

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

Regular Session Tuesday September 15, 1998  
All Supervisors Present  
Pledge of Allegiance to the Flag

A Certificate of Appreciation was presented to Byron Bystrom, Auditor-Controller in recognition of all Stanislaus County Payroll Clerks for National Payroll Week, September 14-18, 1998

Mike Romaeo spoke on the new Oracle financial system and the E-Mail process

P/C unan. Adopted the consent calendar

- Approved the minutes of 9/01/98
- Declared 9/21-27/98 as Pollution Prevention Week 98-729
- Appointed in Lieu of Election for the Westside Community Health Care - where no candidates filed 98-730
- Appointed in Lieu of Election for Evan W. Schut, Betty G. Carlson and Thomas J. Ielmini to the Del Puerto Health Care District 98-731
- Accepted the resignations of Harry Cuddy, Curt J. Mallegni and Dale J. Irwin and approved the appointment of Steve McCormick to the Romero-Newman Water District 98-732
- Accepted the resignation of Deborah L. Greer, D.M.V. from the Animal Advisory Committee 98-733
- Appointed Wendi Ramirez to the Advisory Board on Substance Abuse 98-734
- Appointed Inga Doyle to the Mental Health Board 98-735
- Appointed Madeline Davidson to the Stanislaus Consolidated Fire District 98-736
- Proclaimed October as Cultural Heritage Awareness Month 98-737
- Accepted the resignation of Joanne Helfer and appointed Cliff Larrabee as an alternate member to the Regional Advisory Board of the Mountain-Valley Emergency Medical Services Agency 98-738
- Approved the Department of Aging and Veterans Services (Area Agency on Aging) Fiscal Year 1997-98 Year-End Progress Report on the 1997-2001 Planning and Service Area (PSA) Plan and authorized the Chairman to sign the transmittal letter to the California Department of Aging 98-739
- Approved the proposed extension of contract ending date from 6/30/98 for Senior Employment Services provided with Older Americans Act Title V Funds; authorized the Chairman to sign the FY 1997-1998 Contract Amendment No. 3 for Older Americans Act Aging Programs Funded through the California Department of Aging; and; authorized the Auditor-Controller to make appropriate budget adjustments 98-740
- Approved contract with Mountain Valley Emergency Medical Services Agency for FY 1998-99 to administer local emergency medical services and authorized the Chairman to sign the contract with Mountain Valley Emergency Medical Services Agency - Health Services Agency 98-741

- Approved the discharge of accountability of the Treasurer/Tax Collector for County Departmental accounts which are uncollectible 98-742
- Authorized the transfer of \$8,500 from the State Asset Forfeiture Trust to Sheriff's Operations; authorized the Sheriff to purchase a computerized polygraph machine; and, directed the Auditor-Controller to make the necessary transfers 98-743
- Approved the Plans and Specifications for the STP AC Overlay Program - Phase 8; authorized the Clerk of the Board to set the dates for advertising and schedule a bid opening at a date and time to be determined by the Director of Public Works; and, authorized the Auditor-Controller to increase appropriations by \$2,000 and estimated Federal Reserve by \$1,770 in the project account to cover the cost of advertising and publishing the project 98-744
- Approved contract CO #1 for the Tidemark Computer Systems Permit\*Plan to include Public Facility Fee calculations; authorized the Auditor-Controller to transfer \$4,500 from Public Facility Fees to the contract account for a total contract amount of \$104,015 98-745
- Approved the annexation of Territory to the Salida Highway Lighting District without an election (Shell Lab Annexation - APN: 003-16-17); find that the territory is owned by the petitioner, and that petitioner's ownership represents 100% of the total assessed valuation of all taxable property within the territory proposed to be annexed into said district; find that Stanislaus County Code 21.40.040 requires the installation of a street lighting system to serve territory; find that the territory proposed to be annexed is not within the limits of any other lighting district; find that public necessity and welfare require that the territory be annexed to the lighting district; ordered the requirements of notice, hearing and election shall not be applicable to this proceeding pursuant to Streets and Highways Code Section 19056; ordered that the territory shall be annexed to the Salida Highway Lighting District of Stanislaus County; find the fact of filing of the petition was received by the Clerk of the Board on 8/28/98; ordered that pursuant to the Streets and Highway Code Section 19000, et seq., the cost of conducting and maintaining the lighting district shall be assessed against the individual parcels of land within the District's boundaries; and, directed the Clerk of the Board to send a certified copy of the resolution ordering the annexation to the Lighting District to the Department of Public Works, the offices of the Assessor, Elections, Auditor-Controller and the Clerk-Recorder; and, directed the Department of Public Works to send a certified copy of the resolution ordering the annexation to the Lighting District and all other required documents and the processing fee to the State Board of Equalization 98-746
- Approved the Salida Planned Development Storm Drain Account expenditure to Ross F. Carroll, Inc., and authorized the Auditor-Controller to issue a warrant in the amount of \$72,846.99 payable to Ross F. Carroll, Inc. 98-747
- Introduced and waived the first reading of an Ordinance C.S. 683 for an adoption of Sections 7.32.170 and 7.32.180 of Chapter 7.32 of the Stanislaus Code regarding implanting of micro-chips into animals adopted and reclaimed from the Animal Services Center and authorized the Auditor-Controller to establish a Micro-Chip Account in Organization 0011100 - Animal Services 98-748 ORD-54-B-15

S/M unan. Authorized the CEO, on behalf of the Board, to request funding under the Supplemental Law Enforcement Services (SLES) from the State Controller; authorized the establishment of the Supplemental Law

Enforcement Services Committee; directed the Auditor-Controller to deposit funds received into the interest bearing trust fund for Supplemental Law Enforcement Services; and, directed the Auditor-Controller to transfer back to the fund or carry forward any unused funds at the end of the Fiscal Year – Sheriff 98-749 (1-770)

P/M unan. Accepted the Community Services Agency's Report on the Food Service/Hospitality Training Program 98-750 (1-1103)

S/C unan. Denied the request by R&R Disposal for acquisition by U.S.A. Waste of California, Inc. based on the current provisions of the County Ordinance and regulations 98-751 (1-1508)

S/C unan. Opened the public hearing and continued the FY 1998/99 Final Budget Hearing to Wednesday, 9/16/98, at 2:30 p.m. 98-755 (2-1790)

M/P unan. Based on the testimony given remanded to the General Plan Amendment #97-01 and Rezone Application No. 97-01 for Signature Development back to the Planning Commission to proceed ahead with this application and made the necessary recommendations regarding the project at it's 11/5/98 meeting, to be heard as soon as the matter can be placed on their agenda, to proceed ahead with the application based on the testimony given; and, returned to this Board on 12/15/98, or earlier if possible 98-756

Recessed at 8:40 p.m.

Reconvened at 8:50 p.m.

P/S (4-1)(Mayfield) Denied appeal Approved the Use Permit Application No. 97-29 for Modesto Teen Baseball in which the hearing was continued from 9/1/98 on the project which would establish four youth baseball fields with a concession stand, parking area, restrooms, and practice area in the A-2-10 (General Agriculture) zoning district, located at the southeast corner of Plainview Road and Litt Road, within the City of Modesto's sphere of influence. The Board, based upon the staff report and testimony received at the hearing and at the previous hearing on September 1, 1998, ordered the filing of a Negative Declaration and found the project to be "De Minimis" for the purposes of the Fish and Game Codes, found the baseball park a compatible use and one which will not disrupt the purposes of the Williamson Act Contract to preserve agricultural, recreational, and open space land per Government Code Sections 51201 and 51205. The Board further finds the appropriate Williamson Act and other necessary findings set forth in the staff report can be made and finds that the baseball park will not significantly compromise agricultural operations, displace or impair actual or potential agricultural uses on the site or adjacent contracted sites, or lead to the loss of agricultural uses on the site or adjacent contracted sites or lead to the loss of agricultural uses on adjacent lands per Government Code Section 51238.1; the Board further finds the baseball park may be an approved use on non-prime land pursuant to a Conditional Use Permit per Government Code Section 51238.1(c); and further finds the baseball park will not result in a permanent increase in population and thereby impair agricultural uses, and approves Use Permit Application No. 97-29, Modesto Teen Baseball, subject to the Conditions of Approval. The Board further modified Condition No. 29 to state that the hours of operation shall be from 6 p.m. to 10 p.m. Monday through Friday, Saturday 8 a.m. to 10 p.m. and Sunday noon to 10 p.m. The Board further adopted the three attached Conditions which were set forth in the staff report for 9/15/98, and added an amended fourth condition which reads as follows: "That applicants or property owners or any future owner or operator of the baseball field shall, upon receiving 24 hour notice, which will open a four day window period, from an adjacent farmer whose

property is being aerially sprayed delay the start of a game or practice or cancel a game or practice to allow the aerial spray application to occur. The adjacent farmer shall have noticed the Stanislaus County Agricultural Commissioner's office at least 24 hours prior to the aerial spray application and the adjacent farmer shall notify Teen Baseball as soon as the aerial spray application is completed."'; and, removed fifth condition 98-757 (4-2614

S/C unan. Approved a 5% pay adjustment to Elected Department Heads' compensation effective the pay period after 9/1/98 98-752 (5-1820

C/P unan. Approved the agreement between the Department of the Army and Stanislaus County for the West Stanislaus County Storm Drainage Project and authorized the Director of Public Works to sign the agreement on behalf of the County 98-753 (5-2030

S/P unan. Approved the agreement between Stanislaus County, the City of Newman and the City of Patterson for the Westside Storm Drainage Project be approved and authorized the Chairman to sign the agreement on behalf the County 98-754 (5-2540

Referred to the CEO a letter from Pacific Gas and Electric Company regarding the General Rate Case under review by the California Public Utilities commission

Referred to the Stanislaus Area Association of Governments a letter from the Stanislaus County Bicycle Club requesting support for the need for additional bicycle projects and the available Federal Transportation Funds

Referred to the CEO a letter from the American Promotional Events, Inc., requesting the approval of the sale of state-approved fireworks between December 26, 1999 and January 1, 2000, to celebrate the "Millennium" and California's "Sesquicentennial"

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Donovan Burt, a minor child; Walter Harris; Phyllis Camboia; Regina Marie Luque and Samuel David Luque, by and through their Guardian and Father, Othon Luque; and, Robert P. Borg

Supervisor Paul attended the opening of the HSA Empire Clinic this past weekend

Budgets went out on Friday and reminded the Board to vote on the 10th Street Place art work

Recessed on Tuesday, 9/15/98 at 10:58 p.m.

Boardmembers attended the Grand Opening Dedication Ceremony for the Stanislaus County Agricultural Center on Wednesday, 9/16/98, at 9:30 a.m. on 3800 Cornucopia Way, Modesto

Reconvened on Wednesday, 9/16/98 at 2:30 p.m. for the continuation of the FY 1998/99 Budget Hearing

C/M unan. Approved the following revised recommendations; received the recommended Stanislaus County Final Budget for Fiscal Year from the CEO after holding the public hearing where public comment and input on the proposed spending plan was received; directed and approved any changes the Board made to the

recommended Final Budget by funding for any additions the Board made by reducing the appropriation for contingencies; authorized the CEO and the Auditor-Controller to make the necessary technical adjustments to implement the Final Budget spending plan for 1998-99, including adjustments to the General Liability charges in each budget to reflect a reduction in appropriations as recommended in the General Liability Budget to fund the Salado Creek Improvement Project; directed the CEO and the Auditor-Controller to prepare the Final Budget document in accordance with State Law and submit to the State Controller prior to 11/1/98; amended the Salary and Position Allocation Resolution to reflect the new positions, position deletions and classification changes as recommended in the Recommended Final Budget; and, consider the proposed increase in the Administrative Case Management Fee from \$30 per month to \$50 per month by authority of Penal Code Section 1203(h) as recommended by the Probation Department  
98-755 (5-2690

Reagan M. Wilson, CEO, noted the excellent leadership of Patty Hill Thomas while he was out of town. He also thanked the Board for their progressive leadership.

Supervisor Simon commented on the professionalism and cohesiveness of the County staff and thanked Reagan M. Wilson's for his innovative leadership and that of the CEO staff. Supervisor Mayfield and Chairman Blom also thanked and commented on the

Adjourned at 4:14 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.)