

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

September 19, 2006

Mayfield/Grover unan. Adopted the consent calendar after removing from consent items ***B1c** Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding 1235 E. Greenway Avenue, Turlock, CA, CE No. 06-181 and ***B1g** Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding 530 E. Taylor Road, Ceres, CA, CE No. 06-452

- *A1** Approved the minutes of 9/12/06
- *A2** Appointed David Cooper to the Children and Families Commission 2006-730
- *A3** Approved a request from the Department of Aging and Veterans Services for use of the Courthouse lawn on Saturday, 11/11/06 for Veterans Day Activities 2006-731
- *A4** Approved commendations for Public Works Director George Stillman and Deputy Executive Officer Patricia Sweeny upon their retirement 2006-732
- *A5** Proclaimed the week of 10/22/06-10/28/06 as Friends of the Library Week 2006-733
- *B1a** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 311 Spencer Avenue, Modesto, CA, CE No. 06-267 – DER 2006-734
- *B1b** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 5321 9th Street, Keyes, CA, CE No. 06-240 – DER 2006-735
- *B1d** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 3513 Golf Road, Turlock, CA, CE No. 06-184 – DER 2006-736
- *B1e** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 330 E. Clausen Road, Turlock, CA, CE No. 06-307 – DER 2006-737
- *B1f** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 7725 Foy Avenue, Ceres, CA, CE No. 06-137 – DER 2006-738
- *B2** Approved the submission of an application to the California Family Health Council for a Federal Title X Family Planning Grant for the 2007 calendar year; authorized the HSA Managing Director, or her Designee, to sign the application and submit a scope of work for the requested allocation of \$136,982; and, authorized the HSA Managing Director, or her Designee, to sign the contract if awarded – HSA 2006-739
- *B3** Approved receipt of FY 2006 grant from the State Office of Homeland Security to enhance local Homeland Security efforts; directed the Auditor-Controller to establish a new Special Revenue Fund Budget Unit in the amount of \$1,192,473 and establish appropriations consistent with budget journal rolling over funds at fiscal year; and, authorized HSA to administer the Metropolitan Medical Response System Program – OES 2006-740
- *B4** Adopted the National Incident Management System (NIMS); and, approved the resolution adopting the National Incident Management System – OES 2006-741
- *B5** Approved the granting of a non-exclusive agreement to Clayton M. McCullough, et al, for the purpose of ingress and egress, across a portion of Frank Raines Regional Park in Del Puerto Canyon; authorized the Chairman to execute the easement; and, authorized staff to take all necessary steps to execute this easement – Parks and Recreation 2006-742

- *B6 Approved and adopted the Conflict of Interest Code for the Stanislaus County Community Health Center Board BD-82-2 2006-743
- *B7 Approved a payment to StanCERA in the amount of \$6,816,744 consisting of \$160,087 for processing costs, \$3,430,783 for retroactive retirement benefits and \$3,225,874 for the present value of future retirement benefits; directed the Auditor-Controller to make the budget adjustments outlined in the budget journal; authorized the transfer of up to \$6,816,744 out of designations (that were set aside in anticipation of the Ventura Settlement) to the County Departments requiring adjustments to cover their portion of the payment; and, approved leaving the balance of funds remaining in the designation for future litigation – CEO 2006-744
- *C1 Finds that the ordinance amending Title 11 of the Stanislaus County Code, adding a No Parking Zone on Howard Road in the Westley Area and Lapham Drive in the Modesto Area is not subject to CEQA; and, introduced and waived the first reading of Ordinance C.S. 972 to amend Title 11 of the Stanislaus County Code, adding a No Parking Zone on Howard Road in the Westley Area and Lapham Drive in the Modesto Area – PW ORD-55-11 2006-745
- *C2 Approved the Subdivision Improvement Agreement for Hideaway Terrace Subdivision (in Denair); finds that the final map is in substantial compliance with the previously approved tentative map; finds that Stanislaus County has adopted a Community Plan covering the area proposed to be included within the final map; finds that the final map, together with the provisions for its design and improvement, is consistent with the specific plan for the area; rejected all roads, highways, avenues, alleys, courts, ways, lanes, places, and all other street dedications; authorized the Chairman to sign the final map for TM 2005-04 and the Subdivision Improvement Agreement for Hideaway Terrace; and, authorized the final map to be filed and recorded – PW 2006-746
- *C3 Adopted the plans and specifications for the Geer Road at Fox Road Intersection Project; directed the Clerk of the Board to publish notice inviting bids for the project as required by law and set the deadline for submission of bids as 11/1/06, prior to 2:00 p.m.; and, directed the Public Works Department staff to mail the notice inviting bids to trade journals as required by law – PW 2006-747
- *C4 Appointed William Jones, an existing County employee, as the Interim County Surveyor with full authority accorded by law to the County Surveyor in those duties related to land survey, until such time as a permanent County Surveyor is appointed; and, authorized a 15% assignment compensation for the duration of the Interim appointment – PW 2006-748

Mayfield/O'Brien unan. **B8** Approved the contract for Fire Investigation Services with the City of Modesto Fire Department – OES C-6-I-10 2006-751

Grover/Mayfield unan. *B1c Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 1235 E. Greenway Avenue, Turlock, CA, CE No. 06-181 – DER 2006-749

Mayfield/Grover unan. *B1g Adopted the recommendations of the Nuisance Abatement Hearing Board regarding 530 E. Taylor Road, Ceres, CA, CE No. 06-452 – DER 2006-750

Mayfield/O'Brien unan. **6:40pm** Conducted the required public hearing and adopted the 2005-2006 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant Program – Planning 2006-752

DeMartini/O'Brien unan. **6:45pm** Finds Rezone Application #2006-05, Excell Center, a request for a new Planned Development (PD) zone to allow expansion of a residential treatment center for troubled boys on a 10.56± acre site, located at 2513 Youngstown Road, in the south Turlock area (APN: 044-032-007), to be "de minimis" for the purposes of collection of Fish and Game fees pursuant to California Code of Regulations §753.5, by adopting the Findings of Fact contained in the attached Certificate of Fee Exemption, those findings being based on the analyses presented in the Initial Study, and ordered the filing of the Certificate of Fee Exemption with the Stanislaus County Clerk-Recorder's Office; adopted the Negative Declaration pursuant to California Code of Regulations §15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code §21152 and California Code of Regulations §15075; finds that: (A) the project is consistent with the overall goals and policies of the County General Plan; and (B) the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; **amended** the Development Standards to add No. 38 requiring the applicant to provide chains, locks and keys to all appropriate irrigation water users for all irrigation gates, valves, and boxes along the southerly property line of the subject property; approved Rezone Application #2006-05, Excell Center, subject to the attached Development Standards / Schedule as amended; and, introduced and waived the reading and adopted Ordinance C.S. 971 for the approved Rezone Application #2006-05
– Planning ORD-55-10; 2006-753 & 2006-754

Corr 1. Referred to the Department of Planning and Community Development a letter from Urban Futures regarding the Proposed 2007 Amendment to the Redevelopment Plan for the Hughson Redevelopment Project.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Cerita Moya; Eduardo Alvarado; Ralph J. Vosburg; and, Carmen Sabatino.

Chairman Simon spoke regarding the Modesto Chamber magazine article about him that was published this month. He corrected some errors that were included in this article.

Supervisor DeMartini noted that the third public meeting for the Agricultural Element will be held on 10/10/06 at 110 South 2nd Street, in Oakdale.

Adjourned at 7:47 p.m.

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

BY: ELIZABETH A. KING, 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.)