

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

January 23, 2007

Employee Service Award for thirty-five years of service was given to Janice Reinking – Assessor’s Office. Employee Service Awards for those honored for thirty years of service were given to Jim Simpson - DER and Paul Kolda - HSA. Employee Service Awards for those honored for twenty-five years of service were given to Stephen Smith - Auditor-Controller’s Office and Claudette Trawick - Clerk-Recorder’s Office.

The Chairman presented a resolution proclaiming January 2007 as Quilt Month in Stanislaus County to Gail Wax of the Country Crossroads Quilt Guild of Modesto.

Miguel Donoso raised concerns regarding the Crows Landing Air Facility Steering Committee meeting held on 1/17/07.

Mayfield/Monteith unan. Adopted the consent calendar

- *A1 Approved the minutes of 1/16/07
- *A2a Accepted the resignation of Nancy Brown from the Hazardous Waste Management Advisory Committee 2007-39
- *A2b Accepted the resignation of Art de Werk from the Airport Advisory Committee 2007-40
- *A2c Accepted the resignation of Brad de la Cruz from the Mental Health Board 2007-41
- *A3a Appointed Rodolfo Caro to the Riverdale Park Tract Community Services District Board of Directors 2007-42
- *A3b Appointed Dr. Richard Rose, Tom Changnon, and Rick Fritzemeier to the Stanislaus Economic Development and Workforce Alliance 2007-43
- *A4 Accepted the resignation of Zena Gilbert and appointed Charlie Goeken to the Economic Development Action Committee 2007-44
- *B1 Accepted the Stanislaus County Treasury Pool’s December 2006 Monthly Investment Report as prepared by the Stanislaus County Treasurer-Tax Collector’s Office and reviewed for conformity with the Stanislaus County Treasury Pool Investment Policy by the Treasurer-Tax Collector and distributed to the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign on behalf of the Board of Supervisors that the report has been reviewed and accepted – T/TC 2007-45
- *B2 Accepted the completed Family Practice Center Heating and Air Conditioning (HVAC) Replacement Project for HSA, located at 830 Scenic Drive in Modesto, CA; approved the final contract with the contractor, Champion Industrial Contractors, Inc. of Modesto, CA as follows: original contract in the amount of \$211,370.00; total Change Orders in the amount of (\$5,727.00); for a final contract cost of \$205,643.00; authorized the Project Manager, on behalf of the Board of Supervisors as the awarding authority, to sign the completion documents; and, accepted the project and authorized the necessary recording of the Notice of Completion and all other necessary close out activities, including the release of retention – CEO 2007-46

- *B3 Authorized the expenditure of Public Facility Fees to purchase equipment and services necessary to upgrade the data infrastructure to improve Internet access for customers of the Stanislaus County Library; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the Library budget unit in the amount of \$66,000 through a transfer from Public Facility Fees M-64-F-15 2007-47
- *B4 Authorized the expenditure of Public Facility Fees for the purchase of additional books, DVDs, audiovisual and other materials for the Stanislaus County Library; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the Library budget unit in the amount of \$100,000 through a transfer from Public Facility Fees M-64-F-16 2007-48
- *B5 Appointed the 2007 Discipline/Equal Employment Opportunity (EEO) Grievance Appeals Board: David Ingersoll, Child Support Services as the Department Head member, Julie Machado, Deputy Probation Officers Association (DPOA) as the Employee member and Local Attorney Darrell Champion to serve as the Chairperson; appointed Alternates to the panel as follows: local attorneys Dave Walker and Jeffery Olson to serve as Alternate Chairpersons, Vanessa Czopek, Stanislaus County Librarian as the Department Head Alternate member, Phyllis Voorhees, SCEA as the First Alternate Employee member, Kathleen Grundy, SEIU as the Second Alternate Employee member, Bernie Fairfield, CAA as the Third Alternate Employee member, and Darrell Freitas, SSMA as the fourth Alternate Employee member 2007-49
- *D1 Set a public hearing on 2/6/07, at 9:25 a.m., to consider Williamson Act Cancellation Application #2006-01 and Use Permit Application #2006-03, Turlock Sportsman's Club, a request to cancel Williamson Act Contract #78-3489 to allow operation of a recreational vehicle camp with electrical and sewer hook-ups for use by individual recreation vehicles on a 13 acre parcel, in the A-2-40 (General Agriculture) zoning district, located at the northwest corner of Crows Landing Road and Carpenter Road, in the Patterson/Newman area – Planning 2007-50
- *D2 Approved the finding that the City of Patterson's proposed sphere of influence expansion is logical and orderly; and, directed the CEO to notify LAFCO of the County's agreement with the expansion request – Planning 2007-51
- *D3 Rescinded all or a portion of Williamson Act Contract #1973-1446 (Interstate 5, west of Newman) and approved a new contract pursuant to Minor Lot Line Adjustment 2006-55 (Cerutti-Maffei); authorized the Planning Director to execute new contracts; finds the new contract or contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded contract or contracts, but for not less than 10 years; finds there is no net decrease in the amount of the acreage restricted; in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; finds at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; finds after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in §51222; finds the lot line adjustment would not compromise the long term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; finds the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; and, finds the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan – Planning 2007-52

Grover/DeMartini unan. **9:20am** Finds that the notice of the public hearing was given pursuant to Government Code §53753(b), Streets and Highways Code §22552, and Streets and Highways Code §22588; conducted the public hearing to receive comments regarding the North Ceres Annexation to Bystrum Landscape and Lighting District; the proposed method for calculating the amount of the annual assessment, and the levy of the annual assessment to pay for the street lighting service; and, authorized the Clerk of the Board to oversee the tabulation of ballots and submit the results to the Board of Supervisors at the scheduled Board meeting on 2/6/07 – PW DLA-2-6 2007-54

Mayfield/Grover unan. **B6** Proclaimed the existence of a local emergency throughout Stanislaus County based upon the effect of extraordinary low and freezing temperatures; authorized a request that the Governor proclaim a State of Emergency; and, authorized a request for a Presidential Declaration for Damage due to the extreme January 2007 freeze in Stanislaus County 2007-53

Corr 1 Referred to DER, a copy of the Fire/Life Safety Inspection Report for the Stanislaus County Honor Farm and Public Safety Center.

Corr 2 Referred to Planning and Community Development, a copy of the Preliminary Report and the Draft Environmental Impact Report for the Proposed 2007 Amendment to the Redevelopment Plan for the Hughson Redevelopment Project from Urban Futures, Incorporated.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Cleo Peichoto, Administrator for the Estate of Joaquin Jack Cabral, III; Estate of Arcelia Marentes Jauregui (deceased), Horacio Martinez, individually, and as Guardian ad Litem of a Minor, and a Minor; Jill Moniz; Rafael Ramos; and, Robert J. Ferriera.

The Board had a discussion regarding the Governor's proposal to have two primary elections in 2008. The Presidential primary would be held in February, and another primary would be in June for other elections. The Board voiced concerns regarding the additional cost to the County, and noted that the State moved the Primary 10 years ago and that it was not successful.

The CEO reported that the County received an A+ rating from Standard and Poors for the refunding of the County's Certificates of Participation, and noted that this is the highest rating in the history of Stanislaus County. He recognized Assistant Executive Officer Monica Nino-Reid for her work in obtaining this excellent rating. The CEO also gave an update regarding State legislation including: SB 5, AB 151, Proposition 1B, Proposition 1E, and Proposition 84. He is working with the County's legislative advocate to prepare bills for negative bail out, CSA fingerprinting for Cal-Works and food stamps, food inspection fee recovery for school inspections, Williamson Act updates for smaller parcels, and reassigning the Conflict of Interest for Schools from the County to the County Board of Education. He noted that there are also a number of federal issues that will be discussed with the County's representatives in Washington DC in February and March.

Supervisor Mayfield asked questions regarding the funding for the road improvements to State Route 219.

The CEO announced that the State of the County address will be given by Chairman O'Brien on 1/30/07 at 9 a.m. in the Basement Chambers of 1010 10th Street, Modesto, CA.

The Chairman announced that there will be a Stanislaus County Planning Commissioner's 30th Annual Workshop on Saturday, 1/27/07 at 8:30 a.m. at the Harvest Hall at the Agricultural Center, 3800 Cornucopia Way, Modesto, CA.

Adjourned to closed session at 10:08 a.m. for Conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: SEIU, AFSCME, UDW and County Attorneys' Association (CAA). Government Code §54957.6.

Adjourned at 11:33 a.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.)