

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

October 2, 2001

Juanita Jackson thanked Supervisor Blom on behalf of the Westside Community for his recent visit to their area and for the paving of Spencer Street.

George Besone spoke regarding Superior Court Case #231126 – Tom Keeney.

Employee Service Awards for those honored for thirty years of service were given to Dale Butler - CEO; Janice Holden and Thomas Broderick – CSA; and, Betty Bates – MIS. Employee Service Awards for those honored for twenty-five years of service were given to Johannes Bosma, Tommie Hardin, and Edward Ridenour – Sheriff’s Department.

S/B unan. Adopted the consent calendar after removing from consent for discussion and consideration the following items: Item ***A3a** - Proclaiming October 2001 as Domestic Violence Awareness Month in Stanislaus County; and, Item ***C7** - Approval of a Professional Services Agreement with Thompson-Hysell Engineers of Modesto for Engineering Design Services for the Shackelford Area Improvement Project

- *A1** Approved the minutes of 9/18/01
- *A2** Adopted and waived the second reading of Ordinance C.S. 771, amending §2.08.010 (please see Minutes of 11/6/01, Item *E-1 to amend 2.08.010 to 2.28.010) of the County Code regarding the qualifications for the Auditor-Controller ORD-54-I-7 2001-727
- *A3b** Proclaimed 10/2001 as Physical Therapy Month 2001-728
- *A3c** Proclaimed the week of 10/6/01 as Alzheimer’s Association Memory Week 2001-729
- *A3d** Proclaimed 10/2001 as Arts and Humanities Month and 10/10/01 as Arts Day 2001-730
- *A4** Approved request by Mid-Valley Ski Club for use of the Woodward Reservoir on 1/1/02 for their Annual Polar Bear Ski Day 2001-731
- *A5a** Appointed Sharon F. Reeves and Debra Parker to the Mental Health Board 2001-732
- *A5b** Appointed Gaylord Phillips to the WIB and Jay Simmonds to the Youth Advisory Council of the WIB 2001-733
- *A6a** Appointed, in-lieu of election, Glenn Jolliff, Rubert Westbrook, and Earl Glenn to the Industrial Fire Protection District 2001-734
- *A6b** Appointed, in-lieu of election, Michael E. Hofmann to the Valley Home Fire Protection District 2001-735
- *A7a** Appointed, in lieu of election and vacancies, Rachael C. Hicks and Daniel A. Robinson to the Crows Landing Community Service District 2001-736
- *A7b** Appointed, in lieu of election and vacancies, Diane L. Noz, Michele Hillerman and Kathryn G. Holloway to the Denair MAC 2001-737
- *A7c** Appointed, in lieu of election and vacancies, Joseph M. Sanchez to the Keyes MAC 2001-738
- *A8a** Appointed, in lieu of election where no candidates filed, Monterey Park Tract CSD 2001-739
- *A8b** Appointed, in lieu of election where no candidates filed, Riverdale Park Tract CSD 2001-740
- *A9** Canceled the Special Board of Supervisors’ Meeting on Wednesday, 10/17/01 2001-741
- *B1** Approved the following FY 2001/02 contracts with the California Department of Food and Agriculture, California Department of Pesticide Regulation and the United States Department of Agriculture: Egg Quality, Pest Detection, Pesticide Use Enforcement, Pesticide

- Application Reporting, Marketplace Surveillance, High Risk Pest Exclusion, Weed Management, Glassy-Winged Sharpshooter, and Wildlife Services; authorized the Chair to sign the contracts for FY 2001/02; and, directed the Auditor-Controller to increase estimated revenue and appropriations and make the necessary financial transactions – Agricultural Commissioner 2001-742
- ***B2** Approved the list of providers for credentialing as Behavioral Health Panel Providers for National Health Plans by the Managed Care Division of the BHRS; and, authorized the Chair to sign the Credentialing Form 2001-743
 - ***B3** Approved the completion and acceptance of the Stanislaus County Juvenile Justice Facility Fire Sprinkler Upgrade Construction Project; approved the final contract cost in the amount of \$229,054; authorized the Chair 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 – CEO 2001-744
 - ***B4** Authorized CSA to enter into an agreement with the Yosemite Community College District to provide on-site classes; and, authorized the Director of CSA, or his Designee, to sign the agreement and any amendments not to exceed the contract amount of \$245,011 2001-745
 - ***B5** Authorized the Director of DER to sign and execute a MOU relating to the formation and operation of the Stanislaus and Tuolumne Rivers Groundwater Basin Association; and, pursuant to §5.2.1 of the MOU, designated the Director of DER, or his Designee, as the person to serve as a member of the governing committee of the association, and to represent the County in all matters related to the association 2001-746
 - ***B6** Approved the HSA to establish a policy which would limit the Child Health and Disability Prevention Treatment Program to those patients who do not meet the eligibility qualifications for either Healthy Families or Zero Share of Cost Medi-Cal 2001-747
 - ***B7** Authorized the HSA to accept Contract #01-16163 from the California Department of Health Services to provide outreach to enroll children in Healthy Families/Medi-Cal; and authorized the HSA Managing Director, or her Designee, to sign and execute the contract 2001-748
 - ***B8** Approved the Permanente Medical Group Inc. Professional Services Agreement to provide primary and specialty care services; and, authorized the HSA Managing Director, or her Designee, to sign and execute the agreement 2001-749
 - ***B9** Approved the HSA to accept additional enhancement funding for the HSA Family Planning Program for the remainder of CY 2001, from the California Family Health Council, Title X, to enhance outreach and basic contraceptive services to the men and women in Stanislaus County; and, approved the HSA Managing Director, or her Designee, to sign and accept the addendum to the Basic Contraceptive Services Contract enhancing the Title X funding by \$5,000 2001-750
 - ***B10** Approved an Institutional Agreement between the HSA and Emanuel Medical Center to participate in surgical training for the Residency Program; and, authorized the HSA Managing Director, or her Designee, to sign and execute the agreement 2001-751
 - ***B11** Appointed LAFCO Analyst (Associate Planner) candidate, Marjorie Blom, at Step 5 of the salary range (\$24.75) – LAFCO 2001-752
 - ***B12** Approved the closure of the Riverbank Library on 10/13/01 during the Annual Riverbank Cheese and Wine Exposition – Library 2001-753
 - ***B13** Approved Katherine Johnson and Karen White to participate in the Educational Stipend Program – Library 2001-754
 - ***B14** Authorized the Library to modify the hours at the Keyes Library 2001-755

- ***B15** Authorized the Auditor-Controller to increase budget appropriations and revenues for FY 2001/02 for the provision of youth services using CalWORKS funds, for the Crime Prevention Act Budget Unit in Fund #1770 and the Probation Institutions Budget – Probation 2001-756
- ***B16** Approved four new positions to the Superior Court in accordance with the FY 2001/02 Operating Budget adopted by the Court, and amended the Salary and Position Allocation Resolution 2001-757
- ***B17** Authorized the appointment of Robert Harmon to the position of Associate Director, Retirement, with Department Head benefits, above the midpoint for Salary Band F at the hourly rate of \$46.88, retroactive to 8/25/01 – T/TC 2001-758
- ***B18** Accepted the Stanislaus County Treasury Pool’s 6/2001 Monthly Investment Report as prepared by the Treasurer-Tax Collector’s Office and reviewed for conformity with State law and Local Investment Policy by the Treasury Pool Oversight Committee; and, authorized the Chair to sign that the report has been reviewed and accepted 2001-759
- ***B19** Approved the discharge of the accountability of the Treasurer-Tax Collector for departmental accounts which are uncollectible and have been previously charged to the Revenue Recovery Division in the amount of \$222,909.63 2001-760
- ***B20** Approved the discharge of the accountability of the Treasurer-Tax Collector for departmental accounts which are uncollectible and have been previously charged to the Revenue Recovery Division in the amount of \$351,424.69 2001-761
- ***C1** Authorized the CEO to execute Amendment #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 areas; and, directed the Auditor-Controller to increase appropriations in Account #63280 (Contracts), Fund #4021, Org. #0041100 (Fink Road Landfill), in the amount of \$407,407 – Public Works 2001-762
- ***C2** Awarded the contract for the Las Palmas Avenue Widening Project to Teichert Construction; directed the Auditor-Controller to increase appropriations and revenue by the contract amount of \$2,158,397.90; and, authorized the Purchasing Agent to establish a contract with Teichert Construction of Turlock, CA for the contract amount – Public Works 2001-763
- ***C3** Approved a Purchase Agreement to acquire a parcel of land for the Salida Storm Drainage Pump Project on the west side of Pirrone Road north of Pirrone Court; authorized the Chair to execute the agreement; and, authorized the Auditor-Controller to issue a warrant for the purchase amount of \$29,400, payable to Fidelity National Title Company – Public Works 2001-764
- ***C4** Approved Plans and Specifications for the Baldwin Road Bridge at T.I.D. Ceres Main Canal (Intersection of Baldwin Road at Hatch Road) Project; and, directed the Auditor to increase appropriations by \$3,000 in the project account to cover the costs of advertising and publishing 2001-765
- ***C5** Accepted subdivision improvements of Countrystone Unit #3; find that all subdivision improvements required for Countrystone Unit #3 by the Subdivision Improvement Agreement, executed by Countrystone Development Company, LLC, a California Limited Liability Company, and executed by Stanislaus County Board of Supervisors on 8/17/99, have been constructed to the satisfaction of Stanislaus County; accepted all streets, avenues, roads, streetscape, and the drainage system within Countrystone Unit #3 for maintenance by Stanislaus County; pursuant to §66499.7 (A) of the Subdivision Map Act, authorized the release of Performance Bond #875275S that was issued by the Insko Dico Group in the amount of \$585,000 for faithful performance of the Subdivision Improvement Agreement; pursuant to §66499.7 (B) of the Subdivision Map Act, upon receipt of a Mechanic’s Lien Guarantee, authorized the release of Labor and Materials Bond #875275S that was issued by the Insko Dico Group in the amount of \$292,500 for payment of labor and materials; and, 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 \$58,500, be prepared by a Title Company, be to the benefit of Stanislaus County, and show that no liens are of record – Public Works 2001-766

***C6** Directed the Purchasing Agent to execute Project Agreement #2001-04 with Kleinfelder, Inc. to conduct additional groundwater investigation at the Geer Road Landfill; and, directed the Auditor-Controller to increase appropriations in the Geer Road Landfill Budget in the amount of \$242,686 – Public Works 2001-767

***D1** Approved Salida Planned Development Park Account expenditure to Kencor Development; approved Salida Planned Development Road Account expenditures to O'Dell Engineering and Neumiller and Beardslee; authorized the Auditor-Controller to issue a warrant in the amount of \$8,673.43 to Kencor Development; authorized the Auditor-Controller to issue a warrant in the amount of \$3,624.29 to O'Dell Engineering; authorized the Auditor-Controller to issue a warrant in the amount of \$1,291.59 to Neumiller and Beardslee – Planning and Community Development 2001-768

***D2** Rescinded Williamson Act Contract #72-0703 and approved a new contract - Hall Family Trust Lot Line Adjustment #2001-45; authorized the Planning Director to execute the new contract; find that the new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years; finds there is no net decrease in the amount of the acreage restricted - in cases where two parcels involved in a Lot Line Adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; finds at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; finds that after the Lot Line Adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in §51222; finds that the Lot Line Adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; find that the Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use; and, finds that the Lot Line Adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan 2001-769

S/B unan. ***A3a** Proclaimed 10/2001 as Domestic Violence Awareness Month 2001-770

S/B (4-0) (Caruso abstained) ***C7** Approved a Professional Services Agreement with Thompson-Hysell Engineers of Modesto for engineering design services for the Shackelford Area Improvement Project; authorized the Chair to execute the agreement in the amount of \$473,520 for the installation of curb, gutter, sidewalk, storm water, and sanitary sewer facilities in the Shackelford area; and, directed the Auditor-Controller to increase revenue and appropriations in the amount of \$473,520 – Public Works 2001-771

Recessed to sit as the Stanislaus County Redevelopment Agency at 9:40 a.m.

B/C unan. Approved the Consent Calendar
Approved the minutes of 6/12/01

9:25 a.m., *VI-A, Received the Statement of Indebtedness filed for the 2001/02 Tax Year 2001-773

C/S unan. **9:25 a.m., VI-B,** Authorized a \$13,000 loan to Grayson CSD to Prepare Spill Prevention Response Plan and Facilities Improvements Finance Plan; authorized the Executive Director to sign Infrastructure Loan Agreement; and, authorized the Auditor-Controller to issue a warrant in the amount of \$13,000 payable to Grayson CSD 2001-774

9:25 a.m., VI-C, No action was taken on this information item pertaining to the following topics: 1. Bond Sale proceeds for Salida Storm Drainage Project; 2. Salida Town and Country Faire; 3. Glencoe Foods, Inc. Bankruptcy; 4. Fall, 2001 Housing Roundtable; and, 5. Letters to Legislators 2001-775

Reconvened to sit as the Stanislaus County Board of Supervisors at 9:50 a.m.

B/M unan. **9:30 a.m.** Adopted the proposed Planning and Community Development Department's fee increases effective immediately; adopted a policy that provides for recovery of costs for CEQA Mitigation and Monitoring; adopted the proposed \$14 increase for business license fees; and, amended the item to add that it be returned to the Board within 6 months for consideration of additional revisions to reflect actual costs 2001-776

M/C unan. **C8** Approved the Joint Powers Agreement between TID, City of Turlock, Reclamation District #2063, Reclamation District #2091, and Stanislaus County for the operation of Gomes Lake and related facilities 2001-772

Corr 1 Acknowledged receipt of a letter of condolences from Jean Arthuis, the Counsel General of Mayenne, France, our Sister County, regarding the sad events of 9/11/01.

Corr 2 Referred to the Department of Planning and Community Development a notification letter from Urban Futures regarding the Ceres Redevelopment Agency being in the process of amending their Redevelopment Plan to add more territory.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Stephen Oneto; Quik Stop Market; Colleen Grogan; Charles Rector; and, Krista R. Baughman.

Supervisor Caruso thanked Raul Mendez for his report on the unincorporated areas of the County, and expressed his concerns regarding the garbage burner issue. Chair Paul and Supervisor Mayfield noted that some of the cities are having trouble meeting the AB939 requirements.

Supervisor Simon requested a response to the inaccurate statements made by the Mayor of Modesto in a recent letter to the Modesto Bee. The CEO said that the Integrated Waste Management Board's records indicate that the City of Modesto isn't in compliance with AB939.

Chair Paul represented the Board at the Anti-hate Rally that was held on 9/30/01. Chair Paul and Supervisor Caruso also attended the Apron Strings Open House.

Legislative A. Accepted the Status Report on the CEO's Projects 2001-777

Adjourned at 11:10 a.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.)