



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

May 6, 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:
 - A. May 2008 as Asthma Awareness Month in Stanislaus County
 - B. May 2008 as Older American Month in Stanislaus County

C. May 2008 as Elder and Dependent Adult Abuse Awareness Month in Stanislaus County

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for April 22, 2008 ([View Item](#))
- * 2. Approval to Adopt and Waive the Second Reading of Ordinances:
 - a. C.S. 1034 to Amend the Indigent Cremation/Burial Fees to Cover Basic Costs of Cremation and/or Burial in the Sheriff's Department Coroner's Division ([View Item](#))
 - b. C.S. 1035 to Establish New Fees for the Clerk Recorder's Department ([View Item](#))
 - c. C.S. 1036 to Establish New Fees and Amend Existing Fees for the Department of Environmental Resources ([View Item](#))
 - d. C.S. 1038 to Establish New Fees for the Assessment Appeals Board ([View Item](#))
 - e. C.S. 1040 to Establish the Stanislaus Family Justice Center Commission ([View Item](#))
- * 3. Acceptance of the Resignations of:
 - a. Vicki Bauman from the Advisory Board on Substance Abuse Programs ([View Item](#))
 - b. Doris Foster from the Child Abuse Prevention Council ([View Item](#))
- * 4. Acceptance of Vacancies on:
 - a. the Stanislaus County Animal Advisory Board ([View Item](#))
 - b. the Rock Creek Water District Board of Directors ([View Item](#))
- * 5. Approval of Appointment of Gurnam Hayre to the Stanislaus County Economic Development Action Committee ([View Item](#))
- * 6. Approval to Proclaim:
 - a. May 11-18, 2008 as AmeriCorps Week in Stanislaus County ([View Item](#))
 - b. May 2008 as Foster Care Awareness Month and May 15, 2008 as Foster Parent and Relative Care Provider Appreciation Day in Stanislaus County ([View Item](#))
 - c. May 2008 as Mental Health Month in Stanislaus County ([View Item](#))
 - d. May 6-12, 2008 as Nurses Week in Stanislaus County ([View Item](#))
- * 7. Approval to Accept the Clerk-Recorder's Certified Statement of the Results of the Oak Valley Hospital District Special Election Held Tuesday, April 29, 2008, and Declare the Results ([View Item](#))
- * 8. Approval of Request from the Hobiecat Division 3 for Use of the Woodward Reservoir for their 17th Annual Regatta on May 16, 17 and 18, 2008 ([View Item](#))
- * 9. Approval of the Conflict of Interest Code for the Stanislaus County Child Abuse Prevention Council ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Set a Public Hearing on May 20, 2008 at 6:35 p.m. to Adopt the Property Tax Administration Cost Recovery Plan for Fiscal Year 2007-2008 – Auditor-Controller ([View Item](#))
- * 2. Approval to Retain the Certified Public Accounting Firm of Brown Armstrong Accountancy Corporation to Conduct the Annual County Audit for Fiscal Year Ending June 30, 2008 – Auditor-Controller ([View Item](#))

- * 3. Approval to Destroy Backup Tapes Greater than 24 Months Old in Accordance with Records Retention Requirements – Chief Executive Office ([View Item](#))
- * 4. Approval to Apply for and Accept Grant Funding for Boating Safety and Enforcement from the State of California, Department of Boating and Waterways – Sheriff ([View Item](#))
- * 5. Acceptance of the Stanislaus County Treasury Pool’s March 2008 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- * 6. Approval to Expand the Boundaries for the South Modesto Municipal Advisory Council and Amend their Bylaws Including the Boundary Map and Legal Descriptions – Chief Executive Office ([View Item](#))
- 7. Consideration and Approval of the Third Quarter Financial Report for Fiscal Year 2007-2008, Transfers from Appropriations for Contingencies, Increase the Budget, and Set a Public Hearing for the Consideration and Adoption of the Fiscal Year 2008-2009 Proposed Budget – Chief Executive Office ([View Item](#))

C. Department of Public Works

- * 1. Approval to Award Contract to Pacific Excavation, Inc., of Elk Grove, California, for the Sisk Road at Bangs Avenue Traffic Signal, Federal Aid-Project No. CML-5938(139) ([View Item](#))
- * 2. Approval and Acceptance of the Subdivision Off-Site Improvements for Hillsborough Estates Subdivision (in east Oakdale) ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Rescind All or a Portion of Williamson Act Contract No. 1973-1236 and 1973-1283 (Hart and Beckwith Roads, West of Modesto) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2008–03, Christiansen-Beck ([View Item](#))
- * 2. Approval to Rescind All or a Portion of Williamson Act Contract No. 1971-137 and 1972-729 (Moran Road, Southwest of the Community of Crows Landing) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2007–48, Correia-Hansen ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 9:15 a.m. Public Hearing to Consider Amending the Fire Protection Facilities Fees for the Salida Fire Protection District to be Imposed Upon New Development that Occurs Within the District ([View Item](#))
- 9:20 a.m. Public Hearing to Consider the Introduction and Waiving of the First Reading of an Ordinance Amending Existing Parties of Interest Research Fees for the Treasurer-Tax Collector’s Office ([View Item](#))

VII. Correspondence

- 1. This Board has received a letter from Senator Boxer regarding her concerns of the adequate number of Federal firefighting forces in the U.S. Forest Service in California. (Recommendation: Refer to the Department of CEO-Office of Emergency Services.) ([View Item](#))

2. This Board has received a letter from Indalex, Inc., regarding their plans to permanently close their Modesto facility located at 4555 North Star Way in Modesto, CA, with all employees at this facility being separated from the company, and the first separations are expected to occur during the 14-day period beginning on June 24, 2008, per the Worker Adjustment and Retraining Notification (WARN) Act.
(Recommendation: Refer to the Alliance Worknet, and the Stanislaus Economic Development and Workforce Alliance.) ([View Item](#))
3. This Board has received a letter from the Westport Fire Protection District requesting the implementation of a bi-annual audit instead of an annual audit.
(Recommendation: Refer to the Auditor-Controller.) ([View Item](#))
4. This Board has received a letter from Morrison Foerster, LLP, regarding Measure E (SOS Initiative) on the Salida Area Planning Initiative.
(Recommendation: Refer to County Counsel and the Department of Planning and Community Development.) ([View Item](#))
5. This Board has received the following claims: Larry Hayes; Anthony Navarro; Lydia Lopez; Claudia Gonzalez; Rebecca Nicole Hernandez Salamanca; Reina Maria Hernandez Salamanca; Roberto Hernandez Salamanca; Miguel Angel Salamanca; Maria Guadalupe Salamanca; Ruby Salamanca; Raul Salamanca Jr.; Juana Salamanca; Raul Salamanca; Ron Lawrence; Susan Backus; James Dean Chipponeri; Stefani King, for Trenton Bowers, a minor; Ambrosio Rodriguez; Luis Ortega; and, Lois Nuckolls.
(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 Legal Counsel - Existing Litigation: Committee Concerning Community Improvement, et al. vs. County of Stanislaus, et al., United States District Court, Eastern District California, Case No. SIV F 04-6121 LJO DLB. Government Code Section 54956.9.
Conference with Real Property Negotiator: Property: Stanislaus Waste-to-Energy Facility, 4040 Crows Landing Road, Crows Landing, California. Agency Negotiator: Richard Robinson. Owner Negotiator: Covanta Stanislaus, Inc. Under Negotiation: Both Lease Terms and Price. Government Code Section 54956.8.