

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

Regular Session
All Supervisors Present

Tuesday

August 17, 2010

Pledge of Allegiance to the Flag

A moment of silence was held for Stanislaus County Deputy District Attorney Nate Baker and Tony Refuerzo of the Department of Public Works.

Sargon Yonan spoke regarding the steps he has taken to abate the nuisance on his property, and he requested more time to complete the clean-up.

Monteith /O'Brien unan. Adopted the consent calendar

*A1 Approved the minutes of 08/03/2010

*A2 Appointed Carmen Morad to the In-Home Supportive Services Advisory Committee

2010-508

*A3 Proclaimed August 2010 as Assyrian Heritage Month

2010-509

*A4 Adopted an Amendment to the Conflict of Interest Code of the Stanislaus County Assessment Appeals Board

BD-09-A-12 2010-510

*B1 Accepted the third update of the Immediate Action Plan to secure the Men's Honor Farm in accordance with Public Contract Code §22050 for the abatement, demolition and clean-up of the destroyed barracks – CEO

2010-511

*B2 Approved the provisions contained within the tentative agreement reached between the County and Service Employees International Union Local 521 Representing the Community and Health Services Bargaining Unit; and, authorized the Chairman and all parties to sign the agreement when finalized – CEO

2010-512

*C1 Adopted the Plans and Specifications for Federal Project No. HSIPL-5938(161) South Ninth Street & Latimer Avenue Intersection and authorized a bid opening; directed the Department of Public Works to set the bid opening date and time; directed the Public Works Department staff to mail the notice inviting bids to trade journals as required by law; and, directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet – PW

2010-513

Monteith/Chiesa unan. **6:35 pm** Conducted the public hearing to consider Planning Commission's recommendation for approval of Community Plan Amendment #2009-01 and Rezone Application #2009-01, Pelandale Commercial, a request to amend the Salida Community Plan designation and zoning designation of an 8.71 acre parcel from Highway Commercial Planned Development (HCPD) to Planned Development (PD) and rezone expired PD (151) to a new PD to permit construction of 107,000 square feet of new buildings for retail and drive thru businesses on property located at the northeast corner of Pelandale Avenue and Sisk Road, in the Salida area; adopted the Mitigated Negative Declaration pursuant to CEQA Guidelines §15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code §21152 and CEQA Guidelines §15075; the Board finds: (a) that the Community Plan Amendment will maintain a logical land use pattern

without detriment to existing and planned land uses, (b) that the Community Plan Amendment is consistent with the overall goals and policies of the County General Plan, (c) that the Community Plan Amendment is consistent with the overall goals and policies of the Salida Community Plan, (d) that the proposed Planned Development (PD) zoning is consistent with the General Plan designation of Planned Development and with approval of the Community Plan Amendment is consistent with the Salida Community Plan, (e) that the County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service, and (f) that the project will increase activities in and around the project area, and increase demands for roads and services thereby requiring dedication and improvements; approved Community Plan Amendment #2009-01 and Rezone Application #2009-01, Pelandale Commercial, subject to the Development Standards and Development Schedule; and, introduced, waived the reading and adopted Ordinance C.S. 1091 for the approved Rezone Application #2009-01 – Planning ORD-55-M-6; 2010-514 & 2010-515

Corr 1 Referred to the Department of Public Works, a notice from the Modesto Irrigation District and the Turlock Irrigation District regarding the re-licensing of the Don Pedro Project.

Corr 2 Referred to the DER, a letter from the State of California Department of Public Health regarding the ongoing investigation of several former and current dry cleaners in the Modesto area.

Corr 3 Referred to the Department of Planning and Community Development, a letter from the U.S. Department of Housing and Urban Development regarding the use of Neighborhood Stabilization Program funding by 09/19/2010.

Corr 4 Referred to the Department of Public Works, a notice from the San Francisco Planning Department regarding the availability of and intent to adopt a Mitigated Negative Declaration for the rehabilitation of the existing San Joaquin water pipelines located in Tuolumne, Stanislaus and San Joaquin Counties.

Corr 5 Referred to the Auditor-Controller, a copy of the Financial Statements, June 30, 2009, from the West Side Community Healthcare District.

Corr 6 Acknowledged receipt of a copy of the San Joaquin Valley Air Pollution Control District's 2010-2011 Adopted Budget.

Corr 7 Acknowledged receipt of the Stanislaus County Civil Grand Jury Final Report 2009-2010.

Corr 8 Accepted an invitation from the County Clerk-Recorder and Registrar of Voters requesting a Board of Supervisors member to participate on the Election Observer Panel for the upcoming City of Hughson Municipal Special Recall Election on Tuesday, 08/24/2010.

Corr 9 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Tina Horta; Denise L. Dorrity (2); Suzan Wilson; Norma Campos; Patti Estrada; David Estrada; Debra L. Harper; Monica S. Pena; and, Paul Daniel Yankey.

The CEO reported that SCR No. 54 (Cogdill), which will name the North County Corridor the Kirk Lindsey Memorial Highway, passed out of the Senate unanimously. He also reported that the FMAP Extension (Medicaid's temporary enhanced Federal Medical Assistance Percentage) passed both the U.S. Senate and House, providing funding for the State of California which will benefit some programs in Stanislaus County and directly benefit some CSA programs. He noted that the agreement reached between the County and SEIU includes Tier 2 retirement benefits, which is consistent with the Board's directive to begin moving back to a more manageable and sustainable retirement system for future County employees.

Adjourned to closed session at 7:08 pm. for conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organization: Stanislaus County Deputy Probation Officers' Association. Government Code §54957.6.

Adjourned at 8:30 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.)