

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

Regular Session

Tuesday

February 17, 2004

Supervisor Simon Absent

Pledge of Allegiance to the Flag

Mary Whetsone, President of the Animal Services Auxiliary, thanked the Board for allocating the funds for the Animal Services quarantine area. She spoke regarding the importance of a spay and neuter program in this County, and noted that there is a program in Utah called No More Homeless Pets, which could serve as a model.

Paul/Mayfield (4-0)(Simon absent) Adopted the consent calendar

- *A1 Approved the minutes of 2/10/04
- *A2 Accepted the resignation of Marjorie Paiz from the Knights Ferry Municipal Advisory Council 2004-113
- *A3 Appointed Rachele Antinetti to the Stanislaus County Planning Commission 2004-114
- *A4 Proclaimed 3/7-13/04 as Portuguese Immigrant Week 2004-115
- *B1 Approved the Westley Community Services District's request to reduce the frequency of their required audit report from every year to every two years – Auditor/Controller
DCS-6-22 2004-116
- *B2 Authorized an 11 day time extension of contracts with Barham, Inc., for the HSA Pharmacy-Administration Remodel Project from 2/6/04 to 2/17/04 2004-117
- *B3 Authorized the Interim CEO to execute an agreement with Kelling, Northcross and Nobriga for Municipal Financing Consulting Services 2004-118
- *B4 Adopted the decision of the Nuisance Abatement Hearing Board regarding 1009 Atlantic Drive, Modesto, California (CE No. 03-2691) – DER 2004-119
- *B5 Approved two agreements for Independent Contractor Services between DMC and HSA to provide for the disbursement of funds from the Emergency Medical Services Trust Fund to DMC for uncompensated Emergency Medical Care for FY 2002/03 and FY 2003/04; and, authorized the HSA Managing Director, or her Designee, to sign the agreements – HSA 2004-120
- *B6 Authorized the Sheriff to participate with the City of Hughson and the Hughson Board of Education in the grant application process for the School Community Policing Partnership Grant Program – Sheriff 2004-121
- *B7 Authorized the Sheriff to accept funding and project responsibilities for a State Office of Traffic Safety “Avoid the 12” Grant in the amount of \$165,500 to reduce alcohol related deaths and injuries and adjust the budget in Dedicated Fund 1743; authorized the Sheriff to negotiate and enter into an agreement with the nine local cities, CSUS, and the California Highway Patrol for the purpose of distributing grant funding for this project; and, directed the Auditor-Controller to make the necessary financial adjustments – Sheriff 2004-122
- *B8 Authorized the Sheriff to purchase Taser weapons; authorized the use of \$36,000 in Asset Forfeiture Funds, with the return of any excess funds to the trust if necessary; authorized the Sheriff to accept donations for the expansion of this program including Officer training; and, directed the Auditor-Controller to make the necessary financial adjustments – Sheriff 2004-123

- *B9 Set a public hearing on 3/9/04 at 9:25 a.m. pursuant to the Tax and Equity Fiscal Responsibility Act (TEFRA) relating to the proposed issuance by the California Statewide Communities Development Authority of its Conduit Revenue Bonds in one or more series to be used by Kaiser Foundation Hospitals 2004-124
- *C1 Approved the purchase agreement to acquire property on the east side of Lester Road, approximately 1320 feet south of Fresno Street, in the Denair area; authorized the Chairman to execute the agreement; directed the Auditor-Controller to increase appropriations by \$50,000 in the project account; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$18,000 payable to Fidelity National Title Company – PW 2004-125
- *C2 Approved the purchase agreement to acquire property on the east side of Lester Road, approximately 800 feet north of Monte Vista Avenue, in the Denair area; authorized the Chairman to execute the agreement; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$21,000 payable to Fidelity National Title Company – PW 2004-126
- *C3 Approved plans and specifications for the School Sidewalk Project at various locations; directed the Clerk to publish notice inviting bids for the project as required by law; set the deadline for submission of bids as 3/31/04, prior to 2:30 p.m.; directed Public Works staff to mail notice inviting bids to trade journals as required by law; and, directed the Auditor-Controller to increase Appropriations by \$10,000 in the project account, to cover expenses incurred during the design phase, reproduction, advertisement cost, and miscellaneous cost associated with the development of the project – PW 2004-127
- *D1 Set a public hearing for 3/2/04 at 9:25 a.m. for Rezone Application #2003-08 and Parcel Map Application #2003-15, B & D United Builders, Inc – Planning ORD-54-R-6 2004-128

Paul/Mayfield (4-0)(Simon absent) **6:35pm** The Board held a public hearing to approve a financing plan, resolution and financing documents relating to the issuance of Stanislaus County 2004 Certificates of Participation, Series A and B to finance a portion of The Gallo Arts Center, the 12th Street Office Building and Parking Garage and the Nick W. Blom Salida Regional Library; approved a resolution authorizing the issuance of Stanislaus County 2004 Certificates of Participation (2004 Capital Improvements), Series A and Series B; approved the forms of the two site leases, lease agreements, trust agreements, assignment agreements, and a purchase agreement with respect to the execution and delivery of County of Stanislaus Series A and Series B Certificates of Participation; authorized the execution and delivery of such Series A Certificates evidencing principal in an aggregate amount not to exceed \$16,000,000 and such Series B Certificates evidencing principal in an aggregate amount not to exceed \$30,000,000; authorized the execution of necessary documents and certificates and related actions in connection therewith; approved the form of the Preliminary Official Statement and authorized approved designated officers of the County to make whatever changes are necessary to deem it final for distribution to prospective purchasers of the Certificates, and to further authorize delivery of a Final Official Statement to actual purchasers of the Certificates; approved the revised budget for the Gallo Center for the Arts and authorized the Auditor-Controller to increase Appropriations and Estimated Revenue by \$2,567,799; and, authorized the Interim CEO to execute appropriate easements with PG&E on the former City Hall Block Site, and to obtain lot line adjustments from the City of Modesto on the former City Hall Block Site and the 12th Street Office Building and Parking Garage Site to correspond to leased property subject to the Series A and Series B Certificates of Participation 2004-131

Recessed at 7:34 p.m.

Reconvened as the Stanislaus County Capital Improvements Financing Authority at 7:34 p.m.

Grover/Mayfield (4-0)(Simon absent) **6:40 p.m. (I)** Elected Chairman Caruso as the Chairman of the Authority and Vice-Chair Paul as the Vice-Chair of the Authority 2004-132

Paul/Grover (4-0)(Simon absent) **6:40 p.m. (II)** Approved the minutes of 5/5/98

Grover/Paul (4-0)(Simon absent) **6:40 p.m. (III-A)** Approved a resolution authorizing the issuance of Stanislaus County 2004 Certificates of Participation (2004 Capital Improvements), Series A and Series B; approved the forms of the two site leases, lease agreements, trust agreements, assignment agreements, and a purchase agreement with respect to the execution and delivery of County of Stanislaus Series A and Series B Certificates of Participation; authorized the execution and delivery of such Series A Certificates evidencing principal in an aggregate amount not to exceed \$16,000,000 and such Series B Certificates evidencing principal in an aggregate amount not to exceed \$30,000,000; authorized the execution of necessary documents and certificates and related actions in connection therewith; and, approved the form of the Preliminary Official Statement and authorized approved Designated Officers of the Stanislaus County Capital Projects Financing Authority to make whatever changes are necessary to deem it final for distribution to prospective purchasers of the Certificates and to further authorize delivery of a Final Official Statement to actual purchasers of the Certificates 2004-133

Mayfield/Paul (4-0)(Simon absent) **6:40 p.m. (III-B)** Approved the resolution of the Board of Directors of the Stanislaus County Capital Improvements Financing Authority authorizing the issuance not to exceed \$14,000,000 aggregate principal amount of variable rate Demand Revenue Bonds for the purpose of financing the acquisition, construction, furnishing and equipping of certain facilities for the Gallo Arts Center and providing the terms and conditions for the issuance of said bonds and other matters relating thereto and approved the following documents which have been filed with the Secretary of the Authority: I. A proposed form of the Indenture (the "Indenture") to be entered into between the Authority and Wells Fargo Bank, N.A., as Trustee thereunder (the "Trustee"), providing for the authorization and issuance of bonds; II. A proposed form of the Loan Agreement (the "Loan Agreement") to be entered into between the Borrower (the "Central Valley Center For The Arts") and the Authority, relating to the loan to the Borrower of the proceeds derived from the sale of the bonds; III. A proposed form of the Purchase Contract (the "Purchase Contract") to be entered into among the Borrower, the Underwriter and the Authority providing for the sale of the bonds to the Underwriter; IV. A proposed form of the Preliminary Official Statement (the "Official Statement") to be used by the Underwriter in connection with the sale of the bonds 2004-134

Recessed at 7:49 p.m.

Reconvened as the Stanislaus County Board of Supervisors at 7:49 p.m.

Paul/Grover (4-0)(Simon absent) **B10** Authorized the Interim CEO to complete the negotiations and to execute the operating agreement between the Central Valley Center for the Arts, the Gallo Center for the Arts, LLC and Stanislaus County relating to the leasing, operation and maintenance of the Gallo Center for the Arts; and, approved the request by the Central Valley Center for the Arts to name the facility "The Gallo Center for the Arts" 2004-129

Paul/Mayfield (4-0)(Simon absent) **B11** Authorized the Director of the Department of Parks and Recreation to negotiate agreements with the cities of Ceres, Oakdale and Riverbank to provide for the transfers of a portion of Stanislaus County's allocation of 2002 Park Bond Act (Proposition 40) Grant Program funds and directed the Director of the Department of Parks and Recreation to submit the agreements to the Board of Supervisors for consideration of approval – Parks and Recreation

C-1-A-9; C-2-B-2; C-7-A-22 2004-130

Corr 1 Referred to the Department of Public Works, a letter from the High Speed Rail Authority regarding the release of the Draft Program Environmental Impact Report/Environmental Impact Statement for the proposed California high-speed train system. The Chairman directed Public Works staff to return to the Board and provide more information regarding the benefits of the proposed high-speed train system.

Corr 2 Referred to the CEO, a copy of the Finding of No Significant Impacts for the transfer of ownership of the clean portion of Crows Landing Flight Facility to Stanislaus County from the National Aeronautics and Space Administration. Richard Jantz, Deputy Executive Officer, gave a status update to the Board regarding this transfer of the Crows Landing Flight Facility to the County.

Corr 3 Acknowledged receipt of claim and referred to the CEO-Risk Management Division the following claim: Eric Anderson.

Supervisor Grover spoke regarding the upcoming meeting on Monday with representatives from the City of Modesto regarding the annexation of County islands. He noted the exemplary work done by County staff including Kevin Williams, Director of Parks and Recreation, and Stan Risen, Senior Management Consultant, at a recent meeting in Salida regarding CSA #10. He is looking forward to the upcoming trip to Washington DC, and anticipates that it will be very productive.

Chairman Caruso also spoke regarding the upcoming trip to Washington D.C. and noted that he is impressed with the spirit of cooperation between the various agencies.

The Interim CEO announced that there will be a Ground-Breaking Ceremony for the Empire Neighborhood Park on 2/28/04 at 10:00 a.m. at the park site on I Street, north of Yosemite Boulevard (Hwy 132) in Empire, CA.

Adjourned at 8:25 p.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: ELIZABETH A. KING, 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.)