

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

Regular Session

Tuesday

February 23, 1999

Supervisor Simon absent

Pledge of Allegiance to the Flag

Thomas Laney was awarded the prize as the winner of the Animal Services' 250 word essay writing contest

P/M 4-0 (Simon absent) Adopted the consent calendar after removing \*D-3 Approval to Set a Public Hearing Regarding the Submission of the 1999 Community Development Block Grant Application for 3/16/99 at 9:25 a.m. from the Consent Calendar (1-585

Approval of Minutes for 2/16/99

Approved commendation for Marie Gallo as the Anti-Defamation League's Torch of Liberty Award Recipient 1999-117

Declared the results of the Patterson Water District Reorganization election 1999-118

Reappointed Stella Beratlis and Lynn Vinson to the Earl Pride Scholarship Committee 1999-119

Approved the 1999 Board of Supervisors Committee Assignment 1999-120

Proclaimed March 1999 as Social Worker Recognition Month 1999-121

Accepted the resignation of Manuel Espinoza from the Monterey Park Tract Community Service District 1999-122

Approved request by the American Lung Association for use of the Woodward Reservoir area for a Bike Ride Fund Raiser on 5/17/99 1999-123

Authorized the Purchasing Division to issue a joint RFP to solicit proposals, on behalf of the Community Services Agency, for the provision of Community-Based Services for the period 7/1/99 through 6/30/00 and authorized the CSA Director, or his Designee, to sign a letter of understanding between the Community Services Agency, City of Modesto and the United Way of Stanislaus County defining our joint proposal process 1999-124

Approved the FY 1999/2000 Child Abuse Prevention, Intervention and Treatment Program Services Plan; designated the Stanislaus Children's Council as the coordinator for Child Abuse Services in Stanislaus County; and, adopted a resolution in support of the Child Abuse Services to be provided through the plan - Community Services Agency 1999-125

Authorized the Mental Health Director to sign an agreement for software maintenance and support with United Behavioral Health; authorized the Purchasing Department to process the department's requisition and issue a purchase order payable to United Behavioral Health; and, authorized the Mental Health Director to sign the United Behavioral Health User Group MOU - Mental Health 1999-126

Directed the Purchasing Agent to extend the Grazing Rights Lease agreement at Joe Domecq Wilderness Area, to commence on 3/1/99 and to terminate on 2/29/00 - Parks and Recreation 1999-127

Authorized the submission of an application for the FY 2000-2001 Off-Highway Vehicle Development

- Grant entitled "Frank Raines Development" and authorized the filing of an application for an Off-Highway Vehicle Development Grant entitled "Stanislaus County Operations and Maintenance" - Parks and Recreation 1999-128
- Authorized the Chief Probation Officer submit a grant to application to the U.S. Department of Justice Programs, in the amount of \$177,970 for Federal Funding the Adult Drug Court Program – Probation 1999-129
- 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 Collections Division in the amount of \$495,604.49 1999-130
- Accepted the Stanislaus County Treasury Pool's December, 1998 Monthly Investment Report as prepared by the Stanislaus 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 Chairman to sign for the Board that the report has been reviewed and accepted 1999-131
- Find that all Subdivision Improvements required for Vella Estates, Unit No. 5, by the Subdivision Improvement agreement, executed by Anderson Homes, Inc., a California Corporation and the Stanislaus County Board of Supervisors on 6/30/98, have been constructed to the satisfaction of Stanislaus County. Said agreement was recorded 7/1/98 as document #98-0058917-00, Stanislaus County Records; accepted all streets, avenues, roads, and the drainage system within Vella Estates, Unit #5 for maintenance by Stanislaus County; pursuant to Section 66499.7(a) of the Subdivision Map Act, authorized the release of Performance Bond #511368s that was issued by Developers Insurance Company in the amount of \$483,000 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 #511368s that was issued by Developers Insurance Company in the amount of \$241,500 for payment of Labor and Materials. The Mechanic's Lien Guarantees must be dated a minimum of 35 days after the filing of the appropriate Notice of Completion; be in the amount of \$241,500; be prepared by a title company; be to the benefit of Stanislaus County; and, state that there are no liens of record 1999-132
- Find that the territory of the Vella 6 Annexation to the Salida Highway Lighting District without an election (Vella 6 Annexation); find that the territory of the Vella 6 Annexation 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 on 2/9/99; 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 1999-133

Find that all Subdivision Improvements required for Wittfield Park, Unit No. 7, by the Subdivision Improvement agreement, executed by Morrison Homes and the Stanislaus County Board of Supervisors on 2/24/98, have been constructed to the satisfaction of Stanislaus County. Said agreement was recorded 7/1/98 as document #98-0017729-00, Stanislaus County Records; accepted all streets, avenues, roads, and the drainage system within Wittfield Park, Unit No. 7 for maintenance by Stanislaus County; pursuant to Section 66499.7(a) of the Subdivision Map Act, authorized the release of Performance Bond #322661 that was issued by Seaboard Surety Company in the amount of \$315,000 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 #322661 that was issued by Seaboard Surety Company in the amount of \$157,500 for payment of Labor and Materials. The Mechanic's Lien Guarantees must be dated a minimum of 35 days after the filing of the appropriate Notice of Completion; be in the amount of \$157,500; be prepared by a title company; be to the benefit of Stanislaus County; and, state that there are no liens of record 1999-134

Introduced and waived the first reading of Ordinance C.S. 689 to amend Title 11 of the Stanislaus County Code, pertaining to traffic control, to establish no parking zones on various County roads 1999-135 ORD-54-C-3

Approved an agreement with Cartwright Aerial Surveys, Inc., for professional services for the West Side Storm Drainage Project and authorized the Chairman to execute the agreement 1999-136

Set a public hearing for General Plan Amendment #98-02 and Rezone Application #98-07 for E&J Gallo Winery for 4/20/99 at 7:15 p.m. 1999-137

Set a public hearing for General Plan Amendment #98-03 and Rezone Application #98-06 for Gallo Glass Company for 4/20/99 at 7:20 p.m. 1999-138

B/M 4-0 (Simon absent) Set a public hearing regarding the submission of the 1999 Community Development Block Grant Application for 3/16/99 was amended to 7:15 p.m. 1999-141

B/M 4-0 (Simon absent) Introduced and waived first reading of Ordinance C.S. 690 extending a 1/8 Cent Transaction and Use Tax; authorized the Registrar of Voters to proceed with holding the County-Wide Special election on 6/8/99; approved the proposed ballot language; and, authorized the CEO to take all actions necessary to assist with placing the matter on the ballot for the 6/8/99 election administered by the State Board of Equalization, for Continued Exclusive Funding of the Stanislaus County Library System (1-630 1999-139 ORD-54-C-4

P/B 4-0 (Simon absent) Approved the design approach and construction bid documents for the Juvenile Hall 30-Bed Expansion Project and approved the recommended bid alternatives; authorized the Clerk to advertise for bids, and set a bid date of 3/31/99 at 3 p.m.; authorized the hiring of a proctor to conduct a blind bid for the selection of alternatives; authorized the opening of bids on behalf of the Board; authorized staff to review bids and recommend award for Board approval; authorized the Project Director to issue request for proposals for construction inspections services and testing labs as needed, for various Capital Projects to include the Juvenile

Hall Expansion, to be coordinated with other Capital Projects, and to contract for those ancillary services needed to complete the project effort; and, authorized the Auditor-Controller and CEO to make various transfers within the project budget 1999-140 (1-1121)  
P/B 4-0 (Simon absent) Approved continuing the Public Hearing to consider the appeal of Planning Commission approval of Use Permit Application #98-14 for Tom Keeney to 3/9/99 at 9:20 a.m. 1999-142(1-2269)

P/M 4-0 (Simon absent) Approved continuing Public Hearing to consider the appeal of Planning Commission denial of Parcel Map Application #98-40 and Variance Application #98-03 for Carl and Eloise Wagner to 3/9/99 at 9:25 a.m. 1999-143 (1-2341)

Referred to the Chief Probation Officer, and the Juvenile Justice Commission a letter from the California Board of Corrections regarding revisions in the Minimum Standards for Local Juvenile Facilities

Referred to the Department of Public Works a letter from the Department of the Army regarding the proposed levee rehabilitation projects located on the San Joaquin River near Patterson

Referred to the Department of Parks and Recreation a letter from Renee` M. Newell, President of the Modesto Garden Club, Inc., requesting assistance from the County for the placement of a flower clock in the Courthouse Park

P/B 4-0 (Simon absent) Approved holding an election and referred to the County Counsel and Clerk-Recorder/Election Department a resolution from the City of Waterford requesting a special election to be held to fill a vacancy on the City Council 1999-144 (1-2502)

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Michael L. Franzese; Stock Dogs in Action; Bill Scott individually and on behalf of Stock Dogs in Action; Margie Scott, individually and on behalf of Stock Dogs in Action; and, Edmondson Property Management.

Supervisor Blom commented on the relocation of the San Joaquin Valley Unified Air Pollution Control District offices, with video conferencing, to the Fresno area and on a recent meeting the Air District had with EPA regarding cotton gins

Supervisor Caruso updated the Board on the recent visioning process meeting, on the water issue and how the new lights have enhanced the community in the Riverdale Park Tract area

Supervisor Mayfield will have a visioning meeting tonight in Keyes

The CEO noted that Chairman Simon is ill and recommended that today's Board Retreat be canceled and that the 3/2/99 Board of Supervisors' meeting be reinstated and to reschedule the retreat to the ninth of March

Adjourned to Closed Session at 10:04 a.m. to consider Personnel-Public Employment: Performance Evaluation - Chief Executive Officer and Performance Evaluation and Consideration of Reappointment of County Counsel. Government Code Section 54954.5(e)

The Board of Supervisors' Retreat was canceled due to the absence of Chairman Simon at the CAPAX Board Room - 14th Floor, Doubletree Hotel, 1150 9th Street, Modesto, CA and will be held on 3/9/99

**Closed Session Announcement:**

P/M 4-0 (Simon Absent) Board stated that CEO Reagan M. Wilson continues to performs his CEO duties in an outstanding manner, in recognition of his excellent performance this past year the Board approved a one time 7.5% performance evaluation adjustment for this year there will be no increase in Mr. Wilson's base salary  
1999-145

M/B 4-0 (Simon Absent) Board is of the opinion that the current County Counsel Michael Krausnick is doing an outstanding job as County Counsel and reappointed Mr. Krausnick to another four-year term as County Counsel of Stanislaus County. The four-year term will commence upon the expiration of Mr. Krausnick's current term, of 3/31/00, and will continue to 3/31/04, pursuant to Government Code Section 27641  
1999-146

Adjourned at 11:15 a.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.)