

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

May 8, 2007

The Chairman presented a resolution proclaiming May 2007 as Mental Health Month in Stanislaus County.

The Airport Advisory Committee 2006 Annual Report was presented by Bill Jacques, Airport Advisory Committee Chairman.

Bob Varain spoke regarding the La Grange water system and voiced concerns regarding whether the system is out of compliance with state and federal regulations.

Allen Zanker also spoke regarding the water pressure in La Grange and responded to County Counsel's most recent letter to him.

Mayfield/Grover unan. Adopted the consent calendar after removing from consent item **\*B4** Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board Regarding CE No. 07-40 at 1347 N. Carpenter Road, Modesto, CA; and, removing from the agenda item **\*A5** Approval to Set a Public Hearing on June 5, 2007, at 9:15 a.m., to Consider an Appeal of the Planning Commission's Denial of the Appeal of Staff Approval Application No. 2007-09 and Lot Line Adjustment No. 2006-45 - Cilion, Inc. Ethanol Facility 2007-359

**\*A1** Approved the minutes of 5/1/07

**\*A2a** Adopted and waived the second reading of Ordinance C.S. 989 establishing fees relating to the areas of agricultural registration and notification and vertebrate pest control for the Department of Agriculture and Weights and Measures ORD-55-B-5 2007-334

**\*A2b** Adopted and waived the second reading of Ordinance C.S. 990 adding and increasing existing fees for the Department of Agriculture and Weights and Measures ORD-55-B-6 2007-335

**\*A2c** Adopted and waived the second reading of Ordinance C.S. 991 amending Chapter 9.82 Applied Labor Rate of the Stanislaus County Code based on commercial and non-commercial device testing fees for the Department of Agriculture and Weights and Measures ORD-55-B-7 2007-336

**\*A3** Appointed Angela Sue Henderson to the Stanislaus County Free Library Advisory Board 2007-337

**\*A4** Approved Senior Award resolutions for the Department of Aging and Veterans Services (Area Agency on Aging) and Commission on Aging in celebration of Older Americans Month 2007-338

**\*A6** Canceled the public hearing set for 5/15/07, at 6:40 p.m., to consider the appeal of the Planning Commission's Conditions of Approval Nos. 10, 11, 12, 43 and 44 for Use Permit No. 2006-36 – Fiscalini Cheese Company 2007-339

**\*A7** Approved request from the Northern California INT League requesting exclusive use of the Back Dam Area at the Modesto Reservoir for their June INT Stops on 6/9/07 and 6/10/07 2007-340

- \*B1 Approved and authorized the Chairman to sign the FY 2007/08 Pesticide Use Reporting Contract with the California Department of Pesticide Regulation - Agricultural Commissioner 2007-341
- \*B2 Approved and authorized the Chairman to sign the FY 2007/08 Wildlife Services Contract with the United States Department of Agriculture - Agricultural Commissioner 2007-342
- \*B3 Set Public Hearing on 5/22/07, at 9:20 a.m., to adopt the Property Tax Administration Cost Recovery Plan for FY 2006/07 - Auditor-Controller 2007-343
- \*B5 Authorized the Director of DER, or her Designee, to apply for a competitive Household Hazardous Waste Grant to the California Integrated Waste Management Board for up to \$300,000 to expand the types and amounts of household hazardous waste collected and to help advertise and promote the facility operation; authorized the Director of DER, or her designee, to apply for a non-competitive household hazardous waste grant to the California Integrated Waste Management Board for up to \$7,000 to promote sharps collection and continuation of universal waste collection; authorized the Director of DER, or her Designee, to sign the grant agreements and to receive the Household Hazardous Waste grant funds from the California Integrated Waste Management Board; authorized the Director of DER, or her Designee, to purchase the supplies and equipment included in the agreements; and, authorized the Director of DER, or her Designee, to approve any future amendments to the agreements not to exceed the original agreement amounts – DER 2007-344
- \*B6 Approved the Underground Storage Tank Local Oversight Program Contract No. 07-019-250-0 with the State Water Resources Control Board; authorized the Director of DER to sign the contract; and, authorized the Director of DER to sign any future amendments to Contract No. 07-019-250-0 not exceeding the original contract amount – DER 2007-345
- \*B7 Approved the Stanislaus County False Health Care Claims Policy – CEO 2007-346
- \*B8 Rescinded authorization for GSA to negotiate a contract with PRIDE Industries for janitorial services at the Ag Center, Public Safety Center, GSA, Public Works (Fink Road Landfill and Patterson), Grayson Community Center, BHRS (Kansas Avenue and Turlock locations), Sheriffs Department (Waterford and Salida), and all of the Library facilities outside of Modesto; and, authorized GSA to cancel the RFP No. 06-44-TE and prepare a new RFP for janitorial services 2007-347
- \*B9 Authorized staff to seek bids for security fencing at the Paradise Medical Office employee parking area – CEO 2007-348
- \*B10 Approved the provisions contained within the tentative labor agreement reached between the County and Stanislaus County Employees Association (SCEA), American Federation of State, County and Municipal Employees (AFSCME Local #10) representing the Mid-Management/Supervisory Bargaining Unit, Technical Services Bargaining Unit, Crafts/Maintenance/Institutional Bargaining Unit and Office Worker/Clerical Bargaining Unit; approved the transfer of \$67,773 from Appropriations for Contingencies to fund the proposed increases in the 2006-07 FY for the DA, Public Defender, GSA, BHRS and HSA budgets; directed the Auditor-Controller to adjust the budgets a total of \$67,773 as detailed in the budget journal through a transfer from Appropriations for Contingencies; amended the “Salary and Position Allocation Resolution” to reflect the changes included in the tentative agreement; and, authorized the Chairman and all parties to sign the agreement – CEO 2007-349
- \*B11 Approved wage adjustments for Management, Confidential and Extra-Help Employees as recommended; authorized the continued study of classification, salary and benefits for Management and Confidential positions as recommended; approved the transfer of \$54,471 from Appropriations for Contingencies by a 4/5<sup>th</sup> vote of the Board to fund the proposed increases in the 2006-07 FY for the DA, Public Defender, GSA, BHRS, HSA,

- COB, OES, Risk Management and BOS budgets; directed the Auditor-Controller to adjust the budgets a total of \$54,471 as detailed in the budget journal through a transfer from Appropriations for Contingencies; and, amended the Salary and Position Allocation Resolution to reflect the approved changes – CEO 2007-350
- \***B12** Authorized the Auditor-Controller to advance funds to Oakdale Rural Fire District for operational expenses under Government Code §23010 in an amount not to exceed \$1,360,607 2007-351
  - \***B13** Approved the agreement between the San Joaquin Delta Community College and Stanislaus County for the Sheriff to provide law enforcement training in Stanislaus County; and, authorized the CEO and the Sheriff to sign the agreement on behalf of the County 2007-352
  - \***B14** Authorized the transfer of \$525,000 from Appropriations for Contingencies to the Public Defender-Indigent Defense budget to fund increased costs; directed the Auditor-Controller to increase appropriations in the Public Defender-Indigent Defense budget by \$525,000; and, authorized the CEO and Auditor-Controller the authority to transfer funds from Appropriations for Contingencies to this budget if necessary at year-end, in an amount not to exceed \$75,000, to ensure this budget ends the year in a positive position – CEO 2007-353
  - \***B15** Approved modification of the contract with Concrete Innovations by Hallack for the Plaza concrete; and, approved the processing of change orders exceeding \$25,000 within the existing project budget with ISEC, the interior finishes' contractor for the Gallo Center for the Arts – CEO 2007-354
  - \***C1** Approved MOUs between Stanislaus County and the cities of Turlock, Ceres, Newman, Patterson, Waterford, and Hughson, and the Riverbank/Oakdale Transit Authority (ROTA) regarding ownership and maintenance of County-purchased bus shelters, benches, map/information holders and bus stop signs; and, authorized the County's Transit Manager to execute and implement the MOUs between Stanislaus County and the cities of Turlock, Ceres, Newman, Patterson, Waterford, and Hughson, and the Riverbank/Oakdale Transit Authority (ROTA) – PW 2007-355
  - \***C2** Approved a resolution authorizing the Transit Manager to act as the certifying representative for all Federal and State grant activities initiated by and for Stanislaus Regional Transit; and, authorized the Transit Manager to sign and certify all documents pertaining to Federal and State grant activities initiated by and for Stanislaus Regional Transit – PW 2007-356

Grover/DeMartini unan. **9:20am** Conducted a public hearing, introduced and waived the first reading of Ordinance C.S. 995 to adopt the Stanislaus County Fire Prevention Bureau amended fee schedule – OES ORD-55-B-11 2007-358

Grover/DeMartini unan. **\*B4** Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at CE No. 07-40 at 1347 N. Carpenter Road, Modesto, CA – DER 2007-357

**Corr 1** Referred to the Auditor-Controller, a letter from the Stanislaus Consolidated Fire Protection District requesting the dry-period financing for Fiscal Year 2007-2008.

**Corr 2** Referred to the CEO, a letter from the Stanislaus County Mayors requesting support for an application for funding that has been submitted to the Economic Development Bank in the amount of \$250,000.

**Corr 3** Referred to the Auditor-Controller, a copy of Reclamation District 2091's Fiscal Year 2007-2008 Budget.

**Corr 4** Referred to the CEO, a copy of *The James Irvine Foundation Expanding Opportunity for the People of California* brochure regarding their grant-making principles.

**Corr 5** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Terrance Jackson, and Joanne Petrosky.

The CEO reported that the health care reform is moving forward in Sacramento and that he will continue to track this issue. He noted that the Governor's May Revised Budget is scheduled to be released on 5/14/07. He gave an update on SB 215 (negative bail out), SB 217 (conflict of interest) and SB 424 (Orestimba Creek infrastructure bond funding), and reported that they have all moved to the Appropriations Suspense File.

Adjourned at 10:11 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.)