



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

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

AGENDA

July 11, 2006

9:00 A.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. Presentation:**
 - A. 2006 Earl Pride Scholarship Recipients: Joelle Aud, Jennifer Chisholm, Jesse Dashe, Juliana Fajardo and Rachel Henderson**
 - B. Recognition of Assistant Sheriffs Mark Puthuff and Maurice Sanders and Assistant District Attorney Carol Shipley for their Service to Stanislaus County**

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for June 27, 2006 ([view item](#))
- * 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 961 Amending Section 4.16.030 of the Stanislaus County Code Concerning Sales and Use Tax Pursuant to the Revenue Sharing Agreement with Cities of Stanislaus County ([view item](#))
- * 3. Acceptance of the Resignations of Norm Porges and Jim Devenport from the Stanislaus Economic Development and Workforce Alliance Board ([view item](#))
- * 4. Approval of Appointments of:
 - a. Augusta Farley to the Animal Advisory Board ([view item](#))
 - b. Keenon Krick to the Stanislaus Child Development Local Planning Council ([view item](#))
 - c. Rob Phipps and Augustine Beltran to the Stanislaus Economic Development and Workforce Alliance Board ([view item](#))
 - d. Francisco Alvarez to the Mental Health Board ([view item](#))
- * 5. Approval of Reappointment of Esther Rosario to the Stanislaus Child Development Local Planning Council ([view item](#))
- * 6. Approval to Proclaim August 2006 as “Child Support Awareness Month” in Stanislaus County ([view item](#))
- * 7. Approval to Grant Access to the Iron Mountain Vault to Employees of the Board of Supervisors and the Clerk/Recorder ([view item](#))

B. Chief Executive Office

- * 1. Approval of Older Americans Act (OAA) and Older Californians Act (OCA) Aging Program Contracts with the California Department of Aging – Aging and Veterans Services ([view item](#))
- * 2. Approval to Adjust the Alliance Worknet Budget as of June 30, 2006 for Clerical Support Services Provided to the Community Services Agency – Alliance Worknet ([view item](#))
- * 3. Approval to Set August 15, 2006 at 6:45 p.m. as the Date and Time to Conduct a Public Hearing Pursuant to Section 1442.5 of the Health and Safety Code to Consider Potential Service Level Changes for Acute Psychiatric Inpatient Services – Behavioral Health and Recovery Services ([view item](#))
- * 4. Approval and Adoption of Proposed Amendments to the Mental Health Board Bylaws – Behavioral Health and Recovery Services ([view item](#))
- * 5. Approval of the Appointment of Birgit Fladager as District Attorney and Adam Christianson as Sheriff ([view item](#))
- * 6. Approval of the Appointment of Debra Buckles as the Stanislaus County Public Guardian ([view item](#))
- * 7. Approval of the Ninth Status Report of the Emergency Replacement of the Courthouse Boiler System – Chief Executive Office ([view item](#))
- * 8. Approval to Cancel Bid Package 6, Plaza and Site Work, for the Gallo Center for the Arts Because No Bids Were Received, in Accordance with the State Contracting Code, Authorize Staff to Negotiate a Contract with a Qualified Contractor – Chief Executive Office ([view item](#))
- * 9. Approval to Award the Contract for the 12th Street Office Building Security System to Industrial Electronic Systems, Inc. – Chief Executive Office ([view item](#))

- * 10. Approval of the Organizing Documents for the 12th Street Condominium Project, Including the Condominium Plan, the Ground Lease and Lease of Common Area; the Condominium Enabling Declaration; the Bylaws; the Amendments to the Master Agreement and Parking Agreement; Grant Deeds; and the Budget, and Related Actions – Chief Executive Office ([view item](#))
- * 11. Approval to Increase Funding for Purchase of an Emergency Notification and Alerting System – Office of Emergency Services ([view item](#))
- * 12. Approval of Independent Contractor Agreements in Excess of \$100,000 Between the Stanislaus County Health Services Agency and Various Contractors for Fiscal Year 2006-2007 ([view item](#))
- * 13. Acceptance of the Stanislaus County Treasury Pool’s May 2006 Monthly Investment Report – Treasurer-Tax Collector ([view item](#))
- * 14. Authorize the General Services Agency Director/Purchasing Agent to Execute a Contract with the Stanislaus County Police Activities League to Provide Special Youth Programs in Stanislaus County Parks in Fiscal Year 2006-2007 – Parks and Recreation ([view item](#))
- 15. Approval of the Stanislaus County 30-Year Countywide Transportation Financial Expenditure Plan to Authorize the Imposition of a One Half of One Percent Retail Transactions and Use Tax to Fund Programs and Projects Described in the Expenditure Plan and Approval to Notify the Stanislaus County Clerk Recorder – Elections Office of the Board of Supervisors’ Intent to Place a Transportation Tax Initiative on the November 2006 Ballot ([view item](#))

C. Department of Public Works

- * 1. Approval to Increase Appropriations and Estimated Revenue for Purchase of Right-of-Way from Thomas W. Mayfield and Anita Mayfield for the Geer Road at Fox Road Intersection Improvement Project ([view item](#))
- * 2. Approval of the Subdivision Improvement Agreement for Vesting Tentative Parcel Map No. 2005-19 – River Bluff Business Park (in Beard Industrial Tract, Southeast Modesto Area) ([view item](#))
- * 3. Approval of Annexation of Territory to the Golden State Lighting District Without an Election – (Valley Peterbilt APN: 045-052-018) ([view item](#))
- * 4. Approval to Adopt the Results of the Ballot Procedure, Annex the Collins Territory to the Laurel Landscape and Lighting District and Levy the 2006/2007 Annual Assessment in Compliance with Proposition 218 (Collins Annexation in South Ceres Area) ([view item](#))
- * 5. Approval to Adopt the Results of the Ballot Procedure, Annex the Tuolumne Territory to the Bystrum Landscape and Lighting District and Levy the 2006/2007 Annual Assessment in Compliance with Proposition 218 (Tuolumne Annexation in North Ceres Area) ([view item](#))
- * 6. Approval of the Subdivision Improvement Agreement and the Filing and Recording of the Final Map for Tentative Map No. 2002-05, Diablo Grande, Unit No. 2A Subdivision ([view item](#))

D. Department of Planning and Community Development

- * 1. Approval to Set a Public Hearing on July 25, 2006 at 9:20 a.m. to Consider the Introduction, Waiving of the Reading, and Adoption of Planning and Community Development Department Ordinance No. 2006-03, an Ordinance Amending Title 21 of the Stanislaus County Code Relating to Produce Stands and Produce Markets ([view item](#))

E. County Counsel

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance Amending the Itinerant Vendor Ordinance to Allow Mobile Food Vendors to Operate on Public Rights-of-Way – County Counsel ([view item](#))

VI. Scheduled Matters

VII. Correspondence

1. This Board has received three portions of the 2006 Stanislaus County Grand Jury Reports regarding the Health Services Agency, the Men’s Jail Medical Care and the Sheriff’s Department Commissary. ([view item](#))
(Recommendation: Refer to the Chief Executive Officer, Sheriff’s Department and the Health Services Agency.)
2. This Board has received a copy of the U.S. Fish and Wildlife Service Draft Comprehensive Conservation Plan and Environmental Assessment (CCP/EA) for the San Joaquin River National Wildlife Refuge that describes and evaluates four alternatives for managing the San Joaquin River Refuge for the next 15 years. ([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 letter from the Governor’s Office of Emergency Services regarding the U.S. Department of Agriculture (USDA) Secretarial disaster designation for Stanislaus County and other Counties due to agriculture losses caused by the rainfall and sever weather conditions that occurred from December 17, 2005, through April 26, 2006. ([view item](#))
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures and to the Office of Emergency Services.)
4. This Board has received a copy of the 2006-2007 Adopted Budget for the San Joaquin Valley Air Pollution Control District. ([view item](#))
(Recommendation: Accept report.)
5. This Board has received a letter from the California Department of Toxic Substances Control requesting suggestions regarding their new programs and policies and comments on how they can provide better service to the County. ([view item](#))
(Recommendation: Refer to the Department of Environmental Resources.)
6. This Board has received a notice from the State Air Resources Board regarding the proposed modifications to the diesel particulate matter control measure for on-road heavy-duty diesel-fueled vehicles owned or operated by public agencies and utilities. ([view item](#))
(Recommendation: Refer to the Department of Environmental Resources and to the Department of Public Works.)
7. This Board has received a letter from the Orange County Board of Supervisors requesting support of amendments to Section 203 of the Voting Rights Act of 1965 related to bilingual voting materials and the increasing election costs. ([view item](#))
(Recommendation: Refer to the Clerk-Recorder/Elections.)

8. This Board has received the following claims: Noah Holland; Jim Haas; Richard Robinson; John Ryan; Angela Morrise; Tammy Converse; Brisa Alvarez; Maria Alvarez; Hector Alvarez, Jr. and Maria Alvarez on his behalf; Rosaura Alvarez and Maria Alvarez on her behalf; Ruby Alvarez and Maria Alvarez on her behalf; and, Mike Faria.
(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:

Swearing-In Ceremony for District Attorney Birgit Fladager and Sheriff Adam Christianson
July 11, 2006 at 3:00 p.m.
Tenth Street Basement Chambers

XI. Adjournment

XII. Closed Session: Conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: UDW (United Domestic Workers), Stanislaus County Deputy Probation Officers' Association, and the Stanislaus County Emergency Dispatchers' Association. Government Code Section 54954.5(f). Conference with Real Property Negotiator: Property: Medical Arts Building, 700 17th Street, Modesto; Negotiating Parties: County (Richard Robinson, Negotiator); Under Negotiation: Instructions to negotiator will concern price. Government Code Section 54954.5(b).