

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

Regular Session

Tuesday

December 12, 1995

Simon Absent

Pledge of Allegiance to the Flag

P/B unan. Adopted the consent calendar

Approved Minutes of 12/05/95

95-1112

Adopted and waived the second reading of Ordinance C.S. 605 Relating to the Stanislaus County Safety Program Amending Sections of the County Code relating to the Safety Board

95-1113 ORD-51-10

Adopted and waived the second reading of Ordinance C.S. 606 Relating to the Stanislaus County Safety Program Amending Sections of the County Code relating to the Safety Program

95-1114 ORD-51-11

Cancelled assessments for City of Oakdale

95-1115 C-7-A-15

Cancelled assessments for City of Riverbank

95-1116 C-1-A-1

Accepted resignation of Jody C. Lovejoy; approved appointment of Mary Katherine Curtoni; and, approved amending terms of service for James W. Bosworth and S. Clay Wilson to the Mental Health Advisory Board

95-1117 BD-31-C-19

Authorized the Chairman and the CEO to sign the Annual Affirmative Action Commitment Statement

95-1118 M-41-A-7

Authorized the Director of Employment and Training to sign a contract with the State Employment Development Department (EDD) to conduct the "1996 Labor Market Survey"

95-1119 M-36-V-30

Authorized the Chairman to sign the State Department of Education Cooperative Agreement to receive \$257,680 in State Education Coordination and Grants (SECG) 8%-50% funds to provide Basic Educational Skill Training to GAIN customers in program year 1995-96; and approved obligation of \$218,000 in SEGG 8%-50% funds for Basic Educational Skill Training for GAIN Program customers in program year 1995-96; and, authorized the Director of the Department of Employment and Training to sign contracts with three local educational agencies not to exceed a combined total of \$218,000 to provide the proposed scope of services

95-1120 M-36-V-31

Set a public hearing for 1/23/96 at 9:25 a.m. to consider the approval and adoption of two elements of the County's Integrated Waste Management Plan: The Siting Element and Summary Plan – DER

95-1121 S-11-N-17

Approved two Local Assistance Funding Awards for Tuberculosis Prevention and Control Activities for a period from 7/1/95 through 6/30/96 and authorized the HSA Managing Director or her Designee to sign and execute the awards not to exceed \$95,671- HAS

95-1122 S-10-W-21

Approved the 1996 Board of Supervisors' calendar

95-1123 S-42-C-13

Authorized DSS to renew the agreement with the California Department of Social Services to provide funding for the continued administration of the Refugee Employment Social Services Program effective 1/1/95 through 9/30/97, and authorized the Director of DSS or his Deputy Designee to sign the agreement and any amendments not to exceed the total contract amount of \$366,309

95-1124 S-27-AC-1

- Authorized the DSS to renew the agreement with the California Department of Social Services to provide funding for the continued administration of the Refugee Targeted Assistance Program effective 10/1/95 through 9/30/97 95-1125 S-27-AC-2
- Approved the 1995-/96 Lighting District Benefit Assessment Rate and authorized the Auditor-Controller to put the assessments on the tax roll for the Treasurer-Tax Collector to collect on the tax bills - Auditor-Controller 95-1126 S-2-I-11 & S-25-L-12
- Approved the 1995 Bus Stop Improvements for Notice of Completion and balance of the contract items for the final contract cost 95-1127 CON-396-7
- Approved Program Supplement #122 revision 1 for the Faith Home Road at the Turlock Irrigation District Lateral No. 5½ Replacement Bridge of State Bridge No. 38C-316 project and authorized the Chairman to sign the agreements 95-1128 CON-386-5

Supervisor Simon arrived at 9:05 a.m.

M/S unan. Approved a contribution of Fish and Wildlife Funds in the amount of \$1,000 to be donated to the California's Secret Witness Program - Parks 95-1129 S-32-W-12 (1-20)

B/P unan. Approved the description of proposed expenditure of California Healthcare for Indigents Program Funds for the Indigents Program Funds for FY 1995/96 and authorized the Chairman to sign the description of proposed expenditure of California Healthcare for Indigents Program Funds - HSA 95-1130 S-10-W-22 & BU-21-H-1 (1-242)

M/P unan. Approved amending the Salary and Position Allocation Resolution to add seven new Family Practice Physicians to the Health Services Agency Department Listing; established the new classification of Family Practice Physician at a flat hourly rate of 48.08 (\$100,000) and assign to Community Health Service Bargaining Unit; and, extend an additional benefit to this classification pursuant to HPSA guidelines regarding loan repayment of \$12,500 annually plus an amount for Federal and State Tax of 39% 95-1131 S-12-LQ-10 & S-10-W-23 (1-289)

B/M unan. Approved agreement between the DSS, the Department of Employment and Training, and Yosemite Community College District to provide GAIN Job Club Services through 6/30/96, and authorized the Director of DSS and Department of Employment and Training or their Designees, to sign the agreement and any amendments not to exceed the estimated contract amount of \$22,000 95-1132 S-27-AC-3 & M-36-V-32 (1-387)

S/B unan. Accepted the Fink Landfill Closure Plan and Post-Closure Maintenance Plan as complete and adopted a Negative Declaration for the Fink Road Landfill Waste Management Unit LF-1 Partial Final Closure 95-1133 S-21-AM-9 (1-574)

B/P unan. Adopted the Adult Business Interim Urgency Zoning Ordinance based upon staff report to the Board and attachments A through H, testimony received at the hearing by staff and others, both oral and documentary; the Board states and finds they have reviewed and considered the staff reports and all attachments including the 483 pages in the complete summary of land use studies relating to secondary effects of "adult business" and rely on these studies and the testimony of Sgt. Rick Irwin of the Sheriff's Office; this Board unanimously adopts the Adult Business Interim Urgency Ordinance, Item-A, on the Agenda in staff report finding that an Urgency Ordinance is necessary to preserve the public safety, health and welfare of the citizens of Stanislaus County; and the Board finds that the Ordinance is designed to serve a substantial government interest and the Board introduces, adopts and waives reading of Ordinance adding Chapter 21.68, and adding Subsection M to Section 21.56.020 and adding Subsection K to Section 21.60.020 to the County Code; and, the Boards adopting of the Interim Urgency Ordinance adopts Findings, A through P, set forth in the staff report as Exhibit "D"; the Board further finds that the ordinance

is exempt from the California Environmental Quality Act and orders the filing of a Notice of Exemption; lastly, the Board finds this hearing before the Board complies with all applicable notice requirements

95-1134 S-8-AM-5 (1-647

B/P unan. Introduced and waived reading of an Adult Business Zoning Ordinance based upon staff report to the Board, and attachments A through H, testimony received at the previous hearing for Item A and this hearing by staff and others, both oral and documentary; the Board states and finds they have reviewed and considered the staff reports and all attachments including the 483 pages in the complete summary of land use studies relating to secondary effects of "adult business" and the testimony of Sgt. Rick Irwin of the Sheriff's Office, this Board unanimously approves the Adult Business Zoning Ordinance, Item-B on the Agenda, in staff report and introduces and waives first reading of the Ordinance adding Chapter 21.68, and adding Subsection M to Section 21.56.020 and adding Subsection K to Section 21.60.020 to County Code and the Board approves the Findings, A through O, set forth in the staff report excepting Finding number "P" as Exhibit "D"; the Board further finds that the Ordinance is exempt from the California Environmental Quality Act and orders the filing of a Notice of Exemption; lastly, the Board finds this hearing before the Board complies with all applicable notice requirements

95-1135 S-8-AM-5 (3-300

Referred to Interagency Children's Coordinating Council a letter from the California Department of Social Services regarding SB 750 which allows a county the option of increasing fees on birth certificates which will enable counties to increase both funding for child abuse prevention activities and to strengthen collaboration

Referred to the Chief Executive Officer a letter from the Christmas CanTree requesting the County's participation in this year's program

B/M unan. Approved District Attorney, Donald Stahl's, recommendation that the Board designate the District Attorney to assume responsibility for proceedings under W&I 6601(i) of AB 888, which provides for commitment of sexually violent predators as an alternative to release from State Prison on parole, which becomes effective 1/1/96

95-1136 S-9-G-14 (1-530

Acknowledged receipt of claims and referred to Risk Management the following claims: John Morris; Lynne Wishan; Allen Murry; and, Michael William Kalfakis vs. City of Modesto and Stanislaus County.

Chairman Caruso reported on an upcoming conference call with the San Joaquin Valley Supervisors Association regarding the Board's legislative priorities

B/M unan. Adopted a resolution supporting H.R. 2230 and authorized the Chairman to direct letters to the Governor and leaders Federal and State Legislative positions regarding methyl bromide

95-1137 M-20-Q-6 (3-333

B/M unan. Approved a resolution urging the California Transportation Commission to approve the operation of the fourth train beyond its present six months authorization

95-1138 M-20-Q-7 & M-32-C-16 (3-463

P/M unan. Approved supporting SB 1167 and urging the Governor to include a shift of property taxes back to local governments in the 1996-97 State Budget

95-1139 M-20-Q-8 (3-499

Adjourned to Closed Session: Personnel: Public Employee Appointment of the Director of Emergency Dispatch Services. Government Code Section 54954.5(e) and 54957 at 11:10 a.m.

Closed Session announcement:

B/M unan. Authorized the appointment of Phil Jenkins as the Director of Emergency Dispatch effective 12/26/95 at the 5th step of the salary range for position of Director of Emergency Dispatch with a salary of \$64,600.60

95-1140 M-23-E-32 & M-46-B-19

Due to heavy rains, the 11:00 a.m. tour of the Sheriff's Operation Facility was cancelled

Adjourned at 11:35 a.m.

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

BY: CHRISTINE D. 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.)