

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

Regular Session

Tuesday

February 16, 2010

All Supervisors Present

Pledge of Allegiance to the Flag

DeMartini/Monteith unan. Adopted the consent calendar

- *A1 Approved the minutes of 02/09/2010
- *A2 Adopted and waived the second reading of Ordinance C.S. 1072 to amend Title 11, Section 11.08.020 of the Stanislaus County Code, adding No Parking Zones on Reno Avenue, Santa Fe Avenue and Eleanor Avenue in the Stanislaus County unincorporated areas – PW
ORD-55-L-5 2010-74
- *A3 Appointed Elisa Duke to the Stanislaus County Mental Health Board 2010-75
- *A4 Accepted the resignation of Valrie Thompson from the Stanislaus County Child Abuse Prevention Council 2010-76
- *A5a Proclaimed March 2010 as Social Worker Recognition Month 2010-77
- *A5b Proclaimed March 7-13, 2010 as Portuguese Immigrant Week 2010-78
- *B1 Authorized the Director of DER, or her designee, to execute a long-term grazing lease with Paul Clarot for approximately 753 acres of County owned land adjacent to the Fink Road Landfill – DER 2010-79
- *B2 Adopted a resolution to authorize the Director of DER, or her Designee, to apply for a Waste Tire Enforcement Grant from the California Department of Resources Recycling and Recovery for FY 2010-2011 to promote the administration of a regional waste tire enforcement program; and, authorized the submittal of a joint funding request to the California Department of Resources Recycling and Recovery for a Waste Tire Enforcement Grant TEA -17 on behalf of the cities of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford and the unincorporated areas of Stanislaus County – DER 2010-80
- *B3 Adopted the decision of the Nuisance Abatement Hearing Board regarding nuisances CE No. 09-0856 at 8831 Rodden Road, Oakdale, California – DER 2010-81
- *B4 Adopted the decision of the Nuisance Abatement Hearing Board regarding the cost accounting to abate the nuisance CE No. 07-0313 at 1827 John Street, Modesto, California – DER 2010-82
- *B5 Approved an amendment to the contract with Miller-Pezzoni and Associates, Inc. of Modesto, California to perform an Arc Flash Study of the high voltage electrical panels for the Strategic Business Technology Data Center improvements – CEO 2010-83
- *B6 Authorized the Auditor-Controller to decrease appropriations by \$3,485,872.04 in the Road and Bridge Budget to account for completed road construction projects as detailed in the budget journal form – PW 2010-84
- *C1 Adopted the Plans and Specifications for the ARRA 2009 Cape Seal Project, Federal Project No. ESPL-5938(164); directed the Department of Public Works to set the bid opening date and time; and, directed Public Works staff to mail the notice inviting bids to trade journals as required by law – PW 2010-85
- *C2 Adopted the Plans and Specifications for the RSTP 2009 Cape Seal Project, Federal Project No. STPL-5938(168); directed the Department of Public Works to set the bid opening date

and time; and, directed Public Works staff to mail the notice inviting bids to trade journals as required by law – PW 2010-86

***C3** Adopted the Plans and Specifications for the ARRA Hughson SOI Cape Seal Project, Federal Project No. STPL-5938(170); directed the Department of Public Works to set the bid opening date and time; and, directed Public Works staff to mail the notice inviting bids to trade journals as required by law – PW 2010-87

***D1** Approved and established the following findings for Minor Lot Line Adjustment 2008-17, Fernandes and Fernandes: a) there is no net decrease in the amount of the acreage restricted; in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; b) at least 90 percent of the land under the former contract or contracts remains under the new contract or contracts; c) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in §51222; d) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts; e) the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; and, f) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan; rescinded all of Williamson Act Contract No. 1978-3332 (located on S. Tegner Road, in the Turlock area); approved a new contract pursuant to Minor Lot Line Adjustment 2008-17, Fernandes and Fernandes; and, authorized the Director of Planning and Community Development to execute the new contract pursuant to Minor Lot Line Adjustment 2008-17 – Planning 2010-88

O'Brien/Chiesa unan. **B7** Approved the reduction-in-force of four filled full-time positions in the Department of Planning and Community Development Building Permits Division as outlined in the Staffing Impacts section of the agenda item effective 03/27/2010; and, amended the Salary and Position Allocation Resolution to reflect the changes as outlined in the Staffing Impacts section of the report effective 03/27/2010 – Planning 2010-89

Corr 1 Referred to the CEO and the San Joaquin Valley Rail Committee, a letter from Merced County Supervisor Pedrozo and Mayor Spriggs of Merced requesting support to place the Heavy Maintenance Facility (HMF) for the High Speed Rail system in Merced County.

Corr 2 Referred to the CIO, a letter from the Corporation for Education Network Initiatives in California (CENIC) regarding broadband network access for valley and mountain communities.

Corr 3 Referred to DER, a notice from the State Department of Toxic Substances Control regarding upcoming field work at Pacific Gas and Electric Company's Oakdale Service Center located at 811 West J Street in Oakdale, CA from 02/16 – 26/2010.

Corr 4 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Oscar Raya; Sabrina Caldwell; Deputy Cory Phipps; Kenneth Correia; and, Valerie Hill Rohn.

Supervisor Chiesa requested that the County send a letter of support for placing the Heavy Maintenance Facility (HMF) for the High Speed Rail system in Merced County (Correspondence No. 1). Chairman Grover, on behalf of the Board, authorized a letter of support.

The CEO thanked Kirk Ford, Director of Planning and Community Development, for his work during these difficult economic times. He gave an update regarding the State Budget and reported that there has been only one budget hearing scheduled this week in the State legislature. He noted that the transportation proposal is still not complete and is not available to the public. The lawsuit filed by the California Redevelopment Association was heard in Sacramento Superior Court on 02/05/2010 and there is no ruling yet. SB85 (Negative Bailout) is enrolled and on the Governor's desk awaiting action. SB85 will provide some nominal relief to the County over the next two years if property tax rolls increase in value. He noted that County staff has provided written testimony to the Senate Local Government Committee on the effectiveness of the design build process at the local level. The CEO reported that the Washington DC Collaborative has finalized its platform as follows: radio interoperability, Orestimba Creek, Tuolumne River Regional Park, Carpenter Road, the Family Justice Center, and the Wastewater Recycling Project.

Adjourned at 6:45 p.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.)