

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

May 15, 2007

Special Session convened at 5:15 p.m.

Recessed to closed session at 5:16 p.m. for Conference with Legal Counsel: Existing Litigation: Modesto Irrigation District vs. the Heirs and Devisees of Dorothy May Diehl. Deceased. Et Al. (Case No. 613745); Modesto Irrigation District vs. Ivan Bays, Et Al. (Case No. 613733); Modesto Irrigation District vs. Jeffery E. Arambel, Et Al. (Case No. 613734); Modesto Irrigation District vs. David Goubert, Et Al. (Case No. 613747); Modesto Irrigation District vs. Tony Bravo, Et Al. (Case No. 613748); Modesto Irrigation District vs. Ivan E. Bays, Et Al. (Case No. 613736); Modesto Irrigation District vs. Michael C. Van Andel, Et Al. (Case No. 613738); and, Modesto Irrigation District vs. Matthew D. Maring, Et Al. (Case No. 613746). Government Code §54956.9. Conference with Labor Negotiator: Agency Negotiator: Richard Robinson. Labor Organization: Stanislaus County Committee of Interns and Residents. CAIR/CIR SEIU. Government Code §54957.6.

Adjourned from closed session at 6:08 p.m.

Regular Session convened at 6:30 p.m.

The 2007 Recycling Poster Contest Winners were presented with their awards by DER.

The 2007 Outstanding Senior Citizens Awards were presented to Ms. Pat Graham, District 1; Mr. Bill Sperry, District 2; Mr. Jon Engell, District 3; Mr. Ron Emerzian, District 4; and, Ms. Lila Huff, District 5 by their Board of Supervisors member.

Don Peterson of Peterson Consulting, Inc., Stanislaus County's legislative advocate, presented a legislative update.

Mayfield/Grover unan. Adopted the consent calendar

- *A1 Approved the minutes of 05/08/07
- *A2a Accepted the resignation of Bill Mattos from the Stanislaus Economic Development & Workforce Alliance Board 2007-360
- *A2b Accepted the resignation of Tom Dunlop from the Stanislaus County Local Task Force on Solid Waste Management 2007-361
- *A3 Reappointed Joy Madison to the Stanislaus Economic Development and Workforce Alliance Board 2007-362
- *A4 Set a public hearing on 06/05/07, 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 2007-363

- *B1 Adopted a resolution initiating the expansion of the Stanislaus Enterprise Zone by approximately 120 acres for Bronco Winery; and, authorized staff to prepare and submit a Zone Expansion application request to the State of California-Housing and Community Development Agency – CEO 2007-364
- *B2 Approved the contract between the Health Services Agency and the California Family Health Council for the Chlamydia Screening Project (CLASP); and, authorized the HSA Managing Director, or her Designee, to sign and execute a contract for the Chlamydia Screening Project (CLASP) - HSA 2007-365
- *B3 Adopted the retirement contribution rates, rate of interest posting and revised actuarial assumptions for FY 2007/08 as recommended by the Board of Retirement; and, directed the Auditor-Controller to change the employer and employee retirement contribution rates for the FY 2007/08 in accordance with the actuarial valuation of 06/30/06 on the payroll check dated 08/01/07 – StanCERA 2007-366
- *B4 Authorized the CEO to enter into a sublease with the California Department of Food and Agriculture to sublet approximately 1,100 square feet of space, vacated by the Department of Child Support Services, at 2612 Crows Landing Road on a month-to-month basis for a term corresponding to the Master Lease between Stanislaus County and San Joaquin Valley Express/G3 Enterprises and terminating on 04/30/10 - CEO 2007-367
- *B5 Amended the Salary and Position Allocation Resolution to reflect the salary range of \$100,000 to \$150,000 annually for classification of the Retirement Administrator for the Stanislaus County Employees' Retirement Association (StanCERA), effective 01/01/07, as approved by the StanCERA Board of Trustees – StanCERA 2007-368
- *C1 Finds, based on the reasons stated in this report, that the easement has been superseded by relocation and there are no other public facilities located within the easement; and, approved the summary vacation of the ten-foot public utility easement – PW 2007-369

Recessed to sit as the Stanislaus County Redevelopment Agency at 7:18 p.m.

Monteith/Grover unan. **6:40 pm** Approved the consent calendar

6:40 pm *III-A Approved the minutes of 3/6/07

6:40 pm *VI-A Authorized the repayment of a May 2006 Stanislaus County loan principle of \$400,000 and interest accrued thereon; authorized the application of a loan in the amount of \$400,000 subject to the terms and conditions set forth in the promissory note between the Redevelopment Agency and the Stanislaus County Capital Improvements Financial Authority dated 9/24/90; and, directed the Auditor-Controller to accept repayment and to allocate \$400,000 from the General Fund to the Redevelopment Agency secured by the Promissory Note described in Recommendation No. 2 2007-372

Monteith/Grover unan. **6:40 pm VI-B** Authorized the expenditure of \$60,000 of Housing Set-Aside funds for the purchase of one (1) single family residential lot in the Airport Neighborhood 2007-373

DeMartini/Mayfield unan. **6:40 pm VI-C** Authorized a loan for \$26,000 to the Crows Landing Community Services District for financial assistance in the repair of the area water system; and, authorized the Executive Director to sign the loan agreement on behalf of the Agency 2007-374

Grover/Mayfield unan. **6:40 pm VI-D** Adopted the Stanislaus County Redevelopment Agency Proposed FY 2007/08 Budget of \$4 million and authorized staff to take all necessary steps to implement the 2007/08 Budget 2007-375

Reconvened as the Stanislaus County Board of Supervisors at 7:26 p.m.

Monteith/Grover unan. **B6** Approved the acceptance from the Governor's discretionary (Workforce Investment Act 15%) funds to support the strategies of the California Partnership for the San Joaquin Valley Initiative; and, approved the Alliance Worknet to serve as fiscal agent of the Governor's discretionary funds (Workforce Investment Act 15%) on behalf of the eight County regional Workforce Investment Board Collaborative (Fresno, Kern/Inyo/Mono, Kings Madera, Merced, San Joaquin, Stanislaus, Tulare) - Alliance Worknet 2007-370

Grover/Monteith unan. **B7** Accepted the request by the specified Fire Districts (Mountain View, Oakdale, Salida, Woodland Avenue, Westport, West Stanislaus and other requesting Fire Protection Districts) to work together collectively to develop an action plan for the future of these agencies and fire service in Stanislaus County; and, refer the request to the Board of Supervisors Ad Hoc Committee on Public Safety 2007-371

Corr 1 Referred to the Alliance Worknet, and the Stanislaus Economic Development and Workforce Alliance, a letter from Patterson Frozen Foods, Inc., updating their plans to initiate a plant closure of its frozen food processing, warehousing and harvesting operations located at 100 W. Las Palmas Avenue, Patterson, CA, per the Worker Adjustment and Retaining Notification Act (WARN Act), and is expected to take place within a fourteen day period beginning June 5, 2007.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Robert Ruvalcaba; City of Modesto; David R. Wing; Gaby Polous; Craig T. Brown; Guadalupe Leon, Rosalina Leon, Jose Luis Leon, Ilda Leon Aguilar, and Maria Nieves Leon Romero; Angel Marie Delgado; and, Jamie Casey.

Supervisor Grover noted that he and Chairman O'Brien participated in the City-County monthly meeting this week.

Chairman O'Brien reported that he and Supervisor Grover went on a trip to El Dorado County to look at recycled water systems.

Supervisor DeMartini spoke regarding item B7 on tonight's agenda and spoke in support of working with the fire districts for long-term solutions.

The CEO reported that he will be sending a letter in support of SB 59 which proposes the construction of surface water storage facilities. He gave an update regarding the Governor's proposed elimination of the Williamson Act Subvention, and noted that he will send a letter in opposition to this 1.6 million dollar funding loss in Stanislaus County. He spoke regarding the Crows Landing Ad Hoc Committee and noted that a full report will come before the Board on June 5, 2007, including the 12 month negotiating timeline schedule, project footprint and study area, and the redevelopment agreement which defines the terms for the next 12 months.

Mayfield/DeMartini unan. **Closed Session Announcement:** The Board authorized staff to file a Disclaimer of Interest in 8 eminent domain cases filed by Modesto Irrigation District against several defendant land owners and Stanislaus County, Stanislaus County Superior Court Case Nos. 613745, 613733, 613734, 613747, 613748, 613738, 613736 and 613746 2007-376

Adjourned at 7:49 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.)