



BOARD OF SUPERVISORS

William O'Brien, 1st District
Thomas W. Mayfield, 2nd District
Jeff Grover, 3rd District
Dick Monteith, 4th District
Jim DeMartini, 5th District

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

AGENDA

April 24, 2007

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. Public Comment Period
- III. Consent Calendar

IV. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for April 17, 2007 ([View Item](#))
- * 2. Acceptance of the Resignation of Ken DeVore from the Advisory Board on Substance Abuse Programs ([View Item](#))
- * 3. Approval to Proclaim:
 - a. May 1, 2007 as Law Day in Stanislaus County ([View Item](#))
 - b. May 2007 as Senior Citizen Month in Stanislaus County ([View Item](#))
 - c. May 2007 as Elder and Dependent Adult Abuse Awareness Month in Stanislaus County ([View Item](#))
- * 4. Approval to Set a Public Hearing on May 15, 2007, at 6:40 p.m., to Consider the Appeal of the Planning Commission's Conditions of Approval Nos. 10, 11, 12, 43 and 44 for Use Permit No. 2006-36 – Fiscalini Cheese Company ([View Item](#))

B. Chief Executive Office

- * 1. Approval of El Solyo Water District Request to Reduce the Frequency From Annual to Biennial for the Required Financial Audit Report - Auditor-Controller ([View Item](#))
- * 2. Approval to Accept the Stanislaus County Treasury Pool's March 2007 Monthly Investment Report - Treasurer-Tax Collector ([View Item](#))
- * 3. Approval of the 2007-2008 Megabyte Automated Property Tax System Maintenance Agreement with Megabyte Systems, Inc. - Assessor ([View Item](#))
- * 4. Approval of a Memorandum of Understanding with the City of Modesto Police Department for the Buckle Up Stanislaus Program from October 1, 2006 through September 30, 2008 and Adjust the Budget - Health Services Agency ([View Item](#))
- * 5. Approval of a Contract with the State Department of Health Services for the Children's Dental Disease Prevention Program - Health Services Agency ([View Item](#))
- * 6. Approval to Extend the Agreement with the California Department of Health Services for Medi-Cal Targeted Case Management (TCM) Provider Participation Agreement for the Period July 1, 2007 Through June 30, 2012 - Health Services Agency ([View Item](#))
- * 7. Approval to Enter Into a Contract with Southwest Fence and Supply Company to Furnish and Install Non-Climb Fencing at the Frank Raines Regional Off-Highway Vehicle (OHV) Park - Parks and Recreation ([View Item](#))
- * 8. Approval to Authorize the Installation of a Livestock Watering Facility and Associated Pipeline at Modesto Reservoir - Parks and Recreation ([View Item](#))
- * 9. Approval of Final Completion and Acceptance of a Portion of Bid Package 6, Plaza and Sitework, and Related Matters for the Gallo Center for the Arts – Chief Executive Office ([View Item](#))
- * 10. Approval of Matters Relating to Completion of the Next Phases of the Gallo Center for the Arts: Awarding Contracts for Audio-Visual Equipment, Furnishings, Low Voltage Wiring, Concessions; Floor and Wall Coverings and Finishes, and Construction of the Arbor and Adjusting the Budget, Accepting Additional Funds from the Central Valley Center for the Arts, and Providing Funding for Professional Services and Related Matters – Chief Executive Office ([View Item](#))
- * 11. Approval to Adopt the Recommendations of the Stanislaus County Fire Authority to Provide Less than Countywide Fire Special Operations Services Through the Office of Emergency Services/Fire Warden's Office, and Increase Staffing ([View Item](#))

C. Department of Public Works

- * 1. Approval to Hold a Bike Race on Kiernan Avenue, Dunn Road, Bacon Road, Beckwith Road, and Jackson Road in the Salida Area on May 20, 2007 ([View Item](#))
- * 2. Approval to Consider and Adopt a Resolution of Necessity to Acquire Real Property or Interest in Real Property by Eminent Domain for the State Route 219 Widening Project, Parcel Owner H. L. and Ward B. Rumble, Incorporated, a California Corporation, APN: 135-044-001 ([View Item](#))
- * 3. Approval to Consider and Adopt a Resolution of Necessity to Acquire Real Property or Interest in Real Property by Eminent Domain for the State Route 219 Widening Project, Parcel Owner Dolores Janet Zambruno, et al, APN: 136-033-013 ([View Item](#))
- * 4. Approval to Consider and Adopt a Resolution of Necessity to Acquire Real Property or Interest in Real Property by Eminent Domain for the State Route 219 Widening Project, Parcel Owner John R. Regusci, et ux, APN: 136-033-029 ([View Item](#))
- * 5. Approval and Acceptance of the Subdivision Improvements for Hillsborough Estates Subdivision (in east Oakdale) ([View Item](#))
- * 6. Authorization to Summarily Vacate all Rights or Interests Offered to the Public for Dedication in Lot 17 for Storm Drainage Purposes in Hillsborough Estates Subdivision (East Oakdale) ([View Item](#))
- * 7. Approval to Adopt Plans and Specifications for the Carver Road Realignment at Ladd Road Project; and, Approval to Set the Bid Opening Date and Time for June 6, 2007, at 2:30 P.M. ([View Item](#))
- * 8. Approval of Purchase Agreement to Acquire Road Right-of-Way on the North Side of Hatch Road between Clinton Road and Washington Road from Jorge and Sylvia Sotelo for the PFF (Public Facility Fee) Left Turn Channelization Project ([View Item](#))
- * 9. Approval to Adopt Plans and Specifications for the 2007 Rubberized Chip Seal Program; and, Approval to Set the Bid Opening Date and Time for June 13, 2007, at 2:00 P.M. ([View Item](#))
- * 10. Approval to Consider and Adopt a Resolution to Authorize the Public Works Director to Execute Program Supplement Funding Agreements on Behalf of the County for Projects Funded by the Federal Highway Administration (FHWA) and the California Department of Transportation (Caltrans) ([View Item](#))
- * 11. Approval of the Master Agreement with the Department of Transportation (Caltrans) as the Administrating State Agency for Federal-Aid Projects ([View Item](#))
- * 12. Approval to Adopt Plans and Specifications for the Albers Road at Dusty Lane Intersection Project; and, Approval to Set the Bid Opening Date and Time for June 6, 2007, at 2:00 P.M. ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Rescind All or a Portion of Williamson Act Contract No. 1969-0428 and 1971-0244 (Milton Road, North of Oakdale) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2007-06 (VanVliet-Howell) and Authorize the Planning Director to Execute a New Contract ([View Item](#))
- 2. Approval of Amendment Number 1 to the Salida Community Plan Update and Specific Plan Processing Guidance Package and Cost Recovery Agreement, Approval of Amendment Number 5 for the Goodwin Consulting Contract for Financial Services, and Approval of a Contract for EMC Planning for Planning Services ([View Item](#))

E. County Counsel

V. Scheduled Matters

- 9:20 a.m. Public Hearings for the Consideration of Fees for the Sheriff's Department:
- A. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees for the Coroner's Office in the Sheriff's Department ([View Item](#))
 - B. Approval to Introduce and Waive the First Reading of an Ordinance to Establish Fees Relating to Vehicle Releases in the Sheriff's Department ([View Item](#))
 - C. Approval to Introduce and Waive the First Reading of an Ordinance to Establish Fees for the Jail Alternatives Program in the Sheriff's Department ([View Item](#))
- 9:25 a.m. Public Hearings for the Consideration of Fees for the Department of Agriculture and Weights and Measures:
- A. Approval to Introduce and Waive the First Reading of an Ordinance Establishing Fees Relating to the Areas of Agricultural Registration and Notification and Vertebrate Pest Control for the Department of Agriculture and Weights and Measures ([View Item](#))
 - B. Approval to Introduce and Waive the First Reading of an Ordinance Adding and Increasing Existing Fees for the Department of Agricultural and Weights and Measures ([View Item](#))
 - C. Approval to Introduce and Waive the First Reading of an Ordinance Amending Chapter 9.82 "Applied Labor Rate" of the Stanislaus County Code Based on Commercial and Non-Commercial Device Testing Fees for the Department of Agriculture and Weights and Measures ([View Item](#))
- 9:30 a.m. Public Hearing to Consider an Appeal of Planning Commission's Denial for Parcel Map Application No. 2006-47 and Variance Application No. 2006-04 - Grewal, a Request to Create a 41.5 +/- Acre Parcel and a 22 +/- Acre Parcel from a 63.5 +/- Acre Parcel in the A-2-40 (General Agriculture) Zoning District. A Variance has been Requested Since the 22 +/- Acre Parcel is Less than the Required 40-Acre Minimum Zoning Requirement for the Proposed Project. The Property is Located on the North and South Sides of Spencer Road, East of McCracken Road and West of Highway 33, South of Vernalis. A Negative Declaration Will Be Considered ([View Item](#))
- 9:35 a.m. Public Hearing Pursuant to Section 1442.5 of the Health and Safety Code to Consider the Approval of the Negotiation and Sale of Stanislaus Behavioral Health Center, Including the Operations, Real Property, Improvements and Equipment, and Potential Service Level Changes for County-Operated Acute Psychiatric Inpatient Services; and Proceed with the Request for Proposal Process in Accordance with Section 25515 of the Government Code ([View Item](#))

VI. Correspondence

1. This Board has received a notice from the California State Department of Fish and Game requesting proposals for projects that benefit sport fish populations, sport fish opportunities or anglers within the Bay-Delta Sport Fishing Enhancement Stamp Program geographic range. (Recommendation: Refer to the Department of Environmental Resources, Department of Parks and Recreation and the Fish and Wildlife Committee.) ([View Item](#))
2. This Board has received a letter from the State Department of Corrections Standards Authority requesting input on the review of the Minimum Standards for Local Adult Detention Facilities in Titles 15 and 24 of the California Code of Regulations. (Recommendation: Refer to the Sheriff, Chief Probation Officer, Behavioral Health and Recovery Services, Health Services Agency and the Department of Environmental Resources.) ([View Item](#))
3. This Board has received the following claims: Susan Marie Smith and Gurman Bal. (Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

VII. Board of Supervisors' Reports

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

IX. Adjournment

- X. Closed Session: Conference with Legal Counsel – Existing Litigation: Committee Concerning Community Improvement, et al. vs. County of Stanislaus, et al. Case No. United States District Court, Eastern District California, SIV F 04-6121 LJO DLB. Government Code Section 54956.9. Conference with Labor Negotiator: Agency Negotiator: Richard Robinson. Labor Organization: Stanislaus County Group Supervisors' Association. Government Code Section 54957.6.