



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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AGENDA

April 4, 2006

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: Resolution Proclaiming April 8, 2006 as Modesto Junior College (MJC) Alumni Day in Stanislaus County
- III. Public Comment Period
- IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for March 21, 2006 ([View Item](#))
- * 2. Acceptance of the Resignation of Marla Arata from the Mental Health Board ([View Item](#))
- * 3. Approval of Appointments of:
 - a. George B. Sharp to the Stanislaus County Parks and Recreation Commission ([View Item](#))
 - b. Scott Myers, Bill Mattos, Sean Carroll, Jim Devenport, Joy Madison, Dr. Hamid Shirvani, Glenna Henson, Joe Mackil, and Jose Dias to the Stanislaus Economic Development and Workforce Alliance Board ([View Item](#))
- * 4. Approval to Proclaim:
 - a. Week of April 3-9, 2006 as Public Health Week in Stanislaus County ([View Item](#))
 - b. Week of April 9-15, 2006 as Emergency Dispatch Week in Stanislaus County ([View Item](#))
 - c. Week of April 23-29, 2006 as Victim's Rights Week in Stanislaus County ([View Item](#))
 - d. Week of April 23-29, 2006 as Safety Seat Checkup Week in Stanislaus County ([View Item](#))
- * 5. Approval of Commendations for:
 - a. Richard G. Patterson former City of Modesto Council Member ([View Item](#))
 - b. Jill Henry Upon her Retirement from the Stanislaus County Probation Department ([View Item](#))
- * 6. Approval of Request from the La Grange Elementary School District and Parents' Club for Use of La Grange Park for the La Grange Homecoming and the School's 150th Anniversary on Sunday, April 23, 2006 ([View Item](#))
- * 7. Approval of an Amendment to the Conflict of Interest Code for the Local Agency Formation Commission ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Accept Additional Grant Funding and Increase the District Attorney's Office Workers' Compensation Fraud Program to Fund Training and Computer Equipment ([View Item](#))
- * 2. Approval of the Memorandum of Understanding with the City of Modesto for the Weed and Seed Project and the Coordination of Code Enforcement Efforts in the Designated West Modesto Area – Environmental Resources ([View Item](#))
- * 3. Approval of an Amendment to the Existing Archery Range License Agreement with Yahi Bowman Archery Club – Parks and Recreation ([View Item](#))
- * 4. Approval to Purchase Law Enforcement Web Server Software and Licenses from a Sole Source Vendor, Image Ware Systems, Inc., and Amend the Budget – Sheriff ([View Item](#))
- * 5. Acceptance of the Stanislaus County Treasury Pool's February 2006 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- * 6. Approval of the Status Report of the Emergency Replacement of the Courthouse Boiler System ([View Item](#))
- 7. Approval of an Amendment of the Power Purchase Agreement for Long-Term Energy and Capacity Between Covanta Stanislaus, Inc., and Pacific Gas and Electric Company – Environmental Resources ([View Item](#))
- 8. Approval to Change the Name of the Department of Employment and Training to the Alliance WorkNet ([View Item](#))
- 9. Approval of the 2006 Community Health Report for Stanislaus County – Health Services Agency ([View Item](#))

C. Department of Public Works

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11 of the Stanislaus County Code, Adding a No Truck Parking at Any Time Zone on Salida Boulevard ([View Item](#))
- * 2. Approval to Adopt a Resolution Initiating Proceedings for the Annexation of Territory to the Laurel Landscape and Lighting District (Collins Annexation in South Ceres Area) ([View Item](#))
- * 3. Approval to Adopt a Resolution Initiating Proceedings for the Annexation of Territory to the Bystrum Landscape and Lighting District (Tuolumne Annexation in North Ceres Area) ([View Item](#))
- * 4. Approval and Acceptance of the Street Improvements for Vesting Tentative Parcel Map No. 2003-03 (Monterey Estates, East Oakdale Area) ([View Item](#))
- * 5. Approval to Award the Contract for the Aerial Imaging of Stanislaus County to Mapcon Mapping of Salt Lake City, Utah ([View Item](#))
- * 6. Approval to Award the Contract for the Salida Storm Water Treatment Unit to Richard Townsend Construction (RTC) of Oakdale, California, and Related Actions Associated with the Project ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Set a Public Hearing for April 18, 2006 at 6:40 p.m. to Consider Amending the General Plan Designation to Estate Residential and Amend the Zoning from General Agriculture to Rural Residential on 8.8 Acres in the Community of Denair, and to Create Two Additional Parcels and Grant an Exception for Those Parcels That Do Not Front on a County-maintained Road (General Plan Amendment Application No. 2005-12, Rezone Application No. 2005-16, Parcel Map Application No. 2005-37 and Exception Application No. 2005-06, Carl and Terri Hagens) ([View Item](#))

E. County Counsel

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance Amending Chapters 6.32 and 16.32 of the Stanislaus County Code Concerning Employee Housing and Mobile Home Parks ([View Item](#))

VI. Scheduled Matters

9:25 a.m. Public Hearing for the Consideration of the Adjustment of Fees for the Following Departments:

- A. Approval to Introduce and Waive the First Reading of an Ordinance to Establish a New Point of Sale Fee for the Department of Agriculture and Weights and Measures ([View Item](#))
- B. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees for the Department of Agriculture and Weights and Measures Concerning Phytosanitary Certificates and Certified Producers Certificates ([View Item](#))
- C. Approval to Introduce and Waive the First Reading of an Ordinance Establishing New Fees and Amending Existing Fees of the Department of Environmental Resources ([View Item](#))

VII. Correspondence

1. This Board has received a letter from the Turlock Irrigation District requesting support of Senate Bill 1554 which would prohibit the California Public Utilities Commission from imposing cost responsibility surcharges, or “exit fees” on a customer of a locally publicly owned utility who never received service from an investor owned utility. ([View Item](#))
(Recommendation: Authorize the Chairman to send a letter of support.)
2. This Board has received a letter from the Children’s Health Forum regarding the Lead Hazard Reduction Demonstration Grant Program for high risk cities and counties from the Department of Housing and Urban Development (HUD). ([View Item](#))
(Recommendation: Refer to the Health Services Agency.)
3. This Board has received a letter from Valley Fresh extending the mass lay off of approximately 340 employees, per the Worker Adjustment and Retraining Notification (WARN) Act, will occur between May 22, 2006 and June 4, 2006. ([View Item](#))
(Recommendation: Refer to the Department of Employment and Training, and the Stanislaus Economic Development and Workforce Alliance.)
4. This Board has received a letter from the Election Integrity Task Force opposing the use of the Diebold touchscreen Direct Record Electronic (DRE) in the State of California election process.
(Recommendation: Refer to the Clerk-Recorder and Elections.) ([View Item](#))
5. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding the completed review of the County’s Program Year (PY) 2004 Consolidated Annual Performance and Evaluation Report. ([View Item](#))
(Recommendation: Refer to the Department of Planning and Community Development.)
6. This Board has received a letter from the Governor’s Office of Emergency Services regarding the President’s declaration (DR-1628) of a major disaster and the processing of U.S. Department of Agricultural Farm Service Agency Emergency loans for physical and production losses for the counties of Alameda and Shasta and their contiguous counties including Stanislaus County.
(Recommendations: Refer to the Agricultural Commissioner and Sealer of Weights and Measures and to the Chief Executive Officer-Office of Emergency Services.) ([View Item](#))
7. This Board has received a letter from the District Council 57 AFSCME AFL-CIO requesting an actuarial be performed to determine the cost of implementing the retirement benefit improvement of 2.7% at 55. ([View Item](#))
(Recommendation: Refer to the Chief Executive Office-Human Resources.)
8. This Board has received the following claims: Debra Vanderwaal; Stanley J. Sullens; Jayne Gandarela and Christina Gandarela; Timothy R. Ollivierre; Parajit K. Hans; Jesse Jore; and, Russell & Charleann Smith.
(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