



**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**

June 27, 2006

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. Introduction of Mike McFarland, Director of Animal Services
  - B. Childhood Obesity Awareness Week in Stanislaus County

III. Public Comment Period

IV. Consent Calendar

## V. Agenda Items

### A. Miscellaneous

- \* 1. Approval of the Minutes for June 13, 2006 ([View Item](#))
- \* 2. Approval of Appointments of:
  - a. Raymond Castro, Anita Estrada Chapa, David Jones, Griselda Martinez and Darren Mendel Schafer to the South Modesto Municipal Advisory Council ([View Item](#))
  - b. Flora Carter and Deborah Motty to the Empire Sanitary District Board ([View Item](#))
  - c. William Latham to the 49-99 Library System Lay Advisory Board ([View Item](#))
- \* 3. Approval of Reappointments of:
  - a. Richard Holmer and John Fantazia to the Economic Development Action Committee ([View Item](#))
  - b. Sarah Bradley Huff and Joe S. Rocha to the Hills Ferry Cemetery District Board ([View Item](#))
  - c. Carol Davis, Richard B. Muniain and Lee Shearer to the Knights Ferry Cemetery District Board ([View Item](#))
  - d. Sherman Boone to the East Stanislaus Resource Conservation District Board ([View Item](#))
  - e. Al Enos, Douglas E. Souza, Jim Tavernas to the Denair Fire Protection District Board ([View Item](#))
  - f. Harold Agresti, Christopher William and James Higgins to the Keyes Fire Protection District Board ([View Item](#))
  - g. Thomas Waterson, Ronald Brouhard, Scott Cole and Kristine Costa to the Mountain View Volunteer Fire Protection District Board ([View Item](#))
  - h. Walter Luhn to the Oakdale Rural Fire Protection District Board ([View Item](#))
  - i. Brian Genzoli, Bill Rice and Jack Wilkey to the Turlock Rural Fire Protection District Board ([View Item](#))
  - j. Diana Haile and Manuel Vierra to the West Stanislaus Fire Protection District Board ([View Item](#))
  - k. Nick C. Blom, Doug Flora and Tom Ott to the Woodland Avenue Volunteer Fire Protection District Board ([View Item](#))
  - l. David Lopez to the Stanislaus County Free Library Advisory Board ([View Item](#))
  - m. Rowe Barney, Richard Gibson, Chris Hempleman, Ed Perry, Bridget A. L. Riddle, and Wayne Zipser to the Agricultural Advisory Board ([View Item](#))
  - n. Janeen Studley, Billie Taylor and Jeri Van Vooren to the Commission on Aging ([View Item](#))
  - o. Shirley Foerster, Betty Jean Morganti, Kimberly Kennard-Lyke, John J. Jacisin and Jack Marshall Waldorf to the Mental Health Board ([View Item](#))
  - p. Judith Loretelli and Doris Foster to the Stanislaus County Children's Council ([View Item](#))
  - q. Barbarita Cuellar and Debbie Parr Noblitt to the Stanislaus Child Development Local Planning Council ([View Item](#))
- \* 4. Approval to Proclaim the Week of July 16-22, 2006 as Probation Services Week in Stanislaus County ([View Item](#))
- \* 5. Acceptance of the Clerk-Recorder's Declaration of the Results of the State Primary Election Held Tuesday, June 6, 2006 ([View Item](#))

- \* 6. Approval of Requests to Consolidate the November 7, 2006 Gubernatorial General Election with the:
  - a. General Municipal Election and a Measure Relating to Affordable Rental Housing for Low-and Moderate-Income Households and Individuals for the City of Riverbank ([View Item](#))
  - b. General Obligation Bond Measure Election for the City of Patterson ([View Item](#))
  - c. Municipal Election for the City of Newman ([View Item](#))

**B. Chief Executive Office**

- \* 1. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the following Properties:
  - a. 1705 Dallas Street, Modesto, CA, CE No. 05-1296 ([View Item](#))
  - b. 9637 Rodden Road, Oakdale, CA, CE No. 06-258 ([View Item](#))
- \* 2. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the Approval of the Administrative Civil Citation to Abate the Nuisance at 5055 Shoemake Avenue, Modesto, CA, CE No. 06-218 ([View Item](#))
- \* 3. Approval of the Eighth Status Report of the Emergency Replacement of the Courthouse Boiler System – Chief Executive Office ([View Item](#))
- \* 4. Approval to Introduce and Waive the First Reading of an Ordinance Amending Section 4.16.030 of the Stanislaus County Code Concerning Sales and Use Tax Pursuant to Revenue Sharing Agreement with Cities of Stanislaus County – Chief Executive Office ([View Item](#))
- \* 5. Approval to Award a Construction Contract to Barham, Inc. for the Clerk-Recorder Tenant Improvements at 1021 “I” Street, Modesto – Chief Executive Office ([View Item](#))
- \* 6. Approval of Fiscal Year 2006-2007 Renewal Agreements for Contracted Program Services – Community Services Agency ([View Item](#))
- \* 7. Approval to Increase 2005-2006 Appropriations and Revenues for County Counsel and Authorize the Auditor-Controller to Make the Necessary Budget Adjustments – County Counsel ([View Item](#))
- \* 8. Approval to Administer and Receive Additional Funds from the California Integrated Waste Management Board for the Waste Tire Enforcement Grant – Environmental Resources ([View Item](#))
- \* 9. Approval of the California Department of Health Services Contract for the Continuation of the Immunization Assistance Program for the Period of July 1, 2006 through June 30, 2007 – Health Services Agency ([View Item](#))
- \* 10. Approval to Redistribute Funds Designated for a Communications Vehicle to Purchase Communication and Security Equipment Through the Fiscal Year 2004 Homeland Security Grant Program – Office of Emergency Services ([View Item](#))
- \* 11. Approval to Award Negotiated Contract for the Riverdale Park and Fishing Access Project to PBM Construction, Inc. of Roseville, California and Related Actions Associated with the Project – Parks and Recreation ([View Item](#))
- \* 12. Approval to Authorize the Stanislaus County Department of Parks and Recreation to Hold the Eleventh Annual Fireworks Celebration on July 3, 2006, at Woodward Reservoir Regional Park – Parks and Recreation ([View Item](#))
- \* 13. Approval to Transfer Funds from the Parks and Recreation Department General Operating Budget to the Woodward Reservoir Saddle Dam Capital Project Budget to Cover Cost Overruns ([View Item](#))
- \* 14. Approval of Agreement with the 38th District Fair Board for the Sheriff to Provide Security at the 2006 Stanislaus County Fair ([View Item](#))

- \* 15. Approval to Add a Position to the Stanislaus County Employees' Retirement Association (StanCERA) ([View Item](#))
- \* 16. Approval to Adopt Retirement Contribution and Interest Rates for Fiscal Year 2006-2007 as Recommended by the Stanislaus County Employees' Retirement Association (StanCERA) ([View Item](#))
- \* 17. Approval of the Distribution of Excess Proceeds from the March 2, 2005 Sale of Tax Defaulted Properties – Treasurer-Tax Collector ([View Item](#))
- \* 18. Approval to Amend the Agreement Between the County of Stanislaus and Scenic Faculty Medical Group (SFMG) for the Provision of Administrative and Teaching Related Services at the Stanislaus County Health Services Agency ([View Item](#))
- \* 19. Approval of Notification of Intent to Renew a Contract between the State Department of Corrections and the Sheriff's Department for the Local State Parole Office to have Access to Stanislaus County Radio Communications ([View Item](#))
- \* 20. Approval of a Six Month Extension to the Agreements for Animal Services with the Cities of Riverbank, Patterson, Waterford, Newman, Hughson and Ceres – Animal Services ([View Item](#))
- \* 21. Approval of Provider Contracts for the Older Americans Act (OAA) and Older Californians Act (OCA) Services for Fiscal Year 2006-2007 – Aging and Veterans Services ([View Item](#))
- \* 22. Approval to Authorize the Auditor-Controller to Advance Funds to the Oakdale Rural Fire District for Operational Expenses Under Government Code Section 23010 in an Amount Not to Exceed \$1,324,356 ([View Item](#))
- \* 23. Approval to Authorize the Auditor-Controller to Advance Funds to Stanislaus Consolidated Fire Protection District for Operational Expenses Under Government Code Section 23010 in an Amount Not to Exceed \$5,549,650 ([View Item](#))
- \* 24. Approval to Contract with Mountain Valley Emergency Medical Services Agency to Administer Local Emergency Services for Fiscal Year 2006-2007 – Chief Executive Office ([View Item](#))
- \* 25. Approval of the Interim Staffing Plan for the Office of Emergency Services/Fire Warden to Provide County Fire Prevention Services ([View Item](#))
- 26. Approval of an Agreement with the City of Hughson Regarding the City's Proposed Sphere of Influence Expansion – Chief Executive Office ([View Item](#))
- 27. Approval to Adopt the Stanislaus County Fire Authority Business Plan and Implement First Year Priorities in 2006-2007 – Office of Emergency Services ([View Item](#))
- 28. Approve Recommendations from the Economic Development and Workforce Alliance to Fund Economic Development Bank Projects for Fiscal Year 2005-2006 from the City of Newman (Health Center Construction) and the County of Stanislaus (Targeted Technology Training Program) – Chief Executive Office ([View Item](#))
- 29. Approval to Participate in the Transitional Housing Program-Plus for Youth Transitioning from Foster Care – Community Services Agency ([View Item](#))
- 30. Consideration of the Turlock Union School District's Request to Authorize the Implementation of Section 15300, et seq., of the California Education Code to Allow the Formation of a School Facilities Improvement District (SFID) in Stanislaus County ([View Item](#))

#### C. Department of Public Works

- \* 1. Approval to Adopt the Engineer's Report and to Initiate Proceedings to Form County Service Area No. 23 Hillsborough-Schutz (in East Oakdale), and to Set a Public Hearing on August 15, 2006, at 6:40 p.m., to Conduct a Ballot Procedure in Compliance with Proposition 218 ([View Item](#))

- \* 2. Approval to Set a Public Hearing on July 25, 2006, at 9:30 a.m. Regarding Fiscal Year 2006/2007 Assessments for Various County Service Areas and Landscape and Lighting Districts ([View Item](#))

#### D. Department of Planning and Community Development

- \* 1. Approval to Set a Public Hearing on July 18, 2006, at 6:40 p.m. to Consider Williamson Act Cancellation No. 2005-01 and Parcel Map Application No. 2005-39, Clipper Ranch, a Request to Cancel Williamson Act Contract No. 78-3286 and to Create Three Parcels of 3.07 Acres Each from a 9.21 Gross Acre Site in the A-2-3 (General Agriculture) Zoning District Located at 7125 Langworth Road, on the West Side of Langworth Road, in the Oakdale Area ([View Item](#))
- \* 2. Approval to Rescind All or a Portion of Williamson Act Contract No.1977-2645 (Woodland Avenue, West of Modesto) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2006-13 (Van Klaveren) ([View Item](#))

#### E. County Counsel

### VI. Scheduled Matters

- 9:25 a.m. Public Hearing to Consider Annexation of Territory to the Bystrum Landscape and Lighting District (Tuolumne Annexation in North Ceres Area), and to Conduct a Ballot Procedure and Levy of the Annual Assessment in Compliance with Proposition 218 ([View Item](#))
- 9:30 a.m. Public Hearing to Consider Annexation of Territory to the Laurel Landscape and Lighting District (Collins Annexation in South Ceres Area), and to Conduct a Ballot Procedure and Levy of the Annual Assessment in Compliance with Proposition 218 ([View Item](#))
- 9:35 a.m. Public Hearing to Consider Adjustments to Stanislaus County Franchise Maximum Rates for Residential and Commercial Solid Waste Collection Services – Environmental Resources ([View Item](#))

### VII. Correspondence

1. This Board has received a copy of the StanCOG 30 Year Transportation Sales Tax Financial Plan Final Environmental Impact Report. ([View Item](#))  
(Recommendation: Refer to the Chief Executive Office.)
2. This Board has received a notice from the Department of the Interior Bureau of Reclamation regarding the availability of the Final Environmental Impact Statement (EIS) for the San Luis Drainage Feature Re-evaluation. ([View Item](#))  
(Recommendation: Refer to the Department of Environmental Resources.)
3. This Board has received a letter from Kern County Supervisor Barbara Patrick requesting consideration of opposition of an oil initiative that will levy an additional tax on all California oil production that is scheduled to be on the November 7, 2006 ballot. ([View Item](#))  
(Recommendation: Refer to the Chief Executive Officer.)

4. This Board has received a letter from the Governor's Office of Emergency Services regarding the proclamation of a state of emergency for Stanislaus County on April 10, 2006 due to spring storms making the County eligible for state and federal public assistance funding. ([View Item](#))  
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures and to the Office of Emergency Services.)
5. This Board has received a letter from the Governor's Office of Emergency Services regarding the Presidential major disaster declaration of Stanislaus County and the contiguous counties due to damages caused by severe storms, flooding, mudslides and landslides that occurred March 29, 2006, through April 16, 2006. ([View Item](#))  
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures and to the Office of Emergency Services.)
6. This Board has received a copy of the Fiscal Year 2005/06 Annual Report of the Stanislaus County Emergency Medical Services Committee and Mountain-Valley Emergency Medical Services Agency. ([View Item](#))  
(Recommendation: Acknowledge receipt of the report.)
7. This Board has received the following claims: Susan Peterson; City of Modesto; Echo Thompson; Manuel Naranjo; Guadalupe Ramirez; Maria Guadalupe Ramirez; Francisco Felix; and, Miguel Felix.  
(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:

Integrated County Justice Information System (ICJIS) Demonstration  
June 27, 2006, following the Board of Supervisors Meeting  
Basement Chambers  
1010 Tenth Street, Modesto

#### XI. Adjournment

#### XII. Closed Session: Conference with Legal Counsel: Anticipated Litigation – Significant Exposure to Litigation. One Potential Case. Government Code Section 54956.9(c).