



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

August 19, 2008

Special Meeting
5:15 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 shall be permitted to be heard once for up to 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.

Materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the Clerk's office at 1010 10th Street, Suite 6700, Modesto, CA during normal business hours. Such documents are also available online, subject to staff's ability to post the documents before the 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.

Special Meeting
5:15 P.M.

- I. Closed Session: Conference with Legal Counsel - Anticipated Litigation: One Case. Government Code Section 54956.9 (c). 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. Conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: California Nurses' Association (CNA); Stanislaus County Employees Association (SCEA)/AFSCME Local 10; Service Employees' International Union (SEIU), Local 535; Committee of Interns and Residents (CAIR/CIR); County Attorneys' Association (CAA); Deputy Sheriffs' Association (DSA); Stanislaus County Sheriffs Supervisors' Association (SCSSA); Stanislaus County Deputy Probation Officers' Association; Stanislaus Regional Emergency Dispatchers' Association; Stanislaus County Group Supervisors' Association; Stanislaus County Sheriff Management Association; and, Stanislaus County District Attorney Investigators' Association. Government Code Section 54957.6.

Regular Meeting
6:30 P.M.

- II. Pledge of Allegiance to the Flag
- III. Moment of Silence for Thomas Hawkins, Jr. from the Department of Animal Services
- IV. Presentation: August 2008 as Child Support Awareness Month in Stanislaus County
- V. Public Comment Period
- VI. Consent Calendar
- VII. Agenda Items
- A. Miscellaneous
- * 1. Approval of the Minutes for August 5, 2008 ([View Item](#))
 - * 2. Approval of a Vacancy on the Stanislaus County Parks and Recreation Commission ([View Item](#))
 - * 3. Approval of Appointments of:
 - a. Tim McKinsey to the Knights Ferry Community Services District Board of Directors ([View Item](#))
 - b. Casey Chadwick to the Keyes Community Services District Board of Directors ([View Item](#))
 - c. Aaron King to the Mountain-Valley Emergency Medical Services Regional Advisory Board ([View Item](#))
 - * 4. Approval to Consolidate with the Presidential General Election to be Held on Tuesday, November 4, 2008:
 - a. Ceres Unified School District Bond Election ([View Item](#))
 - b. Stanislaus Union Elementary School District Bond Measure Election ([View Item](#))
 - c. Patterson Joint Unified School District General Obligation Bond Election ([View Item](#))

- * 5. Approval to Proclaim, in Conjunction with National and Statewide Events, October 12 through October 18, 2008, as “Second Chance Week” in Stanislaus County – Environmental Resources ([View Item](#))
- * 6. Approval to Proclaim September 2008 as Alcohol and Drug Addiction Recovery Month in Stanislaus County ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the following Properties:
 - a. 109 Lita Court, Modesto, CA, CE No. 08-0012 ([View Item](#))
 - b. 418 Santa Rita Avenue, Modesto, CA, CE No. 08-0191 ([View Item](#))
- * 2. Approval of Internal Audit Division’s Audit Schedule for the Period July 2008 to June 2009 – Auditor-Controller ([View Item](#))
- * 3. Approval of Fiscal Year 2008-2009 Benefit Assessment Rates for Lighting Assessment Districts – Auditor-Controller ([View Item](#))
- * 4. Approval of a Contract for Services with Environmental Science Associates (ESA) to Provide Staff Support to the Stanislaus County Planning and Community Development Department and Redevelopment Agency for Preparation of a Redevelopment Plan for the County Owned Property at the Former Crows Landing Air Facility and to Provide On-Call Technical Support to the Environmental Impact Review and Analysis Process – Chief Executive Office ([View Item](#))
- * 5. Approval to Amend an Existing Agricultural Lease with Pride of San Juan Foods for Approximately 1112 Acres of County Owned Property at the Crows Landing Air Facility to allow for a One Year Lease Extension with Option to Extend the Lease for Additional One Year Terms Provided Both Parties Mutually Agree – Chief Executive Office ([View Item](#))
- * 6. Approval of the Stanislaus County California Children’s Services (CCS) and Child Health and Disability Prevention (CHDP) Plans for 2008-2009 – Health Services Agency ([View Item](#))
- * 7. Approval for the Salida Civic Association to Have Exclusive Use of Salida Park for the 9th Annual “Salida Town & Country Parade & Festival” to be held on August 23, 2008, and Waiver of Fees for the Exclusive Use – Parks and Recreation ([View Item](#))
- 8. Approval to Accept the Second Annual Report on the Effective Partnerships Goals and Performance Measures ([View Item](#))
- 9. Approval to Accept the Second Annual Report on the Healthy Community Goals and Performance Measures ([View Item](#))

C. Department of Public Works

- * 1. Approval to Award the Senior/Person With a Disability Transit Needs Assessment Study Contract to HDR Engineering, Inc. ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Rescind All or a Portion of Williamson Act Contract No. 1976-2317 (Valley Home Road, in Valley Home) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2008–15, Alan Patrick ([View Item](#))
- * 2. Approval to Rescind All or a Portion of Williamson Act Contract No. 1997-4351(Jackson and Beckwith Roads, West of Modesto) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2008–18, Bowman ([View Item](#))

E. County Counsel

VIII.Scheduled Matters

- 6:40 p.m. Public Hearing to Consider Planning Commission's Recommendation for Approval of General Plan Amendment Application No. 2007-03 and Rezone Application No. 2007-03, The Fruit Yard, a Request to Amend the General Plan Designation from Agriculture to Planned Development and to Rezone the Property from A-2-40 (General Agriculture) to PD (Planned Development) on a 45+/- Acre Site. This Would Authorize a Development Plan for the Fruit Yard Which Would Include a 9,000 Square Foot Banquet Facility, Relocation of the Existing Fueling Facilities, Construction of a 3,000 Square Foot Retail Shell Building, a 322 Space RV/Boat Storage, a 66 Space Travel Trailer Park, a New Facility for Fruit Packing, and a 2.00 Acre Site for Retail Tractor Sales. Outdoor Events and Entertainment are Proposed to Be Held on the Park Site. The Project is Located at 7948 Yosemite Boulevard/Highway 132 East of the Community of Empire and West of the City of Waterford. APN: 009-027-004 ([View Item](#))

IX. Correspondence

1. This Board has received a notice from the State of California Fish and Game Commission regarding a proposed emergency regulatory action designating the longfin smelt as a threatened or endangered species.
(Recommendation: Refer to the Department of Planning and Community Development, Department of Public Works and the Fish and Wildlife Committee.) ([View Item](#))
2. This Board has received letters from the Governor's Office of Emergency Services regarding the U.S. Department of Agriculture and the U.S. Small Business Administration's declaration of Stanislaus County as a contiguous to Alameda County as a disaster area due to the agricultural losses caused by drought and abnormal cold weather that occurred March 8, 2008, through June 17, 2008.
(Recommendation: Refer to the Agricultural Commissioner-Sealer of Weights and Measures and the Stanislaus Economic Development and Workforce Alliance.) ([View Item](#))
3. This Board has received a letter from Congressmen Nunes and Costa regarding a meeting on Thursday, August 21, 2008, in Fresno on the topic of the need to improve State Route 99.
(Recommendation: Refer to the Department of Public Works, the Chief Executive Office and Stanislaus Council of Governments.) ([View Item](#))
4. This Board has received a letter from the State Department of Toxic Substances Control requesting input on an environmental investigation at the Modesto Junior College, West Campus on 2201 Blue Gum Avenue in Modesto, CA, on a former military installation known as Hammond General Hospital.
(Recommendation: Refer to the Department of Environmental Resources.) ([View Item](#))
5. This Board has received a letter from Senator Cogdill clarifying his position on borrowing from Proposition 1A and Proposition 42.
(Recommendation: Refer to the Chief Executive Officer.) ([View Item](#))

6. This Board has received a notice from the State Water Resources Control Board regarding the temporary transfer of water from the San Luis Reservoir to Fresno County due to the severe water shortages in the Central Valley.
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures.)
([View Item](#))

7. This Board has received the following claims: Touch Siv; Simontha Ngeth; Jesus Lopez; Christina Underwood; Chares Reyes and Julia Reyes ; Patton Souphaphone; Debra Harper; Teresa Rodriquez; Sean Howard; and, Maximilano Nanez.
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

X. Board of Supervisors' Reports

XI. Legislative, Fiscal and Management Report – Chief Executive Officer

XII. Adjournment