



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

September 11, 2007

9:00 A.M.

Chambers – Basement Level

1010 10th Street

Modesto, California

www.stancounty.com/board/board.htm

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. Moment of Silence in Memory of the Victims of the September 11, 2001 Tragedy
- III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for August 28, 2007 ([View Item](#))
- * 2. Approval of Appointments In-Lieu of Election Where No Candidates Filed:
 - a. to the Westley Community Services District Board ([View Item](#))
 - b. to the Newman Drainage District Board ([View Item](#))
 - c. to the Orestimba Creek Flood Control District Board ([View Item](#))
 - d. to the West Stanislaus Irrigation District Board, Divisions 2 and 5 ([View Item](#))
 - e. to the Keyes Municipal Advisory Council ([View Item](#))
 - f. to the Empire Sanitary District Board ([View Item](#))
 - g. to the Rock Creek Water District Board ([View Item](#))
- * 3. Approval of Appointments In-Lieu of Election and Vacancies:
 - a. Ben J. Cassinetto to the Knights Ferry Community Services District Board ([View Item](#))
 - b. David J. McNeir, Sebastian Jones and Bettie J. Yelder to the Monterey Park Tract Community Services District Board ([View Item](#))
 - c. Ronald S. Roberts and Curtis D. King to the Burbank-Paradise Fire Protection District Board ([View Item](#))
 - d. Kevin P. Voss and Doug Humphreys to the Hughson Fire Protection District Board ([View Item](#))
 - e. John J. Kilcoyne to the Westport Fire Protection District Board ([View Item](#))
 - f. Karrie Jo Cairns to the Empire Municipal Advisory Council ([View Item](#))
 - g. Stephanie A. Dampier and Mike Lutterman to the Hickman Municipal Advisory Council ([View Item](#))
 - h. Kassandra Ingram and Eric Lee (Rick) Feichter to the Knights Ferry Municipal Advisory Council ([View Item](#))
 - i. John Beltran and Fred Vogel to the Oak Flat Water District Board ([View Item](#))
- * 4. Approval of Appointments In-Lieu of Election:
 - a. James G. Crecelius, Roy A. Johnson and Don Terwilliger to the Sand Creek Flood Control District Board ([View Item](#))
 - b. Coleen Sanguinetti and Mercy Mora to the Crows Landing Community Services District Board ([View Item](#))
 - c. Ronald C. Allen, Tommy Joseph “TJ” McDonald and Karl F. Curnow to the Denair Community Services District Board ([View Item](#))
 - d. Helen Padilla Pulido, Lulu Polk and Maricela Vela to the Grayson Community Services District Board ([View Item](#))
 - e. Rudy Caro, Diana M. Gonzalez-Alvarez, Kelland Murphy and Dixielee Swatman to the Riverdale Park Tract Community Services District Board ([View Item](#))
 - f. Jerry Hancock and Harlan E. Smith to the Ceres Fire Protection District Board ([View Item](#))
 - g. Emil A. Rusca and Mark Brubaker to the Salida Fire Protection District Board ([View Item](#))
 - h. John E. Kidd, Division 5 to the Modesto Irrigation District Board ([View Item](#))
 - i. Al Bairos, Division 4 to the Oakdale Irrigation District Board ([View Item](#))
 - j. John Azevedo, Division 3 and Dan Robinson, Division 5 to the Patterson Irrigation District Board ([View Item](#))
 - k. Phillip N. Short, Division 1 to the Turlock Irrigation District Board ([View Item](#))

- l. Dennis R. Findley, Sr. and Kim Runyan to the Denair Municipal Advisory Council ([View Item](#))
- m. John L. Clawson and Jeanette L. Moore to the Salida Municipal Advisory Council ([View Item](#))
- n. Raymond S. Castro, Darren Schafer and John L. Swicegood to the South Modesto Municipal Advisory Council ([View Item](#))
- o. Veryl “Butch” Watkins, Joe Sallaberry, Phillip Souza and Albert M. Mendes, Jr. to the Reclamation District #2063 ([View Item](#))
- p. Ivan E. Bays, Division 2; Fred Vogel, Division 4; Earl Perez, Division 5; and, Jim Jasper, Division 7 to the Del Puerto Water District Board ([View Item](#))
- q. Albert Rossini and Ward Burroughs to the Eastside Water District Board ([View Item](#))
- r. Edward Bettencourt, Shane Donlon and Thomas Morris to the El Solyo Water District Board ([View Item](#))
- * 5. Approval of a Commendation for the 100th Anniversary of the City of Hughson ([View Item](#))
- * 6. Approval of the Appointment of Patricia Segoviano De Pier to the Stanislaus County Parks and Recreation Commission ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Adopt the 2007-2008 Property Tax Rates - Auditor-Controller ([View Item](#))
- * 2. Approval to Extend the Stanislaus County Refuse Removal Franchise Agreement (Area 3) with Modesto Garbage Co., Inc., through November 5, 2008 - Environmental Resources ([View Item](#))
- * 3. Approval of an Amendment to an Agreement Between Doctors Medical Center Foundation and Stanislaus County Health Services Agency for Ryan White Title II Grant Funding for HIV/AIDS Intervention ([View Item](#))
- * 4. Approval of Amendments to the Pay for Performance Guidelines - Chief Executive Office ([View Item](#))
- * 5. Approval to Accept the Donation of Physical Fitness Equipment to the Ray Simon Regional Criminal Justice Training Center from Costco Corporation - Sheriff ([View Item](#))
- * 6. Approval to Adopt a Resolution for the Sheriff/Public Administrator's Record Retention Schedule Authorizing the Destruction of Records after Five Years - Sheriff ([View Item](#))
- * 7. Approval to Submit an Application and Adopt a Resolution for a Law Enforcement Grant from the California State Parks Off-Highway Vehicle (OHV) Grant Program to Enhance Emergency Response and Safety for the County's Off-Highway Vehicle Parks - Sheriff ([View Item](#))
- * 8. Approval to Accept a Grant from the State of California Department of Boating and Waterways for the Purchase of a Boat for Marine Law Enforcement for Use on Stanislaus County Waters - Sheriff ([View Item](#))
- * 9. Approval to Initiate The United Way of Stanislaus Deduction for the Retiree Payroll as Adopted by the Stanislaus County Employees' Retirement Association's (StanCERA) Board of Retirement - StanCERA ([View Item](#))
- 10. Approval to Accept a Donation for the Ray Simon Regional Criminal Justice Training Center from the Simon Family Criminal Justice Foundation for the Purchase of Physical Fitness Equipment ([View Item](#))
- 11. Approval of the Stanislaus County Business Technology Strategy (BTS) 2007 - Chief Executive Office ([View Item](#))

12. Acceptance of the HFS Consultants Initial Report on the Health Services Agency Strategic Planning and Financial Evaluation Project and Approval of Related Recommendations; and Approval to Set a Public Hearing on October 16, 2007 at 6:40 p.m. to Consider Program Changes to the Clinic System as Outlined in the Report ([View Item](#))

C. Department of Public Works

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Sections 11.08.020 and 11.08.050 of the Stanislaus County Code, Adding a Red Curb Marking (No Parking Zone) and a Green Curb Marking (One Hour Parking Zone) on Reno Avenue in the Modesto Area ([View Item](#))
- * 2. Approval to Enter into an Agreement with the City of Turlock Regarding the Paving of East Marshall Road ([View Item](#))
- * 3. Approval to Hold a Covered Bridge Bike Classic Parade on Several County Roads on September 22, 2007 ([View Item](#))

D. Department of Planning and Community Development

E. County Counsel

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance Amending Section 6.74.020 of the Stanislaus County Code Relating to Junk Dealers and Scrap Metal Recyclers ([View Item](#))

VI. Scheduled Matters

- 9:15 a.m. Public Hearing to Consider the Adoption of the Final Budget for Fiscal Year 2007-2008 and Related Actions and Adjustments. This Public Hearing may be continued to the following days if needed: September 12, 2007 and September 13, 2007 at 9:00 a.m. ([View Item](#))

VII. Correspondence

1. This Board has received a copy of a Notice of Availability and Intent to Adopt an Initial Study/Negative Declaration for the Proposed Increase in the Daily Bag Limit of Canvasback Ducks from the State Department of Fish and Game. ([View Item](#))
(Recommendation: Refer to the Committee on Fish and Wildlife and to the Department of Parks and Recreation.)
2. This Board has received a letter from the Governor's Office of Emergency Services regarding the U.S. Small Business Administration's declaration of Stanislaus County as a contiguous County as a disaster area due to the designation on August 9, 2007 by the USDA for the agricultural losses caused by the drought that began on January 1, 2007, and continuing. ([View Item](#))
(Recommendation: Refer to the Chief Executive Office - Office of Emergency Services and the Agricultural Commissioner and Sealer of Weights and Measures.)
3. This Board has received a report from the Salida Fire Protection District regarding their Annual Development Fees. ([View Item](#))
(Recommendation: Refer to the Department of Public Works.)

4. This Board has received a letter from the California Department of Public Health regarding the revised Final Fiscal Year 2005-06 Maintenance of Effort (MOE) Table for Proposition 99 funding that reflects the actual sales tax and vehicle license fees (VLF) revenues received by each County. [\(View Item\)](#)
(Recommendation: Refer to the Health Services Agency and the Auditor-Controller.)
5. This Board has received the following claims: Russ Overstreet; Carie Harris; Shalendra Ram; Genaro Reyes; and, Pamela M. Lial.
(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 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.