale Landscape and Lighting District – Public Works DL-35-2 2001-574
- \***C9** Set a public hearing on 8/7/01, at 9:25 a.m.(d), regarding FY 2001/02 assessment for Howard-McCracken Landscape and Lighting District – Public Works DL-37-3 2001-575
- \***D1** Set a Public Hearing on 8/28/01, at 9:30 a.m., for GPA #2001-02 and Rezone Application #2001-03 - Quality Modular Structures, LLC – Planning and Community Development ORD-54-I-2 2001-576

C/M (4-0) (Simon absent) **B19** Accepted the presentation of Tobacco Education Quilts by the Stanislaus County HSA Tobacco Education Program 2001-577

B/M (4-0) (Simon absent) Continued to the 8/7/01 Board of Supervisors’ Meeting, Item **\*C3** - Approval of Joint Powers Agreement with the City of Modesto for the Construction of Improvements to the Pelandale at Highway 99 (SR99) Interchange 2001-578

B/M (4-0) (Simon absent) Continued to a future Board meeting, Item **\*C4** - Authorize Amendment No. 2 to the Agreement with SCS Engineers to Expand the Scope of their Current Work Relating to Environmental Review and Permitting of the Fink Road Landfill Expansion Area 2001-579

M/B (4-0) (Simon absent) **9:25 a.m.** Approved the Stanislaus County/City of Turlock Consortium Budget, Annual Action Plan for the 2001/02 FY HOME Investment Partnership Program, and expenditure of HOME funds – Planning and Community Development 2001-580

B/M (3-0) (Caruso abstained) (Simon absent) **9:30 a.m.** Approved the FY 2000/01 CDBG Block Grant Program Annual Grantee Performance Report for agreements #99-STBG-1384 and #00-STBG-1481 and program income – Planning and Community Development 2001-581

B/M (4-0) (Simon absent) **9:35 a.m.** Approved final cost reimbursement for demolition of a structure located at 1621 Portland Avenue in Modesto, CA; authorized the Treasurer-Tax Collector to recover these costs by special assessment and a lien upon the property, and cause the same to be recorded on the Assessment Roll and, thereafter, said assessment shall constitute a special assessment against and a lien upon the property; and, ordered that all proceeds received from payment of this assessment in satisfying the lien upon the property shall be paid to the Stanislaus County Treasurer-Tax Collector, who shall transfer the same to Demolition Trust Fund #6268 (Org. #00664100, Account #63280) – Public Works 2001-582

**Corr 1** Acknowledged receipt of the Modesto Irrigation District’s 2000 Annual Report.

**Corr 2.** Referred to the Auditor-Controller a copy of the East Side Mosquito Abatement District’s budget for FY 2001-02.

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Deborah Rustam; James Shute; Lucille Speed; Matthew Hackett; Allan D. Parr; John Pimentel; William Dunn; Neal Nissinoff Jr (Angela Rios-Nissinoff making claim); Humberto Arriaga; Theresa Pasillas.

Supervisor Caruso attended the recent Management Annual Workshop and thanked Reagan Wilson, CEO, for his leadership.

Supervisor Blom requested that a full financial audit be conducted on the Clerk-Recorder’s Office to facilitate the Board in their response to the Grand Jury’s Report relating to the Clerk-Recorder’s Office. The CEO said he would follow-up and make sure that the financial information that was referenced by both the Grand Jury and the Clerk-Recorder, Karen Matthews, is thoroughly reviewed through the County Auditor-Controller’s Office.

Chair Paul participated in a golf tournament with the Hispanic Chamber of Commerce to help raise money for college scholarships. Chair Paul requested that research be conducted with the American Farmland Trust to help provide alternative options for the land owners who will be affected by an Oakdale/Riverbank Separator Corridor, prior to the separator issue being brought back to the Board by the Planning and Community Development Department.

Supervisor Caruso attended a community meeting in Grayson to present thoughts and ideas for a Grayson Community Center and park, which was well received, attended and productive.

**Legislative A.** Accepted the Status Report on the CEO's Projects; and, received additional information provided by the County Fire Warden and the County Health Officer regarding rotational blackouts and their efforts to minimize public impact. Representatives from MID, TID, and PG&E were also present to answer any questions.

Adjourned to closed session at 11:00 a.m. for conference with legal counsel on existing litigation: Babette Parker, individually and as Guardian Ad Litem for FreannaMena Fremstad and DonRobert Fremstad, Minors vs County of Stanislaus, and Does 1 to 50 inclusive – Superior Court Case #272358. Randel E. Francis Vs Board of Retirement, County of Stanislaus et al – Consolidated Case #4049. Pursuant to GC §54954.5(c).

Adjourned at 12:00 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.)