

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

Regular Session

Tuesday

December 19, 2000

All Supervisors Present

Pledge of Allegiance to the Flag

Constance Fliermann spoke regarding the Burbank-Paradise Fire District's existing vacancy.

S/B unan. Adopted the consent calendar after removing from the consent calendar Item \*B-6, Approval to Transfer the County's Logging/Recorder System to Verizon/GTE to Receive a Trade-in Discount of \$10,706.59

\*A1 Approved the minutes of 12/12/00

\*A2 Approved the 2001 Board of Supervisors' Meeting Calendar and closure of the County Libraries, Health Services Agency's Urgent Care and Animal Services on various days in 2001 2000-982

\*A3a Reappointed Jack Leguria and Heidi McNally-Dial to the Economic Development Action Committee 2000-983

\*A3b Reappointed Karen Henry and Charles Stone to the Tuolumne River Regional Park Citizen Advisory Committee 2000-984

\*A3c Reappointed Ronald Swift to the Patterson Cemetery District 2000-985

\*A3d Reappointed Mario Fovinci, Terrance Withrow, Dean Martin, Peter Katsufakis, Gerald Merchant, Stewart James, and Carl Collins to the Assessment Appeals Board 2000-986

\*A3e Reappointed William Pringle, Carl Ott and Juan Morales to the East Side Mosquito Abatement District 2000-987

\*A3f Reappointed Rod Hawkins and William Houk to the Fire Code Board of Appeals 2000-988

\*A3g Reappointed Jeffery Mountain, David Lemos and Bruce Pace to the Hazardous Waste Management Advisory Committee 2000-989

\*A3h Reappointed Frank Courtney to the Housing Authority of the County of Stanislaus 2000-990

\*A3I Reappointed Cathy Walke, Teresa Angle, Jan Wysong, Romy Angle and Everett Johnson to the Juvenile Hall Service League 2000-991

\*A3j Reappointed Michael Krausnick and Jim Milam to the Law Library Trustees 2000-992

\*A3k Reappointed Mike Burns to the Local Task Force on Solid Waste Management 2000-993

\*A3l Reappointed John Balbach to the Stanislaus County Parks and Recreation Commission 2000-994

\*A3m Reappointed Tom Maring, Everett Souza Jr., and Ray Murphy to the West Stanislaus Resource Conservation District 2000-995

\*A4a Appointed Fred Wilder to the East Side Mosquito Abatement District 2000-996

\*A4b Appointed Michael Loeffler to the Assessment Appeals Board 2000-997

\*A5 Introduced and waived the first reading of Ordinance C.S. 749, Authorizing the Board of Supervisors to Appoint the Clerk of the Board and Removing this Office from the List of Chief Executive Office Duties (**Please Note: This ordinance was subsequently re-**

**introduced at the 1/09/01 meeting – a second introduction was necessary due to wording changes made after its original introduction at the 12/19/00 meeting.)**

ORD-54-G-8 2000-998

- \*A6** Proclaimed the week of 1/22/01 as Eligibility Worker Recognition Week in Stanislaus County, and authorized the Chairman to present a Resolution to the President of the Local Chapter of the National Eligibility Workers' Association at the 1/23/01 Board of Supervisors' meeting 2000-999
- \*B1** Designated the Stanislaus County Agricultural Commissioner's Office as the Local Public Agency responsible for conducting Stanislaus County's Glassy-Winged Sharpshooter/Pierce's Disease Control Program 2000-1000
- \*B2** Authorized the Director of Behavioral Health and Recovery Services to accept funding from the State Department of Mental Health to expand specialized services in the Adult System of Care for FY 2000/01; authorized an amendment to the Salary and Position Allocation Resolution to increase the allocation in Budget Unit 1501; authorized the Auditor-Controller to increase budget expenditures and revenues; authorized the Director, in concert with the Purchasing Agent, to issue a Request for Applications to contract with a community-based organization to provide Independent Living Skills Training Services; and, authorized the Director to negotiate and execute an agreement resulting from the Request for Application Process 2000-1001
- \*B3** Authorized the CEO to negotiate and execute a contract for special services relating to Program Management, Project Management and Construction Management Services for the County's Capital Projects 2000-1002
- \*B4** Authorized the CEO to sell merchandise with the County Logo on it to employees through Central Services; authorized a cash transfer of \$29,550 from the General Fund Special Project Budget Unit to Central Services for the initial purchase of merchandise; and, increased appropriations and estimated revenues in the Central Services Budget Unit 2000-1003
- \*B5** Approved the bid documents for the Stanislaus County Recovery Center; and, authorized the Project Manager to advertise and issue Invitations to Bid, set the bid date on 1/24/01, and accept bids for the construction of the Stanislaus County Recovery Center – CEO 2000-1004
- \*B7** Accepted and approved the CEO's Salary and Position Allocation Reports dated 9/12/00 and 12/2/00 2000-1005
- \*B8** Approved CSA to accept a contract amendment #GAPP-0075-01 with the California Department of Education for the Administration of the Child Care and Development Block Grant – State General Fund; and, authorized the Director of CSA, or his Assistant Director Designee, to sign the contract amendment and any subsequent amendments not to exceed the total contract amount of \$68,072 2000-1006
- \*B9** Authorized the CEO to sign an agreement with the West Stanislaus Resource Conservation district for continued agricultural outlease land and soil, water, wildlife and agricultural resource conservation services that were formerly provided to the U.S. Navy on the land described as the Crows Landing Naval Air Station; and, authorized the CEO to assist the Conservation District in finding and using suitable on-site facilities in order to carry out the contract and meet other district needs 2000-1007
- \*B10** Approved a sixty day delay for Consent of Assignment or Transfer of Ownership and Franchise Agreement from Cable One, Inc. Cable Television Franchise, AKA Post Newsweek Cable, to a subsidiary of AT&T Corporation, West Marc Development Joint Venture (AT&T) – MIS/Telecommunications 2000-1008
- \*C1** Approved the installation of stop signs at various locations in Stanislaus County – PW 2000-1009

**\*C2** Approved increasing revenues and appropriations for the Public Works Road and Bridge Maintenance Budget and Public Works Morgan Shop Budget, in the total amount of \$198,000; authorized the Auditor-Controller to make the necessary budget adjustments; and, approved the purchase of a used 1976, 7,200 gallon capacity water tank, that will increase the Public Works Department's ability to pump and remove storm water  
2000-1010

**\*C3** Approved final map for Vizcaya, Unit No. 1; find that the final map is in substantial compliance with the previously approved tentative map; find that Stanislaus County has adopted a Specific Plan covering the area proposed to be included within the final map; find 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, courts, ways, lane, and places; 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  
2000-1011

**\*D1** Accepted the Annual Report of the Stanislaus County Redevelopment Agency as submitted  
2000-1012

S/P (4-0)(Caruso abstained) **\*B-6** Declared the Emergency Dispatch Dictaphone 9000 Veritac Logging Recorder System, located in the old Emergency Dispatch Center at 1100 H Street, available for trade-in to Verizon/GTE; and, approved the transfer of the Dictaphone 9000 Veritac Logging Recorder System from the County's Emergency Dispatch to Verizon/GTE to receive a trade-in discount of \$10,706.59 - CEO  
2000-1013

B/S unan. **B11** Approved the acceptance and implementation of the Kinship Support Services Program (KSSP) three-year grant award from the California Department of Social Services (CDSS), with \$120,000 allocated for FY 2000/01, for the start-up of the Kinship Support Services Program; authorized CSA and BHRS to partner with Families First for the duration of the three-year KSSP Grant; authorized CSA to work with the program partners and the County Purchasing Agent to negotiate and enter into a lease for the Kinship Center Site, to be called Apron Strings; authorized CSA to act as the Fiscal Agent for the KSSP and the CEO to amend the Salary and Position Allocation Resolution to add an Account Clerk III; authorized the CEO and the Auditor-Controller to make the necessary budget adjustments to Account Fund 1632; and, accepted a Kinship/Foster Care Emergency Fund State General Fund allocation from CDSS for FY 2000/01 – CSA/BHRS  
2000-1014

B/S unan. **B12** Accepted the Proposed Downtown Facilities Plan; authorized the CEO to negotiate and execute agreements for professional services for all necessary pre-design work to include construction management, environmental consulting services and the issuance of RFP for architectural and engineering services; authorized the CEO to negotiate and execute an agreement with a Hazardous Materials Abatement and Demolition Consultant for buildings to be demolished or renovated within the Downtown Facilities Plan; directed the CEO to investigate available financing options for the Downtown Project; approved the project budgets for the City Hall remodel, former Bank of America remodel, Demolition Project, and authorized the CEO and the Auditor-Controller to make the necessary budget adjustments; approved the appointment of the County's existing Financing Team, including the Municipal Financing Consultant, Special and Tax Counsel and Disclosure Counsel, and cause the necessary agreements to be executed by the CEO and other appropriate County Officials; approved a reimbursement resolution related to expenditures for downtown and related projects to comply with the Internal Revenue Code, which will allow the County to be reimbursed for such expenditures upon closing of the Tax-Exempt Certificates of Participation (COPS) expected to be issued within the next eight months; and, authorized the CEO and other appropriate County Officials to cause the solicitation and retention of the services of other professionals or firms as are required for the successful preparation and issuance of the COPS  
2000-1015

S/B unan. **B13** Accepted the Program Plan for the 12th Street Parking Garage and approved the project budget and schedule; authorized CEO staff to negotiate a Parking License Agreement with Westlands Development, and to return the agreement to the Board for final approval; authorized staff to negotiate an agreement with an architectural firm and a construction management firm, and authorized the Project Manager to sign the agreements on behalf of the Board as long as the amounts of the contracts are within budget; authorized staff to issue a RFP for the surveys, planning, and design of the abatement and the demolition of the existing structures on the site; authorized the staff to negotiate an agreement with the firm deemed most responsive to the RFP, and authorized the Project Manager to sign the agreement on behalf of the Board as long as the agreement is within the project budget; authorized staff to issue a RFP for soil testing services on the site and to negotiate an agreement with the firm deemed most responsive to the RFP, and authorized the Project Manager to sign the agreement on behalf of the Board as long as the agreement is within the project budget; authorized staff to issue a RFP for a Traffic Engineer to recommend site specific improvements; find that the 12<sup>th</sup> Street Place Parking Garage is exempt from CEQA in accordance with §15332 of the California Code of Regulations and authorized the staff to file a Notice of Exemption; and, authorized staff to proceed with initial design work necessary to begin the project, with the final design and financing to be returned to the Board prior to the project proceeding to construction

2000-1016

S/P unan. **7:50 p.m.** – Approved for James W. Smith, GPA #2000-08, Rezone Application #2000-08, and Vesting Tentative Parcel Map Application #2000-12 subject to development standards, for property located at 4416 and 4630 McHenry Ave. in Modesto, to change the General Plan Designation from Urban Transition (UT) to Planned Development (PD) on a 3.56 acre portion of a 13.56 acre parcel and to change the zoning from General Agriculture (A-2-10) and PD (159) to a new Planned Development and to create (3) parcels (Parcel “A”: 1.63 acres, Parcel “B”: 1.24 acres, and Parcel “C”: 2.0 acres) and a 10-acre remainder from 1.31 acre and 13.56 acre existing parcels; ordered the filing of a Mitigated Negative Declaration; find the project to be “de minimus” for purposes of Fish and Game Codes; find that the proposed GPA is consistent with the overall goals and policies of the Land Use Element of the County General Plan and the overall General Plan; find that the proposed PD Zoning is consistent with the Planned Development General Plan Designation; and, introduced, waived the reading and adopted Ordinance C.S. 745 for the approved Rezone Application #2000-08

ORD-54-G-4 2000-1017 & 2000-1018

P/S unan. **7:55 p.m.** – Approved for Ceres Circulation, GPA #2000-10 for property located at Richland Ave. between Woodworth Ave. and Tuolumne River in the Ceres area, to re-designate Richland Avenue from a major roadway to a collector roadway and omit the extension of Richland Ave. north beyond River Rd. intended for a future bridge link; the Board finds that the project is exempt from CEQA in accordance with §15061(b)(3) of the California Code of Regulations and authorized the staff to file a Notice of Exemption

2000-1019

S/B unan. **8:00 p.m.** – Approved for Mistlin Honda, GPA #2000-11, Rezone Application #2000-18 and Lot Line Adjustment Application #2000-49 subject to development standards, for property located on the east side of McHenry Avenue, between Bangs and Claribel in Modesto, to change the General Plan Designation from Urban Transition to Planned Development and rezone from A-2-10 to Planned Development; ordered the filing of a Mitigated Negative Declaration and find the project to be “de minimus” for purposes of Fish and Game Codes; find that the proposed GPA is consistent with the overall goals and policies of the Land Use Element of the County General Plan and the overall General Plan; find that the proposed PD Zoning is consistent with the Planned Development General Plan Designation; and, introduced, waived the reading and adopted Ordinance C.S. 746 for the approved Rezone Application #2000-18

ORD-54-G-5 2000-1020 & 2000-1021

P/B unan. **8:05 p.m.** – Approved for Process Construction, Inc., GPA #2000-12 and Rezone Application #2000-19 subject to development standards, for property located at 772 Santa Fe Ave. in the Empire area, to change the General Plan designation of Agriculture to Planned Industrial and rezone 6.53 acres from A-2-40 to Planned Industrial; ordered the filing of a Mitigated Negative Declaration and find the project to be “de minimus” for purposes of Fish and Game Codes; find that the proposed GPA is consistent with the overall goals and policies of the Land Use Element of the County General Plan and the overall General Plan; find that the proposed Planned Industrial Zoning is consistent with the Planned Industrial General Plan Designation; find that the project will intensify use of the site, thereby necessitating dedications and improvements; and, introduced, waived the reading and adopted Ordinance C.S. 747 for the approved Rezone Application #2000-19  
ORD-54-G-6 2000-1022 & 2000-1023

**Corr. 1** Referred to the Department of Planning and Community Development, Department of Public Works, and all Fire Districts a letter from the Governor, regarding the creation of the Clean Energy Green Team created by AB 970, the Energy Security and Reliability Act of 2000.

**Corr. 2** Referred to the Department of Planning and Community Development a copy of the Patterson Joint Unified School District’s School Facility Needs Analysis.

**Corr. 3** Accepted a copy of the 2000 California State Association of Counties Annual Report.

**Corr. 4** Referred to StanCOG a letter from the Empire Municipal Advisory Council regarding the overpass and underpass on Highway 132 (Yosemite Blvd.) at the BNSF Railroad crossing in Empire.

**Corr. 5** Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Terry Darrough; Gloria June Hankins; William Stringer; Charlene Garcia; and, Gregory W. Johnson.

Supervisor Paul attended a meeting regarding the Highway 120-Oakdale by-pass. She also attended the Grand Opening of the Tot Lot in Empire.

Supervisor Mayfield has been attending meetings with the Planning Director regarding the land between Denair and Turlock. He attended the Waste-to-Energy meeting last week where it was agreed that the tipping fees would be reduced to \$34.00 and the rent would be reduced to \$198,000 per year. He also noted that the electricity rate that is currently being sold would be reviewed. The issues of medical waste and refuse from outside of the County were discussed but no decisions were made.

Supervisor Blom attended the SJVUAPCD Board meeting last week in Fresno. He noted that a number of new board members would be on the District Board next year.

The CEO thanked Chairman Caruso for his outstanding performance as the Chairman of the Board. He noted that 2000 was a great year.

Adjourned at 9:05 p.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.)