



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

1010 Tenth Street, Suite 6500, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4420

AGENDA

November 20, 2007

Special Meeting
5:30 P.M.

Regular Meeting
6:30 P.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

Special Meeting
5:30 P.M.

- I. Closed Session: Conference with Legal Counsel: Existing Litigation: Clark & Sullivan Builders, Inc. vs. County of Stanislaus, Stanislaus County Superior Court Case No. 612057. Government Code Section 54956.9. Public Employee Performance Evaluation – Stanislaus County Agricultural Commissioner and Sealer of Weights and Measures. Government Code Section 54957(b)(1).

**Regular Meeting
6:30 P.M.**

II. Pledge of Allegiance to the Flag

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for November 6, 2007 ([View Item](#))
- * 2. Approval of Appointments of:
 - a. Mary Ann Lee to the Children and Families Commission ([View Item](#))
 - b. Joe S. Nunes and David D. Sundy, Jr. to the Westport Fire Protection District Board of Directors ([View Item](#))
 - c. Mike Dompe to the Newman Drainage District Board of Directors ([View Item](#))
 - d. Robert Woolley to the Hickman Municipal Advisory Council ([View Item](#))
 - e. Lori Buendia to the Stanislaus County Children's Council ([View Item](#))
 - f. Anthony Smith to the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))
- * 3. Approval of Reappointments of:
 - a. William P. Cerutti and Doug Lucas to the Newman Drainage District Board of Directors ([View Item](#))
 - b. C. Bruce Orvis and Roy J. Orlando to the Rock Creek Water District Board of Directors ([View Item](#))
 - c. Nora Gonzales, Flora Carter and Christy Streit to the Empire Sanitary District Board of Directors ([View Item](#))
 - d. Tony Bravo and Don Grischott to the Westley Community Services District Board of Directors ([View Item](#))
 - e. Aaron Trott to the Reclamation District #2091 Board of Directors ([View Item](#))
 - f. Judith Perez to the Empire Municipal Advisory Council ([View Item](#))
- * 4. Approval to Consolidate the Advisory Measure Relating to the Amendment of the City of Modesto Charter Election with the Presidential Primary Election on February 5, 2008 ([View Item](#))
- * 5. Approval of Request from Friends of Patrick McGill for Use of Woodward Reservoir Park Area for a Bike Ride on Saturday, November 24, 2007 ([View Item](#))
- * 6. Approval to Rescind the Consolidation of the City of Oakdale Transient Occupancy Tax Ballot Measure with the Presidential Primary Election on February 5, 2008 ([View Item](#))
- * 7. Approval to Proclaim December 2007 as Drunk and Drugged Driving (3D) Prevention Month in Stanislaus County ([View Item](#))
- * 8. Approval of Request from the City of Modesto for Use of the Courthouse Lawn on February 19 and 20, 2008 for the Stage Three Start of the Amgen Tour of California Bicycle Race ([View Item](#))
- 9. Acceptance of the Clerk-Recorder's Certified Statement of the Results of the Consolidated District Election Held Tuesday, November 6, 2007 and Declare the Results ([View Item](#))

B. Chief Executive Office

- * 1. Approval of Total Appropriations/Budgetary Limit for Fiscal Year 2007/2008 - Auditor-Controller ([View Item](#))

- * 2. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the Following Properties:
 - a. 3707 E. Monte Vista Avenue, Ceres, CA, CE No. 07-265 ([View Item](#))
 - b. 527 Leon Avenue, Modesto, CA, CE No. 07-225 ([View Item](#))
 - c. 523 Leon Avenue, Modesto, CA, CE No. 07-244 ([View Item](#))
- * 3. Approval to Accept Mental Health Services Act Prevention and Early Intervention Community Program Planning Funds and Increase Appropriations and Estimated Revenue - Behavioral Health and Recovery Services ([View Item](#))
- * 4. Approval of Final Acceptance of the Security Fencing for the Paradise Medical Office Employee Parking Area at 401 Paradise Road, Modesto, CA by Carter Commercial Construction of Merced, CA - Chief Executive Office ([View Item](#))
- * 5. Approval to Close Out Contracts with PCD (Audio-Visual), Fluoresco Lighting & Signs Maintenance Corp., Inc. (Signage), STC General Building Contractor, Inc.(Concessions), Keller Group (Furnishings), ISEC, Inc. (Interior Finishes), and AB Construction 1, Inc. (Floors and Wall Covering); and, Authorize Filing of Notice of Completion for Clark & Sullivan Builders, Inc. for the Gallo Center for the Arts Project - Chief Executive Office ([View Item](#))
- * 6. Declaration of Impasse and Approval to Implement the Last, Best and Final Offer From the County to the Lieutenant and Custodial Lieutenant Bargaining Unit Represented by the Stanislaus County Sheriff's Management Association ([View Item](#))
- 7. Approval to Implement a Student Internship Program - Chief Executive Office ([View Item](#))

C. Department of Public Works

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Section 11.04.050 of the Stanislaus County Code by Adding a 40 Miles-Per-Hour Speed Zone on Blossom Road in the Waterford Area ([View Item](#))
- * 2. Approval of Amendment One to the State Route 99/165 Memorandum of Understanding with the City of Turlock, Stanislaus Council of Governments, County of Merced, and Merced County Association of Governments ([View Item](#))
- * 3. Approval to Increase the Construction Budget for the Sperry Avenue Reconstruction Project (Rogers Road to Baldwin Road) ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance Amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2007 Edition of the California Building Standards Code and to Set a Public Hearing on December 11, 2007 at 9:20 a.m., and to Cancel the Original Public Hearing Date of December 4, 2007 at 9:20 a.m. ([View Item](#))
- * 2. Approval to Rescind All or a Portion of Williamson Act Contract No. 1974-1752 (W. Service Road, West of Jennings Road, in the Modesto Area) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2007-35 - DeMartini/Blom ([View Item](#))

E. County Counsel

- * 1. Approval of a Revised Employment Agreement Between Stanislaus County and Chief Executive Officer Richard W. Robinson ([View Item](#))

VI. Scheduled Matters

- 6:40 p.m. Public Hearing to Approve the District Attorney and Sheriff Expenditure Plans for State Supplemental Law Enforcement Services Fund ([View Item](#))

VII. Correspondence

1. This Board has received a copy of Form 10-Q for the quarter ended September 30, 2007 for the Covanta Energy Corporation per the sublease agreement between Stanislaus Waste-to-Energy Financing Agency and Covanta Stanislaus, Inc.
(Recommendation: Refer to the Department of Environmental Resources.) ([View Item](#))
2. This Board has received a letter from John Chiang, California State Controller, regarding litigation against the United States Secretary of the Department of Interior concerning the legality of certain provisions of its 2002 guidelines purportedly applicable to oil, gas and mineral royalty audits performed by the State.
(Recommendation: Refer to the Auditor-Controller and County Counsel.) ([View Item](#))
3. This Board has received the following claims: Patricia Bettencourt; Roberto Lopez; Estate of Byran (Brayan) Armenta Lopez; Roberto Lopez Valenzuela; Aida Lopez Verdugo; Jesus Andres Villareal; Brenda Lopez; Atilano (Aguilano) Armenta Lopez; Aracely Lopez; Rosario Verdugo; Estate of Diana Julissa Villareal; Estate of Ramona Lopez Verdugo; Michael Rossini, Jr.; Estate of Maricruz Corral deceased, Estate of Ivan Corral, Estate of Lucio A Corral and Lucio Rodriguez individually and as a successor in interest to Maricruz Corral, Ivan A. Corral and Lucio A. Corral; Daryl Ryan Gibson; and Frankie Haney.
(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

- A. Approval to Adopt Official County Position on Pending Legislative Bill and/or State Budget Issue
- Public Library Foundation ([View Item](#))

X. Adjournment