

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 22, 2008

Monteith/Grover unan. Adopted the consent calendar

- \*A1 Approved the minutes of 07/15/08
- \*A2 Adopted and waived the second reading of ordinance C.S. 1043 Amend Chapter 7.50 Animal Services Fees, to Adopt Fees Set Forth in the Department of Animal Services 2008 Fee Schedule, to Repeal Chapter 7.52 Veterinary Services and to Adopt a Two Tier Fee Schedule for the Stanislaus County Alternative to Euthanasia (SCATE) Program – Animal Services ORD-55-H-5 2008-529
- \*A3a Appointed Allen G. Peterson to the Turlock Rural Fire Protection District Board of Directors 2008-530
- \*A3b Appointed Craig Gundlach, Terry Plett, Karen Poppen and Christine Applegate to the Stanislaus County Children’s Council 2008-531
- \*B1 Adopted the decision of the Nuisance Abatement Hearing Board regarding CE No. 08-0053 at 2062 Donald Street, Modesto, California – DER 2008-532
- \*B2 Approved request from Bonita Elementary School – Bonita Library- Community Summer Reading Program to have exclusive use of the Bonita Pool at Crows Landing on Thursday, 07/31/08 from 5:45 p.m. to 7:45 p.m., for their end of the year summer pool party; directed Bonita Elementary-Bonita Library- Community Summer Reading Program to adhere to the requirements set forth by the Department of Parks and Recreation; and approved the waiver of fees for the exclusive use of Bonita Pool at Crows Landing – Parks and Recreation 2008-533
- \*B3 Approved request for the Stanislaus County Police Activity League for use of the Modesto Reservoir Water Ski Course on Saturday, 08/02/08, from 9:00 a.m. to 4:00 p.m. for their Annual Water Ski Day; directed Stanislaus County Police Activity League to adhere to the requirements set forth by the Department of Parks and Recreation; and approved the waiver of fees for the exclusive use of Modesto Reservoir Water Ski Course – Parks and Recreation 2008-534
- \*B4 Approved request from the Learning A.R.T.S. to have exclusive use of Muir Point Camping Area at Woodward Reservoir from 08/01/08 beginning at noon, through Sunday, 08/03/08 ending at noon; approved request from the Learning A.R.T.S. for the use of the Group Picnic Area on Saturday, 08/02/08 from 3:00 p.m. ending at 10:00 p.m.; and, directed Learning A.R.T.S. to adhere to the requirements set forth by the Department of Parks and Recreation – Parks and Recreation 2008-535
- \*B5 Approved request from the Cub Scout Park #43 to have exclusive use of the Kiwanis Camp from Friday, 07/25/08 beginning at 10:00 a.m. to Sunday, 07/27/08, ending at 3:00 p.m. for their Scout Camping Outing; directed Cub Scout Park #43 to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for the exclusive use of the Kiwanis Camp – Parks and Recreation 2008-536
- \*B6 Authorized the Treasurer-Tax Collector to sign the contract with the State of California Franchise Tax Board for Court Ordered Debt Collection Program 2008-537

- \***B7** Authorized the Treasurer-Tax Collector to charge the increase in the State or Local Release of Lien Fee by the County Clerk-Recorder to the Tax and Revenue Recovery Division's customers; and, authorized the Treasurer-Tax Collector to updated fee schedules for the Tax and Revenue Recovery Division to reflect the fee increase 2008-538
- \***C1** Awarded contract in the amount of \$1,381,677 to Telfer Oil Company, of Martinez, California, for the construction of the Stanislaus County 2008 Chip Seal Program (Asphalt Emulsion); authorized the Public Works Director to execute a contract with Telfer Oil Company, for \$1,381,677 and to sign necessary documents; authorized the Director of Public Works to execute change orders in accordance with Public Contract Code, Section 20142; and, upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities – PW 2008-539
- \***C2** Adopted plans and specifications for the Phase 2 - Santa Fe Avenue Bridge Widening and Retrofit Project and set the bid opening date and time for 09/10/08, 2:00 p.m.; directed the Clerk of the Board to publish notice inviting bids for the project as required by law and set 09/10/08, 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 – PW 2008-540
- \***C3** Awarded contract in the amount of \$2,422,006.95 to Teichert Construction of Turlock, California, for the construction of the Salida Boulevard Corridor Plan; authorized the Director of Public Works to execute a contract with Teichert Construction, for \$2,422,006.95 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 Works to execute change orders in accordance with Public Contract Code, Section 20142; upon project completion, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities; authorized the Director of Public Works to utilize savings in the Pirrone Road Overlay Project to improve pedestrian access at the Broadway/Union Pacific Railroad Crossing – PW 2008-541
- \***C4** Adopted Plans and Specifications for Federal Project No. STPL-5938(151) Titled "RSTP Road Resurfacing Program A (FY 2007/2008 - Phase I)" which is part of the Federal Regional Surface Transportation Program and set the bid opening date and time for 08/20/08, 2:30 p.m.; directed the Clerk of the Board to publish notice inviting bids for the project as required by law and set 08/20/08, prior to 2:30 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 the notice inviting bids to trade journals as required by law 2008-542

Monteith/Grover unan. **B8** Ordered an election and directed the County Elections Official to place the Stanislaus County Better Roads/Safer Streets Program Transactions and Use Tax Ordinance on the ballot for the next Statewide election occurring not less than 88 days after the date of the order of election – CEO 2008-543

Grover/O'Brien unan. **B9** Accepted the Internal Audit Reports prepared by the Internal Audit Division of the Auditor-Controller's Office 2008-544

O'Brien/Grover unan. **9:10 am** Find that notice of the public hearing was published in compliance with Section 6066 of the Government Code; conducted a public hearing to receive comments regarding the 2008/2009 annual assessments; set the 2008/2009 annual assessments as shown on Exhibits "A" through

“CC” 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), Bret Harte Landscape and Lighting District (south Modesto), Bystrum (northwest Ceres), Howard/McCracken (Westley area; I-5/McCracken interchange), Laurel (south Ceres), Paradise South (south Modesto), Riverdale Landscape and Lighting District (south Modesto), Riverview Landscape and Lighting District (south Modesto), and Shackelford Landscape and Lighting District (south Modesto); make the Engineer's Reports a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessments to the 2008/2009 Tax Roll 2008-545

DeMartini/Grover unan. **9:15 am** Approved the proposed adjustments to Stanislaus County Franchise Maximum Rates for Solid Waste Collection Services including the Bulky-Item Curbside Collection Program – DER 2008-546

**Corr 1** Acknowledged receipt a letter from the Governor’s Office of Emergency Services thanking the County and Chief Hinshaw for the assistance provided by Public Information Officer Royjindar Singh during the June 2008 Lightning Fires.

**Corr 2** Referred to the CEO and DER a notice of public workshops regarding the California Environmental Quality Act Scoping Meeting for the “Development of a Drinking Water Policy for the Central Valley” from the Regional Water Quality Board, Central Valley Region.

**Corr 3** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Virginia Pellegrini, individually and as Trustee of the Mario J. and Virginia E. Pellegrini Trust; and, Enterprise Rent-A-Car.

Supervisor DeMartini reported on the StanCERA Retirement Board’s report on the end of the FY 2007-08 regarding the recent investment losses during the downturn of the financial market. He stated that \$142 million had been lost this year with \$94 million just in June alone. All sectors of the investment portfolio lost money.

The CEO reported on the State Budget and the potential adverse effects on the County. The County is receiving multiple requests for opposition and support to budget related bills with little time to bring it to the Board for approval. Therefore he has requested support of Agenda Item which would give the Chairman authority to sign letters opposing legislative matters that would divert local funding to fix the State budget crisis. He noted discussions relating to local funding Propositions. If funds are removed from Proposition 1A Property Taxes funding the County could lose \$4.2 million; from Proposition 10 the Children and Family Commission the loss could be \$6.5 million; and, \$5.2 million from Proposition 42 for transportation. He said that there are numerous potential risks to the County to BHRS and CSA programs. The County is in a wait and see mode as all negotiations were being held behind closed doors at the State Legislature leadership and the Administration.

Grover/O’Brien unan. VIII. Leg A. Authorized the Chairman to sign letters in opposition to diversion of local funding to fix the State budget crisis 2008-547

Adjourned to closed session at 9:44 a.m. for Conference with Legal Counsel - Anticipated Litigation: One Case. Government Code Section 54956.9 (c).

Adjourned at 10:30 a.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus  
State of California

BY: CHRISTINE FERRARO TALLMAN, 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.)