

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

Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

March 4, 2008

A presentation was given proclaiming March 2008 as Social Worker Recognition Month.

Sally Struder, a resident of Morningside Mobile Home Park, handed out information to the Board regarding mobile home space rent increases. She spoke regarding the hardships mobile home residents are facing due to the increased space rent.

Grover/O'Brien unan. Adopted the consent calendar after removing from the agenda item **\*C3** Approval of Purchase Agreement to Acquire Road Right-of-Way for the Geer Road at Whitmore Avenue Intersection Improvement Project, Parcel Owner Grant Paterson Living Trust, APN: 018-026-005  
2008-155

- \*A1** Approved the minutes of 02/26/08
- \*A2** Appointed Janet Orvis Cook to the Stanislaus Child Development Local Planning Council  
2008-131
- \*A3a** Approved a commendation for Michael H. Krausnick, County Counsel upon his retirement  
from Stanislaus County  
2008-132
- \*A3b** Approved a commendation for Ronald E. Freitas, Director of Planning and Community  
Development upon his retirement from Stanislaus County  
2008-133
- \*A3c** Approved a commendation for Dennis Gudge, Agricultural Commissioner and Sealer of  
Weights and Measures upon his retirement from Stanislaus County  
2008-134
- \*A3d** Approved a commendation for Eileen Melson, Deputy Executive Officer upon her retirement  
from Stanislaus County  
2008-135
- \*A3e** Approved a commendation for Claudia Krausnick, Deputy Executive Officer upon her  
retirement from Stanislaus County  
2008-136
- \*A3f** Approved a commendation for Jim Simpson upon his retirement from Stanislaus County  
Department of Environmental Resources  
2008-137
- \*A3g** Approved a commendation for Ignacio Ocegueda upon his retirement from Stanislaus County  
Department of Parks and Recreation  
2008-138
- \*A4** Accepted the resignation of Darren Schafer from the South Modesto MAC  
2008-139
- \*A5** Accepted the Clerk-Recorder's Certified Statement of the Results of the Presidential Primary  
Election Held Tuesday, February 5, 2008 and Declare the Results  
2008-140
- \*A6** Proclaimed 3/16/08 – 3/22/08 as Mediation Week  
2008-141
- \*B1** Approved the Stanislaus County Legislative Platform for 2008 – CEO  
2008-142
- \*B2** Authorized the CEO to finalize, and execute an amendment to the current agreement with the  
Superior Court for the Court Alternative Dispute Resolution Program to reflect the  
increase in fee revenue the Courts may receive from the Administrative Office of the  
Courts from \$3.00 to \$8.00 for Limited Civil Actions – CEO  
2008-143
- \*B3** Approved entering into an agreement with Sidley Austin LLP, for professional legal services  
related to the Stanislaus Waste-to-Energy Facility; and, authorized the Director of DER, or  
her Designee, to enter into a five year agreement with Sidley Austin LLP, for professional

- legal services related to the Stanislaus Waste-to-Energy Facility, at an annual cost which will not exceed \$100,000 – DER 2008-144
- \*C1 Finds that Ordinance C.S. 1031 amending §11.08.020 of the Stanislaus County Code, adding a no parking zone on Farrar Avenue in the Modesto area, is not subject to the CEQA (Public Resources Code, §2100 et. seq.); and, introduced and waived the first reading of Ordinance C.S. 1031 – PW ORD-55-G-5 2008-145
  - \*C2 Approved Cooperative Agreement #10-297 with the State of California Department of Transportation for the installation of emergency vehicle signal pre-emption equipment at Sisk Road, Stoddard Road and Dale Road Intersections for the State Route (SR) 219 Widening Project, Phase I; and, authorized the Chairman to execute a contract with the State of California Department of Transportation, not to exceed \$30,800 – PW 2008-146
  - \*C4 Awarded contract in the amount of \$995,007 to Sierra Nevada Construction, Inc, of Sparks, Nevada, for the construction of the Traffic Congestion Relief Project “A” Albers Road at Milnes Road Intersection Improvements; authorized the Director of Public Works to execute a contract with Sierra Nevada Construction, Inc., for \$995,007 and to sign necessary documents; directed the Auditor-Controller to make the necessary budget adjustments 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 2008-147
  - \*D1 Set a public hearing on 3/25/08, at 9:15 a.m., to consider Planning Commission's recommendation for approval of Rezone Application #2007-07, William Rossi, a request to rezone nine acres from A-2-10 (General Agriculture) to PD (Planned Development) to add a manufactured home sales business to an existing agricultural equipment sales business located at 4831 Esmar Road, in the Ceres area - Planning ORD-55-G-3 2008-148
  - \*D2 Set a public hearing on 3/25/08, at 9:20 a.m., to consider the Planning Commission's recommendation for approval of Williamson Act Cancellation Application #2007-01, Variance Application #2007-02, and Lot Line Adjustment Application #2007-03, Friends of the Tuolumne, a request to adjust lot lines from 40.36, 68.74 and 115.2 acres to 3.95, 71.96, and 148.39 acres in the A-2-40 (General Agriculture) Zoning District, approval of a Variance Application to allow one parcel to be created at 3.95 acres - less than the 40-acre minimum requirement, and to cancel a portion of Williamson Act Contract #2002-4481 on the 3.95 acre parcel, located at 23792 and 23806 Yosemite Boulevard, in the Waterford area – Planning 2008-149
  - \*D3 Set a public hearing on 4/15/08, at 6:40 p.m., to consider Planning Commission's recommendation for approval of GPA #2007-05, Rezone Application #2007-08 and Lot Line Adjustment Application #2007-25, Frantz Landscape Center, a request to amend the General Plan and rezone 5 acres from A-2-40 (General Agriculture) to PD (Planned Development) and construct a retail landscape business in 2 phases on property located at 12741 Riverview Road, in the Hickman area – Planning ORD-55-G-4 2008-150

Grover/DeMartini unan. **9:15 am** Finds that the notice of the public hearing was given pursuant to Government Code §53753 (b), Streets and Highways Code §22552, and Streets and Highways Code §22588; conducted the public hearing to receive comments regarding the formation of the Salida Boulevard Landscape and Lighting District, the proposed method for calculating the amount of the annual assessment, and the levy of the annual assessment to pay for the landscaping maintenance; and, authorized the Clerk of the Board to oversee the tabulation of ballots and submit the results to the Board of Supervisors at the scheduled Board meeting on 03/18/08 – PW DLA-04-02 2008-154

Grover/Monteith (3-2)(O'Brien and DeMartini opposed) **B4** Accepted the update on the relocation of six programs serving adults and two consumer and family member advocacy programs to 500 North Ninth Street, Modesto; and, directed the CEO to do an investigation concerning the lease at 1100 Kansas Ave., Modesto – BHRS 2008-151

Grover/O'Brien unan. **B5** Approved a resolution authorizing the CEO to prepare and submit an application for jail bed funding under the State's Public Safety and Offender Rehabilitation Service Act of 2007 (AB 900); authorized the CEO and the Department of Planning and Community Development to develop and issue a RFP for expert consulting services to prepare an initial study and conduct subsequent environmental review for the proposed Public Safety Center Master Plan; declined the siting of a State Re-Entry Prison facility in Stanislaus County at this time; and, directed the Auditor-Controller to establish a new Public Safety Center/Jail Expansion Capital Projects budget and increase appropriations and estimated revenue by \$2,000,000 to fund the cost of the environmental impact review, professional programming services, construction management, and associated staff support costs fully funded by Jail and Detention Public Facility Fees – CEO 2008-152

O'Brien/Monteith unan. **D4** Approved the Draft Annual Action Plan that includes the \$2,463,579 Community Development Block Grant (CDBG); and the \$109,694 Emergency Shelter Grant (ESG); for a total of \$2,573,273 for FY 2008-2009; released the Draft Annual Action Plan FY 2008-2009 for the required 30-day public comment period; and, set a public hearing for 4/8/08, at 9:15 a.m., to close the public comment period and consider approval of the Annual Action Plan FY 2008-2009 - Planning 2008-153

**Corr 1** Referred to Department of Public Works a letter from the California State Department of Transportation regarding their commitment to redirect funds from the Oakdale Bypass project to the North County Corridor project and their intent to commit Interregional Transportation Improvement Program (ITIP) funds in the 2010 State Transportation Improvement Program (STIP) cycle for up to \$91 million in capital money.

**Corr 2** Referred to the CEO a letter from the State Attorney General regarding a series of workshops to be held throughout the State this spring in conjunction with the Local Government Commission on the global warming issue.

**Corr 3** Referred to DER and the Fish and Wildlife Committee a letter from the State Fish and Game Commission giving notice of proposed regulatory action relating to mammal hunting regulations.

**Corr 4** Referred to Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance a letter from The Penny Saver (Harte-Hanks Shoppers, Inc.) regarding their plans to reduce their work force at different locations in California including the site at 2005 Evergreen Avenue, Suite 8, Modesto, CA beginning on or about 04/15/08, pursuant to the California Worker Adjustment and Retraining Notification Act.

**Corr 5** Referred to CEO a letter from the State Department of Corrections and Rehabilitation regarding the Public Safety and Offender Rehabilitation Services Act of 2007, a plan for prison and offender reentry reform.

**Corr 6** Referred to DER and the Fish and Wildlife Committee a letter from the State Fish and Game Commission giving notice of proposed regulatory action relating to Central Valley Chinook salmon sport fishing.

**Corr 7** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Christopher Romero; Rodney Lee Hawker; James Chatelain; Debra Dickinson; and, Patty Ameral.

The CEO reported that staff is continuing to track the proposed State budget reductions. He also noted that the Stanislaus Leadership Collaborative will be traveling to Washington D.C. next week to meet with our Federal representatives concerning the Tuolumne River Regional Park, Orestimba Creek Project, and Public Safety Interoperability.

Adjourned at 10:47 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.)