



BOARD OF SUPERVISORS

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

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Phone: 209.525.4494 Fax: 209.525.4420

AGENDA

March 21, 2006

6:30 P.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/reference/mov/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. Presentation of the Flag by Girl Scout Troop #460 and Pledge of Allegiance to the Flag
- II. Presentation:
 - A. Resolution Proclaiming March 12-18, 2006 as Girl Scout Week
 - B. Results of the 2005 Stanislaus County Employee United Way Campaign
- III. Public Comment Period
- IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for March 7, 2006 ([View Item](#))
- * 2. Acceptance of the Resignations of:
 - a. Richard Breshears from the Advisory Board on Substance Abuse Programs ([View Item](#))
 - b. Michael Loeffler from the Assessment Appeals Board ([View Item](#))
 - c. Marc Letendre from the Stanislaus Economic Development and Workforce Alliance ([View Item](#))
- * 3. Approval of Appointments of:
 - a. Mary Ann Lee to the Emergency Medical Services Committee ([View Item](#))
 - b. Andrew Souza and Arsenio Mataka to the Crows Landing Air Facility Steering Committee ([View Item](#))
 - c. Karla Rivera-Trejo to the Stanislaus County Children's Council ([View Item](#))
- * 4. Approval of the Reappointment of Arie Rose Martin and Ora Scruggs to the In-Home Supportive Services Advisory Committee ([View Item](#))
- * 5. Approval to Consolidate the Oakdale Joint Unified School District Bond Election with the June 6, 2006 Gubernatorial Primary Election ([View Item](#))
- * 6. Approval of a Commendation for Darleen Newlin Upon her Retirement from the Stanislaus County Probation Department ([View Item](#))
- * 7. Approval to Proclaim April 8, 2006 as Modesto Junior College (MJC) Alumni Day in Stanislaus County ([View Item](#))

B. Chief Executive Office

- * 1. Approval of an Agreement for Federal Government Relations with Pillsbury Winthrop Shaw Pittman, L.L.P ([View Item](#))
- * 2. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the Following Properties:
 - a. 3500 S. Walnut Road, Turlock, California (CE No. 05-2967) ([View Item](#))
 - b. 2769 W. Whitmore Avenue, Modesto, California (CE No. 05-2507) ([View Item](#))
 - c. 1221 Main Street, Modesto, California (CE No. 05-3050) ([View Item](#))
 - d. 2030 Claribel Road / 5000 Oakdale Road, Modesto, California (CE No. 05-2734) ([View Item](#))
- * 3. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board Regarding the Approval of the Administrative Civil Citation to Abate the Nuisance CE No. 05-2862 at 4913 Sun Valley Drive, Salida, California – Environmental Resources ([View Item](#))
- * 4. Approval of Master Agreement with Risk-Based Decisions Incorporated (RBDI) for the Soil and Groundwater Investigation and Clean Up of Four Contaminated Properties in Stanislaus County – Environmental Resources ([View Item](#))
- * 5. Approval to Enter into an Agreement with MSE Environmental for Removal and Disposal of Hazardous Waste at the Household Hazardous Waste Collection Facility – Environmental Resources ([View Item](#))
- * 6. Approval to Apply for, and Accept if Awarded, the 2005/2006 Green Trees for the Golden State Grant from the California Department of Forestry and Fire Protection, Urban Forestry Program – Parks and Recreation ([View Item](#))
- * 7. Approval to Declare Surplus Office Equipment and Authority to Donate the Equipment to the Arthritis Foundation, Modesto Branch ([View Item](#))
- * 8. Approval to Participate in the California Connected by 25 Initiative, an Expansion of the Foster Youth Transitions – Connected for Life Project – Community Services Agency ([View Item](#))

- * 9. Approval to Enter into Contracts to Purchase and Retire Departmental Canines for the Sheriff's Department Canine Unit – Sheriff ([View Item](#))
- * 10. Approval of an Independent Contractor Agreement with Sage Associates for Completion of a Coding and Billing Compliance Audit and Follow-Up Provider Training at the Health Services Agency ([View Item](#))
- * 11. Approval of the Amendment to the Medi-Cal Managed Care Program Participating Physician Agreement with Blue Cross of California to be Effective March 1, 2006 – Health Services Agency ([View Item](#))
- * 12. Approval to Set a Public Hearing on April 18, 2006, at 6:50 p.m., to Consider the Introduction and Waive the First Reading of an Ordinance to Increase Existing Fees and Establish New Fees of the Clerk Recorder Department ([View Item](#))
- * 13. Approval to Set a Public Hearing on April 18, 2006, at 6:50 p.m., to Consider the Introduction and Waive the First Reading of an Ordinance to Amend the Department of Planning and Community Development Fee Schedule ([View Item](#))
- * 14. Approval to Increase the Temporary Advance to Oakdale Rural Fire District for Operational Expenses in an Amount Not to Exceed \$1,286,825 or 85% of Anticipated Revenue - Auditor-Controller ([View Item](#))
- * 15. Approval for Emergency Replacement of the Boiler System in the Courthouse Pursuant to Public Contract Code, Section 22050, and Related Actions ([View Item](#))
- * 16. Approval of a Contract for Services with Gaffney Displays for the Design, Construction, and Installation of the Stanislaus County Exhibit at the 2006 California State Fair ([View Item](#))
- * 17. Approval to Establish Estimated Revenue and Appropriations in an Amount Between \$700,000 and \$1,300,000 to Reimburse the City of Modesto for Investigative Services Provided to the County for the People vs. Peterson Case ([View Item](#))
- 18. Approval to Negotiate and Enter into a Lease with the United Samaritans Foundation to Expand Community Services in Turlock – Community Services Agency ([View Item](#))
- 19. Approval to Award a Contract for Services to ESA Airports for the Preparation of Master Planning, Airport Planning and Associated Environmental Impact Analysis of the Crows Landing Air Facility in Accordance with California Environmental Quality Act – CEQA Standards for a Not to Exceed Amount of \$499,740 ([View Item](#))
- 20. Approval to Change the Name of the Inter-City Road Fee Component of the County Public Facility Fee Program to Regional Transportation Impact Fee (RTIF) and Approval of an Agreement with the Stanislaus Council of Governments (StanCOG) as the formal Administrative Authority for the RTIF Fees ([View Item](#))
- 21. Approval of the Final Construction Phases and Related Matters for the 12th Street Office Building ([View Item](#))

C. Department of Public Works

- * 1. Approval of Purchase Agreement to Acquire Road Right-of-Way for the Albers/Geer/State Route 132 (Yosemite Boulevard) Intersection Improvements Project ([View Item](#))
- * 2. Approval of Purchase Agreement to Acquire Road Right-of-Way for the Albers Road/Geer Road Intersection Improvements at Geer Road and Service Road ([View Item](#))
- * 3. Approval of Purchase Agreement to Acquire Road Right-of-Way for the Albers Road and Milnes Road Intersection Improvement Project ([View Item](#))
- * 4. Approval to Summarily Abandon a Portion of Wells Avenue and Detroit Lane (in Modesto) Under the Street and Highway Code, Section 8335 ([View Item](#))
- * 5. Approval to Reconvey All Rights and Interests Offered to the Public for Dedication and Acceptance of Lots 1, 2, 3, and 4 for Storm Drainage Purposes in Victoria Park Subdivision ([View Item](#))
- * 6. Approval of the Subdivision Improvement Agreement and the Filing and Recording of the Final Map for Diablo Grande, The Vineyard I Subdivision ([View Item](#))

- * 7. Approval of the Subdivision Improvement Agreement and the Filing and Recording of the Final Map for Diablo Grande, The Cottages Subdivision ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Set a Public Hearing on April 18, 2006 at 6:45 p.m. to Consider General Plan Amendment Application No. 2004-03, The Focused General Plan Update of the Stanislaus County Circulation Element and Final Environmental Impact Report ([View Item](#))
- * 2. Approval of the Draft Annual Action Plan for Fiscal Year 2006-2007, that Includes the \$2,543,000 Community Development Block Grant (CDBG) Award; and \$108,840 Emergency Shelter Grant (ESG) Award; Approval to Open the 30-Day Public Comment Period and Set a Public Hearing for May 2, 2006, at 9:25 a.m. to Close the Public Comment Period and Consider Adoption of the Final Annual Action Plan for Fiscal Year 2006-2007 ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 6:40 p.m. Public Hearing to Consider Adopting a Resolution of Necessity to Initiate and Complete Eminent Domain Proceedings to Acquire Property from Thomas and Anita Mayfield (APN: 018-009-015) for Construction of Albers Road/Geer Road Intersection Improvements at Geer Road and Fox Road ([View Item](#))
- 6:45 p.m. Public Hearing to Consider an Appeal of the Planning Commission's Decision to Uphold Staff's Determination Regarding the Use of a Structure at 6137 McCracken Road, Westley as a Second Dwelling ([View Item](#))

VII. Correspondence

1. This Board has received a letter from the Governor's Office of Emergency Services regarding President Bush's major disaster declaration on February 3, 2006 which will allow the processing of U.S Department of Agriculture Farm Service Agency Emergency loans for the physical and production losses for twenty-nine Counties and the Counties that are contiguous to them including Stanislaus County. ([View Item](#))
(Recommendation: Refer to the Agricultural Commissioner and the Sealer of Weights and Measures and the Chief Executive Office-Office of Emergency Services.)
2. This Board has received the following claims: Paul Michael Ruiz; Kenneth and Michelle Hall; Michael Abuan; Cheryie Tomiello; Dewyn Roberts; and, Michael Wiesner.
(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