

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

Special and Regular Session  
All Supervisors Present  
Pledge of Allegiance to the Flag

Tuesday

March 20, 2012

**Recessed to closed session at 5:30 p.m.** for Conference with Legal Counsel - Existing Litigation: One Case: Maria Alvarez, et al. v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 612601. Government Code §54956.9(a). Conference with Legal Counsel - Significant Exposure to Litigation: One Case. Government Code §54956.9(b)(A).

**Reconvened at 6:30 p.m.** for Regular Session

A moment of silence was held for former County Supervisor William Ulm.

The Chairman presented Helen Moore from the Irish Cultural Society of Stanislaus County a resolution proclaiming March 2012 as Irish American Heritage Month.

Ed Persike presented information on the successful “Karate Keyes” Police Activity League (PAL) Program in the community of Keyes.

Frank Johnson from the NAACP presented District Attorney Birgit Fladager a plaque in recognition for her outstanding contribution and support of diversity awareness in the community.

Withdraw/De Martini unan. Adopted the consent calendar

- \***A1a** Approved the minutes of 03/06/2012
- \***A1b** Approved the minutes of 03/13/2012
- \***A2** Appointed Charles Morrison, III to the Woodland Avenue Fire Protection District Board of Directors 2012-103
- \***A3a** Commended Carolyn Hebenstreich upon her retirement from the Area Agency on Aging/Veterans Services Department 2012-104
- \***A3b** Commended Kirk Ford upon his retirement from the Department of Planning and Community Development 2012-105
- \***A3c** Commended Kirk Gustafson upon his retirement from the CEO - Capital Projects 2012-106
- \***A3d** Commended the Modesto Lions Club upon the celebration of their 90th year anniversary 2012-107
- \***A4** Proclaimed the month of April 2012 as Child Abuse Prevention Month and 04/27/2012 as Children’s Memorial Day 2012-108
- \***B1** Approved and adopted the proposed amendment to Advisory Board on Substance Abuse Programs Bylaws – BHRS BD-66-27 2012-109
- \***B2** Appointed for the 2012 term of the Stanislaus County Discipline/Equal Employment Opportunity (EEO) Grievance Appeals Board: Tim Bazar, Public Defender as the Department Head Member; Doug Wilkerson, Sergeant-Custodial as the Employee Member; and Local Attorney Darrell Champion to serve as the Chairperson; and, appointed Alternates to the panel as follows: Local Attorneys Dave Walker and Jeffrey R. Olson to serve as Alternate Chairpersons; Gary Casari, Ag Commissioner and Marcia Cunningham, Director SBT as Department Head Alternates; and,

- Veronica Pehl, CNA Bargaining Unit as the First Alternate Employee Member; Brenda Avilla, SEIU Bargaining Unit as the Second Alternate Employee Member; and, Frank Murillo, SCPCOA Bargaining Unit as the Third Alternate Employee Member – CEO 2012-110
- \***B3** Adopted a Resolution to support the establishment of a San Joaquin Valley Economic Development District – CEO 2012-111
- \***B4** Adopted the plans, specifications, and working details for the Geer Road Landfill Groundwater Plume Investigation Project; directed the Department of Environmental Resources to send the Notice Inviting Bids, electronically and by mail to trade journals and newspaper advertisement as required by law; authorized the Director of DER to oversee the public works of improvements associated with the Geer Road Landfill Groundwater Plume Investigation Project; and, directed the Clerk of the Board to publish the Invitation to Bidders (Contractors) for the Project as required by law and set the deadline for submission of the bids as 04/25/2012, at 2:00 p.m. – DER 2012-112
- \***B5** Accepted the Public Facilities Fees Inflationary Update; and, approved the delay the recommended inflationary adjustment to Public Facilities Fees for a period of twelve months – CEO M-64-I-13 2012-113
- \***B6** Approved the plans and specifications for the Strategic Business Technology Data Center Server Room Improvements at 3705 Oakdale Road prepared by Miller Pezzoni and Associates, Inc.; authorized the Project Manager to issue a notice inviting bids on 03/21/2012, for Bid Package #3 for the construction phase of the project; and for the Project Manager to modify the bid date if necessary; and, authorized the Project Manager to accept and open bids on 04/18/2012, immediately after 2:00 p.m., and return to the BOS to recommend a construction contract award to the lowest responsible bidder – CEO 2012-114
- \***C1** Set a Public Hearing on 04/24/2012, at 9:05 a.m., to introduce and waive the first reading of an ordinance to amend existing fees and adopt new National Pollutant Discharge System (NPDES) fees for the Department of Public Works Engineering Division – PW ORD-55-P-2 2012-115
- \***C2** Approved granting in fee the County property owned at 2957 River Road to Francisco Mondragon Jr., et ux., the adjoining landowner; pursuant to the Street and Highway Codes 8334, 8335 and 8355, the Board adopted a resolution summarily vacating the public's right-of-way interest in said County owned property; finds that said County owned property is not required for street or highway purposes; pursuant to the Government Code 25526.5, the Board adopted a resolution conveying said County owned property; finds that the parcel described herein is not necessary for County or other public purposes; authorized the Director of Public Works to sign with notary, the Grant Deed as submitted as Exhibit “D”, conveying the fee title portion to the adjoining landowner for the total purchase price of \$7,624 based upon the Appraisal and Valuation Analysis performed by Cogdill & Giomi, Inc. as described in Exhibit “C” (\$7,500) together with the merger application fee (\$79) and the merger recording fee (\$45); and, approved the preparation of a purchase and sale agreement which includes the condition that an application of merger shall be submitted within six months of the recordation of the grant deed – PW 2012-116
- \***C3** Adopted a resolution authorizing the Public Works Director to act as the certifying representative for all Federal and State grant and funding activities initiated by and for the Stanislaus County Department of Public Works – PW 2012-117
- \***C4** Adopted a resolution for the installation of an All-Way stop sign control at Roeding Road and Moore Road in the Ceres area – PW 2012-118
- Chiesa/Withrow unan. **B7** Authorized the CEO to submit an application for funding to the Department of Justice, Office on Violence Against Women (OVW) FY 2012 Grant to Encourage Arrest Policies and Enforcement of Protection Orders Program (FY 2012 Arrest Program) in the amount of \$650,000 and to accept funding if awarded; and, authorized the CEO, or her designee, to sign and execute the grant application due on 03/26/2012 – CEO 2012-119

Monteith/Withrow unan. **B8** Appointed members to the eleven Oversight Boards of the Successor Agencies in Stanislaus County: appointed Supervisor Terry Withrow, Jim Duval and Brad Hawn to Stanislaus County's Oversight Board; in Supervisorial District One appointed Supervisor William O'Brien and Farrell Jackson to the City of Oakdale Oversight Board, Supervisor William O'Brien and Curtis Lineberger to the City of Riverbank's Oversight Board, and Supervisor William O'Brien and Jeff Montgomery to the City of Waterford's Oversight Board; in Supervisorial District Two appointed Supervisor Vito Chiesa to the City of Hughson's Oversight Board, and Supervisor Vito Chiesa and Curt Andre to the City of Turlock's Oversight Board; in Supervisorial District Four appointed Supervisor Dick Monteith and Ernest Foote to the City of Modesto's Oversight Board; and in Supervisorial District Five appointed Supervisor Jim DeMartini to the City of Ceres' Oversight Board, Supervisor Jim DeMartini and Vicki Lucas to the City of Newman's Oversight Board, Supervisor Jim DeMartini and Howard Sword to the City of Patterson's Oversight Board, and Supervisor Terry Withrow and Paul Caruso to the Stanislaus-Ceres' Oversight Board – Planning  
2012-120

**Corr 1** Referred to Planning and Community Development, a letter from the State Wildlife Conservation Board regarding approval of the acquisition of the Dos Rios Ranch in Stanislaus County of 1,603 acres.

**Corr 2** Referred to the Fish and Wildlife Committee, a letter from the State Fish and Game Commission regarding proposed 2012-2013 big game hunting regulations.

**Corr 3** Referred to Planning and Community Development, a letter from the State Department of Finance regarding the implementation process for County redevelopment successor agencies.

**Corr 4** Acknowledged receipt of the San Joaquin Valley Air Pollution Control District 2011 Annual Report.

**Corr 5** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Valery M. Williams; Donna Schulte; John Schulte; Joe Kimmel; and, William Silva.

Adjourned at 7:11 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.)