

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

Regular Session

Tuesday

August 17, 1999

All Supervisors Present

Pledge of Allegiance to the Flag

Census 2000 Proclamation was given to Dan Rosas on behalf of the Census Bureau.

Constant Fliermans spoke regarding his concerns about the consolidation of fire services within Stanislaus County and requested the Board move slowly with any action in this area and to seriously consider letting the voters make the decision.

Al Brizzard spoke regarding unfair statements recently made from a newspaper columnist regarding the Board and congratulated the Board for doing a fine job.

M/P (unan.) Adopted the consent calendar after removing from the Agenda consent item *B-22 - Approval to Upgrade One Sergeant Position to a Lieutenant in the Stanislaus Drug Enforcement Agency (SDEA); Increase Appropriations and Estimated Revenues

Approved minutes for 7/20/99

Adopted and waived the second reading of Ordinance C.S. 701 to repeal the personal flotation device provisions of the Stanislaus River Special Use Area Ordinance

1999-587 ORD-54-D-1

Accepted the resignation of Karin S. Prochaska from the Crows Landing Community Service District; directed staff to post the vacancy; and, directed staff to send a certificate of appreciation to Ms. Prochaska

1999-588

Accepted the resignations of Lillie Clark and Alene McVey from the Mental Health Board; directed staff to post the vacancy; and, directed staff to send certificates of appreciation to Ms. Clark and Ms. McVey

1999-589

Reappointed Maria Arevalo to the Mental Health Board to a three year term ending on December 31, 2001 and, approved the appointment of Fred J. Dickinson to the Mental Health Board to fill an unexpired term ending on December 31, 2001

1999-590

Accepted the resignation of Ruth Tomkins from the Burbank-Paradise Fire Protection District and appointed Walter "Joe" Hudson to the Burbank-Paradise Fire Protection District until the next district election

1999-591

Approved request from the Oakdale High School for use of the Woodward Reservoir Park on Wednesday, 9/29/99 and 10/20/99 for their cross-country team meets; waived entrance fees for participants; required Oakdale High School Cross Country Team to have \$1 million insurance policy which names Stanislaus County as co-insured on the policy; and, required each participant to sign the Hold Harmless Agreement

592

Commended World Changers for their services to Stanislaus County and, approved presenting the commendation at the 8/24/99, Board of Supervisors meeting

1999-593

Appointed Supervisor Caruso as the Member and Chairman Simon as the Alternate Member to the Joint Power Agency Commission on Emergency Dispatch services to terms yet to be determined

1999-594

- Approved request from the City of Modesto to consolidate their Measure F, to provide server services to the Pelandale/McHenry Comprehensive Planning District, and Measure G, to provide server services to the Westside Infill, Elections with the General Election to be held on 11/2/99 1999-595
- Proclaimed 9/13/99, as National Payroll Week and to present the County Auditor-Controller with a Certificate of Appreciation on behalf of all County payroll professionals at the 9/14/99, Board of Supervisors meeting 1999-596
- Authorized the Chair to sign the State Subvention Certificate of Compliance and the Medi-Cal Cost Avoidance Agreement for Stanislaus County for Fiscal Year 1999-2000 1999-597
- Approved the Area Agency on Aging's Fiscal Year 1999-2000 update of the 1997-2001 Planning and Service Area (PSA) Plan and authorized the Chair and the Acting Director of the Area Agency on Aging to sign the transmittal letter to the California Department of Aging; and, ordered that an original signed transmittal letter be returned to the Area Agency on Aging 1999-598
- Authorized the Chair to sign the following FY 1999-2000 contracts: A. Egg Quality, B. Pest Detection, C. Pesticide Use Enforcement, D. Pesticide Application Reporting (98/99 Extension), E. Pesticide Application Reporting, F. Pesticide Residue Sampling, and G. Organic Program 1999-599
- Approved designating the redeposit of retirement contributions as being made pursuant to a binding irrevocable employee payroll deduction authorization; approved requiring such retirement deductions for redeposit be paid to the Stanislaus County Retirement Association; and approved retirement contributions for redeposit be treated as contributions under Section 414(h)(2) of the Internal Revenue Code 1999-600
- Approved the transfer of eligible unclaimed refunds from the Refund of Taxes Trust Fund to the County General Fund (Attachment A) and authorized the Auditor-Controller to make future transfers as other unclaimed refunds become eligible for transfer 1999-601
- Authorized the expenditure of Public Facility Fees for a new Inspector vehicle and a ladder/aerial truck purchased by the Stanislaus Consolidated Fire Protection District 1999-602
- Approved setting a public hearing on 8/24/99, at 9:30 a.m. to consider the adoption of Fire Protection Facility fees for the Keyes Fire Protection District 1999-603
- Approved a 5% pay adjustment to the Elected Department Heads' compensation effective the first pay period after 7/1/99; approved an additional 3.6% adjustment to the Sheriff's compensation effective the first pay period after 7/1/99; and, approved an additional 5% adjustment to the Clerk Recorder's compensation effective the first pay period after 7/1/99 1999-604
- Authorized the Director of DER to receive grant funds from the California Integrated Waste Management Board Used Oil Block Grant Program; approved the 1999-2000 Fiscal Year Grant Budget; authorized the Auditor-Controller to make the necessary financial transactions within the existing Environmental Resources Fund and Organization Account and roll forward unexpired appropriations into FY 2000/2001; and, authorized the Director of DER to contract with Ecology Action, Inc., for the Patterson Outreach Program 1999-605
- Accepted the report on Annual Inspection/Evaluation of Local Jail/Detention Facilities

pursuant to Section 459 of the State of California Health and Safety Code
1999-606

Approved the closure of Stanislaus County Health Services Agency Urgent Care Center on Thursday, 11/25/99, Saturday, 12/25/99, and Saturday, 1/1/2000 1999-607

Approval of the State Department of Health Aids Master Contract and Memorandum of Understanding (#99-85120), and authorized the Health Services Agency Managing Director, or her Designee, to sign and execute the contract and MOU
1999-608

Approved the change in the Library Advisory Board By-Laws, to allow an exception to the two term membership limit
1999-609 BD-67-7

Approved the final amendment to the net negotiated amount and Drug/Medi-Cal contract with the State Department of Alcohol and Drug Programs for Fiscal Year 1998/99 and authorized the Mental Health Director, or his Designee, to sign the amendment to the agreement
1999-610

Approved list of providers being credentialed by the Managed Care Services Division of the Department of Mental Health as Behavioral Health Panel Providers for National Health Plans and authorized the Chairman to sign attached form
1999-611

Approved educational stipend for Michael Wilson, Mental Health Case Manager, for the Fall Semester of 1999 through the Spring Semester of 2000
1999-612

Approved setting public hearing for 9/28/99, at 9:25 a.m. to set FY 1999-2000 Annual Assessment Rates for Del Rio Heights Landscaping Assessment District in the amount of \$179.50 per parcel and, directed the Clerk of the Board of Supervisors to publish notice of such hearing as provided in Section 6066 of the Government Code in a newspaper of general circulation published in Stanislaus County
1999-613

Authorized the Chief Probation Officer to enter into a contract with the State Department of Transportation for Litter Abatement Program for FY 1999-2000, 2000-01 and 2000-02
1999-614

Approved the modification of the Challenge Grant budget to reflect the full three years of grant funding; directed the Auditor-Controller to make the necessary financial transactions in accordance with the attached financial transaction form which modifies the current Challenge Grant II budget; and, authorized the lease/purchase of a modular building to be paid from the grant at an estimated cost of \$115,000 including installation costs
1999-615

Authorized the Sheriff to continue the contract with Howard Hill and Associates for civil automation for FY 1999/2000; authorized the Sheriff to accept Howard Hills Y2K Upgrade; authorized the Sheriff to accept Howard Hills Windows 95 Civil System; approved the transfer of Civil Automation Trust Funds to the Adult Detention Budget; and, directed the Auditor-Controller to transfer funds and return any unused funds to the Trust at the end of the FY
1999-616

Authorized the Sheriff to purchase five vehicles for the Sheriff's Civil Bureau; authorized transferring Civil Process Fee Trust Funds for the purchase of the

vehicles; and, directed the Auditor-Controller to increase Revenues and

- Appropriations and transfer funds according to the attached Financial Transaction Form and return any unused funds to the Trust Fund at the end of the FY 1999-617
- Amended the Salary and Position Allocation Resolution to add two Court Reporters to the Superior Court 1999-618
- Approved new insert for the 1999-2000 Tax Bill to include information regarding the Community Cantree and the United Way 1999-619
- Accepted the Stanislaus County Treasury Pool's May and June, 1999 Monthly Investment Reports 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; authorized the Chair of the Board of Supervisors to sign for the Board that the report has been reviewed and accepted; and, accepted the Annual Audit Report prepared by Grant Thornton 1999-620
- Approved the discharge of the accountability of the Treasurer/Tax Collector for the departmental accounts which are uncollectible and have been previously charged to the Collections Division in the amount of \$747,482.54 1999-621
- Approved contract Award for the Local Roads Rehabilitation Program-STIP to George Reed, Inc. of Modesto, California; authorized the Auditor-Controller to make the financial arrangements detailed on the attached Budget Journal sheet; and, authorized the Purchasing Department to establish a contract with George Reed, Inc. 1999-622
- Approved Program Supplement No. M016, a funding agreement for railroad crossing improvements on the Sierra Railroad at Stearns Road, Sierra Road, and Wamble Road and, authorized the Chairman to execute Program Supplement No. M016 **(Please see page 7 of the minutes where there was a motion to rescind the consent vote on this item and to continue it to the August 24, 1999, Board of Supervisors meeting)** 1999-623
- Approved the purchase agreement to acquire road right of way at the northwest corner of the intersection of Claribel Road and Claus Road for the improvement of that intersection; authorized the Chairman to execute the agreement; authorized the Auditor-Controller to increase Appropriations by \$13,000 in the project account; and, authorized the Auditor to issue a warrant for the purchase amount of \$9,000, payable to Fidelity National Title Company 1999-624
- Approved the purchase agreement to acquire additional road right of way on Carver Road north of Ladd Road for the realignment of a curve; authorized the Chairman to execute the agreement; authorized the Auditor-Controller to increase Appropriations by \$10,000 in the project account; and, authorized the Auditor to issue a warrant for the purchase amount of \$6558, payable to Fidelity National Title Company 1999-625
- Approved an amendment to the agreement between the City of Modesto and the County of Stanislaus to lease facilities in the Modesto Transportation Center 1999-626
- Authorized the Transit Manager to act as Certifying Representative, to sign and certify all documents pertaining to federal and State grant activities initiated by and for StaRT 1999-627
- Approved the subdivision agreement for Countrystone, Unit No. 3; found that the Final

Map is in substantial compliance with the previously approved Tentative Map; found that Stanislaus County has adopted a Specific Plan covering the area proposed to be included within the Final Map; found that the Final Map, together with the provisions for its design and improvement, is consistent with the Specific Plan for the area; rejected all roads, highways, avenues, alleys, ways, lanes, places, etc.; authorized the Chairman to sign the Final Map and the Subdivision Improvement Agreements; and, authorized the Final Map to be filed and recorded as presented 1999-628

Approved a portion of the Public Utility Easement located on Finney Road be summarily vacated 1999-629

Approved Salida Park account expenditures to Polhemus Enterprises and S.C.M. Corporate Group; approved Salida road account expenditures to O'Dell Engineering; approved Salida storm drain account expenditures to Ross F. Carroll, Inc., Kleinfelder, Inc. and S.C.M. Corporate Group; authorized the Auditor-Controller to issue a warrant in the amount of \$18,600.00 to Polhemus Enterprises; authorized the Auditor-Controller to issue a warrant in the amount of \$840.00 payable to O'Dell Engineering; authorized the Auditor-Controller to issue a warrant in the amount of \$42,792.17, payable to Ross F. Carroll, Inc.; authorized the Auditor-Controller to issue a warrant in the amount of \$9,775.35 to Kleinfelder, Inc.; authorized the Auditor-Controller to issue a warrant in the amount of \$6,930.00 to S.C.M. Corporate Group; authorized the Auditor-Controller to issue a warrant for the retention payment in the amount of \$4,754.69 to Ross F. Carroll, Inc. upon completion of the project and acceptance by the Department of Public Works; and, authorized the Auditor-Controller to issue a warrant in the amount of \$3,500.00 to Polhemus Enterprises on completion of the park plans and acceptance by the Parks Department 1999-630

Approved adoption of a resolution prohibiting parking on County property for the primary purpose of advertising a vehicle for private sale as set forth in the resolution; found and determined that the resolution is not subject to the CEQA (Public Resources code, section 2100 et seq.); and, authorized the Director of Public Works to install signs giving the public notice of the proposed parking prohibition 1999-631

M/P (unan.) Approved proclamation declaring Census 2000 as a top priority for stakeholders and leaders within Stanislaus County 1999-632

B/M (unan.) Accepted the 1998-99 Annual Report to citizens of Stanislaus County and asked staff to distribute the report to the community 1999-633 (1-1420)

B/P (unan.) Approved the design approach and construction bid documents for the City-County Emergency Dispatch Project and approved the recommended bid alternatives; authorized the project team to advertise for bids, and set a bid date of 9/16/99 at 2:00 p.m.; approved the hiring of a proctor to conduct a blind bid for the selection of bid alternatives; authorized staff to open bids on behalf of the Board, and to review bids and recommend award for Board approval; authorized the project director to negotiate an agreement for construction inspection services for Board approval; and, authorized the project team to issue a request for proposals for Communication Tower Installation Design and Erection Services for the project 1999-634 (1-1460)

B/C (unan.) Approved Rezone Application No. 99-08 and Parcel Map Application No. 99-20, Gerry

Hughes subject to modified development standards and conditions as recommended by staff; ordered the filing of a Mitigated Negative Declaration; found the project to be De Minimis for the purpose of Fish and Game Codes; and, approved the introduction, adoption, and waiving of the reading for Ordinance C.S. 702 for the Rezone Application No. 99-08 for Gerry Hughes

1999-640 (1-1881)
1999-641 ORD-54-D-2

P/B (unan.) Authorized the expansion of Mental Health Services to seriously emotionally disturbed children in the public school system; authorized the Mental Health Director, or his Designee, to sign an agreement with Sierra Vista Children's Center for the provision of Mental Health Services to seriously emotionally disturbed children in the public school system; authorized an amendment to the Salary and Position Allocation Resolution to increase the department's allocation in budget unit 1501 per the staffing impact section of this agenda item; and, directed the Auditor-Controller to establish Appropriation and Estimated Revenues

1999-635

P/C (unan.) Approved the authorization of a Staff Services Analyst for the Sheriff's Department to be assigned the primary responsibility of grant writing for inmate programs; amended the Position Allocation Resolution to add a Staff Services Analyst to the Sheriff's Department; and, directed the Auditor to increase Estimated Revenues and Appropriations

1999-636 (2-2865)

B/M (unan.) Adopted the Countywide Vision and to proceed with related studies and proposed policy initiatives; authorized the CEO and Supervisor Pat Paul to continue to participate with the nine cities in developing specific initiatives, policies, contracts and other agreements for future consideration by the Board and City Councils; authorized the CEO to begin a study of the cost and policy implications of the "Super" Williamson Act; authorized the Chairman to appoint persons to a citizens review committee to be established to study a Land Conservation Trust Program for Stanislaus County; directed the Board and Planning Commission General Plan Review Committee to evaluate current General Plan policies regarding residential development in unincorporated communities, ranchette zoning and open space and park zoning as suggested in the County Parks Master Plan and to return by early 2000 with recommendations for General Plan revisions; authorized the Chairman to send a letter to the nine mayors and councils thanking them for their work and support for the Countywide Vision, urging them to adopt the Vision, and to authorize continued participation in the development of specific implementation strategies; directed the CEO to insure the development of all County strategic plans, existing and new program initiatives, implementation of new State and federal mandates and budget recommendations are made consistent with the Vision, Board Goals and Objectives and Board Priorities; and, directed the CEO to periodically update the Board on the progress in implementing the Vision and our integration of County activities consistent with the Vision

(2-2483

1999-637

B/C (unan.) Proclaimed the week of 9/12 - 18/99, to be recognized as Try Transit Week

1827

1999-638

C/M (unan.) Continued to the 8/24/99, Board of Supervisors meeting, item D-2, regarding two amendments to contract for Salida Community Plan Update to pay for costs associated with additional community participation opportunities and expanded environmental analysis; and, development of a detailed community design concept; a request to amend the contract between

Stanislaus County and RRM Design Group to pay for work beyond the scope of the original contract; and, authorization for the Director of Planning and Community Development to negotiate and sign the contract on behalf of the County 1999-639(2-1530)

Recessed at 9:40 p.m.

Reconvened at 9:45 p.m.

M/C (unan.) Reconsidered and rescinded the consent vote on item *C-2 regarding the approval of Program Supplement No. M016, a funding agreement for railroad crossing agreements on the Sierra Railroad at Stearns Road, Sierra Road, and Wamble Road and, requested that staff bring the item back to the Board on 8/24/99 1999-623

Verbal report was given by Gordon Dewers, DER, regarding MTBE/Modesto Reservoir and the Board requested staff to return with frequent updates on the status of this issue.

Referred to DER, a copy of Resolution 99-365 from the City of Modesto regarding the agreement with the County for the administration of the City/County Service Agreement with the Stanislaus Waste Energy Company for supply and acceptance of solid waste.

Referred to the CEO, a letter from Senate Majority Leader Polanco requesting support for Senate Bill 984 which would create a new California holiday in honor of Cesar Chavez.

Referred to the CEO and the Chief Probation Officer, a letter from the Board of Corrections regarding Challenge I Grants Extended to a 4th Year.

Referred to the Auditor-Controller, a copy of the East Side Mosquito Abatement District's budget for Fiscal Year 1999-2000.

B/C (unan.) Adopted a resolution congratulating the Department of Veterans Affairs and Area Agency on Aging for their fine work in relation to this County's benefits 1999-642

Referred to the HSA a letter from the Department of Health Services regarding the County's share of the County Hospital Allocation for Fiscal Year 1999-00.

Referred to the Sheriff a letter from the Justice Benefits, Inc., requesting a letter to be sent regarding funding for the State Criminal Alien Assistance Program.

Referred to the MIS Department a letter from the State of California Department of Information Technology regarding the State/Local Government Year 2000 External Interface Testing.

Referred to the HSA a letter from the Department of Health Services regarding the FY 1999-00 State Public Health Subvention Program allocation of \$11,040 for the County and, requesting the signature of the local Health Officer on the certification for State financial assistance.

Referred to the Agricultural Commissioner and the DER a letter from the Department of the

Army regarding a draft Environmental Assessment/Initial Study (EA/IS) and draft Finding of No Significant Impact (FONSI) for the proposed sediment removal and embankment restoration project located within the Sedimentation Basin of the Kern River.

Referred to the Children's Services Coordinating Council a letter from the Department of Social Services regarding an invitation to a meeting to discuss opportunities and prevention efforts for child abuse and neglect.

Referred to the DET and the Workforce Investment Board a copy of a letter sent to Kris Stadelman, Director of Employment and Training, from the Employment Development Department regarding the Workforce Investment Act Local Area Designation Application.

Acknowledge receipt of claims and referred to the CEO-Risk Management Division the following claims: Rosa Garcia; Michael Kurzeika; Diane A. Cushway Rotermond; Jerry D. Mason; Ricardo Briseno; Lynn Marie Merwin; Edward W. DeBolt; Paul Warda; Thomas Growers, Inc.; John Carroll; Laurie Cooper; Lloyd D. Richison; Harry Haroutounian; Otis Valrey, Jr.; Danica Lynne Gantney; Mary Plattner; Irene Gail Smith; Kathy Jean Kinerson; Jesse Andujo; and, Merry Mayes.

Supervisor Caruso asked Ron Freitas, Director of Planning and Community Development, to comment on issues regarding the Tartaric Plant and requested that Mr. Freitas write a letter to the Tartaric Plant regarding their landscape plan.

Adjourned at 10:30 p.m.

ATTESTED: REAGAN M. WILSON, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: LILLIE L. FARRIESTER, Assistant 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.)