

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

Regular Session

Tuesday

November 1, 1994

All Supervisors Present

Pledge of Allegiance to the Flag

Olga Solario spoke during Public Comment Period supporting Proposition 187

- P/B unan. Adopted the consent calendar after removing Item *D-1 -Approval of Bret Harte Sewer revenue dedication for State Water Resources Control Board Loan Repayment from the consent calendar
- Approved minutes of 10/25/94 94-1101
- Accepted resignations of Doris Hale and Tony Aguilar from the Keyes MAC 94-1102 MAC-4-12
- Accepted resignation of Clifford Sharar from the HIV Advisory Board 94-1103 BD-58-21
- Approved appointment of R.G. "Mike" Fisher to the Hospital Advisory Board 94-1104 BD-59-18
- Approved appointment of Tony Aguilar to the Keyes Community Services District 94-1105 DCS-1-A-6
- Canceled direct assessment for James Beam 94-1106 S-1-C-14
- Approved commendation for the "1995 Man of the Year" for Modesto Post 74 American Legion 94-1107 M-33-AF-9
- Set a public hearing on 12/6/94 at 9:35 a.m. for an appeal of Planning Commission denial of PM application #94-28 and Variance application #94-06 for Dompe Warehouse Company 94-1108 S-18-WW-13
- Set a Public Hearing on December 6, 1994 at 9:25 a.m. to consider the adoption of Stanislaus County's Nondisposal Facility Element – DER 94-1109 S-11-M-3
- Authorized the Mental Health Director to sign an agreement with Sylvan Unified School District and the Center for Human Services for School-Based Mental Health Services and authorized the Auditor-Controller to make the necessary adjustments in Budget Unit 402115 94-1110 S-17-AG-29
- Approved amendment to agreement between the County of Stanislaus and Scenic Faculty Medical Group (SFMG) and authorized the SMC CEO to sign amendment – SMC 94-1111 S-12-LD-5
- Set a public hearing to consider establishing the Stanislaus Consolidated Fire Protection District on 12/6/94 at 9:40 a.m. and canceled the previously set public hearing on 11/22/94 94-1112 DF-1-A-10, DF-3-33, DF-19-A-28, M-7-BB-20 & S-33-D-25
- Approved the Transportation Development Act claim for 1994/95 94-1113 S-21-AL-5
- Approved agreement with Emcon Associates for Landfill Gas Control System, Phase II at the Geer Road Landfill 94-1114 S-21-AL-6
- Set a public hearing for GPA #94-02 and RA #94-03 for B & R Enterprises for 12/20/94 at 7:25 p.m. 94-1115 M-17-16-4, S-30-AF-4 & M-19-YY-1
- Approved to delegate settlement authority to County Counsels' Pipeline Litigation Committee at the mandatory settlement conference to be held in the Los Angeles County Superior Court on 11/7/94, in Chevron U.S.A. vs. State Board of Equalization, et al.; Case # BC 003827 and related pipeline cases 94-1116 S-8-AL-17

P/B unan. (Caruso abstained) Authorized the dedication of property tax increment generated within Redevelopment Project #1 to repay any and all State revolving fund loans on project #C-06-4020-110. This dedicated source of revenue shall remain in effect until such loan is fully discharged unless modification or change of such dedication is approved in writing by the State Water Resources Control Board; authorized the CEO or his Designee to sign and file on behalf of Stanislaus County, the Financial Assistance Application for a loan from the State Water Resources Control Board in the amount of \$3,050,000 for the design and construction of the Bret Harte Sewer Collection and Transfer System; and certified that Stanislaus County shall comply with all applicable Federal law and authority

94-1118 S-18-WW-14, M-54-F-23 & BU-21-E-13 (1-187

B/C unan. Authorized DSS to enter into an agreement with Lao Khmu Association, Inc. to provide Social Adjustment and Cultural Orientation for refugees through 6/30/95 and authorized the Director of DSS or her Deputy Director Designee to sign the agreement and any amendments not to exceed the original contract amount of \$24,000 – DSS

94-1117 S-27-Y-19 (1-201

M/P unan. Approved appeal after conducting a public hearing, of Planning Commission denial of PM application #94-22 and VA #94-04, for Emery Loveland, find that the appropriate findings can be made.

94-1119 S-30-AF-2 (1-486

P/B unan. Denied appeal after conducting a public hearing to consider an appeal of Planning Commission denial of PM application #94-24 and VA #94-05 based on inability to make findings, for Alan C. Patrick to create two 10-acre parcels in the A-2-40 zone on Cleveland Avenue in the Valley Home area

94-1120 S-30-AF-3

B/P unan. Approved, after conducting a public hearing, street name change of Corte De Sol to Corte Del Sol in the Del Rio Area

94-1121 S-22-AL-4

P/C (4-1) Blom opposed. Denied the appeal, after conducting a public hearing, of Planning Commission denial of UPA #94-04, for William Benbow to expand an existing facility including the racetrack, horse arena, parking area and hours of operation in the A-2-10 zone at 9606 Pioneer Avenue in the Oakdale area based upon the Staff reports, testimony of the staff, testimony of all individuals today both oral and documentary, including the video was received and considered by the Board. Board concurs with the Planning Commission concluding and making the finding that the applicant has not presented sufficient evidence to enable the Board to find the establishment, maintenance and operation of the proposed use would not under the circumstances of this particular case be detrimental to the health, safety and general welfare of the persons residing or working in the neighborhood of the use and would not be detrimental or injurious to property improvements in the neighborhood of the general welfare of the County and the Board specifically finds that the particular proposed use is not compatible with the area and, in fact, is detrimental to the surrounding areas is not simply an appropriate location for the proposed use it has out grown it's use of the area and that there are problems associated with the past operation of the use which have been the subject of testimony today and before and are included in the staff report including but not limited to dust, type of noise involved, parking, littering, trespassing issues and there was more discussion about the way the facility has been operated in the past and there was a lack confidence in the owner's ability to comply with conditions all of which the Board took into consideration in making the decision to deny the appeal

94-1122 S-30-AE-9

B/C unan. Set a public hearing to consider an appeal of the Public Facilities Fee Committees decision on behalf of Florsheim Brothers

94-1123 M-64-C-6 (4-468

Acknowledged receipt of claims and referred to Risk Management the following claims: Elvia Astorga, Curtis Stephen Filler and Ed Keylon.

Assistant CEO reported Stanislaus County has been recommended to receive full funding of all four jail projects that the County submitted to the State of California, the Board of Corrections will consider these proposals on 11/17/94 for final approval

Adjourned at 11:50 a.m.

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

BY: CHRISTINE FERRARO, Deputy Clerk

(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.)