

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

Regular Session

Tuesday

January 13, 1998

All Supervisors Present

Pledge of Allegiance to the Flag

Director of DSS, Jeff Jue presented the Eligibility Worker Recognition Week Proclamation to Crystal Mellow, President of the Stanislaus County Chapter of Eligibility Workers

Employee Service Awards honoring for thirty years of service were given to Robert Norem, Linda Sherman, Jack Copland and Ronald Squier of the Probation Department and to Arthur Martin of the Department of Social Services. Employee Service Awards honoring for twenty-five years of service were given to Steven Franklin of the Department of Social Services, George Gillispie, Thomas Millerman, Paul Anderson and Lyn Bettencourt of the Probation Department and to Linda Courtney of the Health Services Agency

Recessed at 9:58 a.m.

Reconvened at 10:11 a.m.

P/C unan. Adopted the consent calendar

Approved the minutes of 1/6/98

Appointed James Higgins and Sam Barlett to the Keyes Fire Protection District Board 98-24

Appointed Ken Beswick to the Reclamation District # 2063 98-25

Set public hearing to consider an appeal of Planning Commission decision regarding zoning and Use Permit Application #97-31 for Demergasso Ranches on 2/10/98 98-26

Accepted resignation of Phil Preston, reappointed Howard Mallory, Tina Ridley and Marianne Rucker and appointed Stephanie Chandler to the Earl Pride Scholarship Committee 98-27

Adopted and waived the second reading of C.S. 658 an Ordinance amending Stanislaus County Code Section 4.45.030 to allow applications for reassessment up to six (6) months after misfortune or calamity instead of up to sixty (60) days 98-28

Approved commendation for Del Rio Country Club upon their Fiftieth Anniversary 98-29

Amended the term expiration date of Bob Wikoff of the Oak Valley Hospital Board of Directors 98-30

Accepted the Victim/Witness Grant Award for 1997/98 in the amount of \$247,213 from the Office of Criminal Justice Planning - District Attorney 98-31

Authorized the Director of DER to submit a Household Hazardous Waste Grant to the California Integrated Waste Management Board for \$65,000 in State funding to purchase a vehicle and make other improvements to the County's Collection Program and authorized the Director of DER to sign the agreement accepting the grant - Environmental Resources 98-32

Approved the sale of medical supplies, seven infant cribs and three pediatric tents to Doctors Medical Center - Health Services Agency 98-33

Authorized the Sheriff to accept U.S. Department of Justice (DOJ) Grant Funds from the Office of Community Oriented Policing; directed the Auditor-Controller to increase Appropriations and Estimated Revenues and carry forward any unused funds at end of FY 97/98; amended the Position Allocation Resolution to add two Deputy Sheriff-Coroner positions for the life of the grant; authorized the purchase of an undercover vehicle; and, directed the Auditor-Controller to

- transfer Fink Road Landfill Funds to Sheriff-Operations 98-34
- Approved the building and facility improvements directing the DA to work with the Capital Improvements Program to implement the facility changes through the appropriate bidding process; approved the purchase of fixed assets and equipment for security improvements; approved the staffing changes and amendment to the Salary and Position Allocation Resolution; and, directed the Auditor-Controller to increase Revenue and Appropriations 98-35
- Awarded the contract for the Empire to Johansen High School Bike Lane Project to Agee Construction Corporation of Clovis, California, for the amount of \$166,886.30 and authorized the Auditor-Controller to increase appropriations by \$181,586, increased estimated Federal revenue by \$160,529 and estimated State Revenue by \$21,057 in the project account 98-36
- Approved the contract with J. H. Kleinfelder, Inc., to provide Groundwater Monitoring for 1998 calendar year at the Fink Road Landfill and authorized the Chairman to sign the document 98-37
- Introduced and waived the first reading of an Ordinance C.S. 660 amendment to Stanislaus County Ordinance Code Title 16 (Building Code), Chapter 16.35, Section 16.35.030 98-38
- Introduced and waived the first reading of Ordinance C.S. 661 pertaining to traffic control for loading and no parking zones on various County roads 98-39
- Introduced and waived the first reading of Ordinance C.S. 662 pertaining to traffic control to establish speed zones on various County roads 98-40
- Finds that all subdivision improvements required for Murphy=s Landing, Unit No. 4, by the Subdivision Improvement Agreement, executed by SCM Murphy=s Landing Improvement Co., LLC, a California limited liability company, and Stanislaus County Board of Supervisors on 7/22/97, have been constructed to the satisfaction of Stanislaus County; accepted all streets, avenues, roads and the drainage system within Murphy=s Landing, Unit No. 4, for maintenance by Stanislaus County; pursuant to Section 66499.7(a) of the Subdivision Map Act, authorized the release of Performance Bond No. 425402S that was issued by the Insko Dico Group in the amount of \$262,000 for faithful performance of the Subdivision Improvement Agreement; and, pursuant to Section 66499.7(b) of the Subdivision Map Act, upon receipt of a Mechanic=s Lien Guarantee, authorized the release of Labor and Materials Bond No. 425402S that was issued by the Insko Dico Group in the amount of \$131,000 for payment of Labor and Materials, the Mechanic=s Lien Guarantee must be dated a minimum of 35 days after the filing of the appropriate Notice of Completion, be in the amount of \$131,000, be prepared by a title company, be to the benefit of Stanislaus County and state that there are no liens of record 98-41
- Approved the right-of-way acquisition agreement for the Verdegaal Parcel for Crows Landing Road Widening Project; authorized the Chairman to sign the said right-of-way acquisition agreement; and, authorized the Auditor-Controller to issue a warrant in the amount of \$18,500 payable to Fidelity National Title Company for escrow No. 902349-TO 98-42
- Approved comments pertaining to notice of Proposed Endangered Status for the Riparian Brush Rabbit and Riparian Woodrat 98-43
- Set a public hearing regarding eligible activities for the 1998 Community Development Block Grant Application for 2/3/98 at 9:25 a.m. 98-44
- Approved Salida Storm Drain Account expenditure to Delamare-Fultz Engineering and authorized the Auditor-Controller to issue a warrant in the amount of \$5,933 payable to Delamare-Fultz Engineering 98-45
- Approved the right-of-way acquisition agreement for the Change Enterprise Corporation Parcel for the Toomes Road Construction Project; authorized the Chairman to sign the said right-of-way acquisition agreement; and, authorized the Auditor-Controller to issue a warrant in the amount of \$2,285 payable to Change Enterprise Corporation 98-46

P/S unan. After holding a public hearing considering the Formation of Schwartz-Baize Lighting District of Stanislaus County; approved the petition for the formation of the Schwartz-Baize Lighting District of Stanislaus County and any objections filed against the petition; find that the petition for formation of Schwartz-Baize Lighting District of Stanislaus County was signed by taxpayers representing 100% of the total assessed valuation of all property within the territory proposed to be formed into said district; find that the public interest and convenience do not require that an election be held upon the proposed formation of the Schwartz-Baize Lighting District of Stanislaus County; find that all of the territory within the proposed Schwartz-Baize Lighting District of Stanislaus County will benefit by the formation of the district; and, ordered the formation of the Schwartz-Baize Lighting District of Stanislaus County without an election, pursuant to Division 14, Part 4, Section 19000 et seq. (the Highway Lighting District Act) of the Streets and Highways Code

DL-41-1 98-48 (2-2525)

M/S 4-1 (Caruso) Denied appeal of Planning Commission; denial of appeal of staff decision of Stanislaus County Section 21.08.040B - Nonconforming Uses for Terry Hamilton based upon the staff report and attachments; testimony received, materials which were provided and reviewed by the Board; Board finds use was abandoned for a period of more than six pursuant to Section 21.80.040B of the Ordinance Code; Board further finds that the specific facts supporting the decision are: (1) there was not development upon the property for a period of six months and that the mobile homes were not on the property for more than six months, a fact that was conceded by the applicant and his attorney and, (2) that the applicant applied for another separate use with the Planning Department

98-49 (2-2471)

Recessed at 11:40 a.m.

Reconvened at 11:45 a.m.

P/S unan. Accepted the final report on the Needs Assessment for Facilities Study done for the Stanislaus County Library

98-47 (4-2600)

Referred to the Parks and Recreation Department a letter from Engineering Specialties Company regarding rail access to Yosemite Valley

Acknowledged receipt of letter from the United Way of America congratulating the collaborative efforts of the County, American Red Cross and United Way during the flooding of January 1997

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Steven J. Stai; Jonathan L. Snyder; Charles Nicholas Sparks; David Pierson; and, Donald Lee Davis

The CEO gave the Board an update on the Governor=s State Budget for 1998/99 and how it impacts Stanislaus County

Supervisor Caruso noted that the Assemblyman Cardoza's bill, regarding the air pollution standards for the Bay Area, was moving through the Assembly

Recessed at 12:09 p.m. to a joint lunch meeting between the Modesto City Council and the Stanislaus County Board of Supervisors for the purpose of receiving a presentation from David M. Griffith and Associates and Staff regarding the Annexation Fiscal Impact Model from 12:00 to 1:00 p.m. in the Stanislaus County Board of Supervisors Chambers

Adjourned to Closed Session at 1:17 p.m. for a Conference with Labor Negotiator: Agency Negotiator Reagan Wilson: Employee Organizations: OES, AFSCME, SRPA, DSA, SCEA, SEIU, Local 535, CAA, CNA, OE3, and Management Employees. Government Code Section 54954.5(f)

Adjourned at 3:32 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.)