



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

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Phone: 209.525.4494 Fax: 209.525.4420

AGENDA

June 5, 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. Presentation: Commendation for Dale Butler for his Service to the Hispanic Leadership Council
- III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for May 22, 2007 ([View Item](#))
- * 2. Approval to Adopt and Waive the Second Reading of Ordinances:
 - a. C.S. 997 to Amend Section 11.04.060 of the Stanislaus County Code by Adding a Speed Zone on Cogswell Road in the Hickman Area ([View Item](#))
 - b. C.S. 998 adding Chapter 9.86 to the Stanislaus County Code to regulate Medical Marijuana Dispensaries ([View Item](#))
- * 3. Acceptance of the Resignations of:
 - a. Lee Means, James Enochs, Tom Changnon, Martin Peterson, A. R. Rich Chubon and John Patrick O'Brien from the Stanislaus County Children's Council ([View Item](#))
 - b. Steve Prevostini from the Patterson Irrigation District Board of Directors ([View Item](#))
- * 4. Approval to Update the Roster for the In-Home Supportive Services Advisory Committee ([View Item](#))
- * 5. Approval of Appointments of:
 - a. Colleen McSorley to the Stanislaus County Free Library Advisory Board ([View Item](#))
 - b. Margaret Randazza, Jeff Foster, Brad Hawn, Steve Ward and James Aja to the Stanislaus Economic Development and Workforce Alliance Board ([View Item](#))
 - c. Niamh Harrington, M.D. to the Emergency Medical Services Committee ([View Item](#))
- * 6. Approval of a Commendation for:
 - a. Kenneth Willmarth Upon his Retirement from the University of California Cooperative Extension in Stanislaus County ([View Item](#))
 - b. Police Chief Brady Upon his Retirement from the City of Newman ([View Item](#))
- * 7. Approval to Adopt the Conflict of Interest Code for the Modesto-Ceres Fire Protection Agency Joint Powers Authority ([View Item](#))
- * 8. Approval to Proclaim the Week of June 25, 2007 as Family Services Specialist Recognition Week ([View Item](#))
- * 9. Approval of Request from the Mid-Valley Water Ski Club for Exclusive Use of the Modesto Reservoir Back Dam Area on Monday and Wednesdays from June 25 through August 1, 2007 for Junior Development Team Program ([View Item](#))
- * 10. Approval of Request from Mid-Valley Water Ski Club for Exclusive Use of the Modesto Reservoir Back Dam Area for the Disabled Clinics, Police Activities League Team and NSL Tournament ([View Item](#))
- * 11. Approval of Request from the Rotary Club of Salida for Use of Salida Park for a Music Concert in the Park on August 2, 2007 and September 6, 2007 ([View Item](#))
- * 12. Approval to Authorize the Chairman of the Stanislaus County Board of Supervisors to Sign in Support the Property Owner Assessment Ballots for the Hughson Fire Protection District for those Properties Owned by Stanislaus County ([View Item](#))
- * 13. Approval to Set a Public Hearing on June 26, 2007, at 9:25 a.m., to Consider an Appeal of the Planning Commission's Denial of Variance Application No. 2006-03 and Lot Line Adjustment Application No. 2006-47 – Hardister ([View Item](#))

- * 14. Approval to Proclaim July 18, 2007 as Motorcycle and Scooter Ride to Work Day in Stanislaus County ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Purchase a Used Forklift for Use at the Stanislaus County Agricultural Center ([View Item](#))
- * 2. Approval to Enter Into a Multi-Year Agreement between Behavioral Health and Recovery Services and the State Department of Alcohol and Drug Programs for the Provision of Alcohol and Drug Services for Fiscal Year 2007-2008 through Fiscal Year 2009-2010 - Behavioral Health and Recovery Services ([View Item](#))
- * 3. Approval of Renovation and Furnishings for the Kitchen in Building 4 at Behavioral Health and Recovery Services, 800 Scenic Drive, Modesto for Use as Part of the Consumer and Family Member Employment and Empowerment Center - Behavioral Health and Recovery Services ([View Item](#))
- * 4. Approval to Accept Additional State Substance Abuse Crime Prevention Act (SACPA) and Drug Court Funding of \$97,149 for Alcohol and Drug Programs - Behavioral Health and Recovery Services ([View Item](#))
- * 5. Approval to Submit and Accept if Awarded the 2007 Edward Byrne Memorial Justice Assistance Grant Application to Bureau of Justice Assistance to Enhance Criminal Justice Processes for Sheriff and Probation - Chief Executive Office ([View Item](#))
- * 6. Approval of an Amended Agreement with AASK America, dba ADOPT A SPECIAL KID for Providing a Specialty Camp for Post Adoption Families - Community Services Agency ([View Item](#))
- * 7. Approval to Authorize the Department of Parks and Recreation to Enter into an Agreement with the Yahli Bowmen (Archery Club) for the Purpose of Using and Maintaining the Field Archery Range at Modesto Reservoir - Parks and Recreation ([View Item](#))
- * 8. Approval of the Appointment of a Psychiatric Nurse II at Step 5 of the Salary Range - Behavioral Health and Recovery Services ([View Item](#))
- 9. Approval of the First Quarter Status Report and Recommendations for the 12-Month Exclusive Negotiation with PCCP West Park, a Master Developer Preparing a Reuse Project Description and Proposal at the Former Crows Landing Air Facility and Adjacent Properties located on the West Side of Stanislaus County ([View Item](#))

C. Department of Public Works

- * 1. 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 Ronald J. Malik, et ux, APN: 078-013-006 ([View Item](#))
- * 2. Approval of the Subdivision Improvement Agreement and the Filing and Recording of the Final Map for Vesting Tentative Map No. 2002-04 - Schutz Subdivision (in east Oakdale Area) ([View Item](#))
- * 3. Approval of the Subdivision Improvement Agreement, an Additional Agreement with Stanislaus Development, LLC, and the Filing and Recording of the Final Map for Vesting Tentative Map No. 2001-04 - Hillsborough Estates Subdivision Unit No. 2 (in East Oakdale Area) ([View Item](#))
- * 4. Approval to Adopt the Mitigated Negative Declaration for Stanislaus County Intersection Improvements at Geer Road and Whitmore Avenue ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Authorize Stanislaus County to Continue Participation with the City of Turlock in a HOME Investment Partnership Consortium ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 9:15 a.m. Public Hearing to Consider the Appeal of the Planning Commission's Decision to Deny the Appeal of Staff Approval Application No. 2007-09 and Lot Line Adjustment Application No. 2006-45 - Cilion, Inc. Ethanol Facility ([View Item](#))

VII. Correspondence

1. This Board has received three letters from the Governor's Office of Emergency Services regarding the U.S. Department of Agriculture's granting of a Secretarial disaster designation declaring for Stanislaus County and other Counties as primary and their contiguous Counties due to agriculture losses caused by the combined effects of drought and freezing temperatures that began October 15, 2006 and continuing.
(Recommendation: Refer to the Chief Executive Office - Office of Emergency Services and the Agricultural Commissioner and Sealer of Weights and Measures.) ([View Item](#))
2. This Board has received three letters from the Governor's Office of Emergency Services regarding the U.S. Small Business Administration declaration of Stanislaus County and other Counties as primary and their contiguous Counties as disaster areas as a result of the USDA disaster designation due to agriculture losses caused by the combined effects of drought and freezing temperatures that began October 15, 2006 and continuing.
(Recommendation: Refer to the Chief Executive Office - Office of Emergency Services and the Agricultural Commissioner and Sealer of Weights and Measures.) ([View Item](#))
3. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding the disposal of the Riverbank Army Ammunition Plant.
(Recommendation: Refer to the Department of Planning and Community Development and the Chief Executive Officer.) ([View Item](#))
4. This Board has received a letter from the State of California Fish and Game Commission regarding a notice of public hearing on the proposed regulatory action relating to the Upland Game Bird Hunting.
(Recommendation: Refer to the Department of Parks and Recreation and the Fish and Wildlife Committee.) ([View Item](#))
5. This Board has received a letter from the California Department of Forestry and Fire Protection regarding public hearings on the proposed rulemaking for Fire Hazard Severity Zones, 2007.
(Recommendation: Refer to the Chief Executive Office - Office of Emergency Services.) ([View Item](#))
6. This Board has received a letter from the U.S. Department of Homeland Security FEMA regarding levees that are accredited on the effective Flood Insurance Rate Map (FIRM) and in the effective Flood Insurance Study (FIS) report for the unincorporated areas of Stanislaus County.
(Recommendation: Refer to the Department of Public Works and to the Chief Executive Office - Office of Emergency Services.) ([View Item](#))

7. This Board has received the following claims: Hector Revuelta; Diane Rodrigues; Carl Thompson; Marie Lee Armstrong; Gale Sawyer; and, Ludmila Grokholsky.
(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. Adjournment

- XI. Closed Session: Conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organization: Stanislaus County Sheriffs' Management Association. Government Code Section 54957.6.