



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

July 18, 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. Pledge of Allegiance to the Flag

- II. Presentation:
 - A. July 22, 2006 as the Day of the American Cowboy
 - B. Week of July 16-22, 2006 as Probation Services Week

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for July 11, 2006 [\(view item\)](#)
- * 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 963 Relating to the Regulation of Sales by Roadside Vendors [\(view item\)](#)
- * 3. Approval of Appointment of Michael Kummer to the Hazardous Waste Management Advisory Committee [\(view item\)](#)
- * 4. Acceptance of the Resignation of Louis F. Brichetto from the Oakdale Irrigation District Board of Directors [\(view item\)](#)
- * 5. Approval of Request from Mid-Valley Water Ski Club for Use of the Back Dam Area of the Modesto Reservoir on July 22, 2006 for National Ski League Tournament [\(view item\)](#)
- * 6. Approval of Request to Consolidate with the November 7, 2006 Gubernatorial General Election from the:
 - a. City of Oakdale for a General Municipal Election [\(view item\)](#)
 - b. Chatom Union School District for the Issuance of a School Bond Election [\(view item\)](#)

B. Chief Executive Office

- * 1. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environment Resources) Regarding the following Properties:
 - a. 1201 Pelton Avenue, Modesto, CA, CE No. 06-328 [\(view item\)](#)
 - b. 201 Cowan Street, Modesto, CA, CE No. 04-323 [\(view item\)](#)
 - c. 2837 Eucalyptus Avenue, Patterson, CA, CE No. 06-5 [\(view item\)](#)
 - d. 3512 E. Hawkeye Avenue, Turlock, CA, CE No. 05-2082 [\(view item\)](#)
 - e. 2142 W. Monte Vista Avenue, Modesto, CA, CE No. 06-341 [\(view item\)](#)
- * 2. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environment Resources) Regarding the Cost Accounting to Abate the Nuisance at 315 E Street, Empire, CA, CE No. 05-1701 [\(view item\)](#)
- * 3. Approval to Set a Public Hearing for August 15, 2006 at 6:50 p.m. to Introduce and Waive the First Reading of an Ordinance to Establish a New Fee on Food Processing By-Products Utilized Within Stanislaus County – Environmental Resources [\(view item\)](#)
- * 4. Approval to Issue a Request for Proposals for Uniformed Security Guard Services for the 12th Street Office Building and Parking Garage – Chief Executive Office [\(view item\)](#)
- * 5. Approval of Contract Renewals with the California Department of Education for the Administration of the Child Care and Development Block Grants – Community Services Agency [\(view item\)](#)
- * 6. Approval to Extend the Agreement with PCHelp Ltd. to Provide Software Consulting Services for Fiscal Year 2006-2007 – Environmental Resources [\(view item\)](#)
- 7. Acceptance of the Election Official's Certification of the Results of the Initiative Petition on the Citizens Rights to Vote on Expansion of Residential Areas – Clerk Recorder [\(view item\)](#)
- 8. Acceptance of the Advisory Board on Substance Abuse Programs Annual Report – Behavioral Health and Recovery Services [\(view item\)](#)
- 9. Acceptance of the Mental Health Board Annual Report – Behavioral Health and Recovery Services [\(view item\)](#)

C. Department of Public Works

- * 1. Approval of the Disadvantaged Business Enterprise (DBE) Program and the Annual Goal for Federal Fiscal Year 2006/2007 [\(view item\)](#)

D. Department of Planning and Community Development

- * 1. Approval to Set a Public Hearing on August 22, 2006, at 9:15 a.m., to Consider Rezone Application No. 2005-15, Carmax - Modesto [\(view item\)](#)
- 2. Approval of the Finding that the City of Oakdale's Proposed Sphere of Influence Expansion Promotes Logical and Orderly Development and Direct the Chief Executive Officer to Notify the Local Agency Formation Commission of the Board's Finding [\(view item\)](#)

E. County Counsel

VI. Scheduled Matters

6:40 p.m. Public Hearing to Consider Approval to Cancel Williamson Act Contract No.78-3286 and to Create Three Parcels of 3.07-acres Each from a 9.21 Gross Acre Site in the A-2-3 (General Agriculture) Zoning District through Williamson Act Cancellation Application No. 2005-01 and Tentative Parcel Map Application No. 2005-39, Clipper Ranch, and Related Actions [\(view item\)](#)

6:45 p.m. Public Hearing to Consider Adopting a Resolution of Necessity to Initiate and Complete Eminent Domain Proceedings to Acquire Property from The Fruit Yard and Jesse L. Welch, Sr., et. al., for Construction of the Albers/Geer/SR 132 Intersection Improvements; and, to Authorize County Counsel to Initiate Eminent Domain Proceedings to Condemn the Subject Properties [\(view item\)](#)

VII. Correspondence

1. 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 disaster area as a result of the unprecedented rainfall and severe weather conditions that occurred from December 17, 2005, through April 26, 2006. [\(view item\)](#)
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures and to the Office of Emergency Services.)
2. This Board has received letters regarding the appropriateness of scheduled library programs at the Stanislaus County Libraries from the following organizations: the California Library Association, the Stanislaus County Library Advisory Board, Friends of the Oakdale Library and the American Civil Liberties Union. [\(view item\)](#)
(Recommendation: Refer to the Chief Executive Officer.)
3. This Board has received a letter from the Governor's Office of Homeland Security regarding the timeliness of expenditures and federal reimbursements of grants received from the United States Department of Homeland Security. [\(view item\)](#)
(Recommendation: Refer to the Chief Executive Office-Office of Emergency Services.)

4. This Board has received the following claims: Peggy Blacksher and George J. Faustino.
(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