

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

Regular Session

Tuesday

October 2, 2007

All Supervisors Present

Pledge of Allegiance to the Flag

Bev Fernandes, from the Gap Network, noted that in the next 10 years the number of seniors over 65 is expected to nearly double. She voiced support for the County's efforts in working on the issue of funding for Adult Services in CSA.

Diane Hernandez, from Congregations Building Community, also spoke regarding needed funding for senior protective services. She noted the importance of these programs.

Rick Severe read a letter (on behalf of Denise Seymour) from Kathy Baker of the Association for Wedding Professionals International requesting the Board to allow weddings in agricultural areas. According to the letter weddings have a positive economic impact on the County.

Bonnie Gabbard spoke regarding the shortage of places for outdoor weddings in Stanislaus County. She encouraged the Board to visit Denise Seymour's property on Crane Road. She asked the Board to allow Denise Seymour to have weddings on her property.

Denise Seymour asked the Board for permission to book 35 weddings for 2008, until the zoning issues are resolved.

Larry Hunter, as a 10 year member of the Private Industry Council and Business Alliance Board, spoke regarding his experience with the County when he purchased property with the intent to have events. He supports Denise Seymour's request to allow weddings in the agricultural areas of the County.

Constance Robinson noted that Stanislaus County issued over 2500 marriage licenses in 2005 and that an average wedding costs \$22,000. She commented on the positive economic impacts weddings have on many of the businesses in Stanislaus County.

Ruby Brawley, Commander of American Legion Post 74 and Chairperson for the Cares Program spoke regarding the placement of the new VA facility in the Central Valley. She received a news release from Mr. Nicholson regarding this matter. She thanked the Board and former Board member Ray Simon, County staff Tim Fedorchak and Patricia Hill Thomas for their assistance in getting the property for this project. She feels that Modesto has good chance of getting the clinic. She thanked the Veterans and their families, and everyone who wrote letters, and made phone calls in support of this project. Both Lathrop and Modesto are being considered for the location of the facility and either will be closer for the Veterans than the existing Palo Alto site.

Any Irwin spoke from Jonathan's catering and Erwinshire on behalf of Joy Bloomingcamp. She stated that the Bloomingcamp Ranch has been in business for many years. They have also hosted many community events including ag conferences. She spoke in support of an ordinance allowing outdoor wedding venues in agricultural areas.

Mayfield/Grover unan. Adopted the consent calendar after removing from consent item ***B9**
Authorization to Accept a Donation from an Anonymous Donor for Construction and Purchase of
Equipment for the Animal Services "Kitty Kastle"

- *A1** Approved the minutes of 09/25/07
- *A2** Accepted the resignations of Agustin Beltran and Gaylord Phillips from the Stanislaus Economic Development and Workforce Alliance Board 2007-781
- *A3** Appointed Charles Grom to the Mental Health Board 2007-782
- *A4a** Commended the Clare and Maryellen Berryhill Family upon receiving the 2007 Distinguished Citizens Award from the Greater Yosemite Council, Boy Scouts of America 2007-783
- *A4b** Commended Sergeant Michael Eggener for his heroic and timely life saving efforts 2007-784
- *A5** Approved request from the Mid-Valley Water Ski Club for use of the main boat ramp at the Modesto Reservoir for their 53rd Annual Polar Bear Day Event on January 1, 2008 2007-785
- *A6** Approved the consolidation of the Denair Unified School District Election for the issuance of school bonds with the Consolidated District Election to be held on November 6, 2007 2007-786
- *A7** Approved the consolidation of the City of Ceres Election for a 0.5% special transactions and use tax for public safety purposes with the Consolidated District Election to be held on November 6, 2007 2007-787
- *B1** Approved the 2008 closure of the Animal Services Shelter on various days in the year 2008 for holidays and training days – Animal Services 2007-788
- *B2** Authorized the Animal Services Director to appoint Kwane Stewart to the position of Part-time County Veterinarian at Animal Services at a salary of \$53.26 per hour which exceeds the mid-point of Band E – Animal Services 2007-789
- *B3** Directed the Auditor-Controller to transfer appropriations and estimated revenue in the amount of \$1,500,000 from the Behavioral Health Services budget to the Stanislaus Behavioral Health Center enterprise fund, as detailed in the Budget Journal form – BHRS 2007-790
- *B4** Approved contracts and/or agreements for various services and contractors, that were not included in the Final Budget, list cumulative amounts for \$100,000 or greater as of 07/01/03 for the Sheriff's Department 2007-791
- *B5** Authorized the Clerk-Recorder to establish a sole source procurement for the Inventory and Statement of Work Development and RFP preparation for a film conversion project with AtPac Professional Services Group; and, authorized the Clerk-Recorder to negotiate a contract and for the GSA Purchasing Division to issue a purchase order to AtPac Professional Services Group in the amount not to exceed \$150,000 for Phase I of the Film Conversion Project for the Stanislaus County Clerk-Recorder 2007-792
- *B6** Approved the County System Improvement Plan (SIP) for child welfare services for the Community Services Agency and the Probation Department – CSA and Probation 2007-793
- *B7** Accepted the Stanislaus County Treasury Pool's August 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 2007-794
- *B8** Set a public hearing for 10/30/07, at 9:15 a.m., to consider adopting a resolution to amend the Stanislaus County Non-Disposal Facility Element to include K & D Enterprises, Inc. and UNKE, Inc. and to authorize the Director of the Department of Environmental Resources

- to submit the updated Five-Year Countywide Integrated Waste Management Plan Review Report to the California Integrated Waste Management Board – DER 2007-795
- *C1 Finds that Ordinance C.S. 1011 is not subject to the CEQA (Public Resources Code, §2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 1011 amending §11.08.020 of the Stanislaus County Code, adding a no parking zone on Spyles Way and North Star Way in the Modesto area – PW ORD-55-D-7 2007-796
 - *C2 Finds that Ordinance C.S. 1012 is not subject to the CEQA (Public Resources Code, §2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 1012 amending §11.08.120 of the Stanislaus County Code, adding a no truck parking zones on Spyles Way, North Star Way and Lyell Drive in the Modesto area – PW ORD-55-D-8 2007-797
 - *C3 Approved Master Agreement and Project Agreement No. 2007-01 for right-of-way acquisition services from Overland, Pacific & Cutler, Inc., for the Las Palmas Avenue at Elm Avenue and Las Palmas Avenue at Sycamore Avenue Traffic Signal Projects; authorized the GSA Director/Purchasing Agent to execute the Master Agreement and Project Agreement No. 2007-01 in an amount not to exceed \$48,250; and, directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet – PW 2007-798
 - *C4 Accepted the report on the Salida Planned Development projects; and, authorized staff to proceed with development of described projects with proposed funding as identified – PW 2007-799
 - *C5 Adopted plans and specifications for Federal Aid Project No. STPL-5938(147), titled “RSTP Roadway Resurfacing Program FY 2006/2007 (Phase 2)” and set the bid opening date and time for 11/07/07 at 2:00 p.m.; directed the Clerk of the Board to publish a notice inviting bids for the project as required by law and set 11/07/07, prior to 2:00 p.m., as the deadline for submission of bids; directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet; and, directed the Public Works Department staff to mail a notice inviting bids to trade journals as required by law – PW 2007-800

Grover/Mayfield unan. *B9 Authorized the acceptance of an anonymous donation of \$5,449.88 to pay for construction and equipping the cat sheltering area known as the Kitty Kastle - Animal Services 2007-801

Grover/DeMartini (3-1)(Monteith opposed)(Mayfield abstained) **9:15 am** Canceled the public hearing on the appeal of the Planning Commission’s decision for Use Permit Application #2002-30 - Salida Hulling Association; and, set a public hearing for 10/23/07, at 9:15 a.m., to reconsider an appeal of Use Permit Application #2002-30, Salida Hulling Association, a request for an almond hulling and shelling facility on approximately 50.42 acres, in A-2-40 (General Agriculture) zoning district, located on the northeast corner of State Route 132 (Maze Boulevard) and Dakota Avenue intersection, Modesto area, APN: 007-024-006 (this matter is a continuation of an appeal considered on 11/04/03, by the Board, however, this appeal is based on different grounds) – Planning 2007-803

Grover/Mayfield unan. **B10** Acknowledged the receipt of the Federally Qualified Health Center Look-Alike designation of the Health Services Agency primary care clinics; amended the Salary and Position Allocation Resolution to add a new classification of Medical Director at salary band I (\$142,833.60-\$214,260.80) annually effective the start of the first pay period after Board approval; and, amended the Salary and Position Allocation Resolution to add one new Medical Director position assigned to the HSA Clinics and Ancillary Services budget unit 2007-802

Corr 1 Acknowledged receipt, with regrets, of a letter of resignation from Ken Patterson the Director of Community Services Agency as of Friday, November 16, 2007.

Corr 2 Referred to the Department of Planning and Community Development and the Public Works Department, a letter from the City of Ripon regarding an Environmental Impact Report (EIR) for Shadowhawk Development Plan public review period.

Corr 3 Acknowledged receipt of claim and referred to the CEO-Risk Management Division the following claim: Barbara McDaniel.

Supervisor DeMartini noted that the Ag Element of the General Plan was approved by the Agricultural Advisory Board. The Ag Element will be coming to the Planning Commission the first week of December.

The CEO reported that the County's legislative advocate Don Peterson will be at the County on 10/11/07 in preparation for the 2008 legislative platform and will be meeting with the Board and Department Heads. A special session is underway regarding the issues of water and healthcare though we are not anticipating anything happening.

Adjourned at 9:51 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.)