

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

July 20, 2010

Recessed to Closed Session at 5:30 p.m. for conference with Legal Counsel - Existing Litigation: One Case: Lucio Corral et al. v. County of Stanislaus, et al., United States District Court, Eastern District of California, Case No. 1:08-CV-00856-OWW-GSA. Government Code §54956.9(a).

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

Diane Haugh, Chair of the Earl Pride Scholarship Committee, presented the 2010 Earl Pride Scholarship Awards to recipients Nora Cassidy, Julie Serrano, Jennifer Shipley and Joey Simas.

Esmeralda Sofia from the California Rural Legal Assistance Foundation spoke on behalf of the Parklawn United Neighbors and the Parklawn community, and distributed a letter to the Board. She noted that on 7/13/10 the City of Modesto voted to approve a Measure M advisory vote for the extension of sewer services to the Parklawn neighborhood, contingent on the County's assistance in covering the cost of the election.

Manuel Espino, a member of Parklawn United Neighbors, has lived in the Parklawn neighborhood for 22 years and spoke regarding the necessity for sewer services in his community.

Hortencia Franco voiced her support for Measure M and the need for the sewer extension in the Parklawn neighborhood. She asked the County to help cover the costs for the Measure M election.

Conrado Castillo spoke in support of Measure M and asked the County to help the community with the cost for Measure M.

Mary Ellen Hernandez from the Parklawn neighborhood stated that she is hoping and praying that the County will help them. She noted that they want to be part of the City of Modesto and have cleaner safer roads and sewer lines.

Jose Franco has lived in the Parklawn neighborhood for 40 years and spoke regarding the importance of obtaining a sewer system. He voiced concerns regarding the current septic tank systems, and noted that the ground is completely saturated and there is no more room for leach lines.

Alicia Hernandez has lived in the Parklawn neighborhood for 10 years. She asked the Board for help in funding the election for Measure M. She stated that a sewer system is a priority for their community because it affects the children, especially during the rainy season.

Maria Garibaldo from Parklawn United Neighbors has lived in the Parklawn neighborhood for 40 years. She stated that her house is sinking because the ground is saturated. Her husband is in a wheelchair and she cannot take him anywhere in the winter because there are no sidewalks and the streets are flooded. She asked the County for help in obtaining sewer services.

Elder Peralta voiced concerns regarding the City of Modesto placing computerized parking kiosks in the downtown parking garages.

Arsenio Mataka from California Rural Legal Assistance spoke regarding Measure M and noted that it is a time sensitive matter. He requested that this matter be placed on the Board's 7/27/10 agenda.

OBrien/Monteith unan. Adopted the consent calendar after removing from consent item ***A2** Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1089 to Amend Chapter 2.08 of the Stanislaus County Code Relating to the Chief Executive Officer, and Conforming Changes to Other Provisions of the County Code Relating to the Director of Public Works, Director of Parks and Recreation, the County Building Official, County Surveyor, and Floodplain Administrator

***A1** Approved the minutes of 07/13/2010

***A3** Appointed John Bairos to the Oakdale Rural Fire Protection District Board

2010-460

***A4** Reappointed Alfred Scheuber to the Storm Drain District #8

2010-461

***A5a** Approved the consolidation of the Hughson Unified School District General Obligation Bond Election with the Gubernatorial General Election to be held on Tuesday, 11/02/2010

2010-462

***A5b** Approved the consolidation of the Waterford Unified School District General Obligation Bond Election with the Gubernatorial General Election to be held on Tuesday, 11/02/2010

2010-463

***A6** Approved the consolidation of the City of Turlock's General Municipal Election with the Gubernatorial General Election to be held on Tuesday, 11/02/2010

2010-464

***B1** Authorized the Director of Aging and Veterans Services (Area Agency on Aging) to sign contracts and any subsequent amendments to Older Americans Act (OAA) contracts AP-1011-30, HI-1011-30, and TV-1011-30 with the California Department of Aging for FY 2010-2011 – AAA

2010-465

***B2** Approved the renewal of two contracts for FY 2010-2011 with the California Department of Education for the Administration of the Child Care and Development Block Grants; and, authorized the CSA Director, or her Assistant Director Designee, to sign the contracts and any subsequent amendments to add services and payments for services, up to \$100,000 per agreement – CSA

2010-466

***B3** Authorized the Sheriff to accept the 2010 California Multi-jurisdictional Methamphetamine Enforcement Team (Cal-MMET) Recovery Act Program Funding from the California Emergency Management Agency (Cal-EMA) – Sheriff

2010-467

***D1** Set a public hearing for 8/17/2010, at 6:35 p.m., to consider the Planning Commission's recommendation for approval of Community Plan Amendment No. 2009-01 and Rezone Application No. 2009-01, Pelandale Commercial, a request to amend the Salida Community Plan and zoning designation from Highway Commercial Planned Development (HCPD) to Planned Development (P-D) and P-D (151) to a new Planned Development (P-D) zone on property located at the northeast corner of Sisk Road and Pelandale Avenue, directly adjacent to the City of Modesto, in the Salida area (APN: 135-029-019); and, authorized the Clerk of the Board to publish notice of hearing as required by law – Planning

ORD-55-M-6 2010-468

DeMartini/Monteith unan. **6:35 p.m.** Conducted a public hearing to consider adoption of the revised Regional Transportation Impact Fee (RTIF); accepted the 06/15/2010 Regional Transportation Impact Fee Study; approved and adopted the Findings set forth in the Regional Transportation Impact Fee Study and in the agenda item, and as required by §66001 of the California Government Code; approved the revised

Regional Transportation Impact Fees as recommended in the Study to be effective 60 days from date of adoption, Monday, 09/20/2010; authorized staff to meet with all nine cities and StanCOG to begin the development and formation of an inclusive Regional Transportation Impact Fee program; directed staff to return to the Board within 18 months with a status report and recommendations regarding the Regional Transportation Impact Fee; approved the Industrial Incentive Program with a sunset date of 07/01/2015 and directed staff to return to the Board with annual updates on program participation and costs; and, approved the proposed revisions to the Public Facilities Fees Administrative Guidelines making changes to the qualifying criteria for participation in the Installment Payment Program – CEO

M-64-I-6 2010-472

Recessed at 7:59 p.m.

Reconvened at 8: 06 p.m.

Chiesa/O'Brien unan. ***A2** Adopted and waived the second reading of Ordinance C.S. 1089 amending Chapter 2.08 of the Stanislaus County Code relating to the Chief Executive Officer, and conforming changes to other provisions of the County Code relating to the Director of Public Works, Director of Parks and Recreation, the County Building Official, County Surveyor, and Floodplain Administrator; and, **amended** the item to direct County Counsel and CEO to review the proposed language submitted by Mr. Aaron Smith, President of the California Land Surveyors Association, which revises the language in County Code Section 2.16.010 B.2., and to bring back an ordinance acceptable to both parties for the Board's consideration – CEO

ORD-55-M-4 2010-469

O'Brien/Chiesa unan. **B4** Approved the Stanislaus County's Proposed Capital Improvement Plan Project List for FY 2010-2011; directed staff to submit the Proposed Capital Improvement Plan Project List to the County Planning Commission for findings of General Plan Consistency; and, authorized staff to proceed with all steps necessary to prepare the Proposed Capital Improvement Plan for the Board's final consideration and adoption – CEO

2010-470

O'Brien/Chiesa unan. **D2** Approved proceeding with initial steps regarding regionalization of services for building permits inspection and plan check services in cooperation with the City of Modesto, including: (1) development of a reciprocal staffing agreement with the City of Modesto; (2) coordinate with the City of Modesto to issue a new coordinated Request for Proposals for upgraded permit tracking software; (3) coordinate with the City to evaluate programs, service levels, and performance standards and development of a plan to become uniform in service delivery using Matrix's Best Management Practices as the baseline; (4) coordinate with the City to evaluate adopting uniform building codes and administrative procedures; (5) development of a cost-based fee system; and, (6) explore the option of forming a Joint Powers Authority – Planning

C-6-J-2 2010-471

Corr 1 Referred to the Stanislaus Economic Development and Workforce Alliance, a letter from A E Biofuels Inc., requesting support for their fuel grade ethanol project in Keyes, CA.

Corr 2 Referred to the CSA and CEO, a letter from the State Department of Social Services regarding the Proposed Fiscal Year 2010-11 Funding for Fraud Investigations and Program Integrity efforts related to the In-Home Supportive Services Program.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Daniel Bradley; Mark William Maule (3); Antonio Gutierrez and Christian Gutierrez; Anthony Anderson; Ryan Bice; Steve Black; Maniveer S. Bass; Timothy Perger; Kenneth Bates; Milton Boden; Jesse Brooks; Salvador Berber Herrera; Dustin Choate; Terry Clinton; Timothy Leo Coulter; Ravinder Dosanjh Singh; Gary Elliot; Timothy J. Fields; Jacob Ryan Flemingo; Samuel Green; Oscar

Gonzalez; Michael Guajardo; Alfred J. Hawkes; Farish Hussain; Durwood F. Hastings; Joshua David Harrington; Matthew Lee; Jose Molina Vargas; Jose Marroavin; Phillip McNaught; Kurt M. Petersen; Michael Anthony Rodriguez; Jesus Rico; Nathan E. Silveira; Phillip Salsedo; Lue Thao; Michael White; Rachaud Therman; Timothy Ray Williamson; Robert Ferriera; and, Kerry Scott Ussery.

Supervisor DeMartini noted that the Parklawn community is the last neighborhood in that area to not have a sewer system. He reported that the County has made substantial improvements to the park and street lighting in this community and that he has no problem with the County sharing in the cost of the Measure M election. He stated that there are many other unincorporated islands within the City of Modesto, and suggested that they include those islands in this election as well. He requested that the CEO explore this option.

Adjourned at 8:52 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.)