



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

May 2, 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/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. Moment of Silence for Stanislaus County Employees Dave Krediet from the Office of the Agricultural Commissioner and Sealer of Weights and Measures and Josefina (Josie) Flores from Behavior Health and Recovery Services
- III. Presentation:
 - A. May 2006 as Asthma Awareness Month in Stanislaus County
 - B. May 2006 as Elder and Dependent Adult Abuse Awareness Month

IV. Public Comment Period

V. Consent Calendar

VI. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for April 18, 2006 ([View Item](#))
- * 2. Approval to Adopt and Waive the Second Reading of Ordinances:
 - a. C.S. 953 to Increase Existing Fees and Establish New Fees for the Clerk Recorder Department ([View Item](#))
 - b. C.S. 954 to Adopt the Department of Planning and Community Development 2006 Fee Schedule ([View Item](#))
- * 3. Approval to Proclaim:
 - a. May 2006 as Foster Care Awareness Month and May 16, 2006 as Foster Parent and Relative Care Provider Appreciation Day in Stanislaus County ([View Item](#))
 - b. May 2006 as Older Americans Month in Stanislaus County ([View Item](#))
 - c. May 2006 as Asthma Awareness Month in Stanislaus County ([View Item](#))

B. Chief Executive Office

- * 1. Approval of the Third Status Report of the Emergency Replacement of the Courthouse Boiler System – Chief Executive Office ([View Item](#))
- * 2. Approval to Continue the Countywide Declaration of the Local State of Emergency for Stanislaus County Due to Weather and Flooding Conditions – Chief Executive Office ([View Item](#))
- * 3. Approval to Proceed with Repair and Maintenance of the Sheriff’s Men’s Jail Locking System – Sheriff ([View Item](#))
- * 4. Approval of the Stanislaus County Treasury Pool’s March 2006 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- * 5. Approval of Labor Agreement Between the County and the Stanislaus County Sheriff’s Supervisor Association Representing the Sergeants Bargaining Unit – Chief Executive Office ([View Item](#))
- * 6. Approval of a Resolution in Support of the Development of Health Sciences Research and Graduate Medical Education Programs led by the University of California at Merced that are Anticipated to Lead to a School of Medicine in the San Joaquin Valley ([View Item](#))
- * 7. Approval of Underground Storage Tank Local Oversight Program Contract No.06-027-250-0 with the State Water Resources Control Board – Environmental Resources ([View Item](#))
- * 8. Approval of Amendments of Agreements for Professional Services for the Gallo Center for the Arts – Chief Executive Office ([View Item](#))
- * 9. Approval of New Construction Design Documents for the Clerk Recorder Tenant Improvement Project at 1021 “I” Street, and Set a Bid Date of June 7, 2006, No Later than 1:30 p.m., and Related Items – Chief Executive Office ([View Item](#))
- * 10. Approval to Award a Contract with RT Lawrence for a Remittance Processing Machine to Improve the Processing of Property Tax Payments and to Finalize all Associated Agreements – Treasurer-Tax Collector ([View Item](#))
- * 11. Approval of Medi-Cal Provider Panel Members for Credentialing by Stanislaus County Behavioral Health and Recovery Services Managed Care Division ([View Item](#))
- 12. Approval of the Stanislaus County West Nile Virus Task Force Report: 2005 Summary and 2006 Strategic Plan – Health Services Agency ([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 June 27, 2006, at 9:25 a.m., Regarding Annexation of Territory to the Bystrum Landscape and Lighting District and the Levy of an Annual Assessment (Tuolumne Annexation in North Ceres Area) ([View Item](#))
- * 2. Approval to Set a Public Hearing and Conduct a Ballot Procedure in Compliance with Proposition 218 on June 27, 2006, at 9:30 a.m., Regarding Annexation of Territory to the Laurel Landscape and Lighting District and the Levy of an Annual Assessment (Collins Annexation in South Ceres Area) ([View Item](#))
- * 3. Approval of Purchase Agreement to Acquire Road Right-of-Way for the Albers/Geer/SR 132 Intersection Improvement Project ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Set a Public Hearing on May 23, 2006, at 9:25 a.m., to Consider Rezone Application No. 2005-14, Cherokee Plaza/Patricia Cochran ([View Item](#))
- * 2. Approval of an Agreement with the Housing Authority of Stanislaus County to Continue the Housing Rehabilitation Program and Consider Reallocating \$172,500 from Prior Year Home Investment Partnership Program Fund to the Housing Rehabilitation Program ([View Item](#))

E. County Counsel

VII. Scheduled Matters

9:25 a.m. Public Hearing to Consider the Approval of the Draft Community Development Block Grant (CDBG) Annual Action Plan that Includes the \$2,543,648 Community Development Block Grant (CDBG) Award; and \$108,840 Emergency Shelter Grant (ESG) Award; for a total of \$2,652,488 for Fiscal Year 2006-07 ([View Item](#))

9:30 a.m. Sitting as the Redevelopment Agency ([View Item](#))

- I. Call to Order
- II. Consent Calendar (Those items marked with an *)
- III. Approval of Minutes
 - *A. Minutes of December 13, 2005
- IV. Correspondence
 - A. None
- V. Public Hearings
 - A. None
- VI. Agenda Items
 - *A. Authorization of the Repayment to Stanislaus County of a \$400,000 Loan and Accrued Interest and Authorization of a New \$400,000 Loan
 - *B. Approval of an Agreement with the Housing Authority of Stanislaus County to Continue the Housing Rehabilitation Program and Consider Reallocating the Balance of Unexpended Housing Set Aside Funds of \$67,500 from a Concluded Agreement with Self-Help Enterprises and Authorize Executive Director to Sign on Behalf of the Agency

*C. Authorization for the Executive Director to Sign the Development and Disposition Agreements with Adjacent Landowners to Salida Boulevard and Cloutier Drive in Salida Regarding Sale of Excess Right-of-Way

D. Adoption of the Proposed \$3.7 Million 2006/2007 Fiscal Year Budget

VII. Public Forum

VIII. Adjournment

VIII. Correspondence

1. This Board has received a letter from Fresno County requesting assistance in lobbying the Governor to fund the Workforce Investment Boards (WIBs) in the Central Valley and to set aside discretionary funds to be allocated to those areas that will be fiscally impacted based on the Bureau of Labor Statistics change. ([View Item](#))
(Recommendation: Refer to the Alliance Network and the Stanislaus Economic Development and Workforce Alliance.)
2. This Board has received a letter from the U.S. Department of Homeland Security, FEMA, regarding the status of the Digital Flood Insurance Rate Maps (DFIRMs) for Stanislaus County. (Recommendation: Refer to the Department of Public Works and the Department of Planning and Development.) ([View Item](#))
3. This Board has received a letter from Caltrans (Department of Transportation) regarding the environmental investigation of three soil stockpiles on State owned property adjacent to State Route 99 and Kansas Avenue, in Modesto, that contains residual material from the processing of barite ore and requesting the completion of a community survey from the Department of Toxic Substances Control. ([View Item](#))
(Recommendation: Refer to the Department of Environmental Resources.)
4. This Board has received a request from the City of Stockton for a letter of opposition to AB 2987, which will preempt local regulation of cable television service provided by telephone companies. (Recommendation: Refer to the Chief Executive Office.) ([View Item](#))
5. This Board has received a letter from Assembly Member Barbara Matthews requesting support to amend AB 2735 to include the counties of Merced, Stanislaus, Calaveras and Tuolumne in the bill that assists California residents and local governments in storm recovery from December 2005. (Recommendation: Refer to the Chief Executive Office.) ([View Item](#))
6. This Board has received Form 10-K from Covanta Energy Corporation for the year ended December 31, 2005. ([View Item](#))
(Recommendation: Refer to the Department of Environmental Resources.)
7. This Board has received a letter from Safe Access Now, an advocacy group regarding local governments' compliance with California's Compassionate Use Act (Proposition 215) and Medical Marijuana Program Act (SB 420), requesting information on the timeline for the implementation in Stanislaus County. ([View Item](#))
(Recommendation: Refer to the County Counsel.)

8. This Board has received the following claims: Patricia Fields; Randy Phillips; Leah Phillips; State Farm Insurance Company for their insured Pete V. Tomiello; Martin M. Montes; Kevin Brown; Cardell Hogan; Lisandro Lopez; Annette S. Bryant; James Hogan; Abbey Alvarado; Sandry Cristo and Jacklyn Cristo, a minor; and, State Farm Insurance for their insured Del R. Olberg.
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

IX. Board of Supervisors' Reports

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

XI. Adjournment

XII. Closed Session: Conference with Legal Counsel: Anticipated Litigation – Significant Exposure to Litigation. One Potential Case. Government Code Section 54954.5(c).