

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

Special and Regular Session  
All Supervisors Present

Tuesday

March 20, 2007

Special Session convened at 6:00 p.m.

**Recessed to closed session at 6:01 p.m.** for a conference with legal counsel: anticipated litigation – significant exposure to litigation. One potential case. Government Code 54954.5(c).

**Reconvened at 6:30 p.m.** for Regular Session

Girl Scout Troop #313 presented the Flag and led the Pledge of Allegiance to the Flag

A moment of silence was held in memory of Ernest Gallo, cofounder of E. & J. Gallo Winery, and Norma Ragsdale, a HSA employee.

The Tuolumne River Trust gave a presentation regarding the Trust, and the Salida Elementary School students presented their essays on the Tuolumne River.

Allan Zanker spoke regarding the domestic water system in La Grange and a letter he received from County Counsel related to public records requests. He paid \$6.20 to the Clerk of the Board for copies of public records.

Michael Garcia voiced concerns regarding problems in the County's West Side and the need for the County to address these issues.

Mayfield/Grover unan. Adopted the consent calendar after removing from the agenda item **\*B1a** Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding Nuisances at 10866 Cleveland Avenue, Oakdale, CA, CE No. 06-667; and, after removing from consent items **\*B2** Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board Regarding the Approval of the Administrative Civil Citation to Abate the Nuisance CE No. 06-667 at 10866 Cleveland Avenue, Oakdale, California, **\*B9b** Approval to Set Public Hearing on April 24, 2007, at 9:20 a.m. to Consider the Approval to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees Relating to Vehicle Releases in the Sheriff's Department, and **\*C2** Approval to Consider and Adopt 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 John R. Willinger, Trustees, et ux, APN: 003-019-006

**\*A1** Approved the minutes of 03/06/2007

**\*A2** Accepted the resignation of Margie Neder from the Mental Health Board

**\*A3a** Appointed Ceres Mayor Anthony Cannella to the Economic Development Action Committee

**\*A3b** Appointed Kim Mallock to the Commission on Aging

**\*A4** Proclaimed May 2007 as Asthma Awareness Month

**\*A5** Approved a request from E Clampus Vitus for use of LaGrange Gold Dredge Camp Site on 10/19/07 - 10/21/07 for their fall event

- \*A6 Approved a request from Yahi Bowmen Archery Club for use of Modesto Reservoir Archery Range on various dates in April 2007
- \*A7 Accepted the Clerk-Recorder's Certified Statement of the results of the Denair Fire Protection District Special Election held Tuesday, 03/06/07
- \*B1b Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 119 Rio Grande Avenue, Modesto, CA, CE No. 06-647- DER
- \*B1c Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 2331 Maze Boulevard, Modesto, CA, CE No. 06-831- DER
- \*B1d Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 3617 Tamarack Avenue, Ceres, CA, CE No. 06-693 - DER
- \*B1e Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 136 Sperry Avenue, Patterson, CA, CE No. 06-820 - DER
- \*B3 Approved the CSA FY 2006/07 agreement with the YMCA of Stanislaus County for Outdoor Education Camperships; and, authorized the Director of CSA, or his Assistant Director Designee, to sign the agreement and any amendments not to exceed the total agreement amount of \$109,000 for the FY 2006/07 - CSA
- \*B4 Approved an agreement with Prevent Child Abuse California for AmeriCorp services effective 01/01/07 - 12/31/08; and authorized the Director of CSA, or his Assistant Director Designee, to sign the agreement and any amendments not to exceed the contract amount of \$665,236 for the period of 01/01/07 - 12/31/08 - CSA
- \*B5 Approved contracts with Center for Human Services, Council for the Spanish Speaking, Moss Beach Homes, Inc., and Oak Valley Hospital District for Outreach Services at the Family Resource Centers for the period of 03/01/07 - 05/31/07; and, authorized the Director of CSA, or his Designee, to sign the agreements and any amendments, not to exceed the agreement amounts - CSA
- \*B6 Approved an agreement between the HSA and the Office of Statewide Health Planning and Development to receive Physician Training Funds under the Song-Brown Family Physician Training Act; and, authorized the HSA Managing Director, or her Designee, to sign the agreement - HSA
- \*B7 Authorized the appointment of Dana McGarry to the position of Senior Planner above the midpoint of Salary Band C (\$76,960 annually) - Planning
- \*B8 Approved the increase of every fine, penalty or forfeiture imposed and collected by the Courts in accordance with Government Code §76000.5 for Uncompensated Emergency Medical Services; authorized the HSA staff to work with the Clerk of the Superior Court and the County Treasurer-Tax Collector to implement this penalty assessment increase; and, directed the Clerk of the Board to transmit, on the next business day following the adoption of the resolution, a copy of the resolution to the Clerk of the Superior Court - HSA
- \*B9a Set a public hearing on 04/24/07, at 9:20 a.m., to introduce and waive the first reading of an ordinance to amend existing fees for the Coroner's Office - Sheriff
- \*B9c Set a public hearing on 04/24/07, at 9:20 a.m., to introduce and waive the first reading of an ordinance to establish fees for the Jail Alternatives Program - Sheriff
- \*10a Set a public hearing on 04/24/07, at 9:25 a.m., to introduce and waive the first reading of an ordinance to establish fees relating to the areas of agricultural registration and notification and vertebrate pest control - Agriculture Commissioner
- \*10b Set a public hearing on 04/24/07, at 9:25 a.m., to introduce and waive the first reading of an ordinance adding and increasing various existing fees for the Department of Agriculture and Weights and Measures
- \*10c Set a public hearing on 04/24/07, at 9:25 a.m., to introduce and waive the first reading of an ordinance to amend §9.82 of the Stanislaus County Code based on commercial and non-commercial device testing fees - Agriculture Commissioner

- \*C1 Finds that the proposed Ordinance C.S. 985 amending §11.04.040, 11.04.050, 11.040.060 and 11.04.070 of the Stanislaus County Code, to amend and add speed zones on Toomes Road (Salida area) and Crows Landing Road (Modesto area) is not subject to the CEQA (Public Resources Code, §2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 985 – PW
- \*C3 Approved and 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 Larry M. Paulsen, et al, for APN: 078-016-001, and make the findings contained therein - PW
- \*C4 Approved and 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 Theodore Kramer, Trustees, et ux, for APN: 003-009-041, and make the findings contained therein - PW
- \*C5 Approved and 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 Ronald J. Malik, et ux, for APN: 078-013-018, and make the findings contained therein - PW
- \*D1 Approved the Draft Community Development Block Grant (CDBG) Consolidated Plan FY 2007-2012 and the Draft Annual Action Plan FY 2007-2008 which includes the \$2,545,900 Community Development Block Grant (CDBG); and the \$109,700 Emergency Shelter Grant (ESG); for a total of \$2,655,600 for FY 2007-2008; released the Draft Community Development Block Grant (CDBG) Consolidated Plan FY 2007-2012 and the Draft Annual Action Plan FY 2007-2008 for the required 30-day public comment period; and, set a public hearing for 05/01/07, at 9:15 a.m., to close the public comment period and consider approval of the Draft Community Development Block Grant (CDBG) Consolidated Plan FY 2007-2012 and the Draft Annual Action Plan FY 2007/08 - Planning

Mayfield/Grover unan. \*B2 Adopted the decision of the Nuisance Abatement Hearing Board regarding the approval of the administrative civil citation to abate the nuisance at 10866 Cleveland Avenue, Oakdale, California - DER

Mayfield/Grover unan. \*B9b Set a public hearing on 04/24/2007, at 9:20 a.m., to introduce and waive the first reading of an ordinance to amend existing fees relating to vehicle releases - Sheriff

Mayfield/Grover unan. \*C2 Approved and 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 John R. Willinger, Trustees, et ux, for APN: 003-019-006, and make the findings contained therein - PW

**Recessed at 8:08 p.m.**

**Reconvened at 8:19 p.m.**

Mayfield/Monteith (4-1)(O'Brien opposed) **B11** Accepted the Needs Assessment and Facility Program for the Stanislaus County Animal Shelter; authorized the staff to develop an implementation plan to be returned to the Board of Supervisors with specific implementation recommendations, the development plan will include city contract intentions, initial design recommendations, cost analysis, schedule, financing options and operations plans; authorized the staff to work with the cities to consider each partner city's long range plans and needs in Animal Shelter services and finalize a future capacity plan for the shelter based on the development of proposed long term agreements between the County and each partner city; authorized the staff to issue a Request for Proposals (RFP) for preliminary architectural design services and constructability review for a proposed project; and, directed the Animal Services