

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

Regular Session

Tuesday

February 27, 2007

All Supervisors Present

Pledge of Allegiance to the Flag

Michael Garcia raised concerns regarding the previous election and the amounts of money spent by the persons running for office.

Mayfield/Grover unan. Adopted the consent calendar after removing from the Agenda Items \*B1(b) through \*B1(f) Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the following Properties:\*B1b. 1101 S. West Avenue, Turlock, CA, CE No. 06-694; \*B1c. 901 S. West Avenue, Turlock, CA, CE No. 06-696; \*B1d. 1000 S. West Avenue, Turlock, CA, CE No. 06-697; \*B1e. 1100 S. West Avenue, Turlock, CA, CE No. 06-698; and \*B1f. 1148 S. West Avenue, Turlock, CA, CE No. 06-699

\*A1 Approved the minutes of 2/13/07

\*A2 Approved the applicant's 30-day time waiver of the hearing requirement for a Parcel Map Application appeal as set forth under SCC§ 20.68.040, approved the request to reschedule the public hearing to consider an appeal of the Planning Commission's denial of Parcel Map Application No. 2006-02 - Furtado Family Trust, from 3/6/07 at 9:20 a.m. to 3/27/07 at 9:20 a.m. 2007-112

\*A3a Approved a commendation for James S. Duval upon his retirement from the Stanislaus County Planning and Community Development Department and the Stanislaus County Redevelopment Agency 2007-113

\*A3b Approved a commendation for Bob Kachel upon his retirement from the Stanislaus County Planning and Community Development Department 2007-114

\*A4 Proclaimed March 2007 as Social Worker Recognition Month 2007-115

\*A5a Appointed Nick Hackler to the Stanislaus County Economic Development Action Committee 2007-116

\*A5b Appointed Jim Weaver to the Stanislaus Economic Development and Workforce Alliance 2007-117

\*A6a Accepted the resignation of Joe Mendonza and Sharon Davison from the Stanislaus County Child Abuse Prevention Council 2007-118

\*A6b Accepted the resignation of Melissa Borrelli from the Commission on Aging 2007-119

\*A7 Adopted an amendment to the Empire Union School District's Conflict of Interest Code 2007-120

\*B1a Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 5570 8th Street, Keyes, (CA CE No. 06-705) – DER 2007-121

\*B1g Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 105 Orchard and 0 Spencer, Vernalis, (CA CE No. 06-249) – DER 2007-122

\*B2 Adopted the decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance at 201 Cowan Street, Modesto, (CA CE No. 04-323) – DER 2007-123

\*B3 Adopted the decision of the Nuisance Abatement Hearing Board regarding the approval of the administrative civil citation to abate the nuisance at 105 Orchard and 0 Spencer, Vernalis, (CA CE No. 06-249) – DER 2007-124

- \*B4 Authorized the Auditor-Controller to establish a new Capital Projects Fund, to establish the budget for the Paradise Medical Office Remodel Project at 401 Paradise Road, Building E, Modesto, CA; and, to transfer \$1,070,471 as detailed in the Budget Journal form – CEO  
2007-125
- \*B5 Accepted the Stanislaus County Treasury Pool’s January 2007 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 has been 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  
2007-126
- \*B6 Accepted the following annual audited financial reports for FY ended 6/30/06, prepared by Bartig, Basler & Ray, LLP: Annual Financial Report - Stanislaus County, Annual Financial Report – HSA Clinic and Ancillary Services Enterprise Fund, Single Audit Report; and, Report to Management – Auditor-Controller  
2007-127
- \*B7 Approved the provisions contained within the tentative labor agreement between the County and Service Employees International Union (SEIU) Local 535 representing the Community and Health Services Bargaining Unit, amended the Salary and Position Allocation Resolution to reflect the changes included in the tentative agreement; and, authorized the Chairman to sign the agreement – CEO  
2007-128
- \*B8 Authorized the General Services Agency to negotiate and enter into a contractual agreement with PRIDE Industries for custodial services; and, finds that the sites served by the custodial services are remote from available County employee resources and that the County’s economic interests are served by entering into the agreement for custodial services – GSA  
2007-129
- \*C1 Approved the purchase agreement to acquire road right-of-way on the southwest corner of Albers Road at Dusty Lane for the Albers Road and Dusty Lane Intersection Improvement Project; authorized the Chairman to execute the agreement; directed the Auditor-Controller to increase appropriations and estimated revenue for the Albers Road and Dusty Lane Intersection Improvement Project by \$762 per the financial transaction sheet; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$762, payable to Carol A. Weaver – PW  
2007-130
- \*C2 Approved the purchase agreement to acquire road right-of-way on the southeast corner of Albers Road at Dusty Lane for the Albers Road and Dusty Lane Intersection Improvement Project; authorized the Chairman to execute the agreement; directed the Auditor-Controller to increase appropriations and estimated revenue for the Albers Road and Dusty Lane Intersection Improvement Project by \$698 per the financial transaction sheet; and, directed the Auditor-Controller to issue a warrant for the purchase amount of \$698, payable to Manual J. Silveira – PW  
2007-131
- \*C3 Approved the purchase agreement to acquire road right-of-way on the northeast corner of Hatch Road and Washington Road for the PFF Left Turn Channelization Project; authorized the Chairman to execute the agreement; directed the Auditor-Controller to increase appropriations and estimated revenue for the PFF Left Turn Channelization Project by \$21,500 per the financial transaction sheet; and, directed the Auditor-Controller to issue a warrant in the amount of \$21,500, payable to Fidelity National Title Company as follows: Property Owner: Eric Vernon \$20,000, plus \$1,500 for escrow fees and title insurance – PW  
M-64-F-20 2007-132
- \*C4 Approved two purchase agreements to acquire road right-of-way on the north side of Hatch Road west of Parks Road for the PFF Left Turn Channelization Project; authorized the Chairman to execute the agreements; directed the Auditor-Controller to increase appropriations and estimated revenue for the PFF Left Turn Channelization Project by

\$45,450 per the financial transaction sheet; and, directed the Auditor-Controller to issue warrants for \$30,300 and for \$15,150 payable to Fidelity National Title Company as follows: Property Owner: Thomas Parks \$28,800 and \$13,650, plus \$3,000 for escrow fees and title insurance – PW M-64-F-21 2007-133

- \*C5 Approved the purchase agreement to acquire road right-of-way on the northwest corner of Hatch Road and Washington Road for the PFF Left Turn Channelization Project; authorized the Chairman to execute the agreement; directed the Auditor-Controller to increase appropriations and estimated revenue for the PFF Left Turn Channelization Project by \$27,970 per the financial transaction sheet; and, directed the Auditor-Controller to issue a warrant in the amount of \$27,970, payable to Fidelity National Title Company as follows: Property Owner: Robert Parks \$26,470, plus \$1,500 for escrow fees and title insurance – PW M-64-F-22 2007-134
- \*C6 Approved and adopted the Stanislaus County Department of Public Works Standards and Specifications 2007 Edition Update 2007-135
- \*C7 Approved the Subdivision Improvement Agreement for Dotson/Brand 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 2005-08 and the Subdivision Improvement Agreement for Dotson/Brand; and, authorized the final map to be filed and recorded as presented – PW 2007-136
- \*C8 Approved Amendment No. 3 to Agreement No. 2004-1 with Quincy Engineering for additional engineering services for the Traffic Congestion Relief Project “A” (Various Intersection Improvement Projects); authorized the General Services Agency Director/Purchasing Agent to increase the contract amount with Quincy Engineering in the amount of \$17,020.14 and sign the amendment; and, directed the Auditor-Controller to increase appropriations and estimated revenue per the financial transaction sheet – PW 2007-137
- \*C9 Adopted a Resolution of Necessity to acquire real property or interest in real property by Eminent Domain for the State Route 219 Widening Project, parcel owner Phillip Malik, Jr., et al, for APN: 078-013-040, and made the findings contained therein – PW 2007-138
- \*C10 Adopted a Resolution of Necessity to acquire real property or interest in real property by Eminent Domain for the State Route 219 widening project, parcel owner Sandpoint Ranch, Inc., for APN: 003-019-019, and made the findings contained therein – PW 2007-139
- \*D1 Finds that the condition and contingencies of the Tentative Certificate of Cancellation have been satisfied; and, directed the Clerk of the Board to execute and record a Certificate of Cancellation of Williamson Act Contract No. 78-3489 – Turlock Sportsman’s Club, by 3/14/07 – Planning 2007-140
- \*E1 Adopted a Resolution authorizing the Turlock Unified School District to issue and sell bonds directly – County Counsel 2007-141

**Recessed at 10:30 a.m.**

**Reconvened at 10:40 a.m.**

Monteith/Grover (3-2)(DeMartini and O’Brien opposed) **B9** Authorized the CEO to enter into exclusive negotiation with a Master Developer Partner, PCCP West Park, LLC, for Master Development, Reuse

Planning, and associated Environmental Impact Analysis at the Former Crows Landing Air Facility located on the west side of Stanislaus County; authorized the CEO to negotiate a Master Development Agreement within 12 months of approval to proceed, and move forward into Phase II as described in the RFP; and, authorized the CEO to evaluate and modify the existing contract for services with ESA Airports  
– CEO 2007-142

Grover/Mayfield unan. **9:20am** Finds that the proposed ordinance amendment is exempt from CEQA; and, introduced, waived the reading and adopted C.S. 984, Planning and Community Development Department Ordinance Amendment No. 2006-06, an ordinance amending Chapters 21.08 and 21.104 of the Stanislaus County Code relating to yard set-backs and expiration of variances  
ORD-55-A-10; 2007-143 & 2007-144

**Corr 1** Referred to the Department of Parks and Recreation and Department of Planning and Community Development a copy of the Resource Management Plans for California's Public Lands from the U.S. Department of the Interior Bureau of Land Management.

**Corr 2** Referred to the Stanislaus Council of Governments and the Chief Executive Office a letter from the United States Department of Commerce regarding the upcoming 2010 Census.

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Terri Marcellino, Individually, a Minor, a Minor, and a Minor, by and through their Guardian Ad Litem, Terri Marcellino; Lydia Martinez; Greg Spiering; Sun G Cha Stelle; and, Antonia Naranjo.

The Board members discussed various aspects of the recent approval by the Stanislaus Economic Development and Workforce Alliance's executive committee to recommend giving \$250,000 to Stanislaus County and their nine cities. County Counsel Mick Krausnick informed the Board that this matter will be agendized and brought before the Board.

The CEO reported on AB151, (Berryhill) peace officers. An item will be brought to the Board recommending a position.

Adjourned to closed session at 12:31 p.m. for Conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: AFSCME Local 10 and County Attorneys' Association (CAA). Government Code Section 54957.6. Conference with Legal Counsel: Existing Litigation: a minor by and through his Guardian ad Litem, Leticia Mora, et al. vs. Stanislaus County, Stanislaus Medical Center and Doctors Medical Hospital of Modesto, Lisa Lee Bell, M.D., and Dale Gerald Scott, M.D. Stanislaus County Superior Court Case No. 329259, Government Code Section 54954.5 (c).

Adjourned at 1:04 p.m.

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

BY: DIANE NAYARES-PEREZ, Deputy 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.)