

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

Regular Session

Tuesday

November 9, 1999

All Supervisors Present

Pledge of Allegiance to the Flag

**Please Note this is the First Board of Supervisors' Meeting Held in the New 1010 10th Street Joint Chambers**

Social Worker of the Year Award for the Central Region from the California State Foster Parent Association Presented to Art Martin, Social Worker with the Community Services Agency

George Gaekle, former CEO of Stanislaus County, congratulated the Board on the new building

The CEO requested that the Public Hearing regarding Diablo Grande be continued to 12/7/99 at 9:30 a.m.

P/B unan. Adopted the consent calendar

Approved minutes for 11/2/99

Appointed Antonio Mello and Joe Sallaberry to the Reclamation District 2063

1999-876

Appointed Wayne D. Zipser to the Stanislaus County Groundwater Coordination

Advisory Committee

1999-877

Appointed Evelyn Allinson to the Empire Sanitary District

1999-878

Accepted the resignation of Leonard Powell from the Stanislaus County Parks and

Recreation Commission

1999-879

Set a Public Hearing on 11/16/99, at 7:50 P.M. pursuant to County CEQA Guidelines to appeal Environmental Review Committee's recommendation for Focused EIR regarding a 40 acre parcel at the corner of Stoddard and Kiernan Avenue

1999-880

Accepted the Office of Criminal Justice Planning's Augmentation of \$103,812 to the Violence Against Women Grant Funding for the District Attorney's Office and directed the Auditor-Controller to augment the budget by \$103,812

1999-881

Accepted FY 1999-2000 Grants from the Department of Insurance for District Attorney's Office Workers Compensation Fraud and Automobile Insurance Fraud Programs totaling \$408,000; authorized the DA to approve the grant award agreements including any extensions or amendments; directed the Auditor-Controller to adjust the budgets; and, amended the Salary and Position Allocation resolution to add one Criminal Investigator II Position in the Automobile Fraud Program

1999-882

Accepted the Department of Justice's Spousal Abuser Prosecution Program Grant for the District Attorney's Office for FY 1999-2000

1999-883

Accepted FY 1999-2000 Funding from the Office of Criminal Justice Planning for the District Attorney's Office Career Criminal, Statutory Rape Prosecution and Victim/Witness Programs

1999-884

Accepted the Office of Criminal Justice Planning's Major Narcotic Vendors Prosecution Grant for the District Attorney's Office for FY 1999-2000 1999-885

Authorized the purchase and installation of Uninterrupted Power Source (UPS) for the Stanislaus County Health Services Agency 1999-886

Approved the amendment to the Primary Care Services agreement between Stanislaus County Health Services Agency and Permanente Medical Group (Kaiser) and authorized the Managing Director of the HSA to sign the amendment 1999-887

Approved an easement agreement for Tuolumne River Regional Park (T.R.R.P.) and City of Modesto for the Ninth Street Outfall Storm Drain Project and authorized the CEO to sign an easement agreement on behalf of Stanislaus County with the City of Modesto – Parks 1999-888

Authorized the Director of Parks and Recreation to conduct a Pilot Camping Program for Frank Raines Regional Park and authorized the Director of Parks and Recreation to reduce camping fees at Frank Raines Regional Park from 5/15/00 thru 9/15/00 for seniors – Parks 1999-889

Continued the Local Emergency Proclamation issued by the Director of Stanislaus County's Emergency Services on 9/22/99 due to the Westley Tire Fire and directed all appropriate action to be taken relative to the local emergency 1999-890

P/B unan. Proclaimed November 1999 as California Court Adoption and Permanency Month 1999-891

B/C unan. Approved development of an Alternate Emergency Operations Center (EOC) for the period of 11/15/99 through August 2000 in the Ceres Emergency Services, Police Department Building; delegated authority to the CEO to finalize an agreement between the County, City of Ceres and the City of Modesto to establish a fully operational Alternate Emergency Operation Center; approved the increase in Appropriations and Revenue for the Office of Emergency Services' budget in the amount of \$50,000; and, directed the Auditor-Controller to make the necessary financial transactions 1999-892

B/C unan. Authorized the CEO to execute an agreement with the Stanislaus County Office of Education to allow SCOE to transform from being fiscally dependent on the County to being fiscally independent of the County; authorized the CEO to proceed with close of escrow on the County Administration Building, and to sign any necessary and appropriate documents to effect the sale of the property to SCOE; and, authorized SCOE and its representatives to enter the County Administration Building prior to close of escrow to remodel the facilities, subject to full indemnification from SCOE 1999-893

M/C unan. Continued to 12/7/99 at 9:30 a.m. the Public Hearing to Consider: A. Pursuant to the Writ of Mandate Dated October 1, 1999 from the Stanislaus County Superior Court, Adopt a Resolution to Set Aside and Void the Recertification of the Diablo Grande Specific Plan Environmental Impact Report as Supplemented by the Water Resources Plan Supplemental Environmental Impact Report and All Approvals Related to the Diablo Grande Specific Plan or Phase 1 Project that Relied upon the Diablo Grande Specific Plan Environmental Impact Report as Supplemented; B. Adopt a Resolution Recertifying the Diablo Grande Specific Plan Environmental Impact Report (Sch #91032066) as Supplemented by the Water Resources Plan Supplemental Environmental Impact Report (Sch #97032022) only Insofar as They Address

Development of Phase 1 Served with Water from Berrenda Mesa and Onsite Groundwater; C. Find that Substantial Evidence Exists to Support the Findings Listed in the Writ of Mandate Dated October 1, 1999 from the Stanislaus County Superior Court; D. Adopt Resolution Re-authorizing General Plan Amendment No. 91-01 and Specific Plan Application No. 91-01 - Diablo Grande, Only Insofar as they Apply to Development of Phase 1; and, E. Approval to Reintroduce and Waive the First Reading of an Ordinance for Rezone Application 91-01 and Modified Sectional District Map 91-100.840; F. Approval to Introduce and Waive the First Reading of an Ordinance for the Phase 1 Preliminary Development Plan - Diablo Grande; G. Approve Tentative Map Application No. 97-01 - Diablo Grande Unit 1, Including Approval of: a) Berrenda Mesa and On-site Wells as the Specific Water Sources for Phase 1, b) Minor Proposed Changes to the 1993 Mitigation Monitoring Reporting Plan, c) Western Hills Water District and Diablo Grande Standard Drawings and Specifications, d) Diablo Grande Limited Partnership, Diablo Grande Commercial Association, and Diablo Grande Residential Association as the Entities Responsible for Ownership, Funding, Operation, and Maintenance of Private Roads, Landscape Areas, Parks/Creekside Areas, Open Space, Wildlife, Corridors, Street Lighting, Guard Shack, Communication Facilities, Utility Facilities, Utility Sites, Wetlands, and the Sheriff Station, and e) Western Hills Water District as the Entity Responsible for Funding, Operating, and Maintaining Water, Wastewater, and Storm Drain Systems

1999-894(a); 1999-894(b); 1999-894(c); 1999-894(d); 1999-894(e); 1999-894(f); 1999-894(g) B/C unan. After conducting the public hearing, approved GPA# 99-05 and Rezone Application #99-11 to change the General Plan Designation and rezone a 23 acre parcel from Agriculture (A-2-40) to Planned Development (PD) for the purpose of constructing a 232,000 square foot mini-storage facility, a 2,400 square foot caretakers residence and office building, and a 3.7 acre outdoor RV storage area; introduced, waived the reading, and adopted "amended" Ordinance C.S. 706 regarding the rezone for Derrel A. Ridenour; based on the staff reports, Board comment and testimony received at the hearing, the Board of Supervisors ordered the filing of a Mitigated Negative Declaration based on the initial study and other project amendments and information submitted by the applicant and commenting agencies; find that all significant environmental impacts have been mitigated and the proposed general plan amendment is consistent with the overall goals and policies of the Land Use Element of the County General Plan and the overall General Plan and is compatible with uses in the surrounding area; approved GPA #99-05; find that the proposed PD zoning is consistent with the Planned Development General Plan designation; find that the project will intensify use of the site, thereby necessitating dedications and improvements; approved Rezone Application #99-11 subject to the Development Standards; the Board found the land is of diminished agricultural importance and has not been actively farmed for some time; that cannery waste was placed on a portion of the project area and that Mr. Bill Burchell testified the land was not very good agriculture land for use in growing certain crops and the Board relied on his expertise; and, the Board found that all the necessary findings set forth in the Staff Report could be made. 1999-895 199-896 ORD-54-D-6

Referred to the HSA a letter from the Department of Health Services regarding the FY 1999-00 Revised County Allocations for the California Healthcare for Indigents Program (CHIP) county allocations

Referred to the DER a letter from the State Water Resources Control Board regarding the filing of an application for a Water Right Permit for diversion of water from Union Slough tributary to Dry Creek in Stanislaus County

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Myesha Robinson; Don Nasser; and, Karen Mathews

Supervisor Caruso attended a meeting regarding zoning and water issues in the San Joaquin Valley and he noted that the growth limiting ballot issues failed in the Bay Area.

Supervisor Paul noted that the Veterans would like some part the Crows Landing Air Field to be used for housing for homeless veterans. The CEO noted that he would work with the Veterans' groups.

Supervisor Blom noted that there is an increase of dairies in the valley area and there are issues with the increase of these dairies and the number of cows per acre. He would like a uniform approach throughout the valley and requested the staff to work on this issue.

The CEO noted that he continued the Modesto Tallow issue due to today's SJVUAPCD's meeting with the plant. He also noted the DA was in the meeting and that there is a new State law prohibiting Counties from taking actions against such a facility. He also noted that the Board has requested the County to be more involved with water issues locally and state wide.

George Gaekle informed the Board of the 9:30 a.m. Saturday ceremony for the opening of the Amtrak station.

Russ Richards, noted that the Westley Tire Fire is out and most of the agencies are gone with the exception of the EPA who is still there working on the winterization of the site to pipe the water and the oil off the site. A solution for the water from the fire fighting that must be treated is being examined. There is a contingent fire fighting plan in place and a long-term site mitigation plan is being enacted to rid the site of the non-burned tires, partially burned tires and the tires that are too large to be burned. To date, the Federal government has spent 2.4 million dollars on the fire.

Patty Hill-Thomas, Assistant CEO, gave an update of the moving experience and where we are in the process of acclimating to the new building.

Adjourned at 10:56 a.m.

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

BY: CHRISTINE D. FERRARO TALLMAN, Clerk of 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.)