

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

Regular Session

Tuesday

October 9, 2001

All Supervisors Present

Pledge of Allegiance to the Flag

B/C unan. Adopted the consent calendar after removing from consent Item ***B-7** - Approval to Accept Supplemental Grant Funds from the Office of National Drug Control Policy (ONDCP) for the Central Valley California High Intensity Drug Trafficking Area (HIDTA) for the Calendar Year 2001; Amend the Salary and Position Allocation Resolution; and, Purchase Equipment – Sheriff

***A1** Approved the minutes of 10/02/01

***A2** Accepted the resignation of Dale Lundquist and appointed Al Enos to the Denair Fire Protection District Board of Directors 2001-778

***B1** Authorized the acceptance of \$355,586 sixth year funding from the Department of Justice Bureau of Justice Assistance, for the 2001 Local Law Enforcement Block Grant Program; directed the Auditor-Controller to establish a new interest bearing budget unit in the Special Revenue Fund and Estimated Revenue and Appropriations Accounts; approved the recommendations of the Local Law Enforcement Advisory Group for use of the funds; authorized disbursement of any interest earned on the Special Revenue Budget Unit proportionately to the relevant departments at the conclusion of the grant; and, amended the Salary and Position Allocation Resolution to add two Deputy Sheriff-Coroner positions and to transfer one currently authorized Deputy Probation Officer II position – CEO 2001-779

***B2** Approved a full day holiday for 12/24/01 instead of a half day (four hours) off as provided for in the County Ordinance Code; approved a full day holiday (eight hours) for 12/31/01; and, authorized the closure of County offices on Monday, 12/24/01 and Monday, 12/31/01 – CEO 2001-780

***B3** Approved an agreement to provide the State Department of Corrections, Parole and Community Services Division access to the California Law Enforcement Telecommunications System (CLETS) for law enforcement purposes; and, authorized the Director of Stanislaus Regional 9-1-1 to sign the agreement and any extensions or amendments – Emergency Dispatch 2001-781

***B4** Approved a contract with the State Department of Health Services to receive Public Health Preparedness and Response to Bioterrorism Grant Funds for Federal FY 2001-02; and, authorized the HSA Interim Managing Director, or Designee, to sign and execute the amendment to the contract 2001-782

***B5** Approved a request to hold a community event at Salida Park on 10/30/01 – Parks and Recreation 2001-783

***B6** Approved amendments to the by-laws of the Stanislaus Children's Council – Probation BD-65-22 2001-784

***B8** Accepted the Stanislaus County Treasury Pool's July, 2001 Monthly Investment Reports as prepared by the Stanislaus County Treasurer-Tax Collector's Office and reviewed for conformity with State Law and Local Investment Policy by the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chair to sign for the Board that the report has been reviewed and accepted – T/TC 2001-785

- ***C1** Approved an agreement between the State of California Reclamation Board and Stanislaus County for the West Stanislaus County Flood Control Project; and, authorized the Chair to execute the agreement – Public Works 2001-786
- ***C2** Approved the Subdivision Improvement Agreement for Bangs Industrial Park – Public Works 2001-787
- ***C3** Approved the deletion of the West Main Avenue – San Joaquin River Bridge Project from the County’s Public Facility Fee (PFF) Inter-City Roads Project List; and, approved the inclusion of Sperry Road from Baldwin Rd. to I-5 2001-788

S/B unan. ***B7** Amended the item to correct the dollar amount in Staff Recommendation #1 to reflect \$1,013,000; authorized the Sheriff to accept supplemental grant funds of \$1,013,000 from the Office of National Drug Control Policy (ONDCP) for the Central Valley California High Intensity Drug Trafficking Area (HIDTA) for CY 2001; directed the Auditor-Controller to increase estimated revenues and appropriations; directed the Auditor-Controller to carry forward all remaining funds at the end of the FY due to the CY grant dates; amended the Salary and Position Allocation Resolution to add one Deputy Sheriff-Coroner to the Sheriff’s Legal Budget Unit #28200; and, authorized the purchase of equipment 2001-789

S/C unan. **B9** Accepted the update on the Westley Tire Fire Site – DER 2001-790

B/M (4-0) (Caruso abstained) **B10** Accepted the Status Report regarding Modesto Tallow Company – DER 2001-791

S/B unan. **9:25 a.m.** Approved Rezone Application #2001-09 and Parcel Map Application #2001-12 for Berberian Properties, LLC, to change the zoning from expired Planned Industrial (PI 5) to a new Planned Industrial (PI) and create 52 parcels ranging in size from one-half to 0.84 acre parcels and a single 1.23 acre parcel for storm drain basin purposes from a 44± acre parcel for an industrial business park on property located at 418 Bangs Avenue, in the Modesto area, subject to the Conditions of Approval as amended by the Planning Commission and Development Schedule and, subject to the following findings: finds that pursuant to CEQA Guidelines §15074.1, the change to Mitigation Measure #6 is equivalent or more effective in mitigating or avoiding potential significant impacts on groundwater quality, and that in itself, will not cause any potentially significant effect on the environment; based on the initial study and Amended Mitigation Monitoring Plan, issued a Mitigated Negative Declaration and finds the project to be "de minimis" for purposes of Fish and Game Codes; finds that the project is consistent with the overall goals and policies of the County General Plan; finds that the proposed Planned Industrial zoning is consistent with the County General Plan; finds that none of the Parcel Map Findings requiring disapproval of the map can be made; finds that this project will increase the intensity of activities on this property thereby necessitating dedications and improvements; introduced, waived the reading, and adopted Ordinance C.S. 772, for the approved Rezone Application #2001-09; amended #18 of the Conditions of Approval to read: “Prior to the issuance of each building permit, the Developer must obtain Waste Discharge Requirements (WDR’s) or as otherwise approved in writing by the California Regional Water Quality Control Board”; amended the Mitigation Monitoring Plan; and, Mitigation #6 is modified to read as follows: “Prior to issue of the first building permit, the Developer and the County shall determine which one of the following mitigation measures shall be implemented: 1. Prior to issuance of a building permit on each parcel, the applicant shall submit a Staff Approval Application to Stanislaus County which will be forwarded to the Regional Water Quality Control Board for review to determine if Discharge Requirements (WDRs) are required”; OR, 2. Prior to issuance of the first building permit, the developer shall form either a private or public entity for conveying and treating wastewater from the entire proposed development. Design of a package wastewater treatment facility shall be completed and shall comply with all local and State requirements for wastewater discharge. Construction of the wastewater treatment facility shall be completed and approved by both the State Regional Water Quality Control Board and

Stanislaus County prior to occupancy of the first building; OR, 3. Prior to issuance of the first building permit, the applicant shall provide proof that direct connection to the City of Modesto (or other appropriate jurisdiction's) sanitary sewer facilities will occur prior to occupancy of the first building. Connection shall physically be completed for each building prior to occupancy.

ORD-54-I-6 2001-795 & 2001-796

Recessed at 10:25 a.m.

Reconvened at 10:31 a.m.

B/M unan. **B11** Accepted and approved the Probation Department's two-year Strategic Plan 2001-792

S/C unan. **B12** Authorized appropriation into the CEO-Economic Development Budget of State E-Readiness Grant and WIA funds in the amount of \$30,000 for implementation of "Connecting Stanislaus" Advanced Communication Initiatives for the purpose of increasing the community's awareness of the Internet and its use for business, education and community services; authorized appropriation into the CEO-Economic Development Budget, \$25,000 of WIA funds and a \$5,000 contribution from Pacific Bell for the development of a government portal in concurrence with the WIB and the nine cities; authorized the utilization of excess computers from DET for community technology centers; and, proclaimed 10/2001 as Technology Month 2001-793

B/S unan. **B13** Authorized County staff to join with City of Modesto staff to complete a Master Business Park Development Plan (Master Plan) of the areas within the Salida Community Plan and the City of Modesto's General Plan and share equally in the cost not to exceed \$100,000; authorized the Master Plan to include an infrastructure assessment and financing plan for the areas identified; and, authorized staff to draft a City of Modesto and County of Stanislaus Cooperation Agreement that requires a jointly prepared "Specific Plan", a Marketing Strategy, a Revenue Sharing and Service Agreement and a Business Park Preservation Agreement C-6-H-13 2001-794

Corr 1 Authorized the CEO to expend Special Project Funds to purchase flowerpots for the corners near County buildings in the downtown area as requested in a letter received from the Modesto Garden Club.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: David Anthony Brown; Herbert Moreno; Lauthell Moreno; and, Paul Conkrite.

Supervisor Caruso noted that the Sheriff's award dinner will be this Friday, 10/12/01.

Supervisor Blom attended a dedication for a new middle school in the Salida area. He invited other Boardmembers to see the new site.

The CEO noted that the Governor signed AB 963-Cardoza and that the County would be following up on submitting applications for reimbursement. He updated the Board on the fixed rate levels for the bonds for the Waste-to-Energy facility.

Chair Paul absent at 11:47 a.m.

Adjourned to closed session at 11:47 a.m. for conference with Labor Negotiator: Agency Negotiator – Reagan M. Wilson and Employee Organizations SCEA, CNA, OE3-Dispatchers, OE3-Probation Officers, OE3-CAA, and Management. Pursuant to GC §54954.5(f).

Adjourned at 12:35 p.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: LILLIE L. FARRIESTER, Assistant 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.)