

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

July 31, 2007

Michael Garcia spoke regarding health and safety issues in West Modesto. He voiced concerns regarding the closing of the County hospital, the money the County has donated to the Gallo Center for the Arts, and where the County is spending the Tobacco settlement funds.

Doug Estes spoke regarding the closing of the County hospital 10 years ago and the associated lost revenue to the County. He suggested that the County look into converting the Stanislaus Behavioral Health Center into a combined acute care and mental health hospital.

Mayfield/Grover unan. Adopted the consent calendar

- \*A1 Approved the minutes of 7/24/07
- \*A2a Appointed Karen P. Hall to the Emergency Medical Services Committee 2007-597
- \*A2b Appointed Eileene King to the Commission on Aging 2007-598
- \*A2c Appointed Doris Foster to the Child Abuse Prevention Council of Stanislaus County 2007-599
- \*A3 Proclaimed August 2007 as Child Support Awareness Month in Stanislaus County 2007-600
- \*A4 Reappointed of Linda White to the In-Home Supportive Services Advisory Committee 2007-601
- \*B1 Approved contracts and/or agreements for FY 2007-2008 in cumulative amounts of \$100,000 or greater as of 7/1/03 – CEO 2007-602
- \*B2 Accepted the Stanislaus County Treasury Pool's June 2007 Monthly Investment Report as prepared by the 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 2007-603
- \*B3 Approved the Traffic Court Lease Transfer Agreement and other associated documents on behalf of the County in order to transfer the lease agreement to the State of California for the Traffic Court located at 2260 Floyd Avenue and authorized the Chairman to sign on behalf of the County; and, authorized the annual payment of \$200,047 which will increase on an annual basis tied to cost of living adjustments with the first pro-rated payment due five business days after the closing date of 7/31/07 – CEO 2007-604
- \*D1 Finds that the conditions and contingencies of the Tentative Certificate of Cancellation for Williamson Act Contract #78-3286, Clipper Ranch, have been satisfied; and, directed the Clerk of the Board to execute and record the Certificate of Cancellation by 8/14/07 - Planning 2007-605
- \*D2 Set a public hearing on 8/21/07, at 6:50 p.m., to consider GPA Application #2006-04 and Rezone Application #2006-09, Gomes Transportation Truck Parking Yard, a request to change general plan & zoning designations from General Agricultural (A-2-40) to Planned Development (PD) to allow an existing truck parking area to continue operating and to

expand to allow up to 22 trucks and 22 trailers; the parking will occur within a 28,800 square foot area of the 27.71 acre parcel and the operation involves truck parking for up to 22 trucks and trailers, used to deliver fuel and lubricants (business activities associated with the operation take place elsewhere); the property is located at 1625 N. Tegner Road on the northwest corner of Tegner and Fulkerth Roads, in Turlock area, APN: 088-009-010; and, a Negative Declaration will be considered on this project – Planning  
ORD-55-C-8 2007-606

**Corr 1** Referred to the Auditor-Controller, a copy of the budget for Fiscal Year 2007-2008 for the East Side Mosquito Abatement District.

**Corr 2** Referred to the Department of Planning and Community Development, a letter from the U.S. Department of Housing and Urban Development (HUD) regarding the approval of Stanislaus County's Consolidated Plan/Annual Action Plan.

**Corr 3** Referred to the Chief Executive Officer, the Auditor-Controller, and the CEO-Office of Emergency Services, a copy of the Oakdale Fire Protection District's 2007/2008 Fiscal Budget and a letter requesting financial assistance from the County for their 2007/2008 fiscal year.

**Corr 4** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Chris J. Declouet; Felipe Avina; Stacy Schmidt; Josefina Rivas, Melecio Rivas, Gaby Rivas, Ernie Rivas and Maria Rivas; Ted Burns; and, Johnnie Dias.

County Counsel gave an update regarding the Latino lawsuit (Committee Concerning Community Improvement vs. City of Modesto and County of Stanislaus). He noted that the County has received another favorable ruling by Federal Court Judge O'Neil which eliminated all the issues regarding infrastructure. The Judge's ruling said that the plaintiff has failed to show any evidence of discriminatory conduct on behalf of the County.

Supervisor Grover gave an update concerning the infrastructure improvements in the Robertson Road area. He noted that the County has spent almost \$3 million on this project, and has provided sewers for approximately 300 households.

The CEO reported that he will be bringing a recommendation to the Board to oppose AB 712 which would establish an additional 50¢ per ton fee at the landfill. He noted that the State budget is still deadlocked. He reported that at the federal level, Senator Feinstein has earmarked \$300,000 and Congressman Cardoza has proposed \$200,000 for the Orestimba Project. In addition, Senator Feinstein is proposing \$750,000 for the City of Modesto and Congressmen Cardoza and Radanovich are recommending \$375,000 for Stanislaus County for the Interoperability Project.

**Recessed at 9:16 a.m.**

**Reconvened at 9:22 a.m.**

Monteith/O'Brien (3-2)(DeMartini and Grover opposed) **9:20am** Conducted a public hearing and approved Staff Recommendation No. 2; approved the proposed adjustments to the maximum rates for solid waste collection services; and, approved the implementation of a Bulky-Item Curbside Collection Program for a one-year trial period – DER  
2007-607

Grover/Mayfield unan. **9:25am** Finds that notice of the public hearing to consider the approval of the 2007-2008 Annual Assessments for County Service Area Nos. 4 through 14, 16 through 25 and Landscape and Lighting Districts including Riverdale, Riverview, and Shackelford was published in compliance with Government Code §6066; conducted a public hearing to receive comments regarding the 2007-2008 annual assessments; set the 2007-2008 annual assessments as shown on Exhibits "A" through "X" for the following County Service Areas and Landscape And Lighting Districts: CSA No. 4 - Bristol Glen (Salida), CSA No. 5 - Starlite Place (Keyes), CSA No. 6 - Raymond Tract (Keyes), CSA No. 7 - Modesto Auto Center (north Modesto), CSA No. 8 - Honey Bee Estates (Empire), CSA No. 9 - River/Souza (north Ceres), CSA No. 10 - Salida (Salida), CSA No. 11 - Gilbert Road (Oakdale), CSA No. 12 - Peach Blossom Estates (Oakdale-Riverbank), CSA No. 13 - La Jolla (Keyes), CSA No. 14 - United Pallet (north Modesto), CSA No. 16 - Olive Ranch Estates (east Oakdale), CSA No. 17 - Sunray Estates (Keyes), CSA No. 18 - Atlas Park (east Oakdale), CSA No. 19 - Tuolumne-Gratton (Denair), CSA No. 20 - Summit (north Modesto), CSA No. 21 - Riopel (Denair), CSA No. 22 - Old School North (Denair), CSA No. 23 - Hillsborough-Schutz (east Oakdale), CSA No. 24 - Hideaway Terrace (Denair), CSA No. 25 - Suncrest II (Denair), Riverdale Landscape and Lighting District (south Modesto), Riverview Landscape and Lighting District (south Modesto), Shackelford Landscape and Lighting District (south Modesto); made the Engineer's Reports a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessments to the 2007-2008 Tax Roll – PW 2007-608

Mayfield/Monteith unan. **9:30am** Canceled the public hearing to consider the approval of the sale of the Stanislaus Behavioral Health Center (SBHC), a County facility, and to consider the introduction, waiver of the reading, and adoption of an ordinance authorizing the sale of the SBHC; and, set a public hearing on 8/21/07, at 6:55 p.m., to consider the approval of the sale of SBHC, a County facility, and to consider the introduction, waiver of the reading, and adoption of an ordinance authorizing the sale of the SBHC  
ORD-55-C-7 2007-609

Adjourned to closed session at 9:54 a.m. for conference with Legal Counsel: Existing Litigation: Clark & Sullivan Builders, Inc. vs. County of Stanislaus, Stanislaus County Superior Court Case No. 612057. Government Code §54956.9.

Adjourned at 10:27 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.)