



**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**

September 26, 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/referencemov/bosaudio.htm](http://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. Resolution Commending Deputy Executive Officer Patricia Sweeny Upon her Retirement from County Service**

**B. Resolution Commending Public Works Director George Stillman Upon his Retirement from County Service**

### III. Public Comment Period

### IV. Consent Calendar

### V. Agenda Items

#### A. Miscellaneous

- \* 1. Approval of the Minutes for September 19, 2006 ([View Item](#))
- \* 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 972 Amending Title 11 of the Stanislaus County Code, Adding a No Parking Zone on Howard Road in the Westley Area and Lapham Drive in the Modesto Area ([View Item](#))
- \* 3. Acceptance of the Resignation of Donald D. Davis from the Riverdale Park Track Community Services District Board ([View Item](#))
- \* 4. Approval of Appointment of Michael Loeffler to the Animal Court ([View Item](#))
- \* 5. Approval of Request from The Producing Group, LLC for Use of the Courthouse Lawn on Tuesday, October 10, 2006 for the Downtown Rocks Concert Series ([View Item](#))

#### B. Chief Executive Office

- \* 1. Approval of the 2005 Equal Rights Commendations for Dorothy Butler Confidential Assistant IV, Auditor/Controller's Office and Supervisor Jim DeMartini, Stanislaus County Board of Supervisors, District 5 – Chief Executive Office ([View Item](#))
- \* 2. Approval to Proclaim the Week of October 1, 2006 through October 7, 2006 as Stanislaus County Cultural Awareness Week – Chief Executive Office ([View Item](#))
- \* 3. Approval of the Placement of a Plaque at the Community Services Agency to Recognize the Contributions and In Memory of Former Agency Director Jeff Jue – Community Services Agency ([View Item](#))
- \* 4. Approval to Award Contract for the Household Hazardous Waste Reception Center Project to Jim Fernandes Construction, Inc. of Turlock, California and Related Actions – Environmental Resources ([View Item](#))
- \* 5. Approval to Declare County Vehicles, Boat, and Salvaged Items as Surplus and Authorize their Sale – General Services Agency ([View Item](#))
- \* 6. Approval of an Amendment to the Agreement with Construction Testing Services for the Gallo Center for the Arts Project – Chief Executive Office ([View Item](#))
- \* 7. Approval to Set a Public Hearing on October 17, 2006 at 6:40 P.M. to Consider the Adoption of Fire Protection Facility Fees for the Keyes Fire Protection District ([View Item](#))
- \* 8. Approval of a Conceptual Development Reuse Scenario for the Crows Landing Air Facility, Authorize a Request for Proposals (RFP) for a Master Developer Selection, and Authorize Staff to Suspend a Current Planning and Environmental Contract with ESA Pending the Master Developer RFP Process – Chief Executive Office ([View Item](#))

#### C. Department of Public Works

- \* 1. Approval of Annexation of Territory to the Almond Wood Estates Lighting District Without an Election – (Kushar Annexation APN: 010-001-093) ([View Item](#))
- \* 2. Approval of Annexation of Territory to the Almond Wood Estates Lighting District Without an Election – (Schutz Estates Annexation APN: 010-021-056) ([View Item](#))
- \* 3. Approval of Annexation of Territory to the Almond Wood Estates Lighting District Without an Election – (Hillsborough Estates No. 2 Annexation APN: 010-003-063 and 010-003-064) ([View Item](#))
- \* 4. Approval of Installation of Stop Signs at Atlantic Drive at Church Lane (Modesto Area) and Orange Avenue at Ash Avenue (Patterson Area) ([View Item](#))

- \* 5. Approval to Accept the School Sidewalk Project in the Areas of Bret Harte, Denair and Keyes as Complete; and, Approval of Contract Change Order No. 1 for J.J.R. Construction, Inc., for Final Construction Costs ([View Item](#))
- \* 6. Approval of Purchase Agreement to Acquire Road-Right-of-Way from (Martella et al) for the Geer Road at Service Road Intersection Improvements ([View Item](#))
- \* 7. Approval to Award Contract for the Road Resurfacing – Overlay Mitchell Road from Tuolumne River to Modesto City Limits; City of Riverbank Street Overlays STPL-5938 (135) to George Reed, Inc., of Modesto, California ([View Item](#))
- \* 8. Approval of Purchase Agreement to Acquire Road Right-of-Way from Ruddy Enterprises, Inc., for the Geer Road at Service Road Intersection Improvements ([View Item](#))
- \* 9. Approval to Award Consulting Engineering Contract to Wood Rogers for the Design of the Kiernan Avenue (State Route 219) at Tully Road and Kiernan Avenue at Carver Road Traffic Signal Projects ([View Item](#))
- \* 10. Approval of Appointment of Steve Erickson as the Interim County Road Commissioner ([View Item](#))

D. Department of Planning and Community Development

E. County Counsel

VI. Scheduled Matters

VII. Correspondence

1. This Board has received letters from the Governor’s Office of Emergency Services regarding the U.S. Department of Agriculture and the U.S. Small Business Administration granting disaster designations to several primary Counties, including Stanislaus County, and their contiguous Counties, due to agricultural losses caused by a record-setting heat wave that occurred July 1-31, 2006. ([View Item](#))  
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures, and the Chief Executive Office - Office of Emergency Services.)
2. This Board has received a 60 day notice from the State of California Department of Corrections and Rehabilitation regarding their consideration to lease parole office space at 1300 Rockefeller Drive in Ceres. ([View Item](#))  
(Recommendation: Refer to the Chief Executive Office.)
3. This Board has received the following claims: Thomas Meninga; Sandra Garza; Douglas Centene; Keith McGarry; and, Larry Turner.  
(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

- A. Approval to Authorize a Letter to the California Environmental Protection Agency Air Resources Board Opposing Adoption of California's Heavy Duty Diesel In-Use Compliance Regulation as it Pertains to Public Agencies and Utilities ([View Item](#))

X. Adjournment