



BOARD OF SUPERVISORS

William O'Brien, 1st District
Thomas W. Mayfield, 2nd District
Jeff Grover, 3rd District
Ray Simon, 4th District
Jim DeMartini, 5th District

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Phone: 209.525.4494 Fax: 209.525.4420

AGENDA

December 20, 2005

6:30 P.M.

Chambers – Basement Level
1010 10th Street
Modesto, California

The Board of Supervisors welcomes you to its meetings which are regularly held each Tuesday, and your interest is encouraged and appreciated.

The agenda is divided into two sections:

CONSENT CALENDAR: These matters include routine financial and administrative actions and are identified with an asterisk (*). All items on the consent calendar will be voted on at the beginning of the meeting under the section titled "Consent Calendar." If you wish to have an item removed from the Consent Calendar, please make your request at the time the Board Chairperson asks if any member of the public wishes to remove an item from consent.

REGULAR CALENDAR: These items will be individually discussed and include all items not on the consent calendar, all public hearings and correspondence.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Please raise your hand or step to the podium at the time the item is announced by the Board Chairperson. In order that interested parties have an opportunity to speak, any person addressing the Board will be limited to a maximum of 5 minutes unless the Chairperson of the Board grants a longer period of time.

PUBLIC COMMENT PERIODS: Matters under the jurisdiction of the Board, and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Board for consideration. However, California law prohibits the Board from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board of Supervisors. Any member of the public wishing to address the Board during the "Public Comment" period will be limited to a maximum of 5 minutes.

BOARD AGENDAS AND MINUTES: Board agendas, Minutes, and copies of items to be considered by the Board of Supervisors are typically posted on the Internet on Friday afternoons preceding a Tuesday meeting at the following website: www.co.stanislaus.ca.us/BOS/AgenMin.htm

AUDIO/VIDEO BROADCAST: All Board meetings are normally broadcast live and replayed on local cable television. A list of cable channels and broadcast times are available at the following website: www.co.stanislaus.ca.us/BOARD/broadcastingsched.htm. In addition, a live audio/video broadcast of this meeting can be heard/seen via the World Wide Web at: www.co.stanislaus.ca.us/referencemov/bosaudio.htm.

NOTICE REGARDING NON-ENGLISH SPEAKERS: Board of Supervisors meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Clerk of the Board at (209) 525-4494. Notification 72 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting.

I. Pledge of Allegiance to the Flag

II. Public Comment Period

III. Consent Calendar

IV. Agenda Items

A. Miscellaneous

* 1. Approval of the Minutes for December 13, 2005 ([View Item](#))

- * 2. Approval to Adopt and Waive the Second Reading of Ordinances:
 - a. C.S. 944 Amending Title 11 of the Stanislaus County Code, Adding a No Parking Zone on Finney Road, 10th Street (Keyes), Madera Avenue, Hawthorne Avenue, and Firenza Way, and Amending a No Parking Zone on Pirrone Road ([View Item](#))
 - b. C.S. 945 Authorizing the Establishment of a Public Facility Fee Installment Payment Program for Qualifying Non-Residential Projects ([View Item](#))
- * 3. Approval of Appointments of:
 - a. Laura List to the Mountain-Valley Emergency Medical Services Agency Regional Advisory Committee ([View Item](#))
 - b. Raul Garcia to the Stanislaus County Children’s Council ([View Item](#))
 - c. Dr. Corwin Harper to the Stanislaus Economic Development and Workforce Alliance ([View Item](#))
 - d. Michael Franck to the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))
 - e. Marlene Wilson to the Animal Advisory Board ([View Item](#))
- * 4. Approval of Reappointments of:
 - a. Jeffery McCardia, Lynn Goldstein, Jeff Gullo, Vicki Bauman and Michael Shinkel to the Advisory Board on Substance Abuse Programs ([View Item](#))
 - b. Charles Grom to the Mental Health Board ([View Item](#))
 - c. Don Armario to the Oakdale Rural Fire Protection District Board ([View Item](#))
 - d. Mike Lucas to the Mountain View Volunteer Fire Protection District Board ([View Item](#))
 - e. Warner M. Soelling, MD to the Stanislaus County Animal Advisory Board ([View Item](#))
 - f. Ray Souza to the Stanislaus County Planning Commission ([View Item](#))
 - g. Newmon Fink to the Tuolumne River Regional Park Citizens Advisory Committee ([View Item](#))
 - h. James W. Hughes and Ron Macedo to the Turlock Rural Fire Protection District Board ([View Item](#))
 - i. Dan Peterson to the Turlock Mosquito Abatement District Board ([View Item](#))
 - j. Alan Cover and Norman Kline to the Agricultural Advisory Board ([View Item](#))
 - k. Charles Obert to the Stanislaus County Parks and Recreation Commission ([View Item](#))
 - l. Diana Haile and Jenice Sechler to the Housing Authority of Stanislaus County Board ([View Item](#))
 - m. Betty Scheuber, Steve Amador and Bart H. Ingles to the Storm Drain District #8 Board ([View Item](#))
 - n. Frank Durao, Ken Bays, Rob Brook and Norman W. Crow to the West Stanislaus Resource Conservation District Board ([View Item](#))
 - o. Terrance Withrow to the Assessment Appeals Board ([View Item](#))
 - p. James Shade, Felix Reichmuth, Timothy Ragsdale, D.C. Vient and Robert James Nickerson to the Building Code Appeals Board ([View Item](#))
 - q. Neil Van Duyn and Ron Greenwood to the East Side Mosquito Abatement District Board ([View Item](#))
 - r. Gary Hinshaw to the Emergency Medical Services Committee ([View Item](#))
 - s. Michael Krausnick and Bruce Ramsey to the Law Library Board of Trustees ([View Item](#))
 - t. Chris Savage and Andrew Van Allen to the San Joaquin Valley Air Pollution Control District Citizens Advisory Council ([View Item](#))

- u. Kay Dunkel, Ignacio Lopez, Dennis Shuler, Mark MacKenzie and Caroline Mitton to the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))
 - * 5. Approval to Proclaim the Week of January 8, 2006 as Family Services Specialist Recognition Week in Stanislaus County ([View Item](#))
 - * 6. Approval of Appointment in Lieu of Election of Kirk Jensen to the Central California Irrigation District – Division 1 ([View Item](#))
- B. Chief Executive Office
- * 1. Approval of the Closure of the Animal Services Facility on Various Days in 2006 ([View Item](#))
 - * 2. Approval of a Contract Amendment with the California Department of Education for the Administration of the Child Care and Development Block Grant – Community Services Agency ([View Item](#))
 - * 3. Approval to Modify the Single Point of Entry Eligibility Process for Specific Health Coverage Programs at Health Services Agency Clinics and Amend the Salary and Position Allocation to Reflect the Transfer Back of Thirteen (13) Positions from the Community Services Agency to the Health Services Agency ([View Item](#))
 - * 4. Approval to Expand Dental Services at the Sheriff’s Public Safety Center by Accepting Donation of Dental Equipment and Utilizing Public Facility Fees to Purchase Additional Dental Equipment – Sheriff ([View Item](#))
 - * 5. Approval to Adjust the Compensation and Extend the Contracts for Indigent Defense Legal Services with the Law Firms of Grisez, Orenstein & Hertle, and Perry & Associates and Authorize the Chief Executive Officer to Finalize and Execute the Contract Amendments ([View Item](#))
 - 6. Acceptance of the Update on the Stanislaus County Food Processing By-Products Program – Environmental Resources ([View Item](#))
 - 7. Approval of the Reorganization Plan for Building Permit Services and Associated Budget and Staffing Adjustments – Public Works ([View Item](#))
- C. Department of Public Works
- * 1. Approval to Set a Public Hearing and Conduct a Ballot Procedure in Compliance with Proposition 218 on February 14, 2006 at 9:25 a.m., Regarding the Formation of the Paradise South Landscape and Lighting District and the Levy of an Annual Assessment (West Modesto Area) ([View Item](#))
 - * 2. Approval to Summarily Vacate a Portion of Ohio Avenue (West Modesto Area) and Disposition of the Portion Owned by the County ([View Item](#))
- D. Department of Planning and Community Development
- * 1. Approval to Rescind All or a Portion of Williamson Act Contract No. 1983-3832 (North Gratton Road, Denair Area) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2005-37 (Nelson/Davis) and Authorize the Planning Director to Execute a New Contract ([View Item](#))
 - * 2. Approval to Rescind All or a Portion of Williamson Act Contract No. 1978-3459 (Taylor Road, Keyes/Turlock Area) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2005-30 (Otterbach) and Authorize the Planning Director to Execute a New Contract ([View Item](#))
 - * 3. Approval of a Memorandum of Understanding to Cooperatively Prepare a Project Study Report for Transportation Improvements Involving State Route 165 and State Route 99 in and/or Proximate to the City of Turlock, the County of Stanislaus, and the County of Merced ([View Item](#))

E. County Counsel

V. Scheduled Matters

- 6:40 p.m. Public Hearing to Consider the Formation of County Service Area No. 21 – Riopel (in Denair), Conduct a Ballot Procedure in Compliance with Proposition 218, and Consent to the Waiver of Conducting Authority Proceedings for the Formation of County Service Area No. 21 ([View Item](#))
- 6:45 p.m. Public Hearing to Consider General Plan Amendment Application No. 2005-11 and Rezone Application No. 2005-12 - Zansco Properties, a Request to Rezone and Amend the General Plan of a 0.27 Acre Portion of a 1.50 Acre Parcel from Agriculture / A-2-40 to Planned Industrial / PI-20, Consistent with the Zoning on the Remaining 1.23 Acres of the Property Located at 5054 Pentecost Drive, North of Kiernan Avenue in the Modesto Area. A Mitigated Negative Declaration Will Be Considered ([View Item](#))
- 6:50 p.m. Public Hearing to Consider General Plan Amendment Application No. 2005-07 and Rezone Application No. 2005-08 - CG Properties, a Request to Rezone and Amend the General Plan of a 0.27 Acre Portion of a 1.50 Acre Parcel from Agriculture / A-2-40 to Planned Development to Allow for Professional Office Uses with Accessory Warehouse/Storage Space on Property Located at the Northeast Corner of Kiernan Avenue and Pentecost Drive, in the Modesto Area. A Negative Declaration Will Be Considered ([View Item](#))
- 6:55 p.m. Public Hearing to Consider General Plan Amendment Application No. 2005-08, Community Plan Amendment Application No. 2005-03 and Vesting Tentative Subdivision Map Application No. 2005-04 - Hackler/Clabaugh (Hideaway Terrace), a Request to Amend the General Plan and Community Plan Designations of a 4.61 Acre Parcel to Medium High Density Residential and Create 15 Residential Lots Sized Between 6,656 to 11,397 Square Feet in a R-3 (Multiple Family Residential) Zone on Property Located at the Northeast Corner of E. Monte Vista Avenue and N. Waring Road, West of Denair. A Mitigated Negative Declaration Will Be Considered ([View Item](#))
- 7:00 p.m. Public Hearing to Consider General Plan Amendment Application No. 2005-10, Rezone Application No. 2005-11 and Vesting Tentative Subdivision Map Application No. 2005-06 - Wenstrand Ranch, a Request to Amend the General Plan Designation of a 6.7 Acre Portion of a 12.25 Acre Parcel from Commercial to Low Density Residential and the Zoning of that Same Portion from H-1 (Highway Frontage Commercial) to R-A (Rural Residential), and to Create 45 Residential Lots Sized from Approximately 8,000 to 12,000 Square Feet on Property Located at 4148 Main Street at the Corner of E. Monte Vista Avenue, Lester Road and Main Street, in Denair. A Mitigated Negative Declaration Will Be Considered ([View Item](#))

Correspondence

1. This Board has received a letter from the California Department of Fish and Game regarding the intent to recommend a 2006-07 deer hunt at J-18 Pacific-Grizzly Flat Junior Either-Sex Deer Hunt in Stanislaus County. ([View Item](#))
(Recommendation: Refer to the Parks Department and the Fish and Wildlife Committee.)

2. This Board has received a letter from the California Regional Water Quality Control Board Central Valley Region regarding an upcoming California Environmental Quality Act scoping meeting and public workshop for the development of amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins to control the discharge of pesticides. ([View Item](#)) (Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures and the Department of Environmental Resources.)
3. This Board has received a copy of the Stanislaus County Employees' Retirement Association Comprehensive Annual Financial Report. ([View Item](#)) (Recommendation: Acknowledge receipt of report.)
4. This Board has received a copy of the Access to Health Foods: The Challenges and Implications for Food Stamp Eligible Residents in Low-Income Neighborhoods, Issue Paper from the Healthy Eating Active Living Collaborative. ([View Item](#)) (Recommendations: Refer to the Community Services Agency and the Health Services Agency.)
5. This Board has received a copy of the California State Association of Counties' 2005 Challenge Awards Directory. ([View Item](#)) (Recommendation: Acknowledge receipt of report.)
6. This Board has received a letter from the Governor's Office of Emergency Services regarding the U.S. Department of Agriculture (USDA) granting a Secretarial disaster designation for the County of San Joaquin and the contiguous counties of Alameda, Amador, Calaveras, Contra Costa, Sacramento and Stanislaus, due to agriculture losses caused by the excessive rain that occurred March 1 through May 31, 2005. ([View Item](#)) (Recommendation: Refer to the Office of Emergency Services, the Agricultural Commissioner and Sealer of Weights and Measures, and the Stanislaus Economic Development and Workforce Alliance.)
7. This Board has received the following claims: Elsa McClure; Jacob Her; Jacob Her (Amended Claim); Mai Her; Kua Vang; Joe Vy Xiong; Elvis Xiong; Jerry Harmon; TID; and, John Garcia. (Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

VI. Board of Supervisors' Reports

VII. Legislative, Fiscal and Management Report – Chief Executive Officer

VIII. Adjournment