



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

February 5, 2008

9:00 A.M.

Chambers – Basement Level
1010 10th Street
Modesto, California
www.stancounty.com/board/index.shtm

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.stancounty.com/bos/agenda-minutes.shtm.

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.stancounty.com/board/broadcasting-schedule.shtm. In addition, a live audio/video broadcast of this meeting can be heard/seen via the World Wide Web at: www.stancounty.com/bos/board-video.shtm.

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: 2008 State of the County Address by Supervisor Thomas W. Mayfield, Chairman of the Stanislaus County Board of Supervisors
- III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for January 29, 2008 ([View Item](#))
- * 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1029 to Amend Section 11.08.020 of the Stanislaus County Code, Adding a No Parking Zone on “G” Street in the Empire Area ([View Item](#))
- * 3. Approval of Appointments of:
 - a. Letty Miranda to the Crows Landing Community Services District Board of Directors ([View Item](#))
 - b. Dionicio Daniel Cruz to the Stanislaus County Equal Rights Commission ([View Item](#))
- * 4. Acceptance of the Resignation of Shirley Foerster from the Mental Health Board ([View Item](#))
- * 5. Acceptance of the Resignation of Dail Avila and Approval of the Appointment of George Schmidt to the West Side Community Healthcare District Board of Directors ([View Item](#))
- * 6. Approval to Proclaim:
 - a. March 9 through 15, 2008 as Portuguese Immigrant Week in Stanislaus County ([View Item](#))
 - b. February 11 through February 15, 2008, as Stanislaus County Employee Wellness Week ([View Item](#))
- * 7. Approval of Request from:
 - a. E Clampus Vitus for Use of the La Grange Gold Dredge Camp Site for their Fall Event from Friday, October 17, 2008 to Sunday, October 19, 2008 ([View Item](#))
 - b. City of Modesto for Use of the Courthouse Lawn for their 13th Annual Family Cycling Festival on Saturday, May 17, 2008 ([View Item](#))
- * 8. Approval to Hold a Special Election for the Oak Valley Hospital to Authorize the Issuance of General Obligation Bonds on April 29, 2008 ([View Item](#))

B. Chief Executive Office

- * 1. Approval of an Amendment to the Grazing Land Lease with Paul Clarot for 760.4 Acres of Rolling Hills Adjacent to and West of the Fink Road Landfill - Environmental Resources ([View Item](#))
- * 2. Approval to Ratify Ordinances Adopting and Amending the 2007 California Fire Code from the Following Fire Protection Districts: Burbank-Paradise, Denair, Keyes, Salida, Stanislaus Consolidated, and West Stanislaus - Chief Executive Office/Fire Warden ([View Item](#))
- * 3. Approval to Enter into a Contract with API Architects for Architectural Services for Tenant and Site Improvements for the Unfinished County Space on the 5th Floor of the 12th Street Office Building - Chief Executive Office ([View Item](#))

C. Department of Public Works

- * 1. Approval of Budget Adjustments for Federal Aid Project Titled “RSTP Roadway Resurfacing Program FY 2006/2007 (Phase 2)” ([View Item](#))

D. Department of Planning and Community Development

E. County Counsel

VI. Scheduled Matters

- 9:15 a.m. Public Hearing to Consider Rezone Application No. 2007-05, Denair Lumber, a Request to Rezone a 1.75 Acre Parcel from H-1 (Highway Frontage) to a P-D (Planned Development) to Allow a Lumber Yard and Retail Store to be Developed in Two Phases. Phase 1 Consists of a 15,400 Square Foot “Pole Building” and a 300 Square Foot Temporary Office. Phase 2 Consists of a 4,000 Square Foot Retail Sales and “Home Center” Building. The Project is Located on Fresno Avenue, South of Main Street and North of Village Avenue, in the Community of Denair, APN: 024-032-017. A Negative Declaration will be Considered for this Project ([View Item](#))

VII. Correspondence

1. This Board has received a letter from the Knights Ferry Municipal Advisory Council requesting that the Board of Supervisors oppose the proposed development of the south side of the Stanislaus River adjacent to Knights Ferry by the Army Corps of Engineers for the benefit of the Chinook Salmon and Steelhead. ([View Item](#))
(Recommendation: Approve a letter of opposition regarding this project.)
2. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding Fiscal Year 2008 allocations for the Community Development Block Grants and Emergency Shelter Grants for Stanislaus County. ([View Item](#))
(Recommendation: Refer to the Department of Planning and Community Development.)
3. This Board has received a copy of the Fiscal Year 2006/2007 California Lottery Report to the Public from the California Lottery. ([View Item](#))
(Recommendation: Acknowledge receipt of the report.)
4. This Board has received from Covanta Energy Corporation a Certificate of Compliance regarding the Stanislaus Waste-to-Energy Financing Agency, certifying that the Company is in compliance with its obligations in the agreement and no events of default have occurred or are continuing. ([View Item](#))
(Recommendation: Refer to the Department of Environmental Resources.)
5. This Board has received the following claims: Linda Yazzie; Sal Perez; and, Tiffany Flores.
(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 Real Property Negotiator: Property: Crows Landing Air Facility, at the intersection of Ike Crow Road and Bell Road in the unincorporated area of Stanislaus County. Agency Negotiator: Richard Robinson. Lessee Negotiator: PCCP West Park LLC. Under Negotiation: Both Lease Terms and Lease Payments. Government Code Section 54956.8. Conference with Labor Negotiator: Agency Negotiator: Richard Robinson. Labor Organization: Deputy Probation Officers' Association. Government Code Section 54957.6