

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

Regular Session

Tuesday

July 24, 2007

All Supervisors Present

Pledge of Allegiance to the Flag

The Chairman presented a proclamation declaring the week of July 22-28, 2007 as Probation Services Week in Stanislaus County

Miguel Donoso spoke regarding the ticket prices at the Gallo Center for the Arts. He voiced concerns whether low income residents will be able to afford tickets to attend productions at the Center once it is opened.

Mayfield/Grover unan. Adopted the consent calendar after removing from consent item ***C3** Approval to Award Contract to George Reed, Inc., of Modesto, California, for the Traffic Congestion Relief Project "A", Intersection of Geer Road and Service Road

***A1** Approved the minutes of 07/17/07

***B1a** Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 0
Monterey Avenue, Ceres, CA, CE No. 07-164 – DER 2007-570

***B1b** Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 5308
Clark Street, Keyes, CA, CE No. 07-130 – DER 2007-571

***B1c** Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 5043
S. Faith Home Road, Turlock, CA, CE No. 06-598 – DER 2007-572

***B1d** Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 1406
South Avenue, Modesto, CA, CE No. 07-96 – DER 2007-573

***B1e** Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 2790
W. Whitmore Avenue, Modesto, CA, CE No. 06-616 – DER 2007-574

***B1f** Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances at 517
Leon Avenue, Modesto, CA, CE No. 06-779 – DER 2007-575

***B2** Adopted the decision of the Nuisance Abatement Hearing Board regarding the approval of the
Administrative Civil Citation to abate the Nuisance CE No. 06-346 at 8651 Crane Road,
Oakdale, CA – DER 2007-576

***B3** Adopted the decisions of the Nuisance Abatement Hearing Board regarding the cost
accounting to abate the Nuisance CE No. 06-307 at 330 E. Clausen Road, Turlock, CA –
DER 2007-577

***B4** Set a public hearing to consider the formation of the Valley Home Municipal Advisory
Council on 08/21/07 at 6:40 p.m. – CEO MAC-08-01 2007-578

***B5** Accepted a grant deed for the Turlock Courthouse Property at 300 Starr Avenue, Turlock, CA
from the City of Turlock - CEO 2007-579

***B6** Approved the renewal of three contracts with the California Department of Education (CDE)
for the administration of Child Care and Development Block Grants; and, authorized the
CSA Director, or his Assistant Director Designee, to sign the contracts to add services and
payment for services, up to \$100,000 per agreement - CSA 2007-580

***B7** Accepted the In-Home Supportive Services Advisory Committee FY 2006-2007 Report to the
community – CSA 2007-581

- *B8 Approved the tentative agreement reached between the County and the United Domestic Workers of America (UDW), representing the In-Home Supportive Services (IHSS) Workers; authorized the CSA to direct the State Controller to implement the agreed-upon salary provisions; directed the Auditor-Controller to make the necessary adjustments to the CSA budget, Program Services and Support per the Budget Journal; and, authorized the Chairman and all parties to sign the MOU with the United Domestic Workers of America (UDW) – CSA 2007-582
- *B9 Approved the amendment to the #C2AP-6081-02 contract with the California Department of Education (CDE) for the administration of the Child Care and Development Block Grant; and, authorized the CSA Director, or his Assistant Director Designee, to sign the contract amendment and any other amendments not to exceed the total amended contract amount – CSA 2007-583
- *B10 Adopted a resolution rescinding and terminating the current JPA and ending participation by the County as a member of the 49-99 Cooperative Library System; adopted a resolution forming the new 49-99 Cooperative Library System and approving the County’s membership in the Cooperative; and, designated the Stanislaus County Librarian as the Administrative Council member for the County on the 49-99 Cooperative Library System Administrative Council – Library 2007-584
- *B11 Authorized the Director of DER to apply for a grant from the California Region IV Local Emergency Planning Committee for emergency hazardous materials preparedness in the amount of \$36,168 – DER 2007-585
- *B12 Approved a contract with Fluoresco Lighting and Sign from Fresno, CA for signage for the Gallo Center for the Arts within the existing budget; approved the acquisition and installation of a security gate for the 11th Street Loading Dock within the existing project budget; approved Amendment No. 10 to the agreement with Nestor and Gaffney Architects within the funds previously approved for design and construction administration and within the existing budget; approved a change order to Clark and Sullivan Builders for \$26,379 for modifications needed to house data and communication systems, within the existing project budget; and, approved conducting a Public Dedication Ceremony on 9/10/07 at 6:00 p.m. for the Gallo Center for the Arts – CEO 2007-586
- *C1 Awarded contract in the amount of \$1,671,417.38 to International Surfacing Systems, of Modesto, CA, for the construction of the 2007 Rubberized Chip Seal Program; authorized the GSA Director/Purchasing Agent to execute a contract in the amount of \$1,671,417.38 with International Surfacing Systems; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code, §20142; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities – PW 2007-587
- *C2 Approved the request from the Our Lady of the Assumption to hold a parade on several County roads in the Turlock area on 08/18/07; and, authorized the Director of Public Works to issue a permit for the event – PW 2007-588
- *C4 Awarded contract in the amount of \$390,871.25 to Teichert Construction of Turlock, CA, for the construction of the Carpenter Road, 1.5 Miles North of Crows Landing Road Reconstruction Project; authorized the GSA Director/Purchasing Agent to execute a contract in the amount of \$390,871.25 with Teichert Construction; directed the Auditor-Controller to increase appropriations and estimated revenue in the Carpenter Road, 1.5 Miles North of Crows Landing Road Reconstruction Project account by \$461,959 per the financial transaction sheet; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code, §20142; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities – PW 2007-589

***C5** Finds the project is consistent with the overall goals and policies of the Stanislaus County General Plan; adopted the Mitigated Negative Declaration pursuant to CEQA Guidelines §15074(B), by finding on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis; and, ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code §21125 and CEQA Guidelines §15075 – PW 2007-590

Mayfield/Monteith (4-0)(Grover abstained)***C3** Awarded contract in the amount of \$957,698 to George Reed, Inc., of Modesto, CA, for the construction of the Traffic Congestion Relief Project “A”, Intersection of Geer Road and Service Road; authorized the GSA Director/Purchasing Agent to execute a contract in the amount of \$957,698 with George Reed, Inc.; directed the Auditor-Controller to increase appropriations and estimated revenue in the Traffic Congestion Relief Project “A”, Intersection of Geer Road and Service Road Project account by \$1,083,468 per the financial transaction sheet; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code, §20142; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities – PW 2007-591

Corr 1 Referred to the CEO, Department of Planning and Community Development and the San Joaquin Valley Rail Committee, a copy of the Draft Bay Area to Central Valley High-Speed Train Program Environmental Impact Report/Environmental Impact Statement from the California High-Speed Rail Authority.

Corr 2 Referred to the Public Facility Fees Committee a notice of public hearing from the Riverbank Unified School District regarding consideration of a school facilities needs analysis and alternative school facility fees

Corr 3 Referred to the CEO - Office of Emergency Services and the Agricultural Commissioner and Sealer of Weights and Measures, a letter from the Governor’s Office of Emergency Services regarding the U.S. Small Business Administration disaster declaration of Calaveras County, as primary, and several contiguous Counties, including Stanislaus County, as a result of the USDA disaster designation due to agricultural losses caused by drought conditions that occurred December 2006 through April 2007.

Corr 4 Referred to the CEO a letter from the Stanislaus County Mental Health Board regarding the membership of a psychiatric hospital citizen advisory committee

Corr 5 Referred to the Fish and Wildlife Committee, Department of Planning and Community Development, and the Agricultural Commissioner and Sealer of Weights and Measures, a letter from the El Dorado County Fish and Game Commission regarding the formation of the California Association of County Fish and Game Commissioners.

Corr 6 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Lonny Jo DeAtley; Bruce Donald Hammerstrom; Gyna Marquez and Emilio J. Marquez, Minor; and, Jim Wyatt.

Supervisor Grover reported that he attended the quarterly meeting of the Local Task Force on Solid Waste Management, and the Hazardous Waste Management Advisory Committee meeting.

The CEO gave an update regarding the State Budget and noted that it is currently deadlocked in the State Senate. He reported that the County's Interoperability and the Orestimba projects have been earmarked for funding at the federal level due to Senator Feinstein and Congressman Cardoza. He noted that Senator Boxer is very interested in the Tuolumne River Regional Park project and recommends that the County take this issue back to Washington D.C. next March.

Mayfield/Grover unan. **9:15am** Conducted a public hearing to consider Rezone Application No. 2006-13, Caloy Company Oil and Feed, a request to rezone a 5.65 acre parcel from A-2-40 (General Agriculture) to Planned Development to allow an existing 15,570 square foot warehouse/office building to be used as a processing facility to extract oil and process cattle feed from walnuts and almonds, located at 5425 Montpelier Road, in Montpelier, west of Denair, and adopted a Negative Declaration pursuant to CEQA Guidelines §15074(b) by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code §21152 and CEQA Guidelines §15075; finds that: (A) the project is consistent with the overall goals and policies of the County General Plan, and (B) the proposed Planned Development zoning is consistent with the Agriculture General Plan description, and approved Rezone Application No. 2006-13, Caloy Company Oil and Feed, subject to the attached Amended Development Standards and Development Schedule; and, introduced and waived the reading and adopted Ordinance C.S. 1001 for the approved Rezone Application #2006-13 – Planning

ORD-55-C-5; 2007-592 & 2007-593

Monteith/Mayfield (3-0)(Grover and DeMartini abstained) **9:20am** Cancelled the public hearing for the Appeal of the Planning Commission's denial of request for modification or removal of Condition of Approval No. 31 for Parcel Map Application No. 2006-02 – Timbell-Warnerville Partners, LLC (Formerly Furtado Family Trust); and, and set a public hearing on 8/21/07 to reconsider an Appeal of Planning Commission's denial of Vesting Tentative Parcel Map Application No. 2006-02, Furtado Family Trust, a request to create 13 parcels of 80± acres, one 70± acre parcel, and one 117± acre remainder parcel from two existing parcels totaling 1,14 acres in the A-2-40 (General Agriculture) zoning district – Planning

2007-594

Recessed to sit as the Stanislaus County In-Home Supportive Services Public Authority at 9:23 a.m.

Mayfield/Grover unan. **9:25am** Approved the consent calendar

9:25am (*II-A) Approved the minutes of 05/09/2006

9:25am (*II-B) Approved the tentative agreement reached between the County and the United Domestic Workers of America (UDW), representing the In-Home Supportive Services (IHSS) Workers; authorized the CSA to request the State Controller to implement the agreed-upon salary provisions; directed the Auditor-Controller to make the necessary adjustments to the CSA budget, Program Services and Support per the Budget Journal; and, authorized the Chairman and all parties to sign the MOU with the United Domestic Workers of America (UDW) – CSA

2007-595

DeMartini/Monteith unan. **9:25am (V-A)** Accepted the In-Home Supportive Services Advisory Committee FY 2006-2007 Report to the community

2007-596

Reconvened as the Stanislaus County Board of Supervisors at 9:33 a.m.

Adjourned at 9:33 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.)