

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

Regular Session

Tuesday

March 9, 1999

All Supervisors Present

Pledge of Allegiance to the Flag

Presentation proclaiming March 1999 as Social Worker Recognition Month

Steve Kyte, City Manager for the City of Turlock gave a commendation to Michele Frank, Deputy Director of Public Works for her recent assistance in the City's Public Works Department

C/P unan. Adopted the consent calendar

Approval of Minutes for 3/2/99

Adopted and waived second reading of Ordinance C.S. 690 imposing a Transaction and Use Tax to be administered by the State Board of Equalization 1999-165

Commended the Crows Landing Lions Club upon the celebration of their 50th Anniversary 1999-166

Commended five members of the Health Services Agency Volunteer Services 1999-167

Appointed Dr. Jeff Kahler, D.V.M. to the Animal Advisory Board 1999-168

Appointed Rachel Hicks to the Crows Landing Community Services District 1999-169

Accepted resignations of William Henderson and Dale Irwin and approved appointments of Chris Kelly and Sabin Phelps to the Romero-Newman Water District 1999-170

Canceled the Board of Supervisors' meeting of 4/13/99 1999-171

Approved request from the La Grange Improvement Association for Use of the Stanislaus County Park Facility in La Grange on 5/2/99, for their 26th Annual Homecoming Event 1999-172

Accepted resignation of James F. Hall and approved the appointment of Elvia Jiminez to the Salida Municipal Advisory Council 1999-173

Approved acceptance of contract amendment #GAPP-8066-1 with the California Department of Education for Administration of Child Care and Development Grant - General Funds (\$1,087 augmentation); authorized the Director of CSA, or his Assistant Director Designee, to sign this contract and any amendments not to exceed the total contract amount of \$50,950; approved acceptance of contract amendment #F3AP-8073-1 with the California Department of Education for Administration of Child Care and Development Block Grant Stage 3 funds (\$21,087 augmentation); and, authorized the Director of CSA, or his Assistant Director Designee, to sign this contract and any amendments not to exceed the total contract amount of \$988,371 - Community Services Agency 1999-174

Authorized the Director of DER to apply for a \$33,000 grant from the California Department of Conservation on behalf of Salida, the Agricultural Center, and the Cities of Newman, Oakdale, Patterson, and Riverbank; and, authorized the Director of DER to receive and administer the grant 1999-175

- Authorized the Public Defender to submit a grant application to the Office of Criminal Justice Planning (OCJP) in the amount of \$98,857 - Public Defender 1999-176
- Approved contract CO #1 for the LF-2, Cell No. 3, Phase 1 Base Liner System Construction and SI-1 Reconstruction Project at the Fink Road Landfill; authorized the Purchasing Department to increase the contract amount by \$53,880.62 for a total contract cost of \$1,871,902.82 1999-177
- Authorized the Auditor-Controller to increase appropriations from in-house matching funds in the project account by \$25,000 to cover the costs of preliminary testing for upcoming road resurfacing projects for deflection testing for STP Asphalt Concrete Overlay, Phase 9 1999-178
- Authorized the Auditor-Controller to increase appropriations from in the Project Account by \$25,000 to cover the costs of preliminary testing for 1999 STIP Overlay Program 1999-179
- Adopted a resolution to approve a summary abandonment of a portion of Codoni Avenue Lying North of the Tuolumne River 1999-180
- Adopted a resolution to summary abandonment of portions of 1st Street, AKA: Alpine Avenue in Blocks 9000, 9007, and 9008 of South Modesto Acres, Tract No. 3 1999-181
- Approved contract CO #1,2, and 3 for the Salida Drainage Pipe under State Highway 99 by Walter C. Smith Company, Inc.; authorized the Purchasing Department to increase the contract amount by \$211,589.79; and, authorized the filing of the "Notice of Completion" upon receipt of supporting documentation 1999-182

P/M unan. Approved implementation of "Right Start" Program for STANworks recipients - Community Services Agency 1999-183 (1-1117)

B/M unan. Authorized acceptance of Planning Grant funds from Board of Corrections; authorized the increase in Appropriations and Estimated Revenues to the Sheriff's Budget of \$31,500; authorized the Sheriff to submit an application for Mentally Ill Offender Crime Reduction (MIOCR) Demonstration Project Grant funds through the California Board of Corrections; and, authorized the Sheriff, or his Designee, to sign the Mentally Ill Offender Crime Reduction (MIOCR) Demonstration Project Grant application - Sheriff/Mental Health (3-979) 1999-184

B/M unan. Accept the Chief Executive Officer's 1998-99 Mid-Year Fiscal Report for FY 1998-99; authorized the CEO and the Auditor-Controller to make the necessary budget adjustments and transfers as recommended in the report; directed the CEO, in collaboration with County Departments, to ensure that operations remain within budget policies and budgeted appropriations; designated the CEO the authority to approve County Court Funding budget to exceed its appropriations and along with the Auditor-Controller balance the fund prior to year-end utilizing any additional revenue and future reductions in Maintenance of Effort to lessen the impact on the 1998-99 General Fund Balance; directed the CEO to prepare the Third Quarter Fiscal Report for consideration on 5/18/99; reaffirmed Budget priorities for 1999-2000; amended the Salary and Position Allocation Resolution as stated in staffing impacts effective the start of the first pay period on 3/13/99; and, approved the Fixed Asset Schedule B 1999-185 (3-2370)

B/C unan. Approved a Joint Exercise of Powers agreement between the City of Modesto and Stanislaus County for a shared Operation of the Emergency Dispatch Center and approved an Emergency Dispatch renovation agreement to remodel, furnish and equip the City-County Building at 3705 Oakdale Road, Modesto (4-1590)

B/C unan. Accept the Stanislaus County and City of Modesto Emergency Dispatch Center Implementation Plan from the City-County Project Team and the Warner Group; approved the contract with the Warner Group for professional communication consulting services for the City-County Emergency Dispatch Project; authorized the CEO to sign a contract with the Warner Group for professional consulting services; authorized the Project Team to issue a RFP for construction inspection services for various Capital Projects to include the Emergency Dispatch, Fleet Services and the Juvenile Hall Expansion Projects; approved the proposed funding plan for the City-County Emergency Dispatch Project; and, amended the Salary and Position Allocation Resolution to reclassify one vacant Systems Analyst to Deputy Director of Emergency Dispatch 1999-187 (4-359)

**Recessed to sit as the Stanislaus County Redevelopment Agency at 9:20 a.m.**

B/P unan. Approved the Consent Calendar 1999-188 (1-1524)  
 Approved the minutes of 12/8/98  
 Authorized the Executive Director to retain the services of Charles E. Strand of Turlock, to conduct the 1998/99 Redevelopment Agency Audit and prepare the necessary reporting documents for submittal to the Office of the State

C/M unan. Approved the commitment of one half of the required local match requirement in the Transportation Enhancement Act Grant Application for a Streetscape Beautification Program at the Howard Road/Interstate Highway 5 Interchange 1999-189

B/M unan. Approved the commitment of \$46,520 to amend agreement with Garcia-Davis-Ringler to prepare Salida Boulevard Design Drawings and authorized the Executive Director of the Agency to act on behalf of the Agency in all matters pertaining to the amended agreement 1999-190

B/C unan. Approved the commitment of \$9,860 for Hausrath Economics Group to prepare a Market Study of the Salida Boulevard/Broadway Avenue Business Corridors of Salida and authorized the Executive Director to act on all matters pertaining to the agreement 1999-191

P/M (4-0)(Caruso abstained) Approved the commitment of \$50,000 from the Housing Set-Aside Fund of \$50,000 to the 1999 Community Development Block Grant Application 1999-192

B/C unan. Authorized entering into negotiations regarding property acquisition for purposes of Storm Water Drainage Retention / Detention Facility and File Use Permit Application for same 1999-193

Received an update regarding the 1999 Home Grant application, Cloutier Drive Abandonment, and World Changers 1999-194

**Reconvened to sit as the Stanislaus County Board of Supervisors at 9:32 a.m.**

P/C unan. Based on staff report and testimony at the public hearing and based upon comments the Board approved the appeal and denied Use Permit Application #98-14 for Tom Keeney; Board states the findings as

set forth in Code Section 1.20.030 cannot be made, specifically the Board finds that the establishment as proposed could be substantially deterrent to or in conflict with agricultural use of other property in the vicinity; Board finds the proposed use could create a concentration of commercial and or industrial uses in the vicinity and that the use should be located in a commercial or industrial area and that the proposed use is inconsistent with County zoning ordinance and rules and negotiations 1999-195 (1-2188)

**Recessed at 10:31 a.m.**

**Reconvened at 10:50 a.m.**

C/B unan. Based upon staff report and testimony at the public hearing, the Board grants the appeal of Parcel Map Application #98-40 and Variance Application #98-03 for Carl and Eloise Wagner; the Board orders the filling of a Negative Declaration and finds the project to be “de minimis” for purposes of the Fish and Game; the Board approves application subject to the staff conditions; Board finds the findings set forth in Section 21.84.020 can be made; Board finds specific circumstances exist and property is unique and the feasibility of the parcel would be diminished if the parcel was limited to three acres and the location of the residence warrants a variance; and, the Board finds this action represents a common sense approach to this application (2-237 1999-196)

B/M unan. Approved opposition to any changes in the Medical Injury Compensation Reform Act by the State Legislature as requested by the California Medical Association 1999-197

Refer to CEO a letter from the State Board of Control requesting information by March 31, 1999 on the interpretation and application of Penal Code Section 1203.1d in Stanislaus County

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claim: Bernard Archibeque

Supervisor Paul updated the Board on her recent attendance at the NACO Legislative Conference in Washington, D.C.

The verbal report on the Y2K issue was continued until next week

The Board of Supervisors' Retreat was held after the Board meeting at the CAPEX Board Room on the 14th Floor of the Doubletree Hotel, 1150 9th Street, Modesto, CA

Adjourned at 12:40 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.)