



**BOARD OF SUPERVISORS**

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

1010 Tenth Street, Suite 6500, Modesto, CA 95354  
Phone: 209.525.4494 Fax: 209.525.4420

**AGENDA**

December 6, 2005

9:00 A.M.

Chambers – Basement Level  
1010 10<sup>th</sup> 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](http://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](http://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/reference/mov/bosaudio.htm](http://www.co.stanislaus.ca.us/reference/mov/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. Presentation: A. Commendation for Stanislaus Regional 9-1-1 Employee Susan Hall for her Life Saving Heroic Action

B. 2005 Red Ribbon Week Awards from the Stanislaus County Office of Education to Downey High School, Turlock High School, Davis High School, Salida Middle School, Denair Middle School, Waterford Middle School, Von Renner Elementary School, Stockard Coffee Elementary School, and Hunt Elementary School

### III. Public Comment Period

### IV. Consent Calendar

### V. Agenda Items

#### A. Miscellaneous

- \* 1. Approval of the Minutes for November 22, 2005 ([View Item](#))
- \* 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 939, Amending Existing Fees of the Department of Agriculture and Weights and Measures ([View Item](#))
- \* 3. Acceptance of the Resignation of Elmer Salazar from the Empire Municipal Advisory Council ([View Item](#))

#### B. Chief Executive Office

- \* 1. Approval of Total Appropriations/Budgetary Limit for Fiscal Year 2005-2006 – Auditor/Controller ([View Item](#))
- \* 2. Approval to Declare the Z-Frame Computer Equipment as Surplus and Authorize the Sale of the Equipment to the Stanislaus County Office of Education – Community Services Agency ([View Item](#))
- \* 3. Approval of Contract Number 05-45805 with the California State Department of Health Services for the Women, Infants, and Children (WIC) Supplemental Nutrition Program, from October 1, 2005 through September 30, 2008 – Health Services Agency ([View Item](#))
- \* 4. Approval to Introduce and Waive the First Reading of an Ordinance to Revise Portions of Chapter 2.36 (Safety Board) and Chapter 2.60 (Safety Program) of the Stanislaus County Code – Risk Management ([View Item](#))
- \* 5. Acceptance of the Stanislaus County Treasury Pool’s October 2005 Monthly Investment Report ([View Item](#))
- \* 6. Approval for the Assistant Sheriff to Amend and Continue a Contract in Excess of \$100,000 with the Director of High Intensity Drug Trafficking (HIDTA) Unit – Sheriff ([View Item](#))
- 7. Approval of a Resolution Establishing the Operation of Penal Code Sections 987.5, 987.8 and 987.81 within Stanislaus County in Order to Collect Legal Fees for Services Provided by the Public Defender or Appointed Counsel in Criminal Matters ([View Item](#))

#### C. Department of Public Works

- \* 1. Approval of Incentive Payment to Quincy Engineering, Inc., of Sacramento, California, for the Albers Road and Geer Road Intersection Improvements ([View Item](#))
- \* 2. Approval of Purchase Agreement to Acquire Road Right-of-Way for the Geer Road and Fox Road Intersection Improvements ([View Item](#))
- \* 3. Approval and Acceptance of the Subdivision Improvements for Bonita Ranch Unit 2 Subdivision (in Keys) ([View Item](#))
- \* 4. Approval and Acceptance of the Park and Landscaped Storm Drain Basin Improvements for Bonita Ranch Unit 1 Subdivision (in Keys) ([View Item](#))
- \* 5. Approval to Award Contract for Construction to J.J.R. Construction, Inc., of San Mateo, California, in the Amount of \$1,818,893 for the School Sidewalk Project; and Approval to Increase Contract Amount with GDR Engineering ([View Item](#))
- \* 6. Authorization to Summarily Vacate Portions of Main Street and Grant Street in the Townsite of Knights Ferry ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Set a Public Hearing on December 20, 2005 at 6:55 p.m. to Consider Community Plan Amendment No. 2005-03, General Plan Amendment No. 2005-08 and Vesting Tentative Map Application No. 2005-04, Hackler/Clabaugh - Hideaway Terrace ([View Item](#))
- \* 2. Approval to Set a Public Hearing on December 20, 2005 at 7:00 p.m. to Consider General Plan Amendment #2005-10, Rezone Application No. 2005-11, and Vesting Tentative Subdivision Map Application No. 2005-06, Wenstrand Ranch ([View Item](#))

E. County Counsel

VI. Scheduled Matters

9:25 a.m. Public Hearing Pursuant to Section 1442.5 of the Health and Safety Code to Consider the Approval of the Health Services Agency Facility Plan, Including the Closure and Relocation of Urgent Care and Specialty Clinics, Pediatrics Services, Family Practice and Family Medicine Residency Programs, High-Risk Obstetrics and Gynecology Services; and Authorization of Lease Amendments and New Lease Agreements for Health Services Agency Clinics, the Women, Infant and Children Program, the Children and Families Commission, the Community Services Agency and the Library ([View Item](#))

9:30 a.m. Adoption and Certification of the Program Environmental Impact Report (EIR) for the Stanislaus County/Highway 99 Corridor Enterprise Zone (Zone 40) State Clearinghouse No. 2004-072154, Which Includes Portions of Ceres, Modesto, Turlock and Stanislaus County ([View Item](#))

VII. Correspondence

1. This Board has received a copy of the 2005 Third Quarter Report from the California District Attorneys Association Environmental Circuit Prosecutor Project. ([View Item](#))  
(Recommendation: Refer to County Counsel and the District Attorney and the Department of Environmental Resources.)
2. This Board has received a letter from the State of California Office of Facilities Management regarding the 60-day notification of the Department of Corrections and Rehabilitation's intent to lease a building at one of three locations in Ceres, CA. ([View Item](#))  
(Recommendation: Refer to the Chief Probation Officer and the Sheriff.)
3. This Board has received from the County of Lake a copy of an ordinance that governs the sale of products containing pseudoephedrine and requires storage of such products to be behind retail counters, in a place that has restricted access to retail customers and is urging other counties throughout the State to adopt similar ordinances. ([View Item](#))  
(Recommendation: Refer to the Sheriff, District Attorney and to County Counsel.)

4. This Board has received a letter from the Governor's Office of Emergency Services regarding the U.S. Small Business Administration's declaration of the counties of Fresno, Kern, Madera, Merced and Tulare and their contiguous counties, including Stanislaus County, as disaster areas due to the economic impacts of the rain and hailstorms that occurred April 28 through May 9, 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.)
5. This Board has received the following claims: Mike Campbell; Linda Ford; Nearyroth Reth; Sandra Kinerson; Juan Madrigal, Jr.; Lilia Madrigal; Juan Madrigal, Sr.; and, Eric Mesi and Vanessa Battaglia.  
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

#### VIII. Board of Supervisors' Reports

#### IX. Legislative, Fiscal and Management Report – Chief Executive Officer

#### X. Announcements:

- A. Gallo Center for the Arts "Topping Out" Ceremony  
December 13, 2005, at 2:00 p.m.  
Near the Construction Site at 10<sup>th</sup> and I Street, Modesto, CA

#### XI. Adjournment