

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

August 20, 1996

The 1996 Earl Pride Scholarship Awards were presented to M. Jane Irwin; Robin E. Keylon; Brain Salazar; Tara B. Sanders; and, Joshua M. Self

C/S unan. Adopted the consent calendar

- Approved the minutes of 8/13/96 96-723
- Adopted and waived second reading of Ordinance C.S. 631 relating to traffic control creating and amending parking zones on County roads 96-724 ORD-53-1
- Adopted and waived second reading of Ordinance C.S. 632 relating to the sale of surplus property located at the corner of Bodem Street and Scenic Drive, Modesto, CA 96-725 ORD-53-2
- Proclaimed 9/10/96 as Olympian Tisha Venturini Day in Stanislaus County 96-726 M-33-AI-2
- Proclaimed 9/10/96 as Olympian Suzy Powell Day in Stanislaus County 96-727 M-33-AI-3
- Approved request by Mid Valley Water Ski Club for use of Modesto Reservoir on 9/8/96 96-728 S-32-X-16
- Approved and authorized the Chair to sign FY 1996/97 Pesticide Residue Sampling Contract with the California Department of Pesticide Regulation - Agricultural Commissioner 96-729 S-28-E-27
- Authorized the transfer of \$31,900 civil process fees to Sheriff-Court Service Bureau; authorized the purchase of a 4-door sedan with patrol accessories; authorized the purchase of radios; and, directed the Auditor-Controller to set up accounts and entries - Sheriff - Court Services 96-730 S-24-W-15
- Authorized DSS to enter into New Multipurpose Senior Services Program (MSSP) Chore Services/ Respite Care Contracts with Memorial Hospital Association and Staff Builders, Inc. through 6/30/97 and authorized the Director of DSS or his Deputy Designee to sign the contracts and any amendments 96-731 S-27-AD-11
- Approved the reimbursement of co-pays to Scenic Faculty for medical services provided through the National Health Plans County Employee Insurance Program 96-732 M-3-A-16 & S-4-G-23
- Approved the use of \$90,000 of savings from construction of the immediate action plan to pay for the improvements to the physical security of the recreation yards of the Immediate Action Plan at the Public Safety Center and authorized the CEO to accept and open bids from General Contractors, to sign contracts on behalf of the Board if bids are responsive and within budget 96-733 M-68-D-1 & S-4-G-24
- Approved contract CO #1 for the Sonora Road Bridge at Little John Creek in Eugene with Lionsgate Corporation of Alamo, California 96-734 CON-307-10
- Approved contract CO #1 and final cost for Lester Road, Merced Avenue, Finney Road Bicycle Lanes in Denair and Salida CML-5938(015) with Teichert Construction, Turlock, CA, and authorized the Auditor-Controller to make the appropriate adjustments 96-735 CON-393-8
- Approved final map for Countrystone Unit No. 2, finding the final map is in substantial compliance with the previously approved tentative map; find that the 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;

authorized the Chair to sign the subdivision improvement agreement; rejected all roads, highways, avenues, alleys, ways, lanes, places, etc; and, authorized the final map to be filed and recorded as presented 96-736 M-27-G-8

Approved contract CO # 2 for Bayview Point Project for public restrooms, boat ramp and parking lot at Woodward Reservoir, contracted with Howell Construction, Inc. Of Modesto, CA and authorized the Auditor-Controller to make the appropriate adjustments 96-737 CON-413-6

Set a public hearing regarding CDBG application for economic development allocation for 9/17/96 at 7:15 p.m. 96-738 M-12-E-12

M/C unan. Authorized the Auditor-Controller to set up a new index titled "La Grange Restroom Construction"; authorized the Auditor-Controller to transfer \$35,000 to this new index; authorized the Auditor-Controller to transfer \$21,000 of Public Facilities Fees; and, authorized the Director of Parks to enter into a contract with Ira Matheny, Inc., for the La Grange Restroom construction - Parks and Recreation 96-739 S-32-X-17 & M-64-C-11 (1-723

B/S unan. Approved the reclassification of three Employment and Training Managers I/II to the existing unclassified position of Program Manager I, effective 8/1/96; approved reclassification of one Employment and Training Manager I/II to the existing classification of Staff Services Coordinator- unclassified management, effective 8/1/96; and, approved reclassification of three Employment and Training Specialist III positions to the existing classification of Employment Coordinator Supervisor by amending the Salary and Position Allocation Resolution - Employment and Training 96-740 M-36-W-18 (1-1069

S/C unan. Concurred with the PIC to authorize staff to submit a funding proposal for Job Training Partnership Act (JTPA) Title III One-Stop "Career Center Pilot Project" and authorized the Director of Department of Employment and Training (DET) to sign the Title III One Stop "Career Center Pilot Project" funding proposal 96-741 M-36-W-19 (1-1085

C/M unan. Approved the formation of the Sperry Road Underground Utility District along a portion of Sperry Road 96-742 DPU-6-3 (1-1600

Referred to the Department of Environmental Resources and County Counsel a letter from Stockton East Water District suggesting a meeting between the County and the District to discuss their Stanislaus River Water Rights Application

Acknowledged receipt of the Annual Review of Capital Facilities Fees collected by the Salida Fire Protection District

Referred to the Department of Mental Health a notice of Proposed Regulatory Action from the State Department of Mental Health regarding Sections 5675 and 5678 of the Welfare and Institutions Code and is requesting written comments or testimony at a public hearing on 9/23/96

Sent a letter of support to the Stanislaus Employer Advisory Council of Modesto, Oakdale and Turlock for their "Veterans Night at the Ball Park"

Acknowledged receipt of claims and referred to Risk Management the following claims: Rudy P. Guzman; Phillip Douglas; Gregory D. Ketner; Dean Barnett; Triple A/Arnold Wiese; and Memorial Hospital/Emilio Lucero

Supervisor Caruso will go with Parks Director Gordon Dewers to Sacramento to procure funds for property acquisition in Frank Raines Park area

The CEO announced the County won a Gold Award at the California State Fair for our County exhibit. In regards to the recent CSAC Legislative Bulletin, which stated their position on the upcoming State Propositions, the CEO will review CSAC's positions and come back to the Board with suggestions on the proposition which impacts Stanislaus County

Adjourned to Closed Session: Conference with Legal Counsel: (1) Anticipated Litigation: Significant exposure to litigation and consideration of decision to initiate and join in litigation. One case - Pacific Bell vs. County of Alameda; Case No. 701796 - Santa Clara County Superior Court. Government Code Section 54954.5(c) and 54956.9(c). (2) Existing Litigation: Stanislaus Natural Heritage Project, Sierra Club et al, vs. County of Stanislaus; Case No. 301471 - Stanislaus County Superior Court. Government Code Section 54954.5(c). (3) Existing Litigation: Department of Conservation vs. David Triplett; Tax Assessor and Diablo Grande Limited Partnership; Case No. 315223, Stanislaus County Superior Court. Government Code Section 54954.5(c). at 7:45 p.m.

Closed Session announcements:

M/B unan. Authorized the County, in the matter of Pacific Bell vs. County of Alameda; Case No. 701796 - Santa a court ordered settlement which was entered into between Pac Bell and several counties including Stanislaus County
96-743 S-8-AN-7

B/C unan. Authorized County Counsel to file a petition in the 5th District Court of Appeal to request a rehearing of Stanislaus Natural Heritage Project, Sierra Club et al, vs. County of Stanislaus; Case No. 301471 - Stanislaus County Superior Court. The petition will request the Court to grant a rehearing on the issue of whether or not the EIR complied with CEQA; requested the 5th District Court, if they do not grant a rehearing on CEQA to clarify the scope of the decision and instruct the trial court on remand to issue a writ to: 1.) Prepare a supplemental EIR to address the long term water supply; 2.) No order should issue suspending any ongoing activities not dependent on the long term water supply; 3.) Authorize the entire opinion to be certified for publication including sections II and III where the Court rejected the claims that the County failed to comply with the Williamson Act and CEQA, except for the long term water covered in Section I. The publication of Section II and III of this decision will assist other public agencies in the future.
96-744 S-8-AN-8

S/M unan. Authorized the County Counsel's office to file a petition with the California Supreme Court on the 5th District Court's decision in the matter of Department of Conservation vs. David Triplett; Tax Assessor and Diablo Grande Limited Partnership; Case No. 315223, Stanislaus County Superior Court. The above matter was reviewed pursuant to Government Code Section 54954.5(c)
96-745 S-8-AN-9

Adjourned at 8:25 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

(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.)