



**BOARD OF SUPERVISORS**

**William O'Brien, 1<sup>st</sup> District**  
**Thomas W. Mayfield, 2<sup>nd</sup> District**  
**Jeff Grover, 3<sup>rd</sup> District**  
**Dick Monteith, 4<sup>th</sup> District**  
**Jim DeMartini, 5<sup>th</sup> District**

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

**AGENDA**

November 18, 2008

**Special Meeting**  
**6:00 P.M.**

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

Chambers – Basement Level  
1010 10<sup>th</sup> Street  
Modesto, California  
[www.stancounty.com/board/index.shtm](http://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.

**PUBLIC COMMENT PERIOD:** 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. Please complete a Public Comment Form and give it to the Clerk of the Board.

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 as a single action at the beginning of the meeting under the section titled "Consent Calendar" without discussion. If you wish to discuss an item on the Consent Calendar, please notify the Clerk of the Board prior to the beginning of the meeting or you may speak about the item during Public Comment Period.

**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.

**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](http://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 10<sup>th</sup> 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](http://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](http://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](http://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  
6:00 P.M.**

- I. Closed Session: Conference with Legal Counsel - Anticipated Litigation - One Case. Government Code Section 54956.9(c).

**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 4, 2008 ([View Item](#))
- \* 2. Approval of Appointment of Kenneth Hanigan to the Commission on Aging ([View Item](#))
- \* 3. Approval to Accept the Resignations of Stan Duck and George Shaffer and Approval of the Appointments of Guillermo Marrero and Bryan Domyan to the Western Hills Water District Board of Directors ([View Item](#))
- \* 4. Approval of the Amendment to the Conflict of Interest Code for the Salida Union School District ([View Item](#))
- \* 5. Approval of the 2009 Meeting Calendar for the Stanislaus County Board of Supervisors ([View Item](#))
- \* 6. Approval to Proclaim December 2008 as National Drunk and Drugged Driving (3D) Prevention Month in Stanislaus County ([View Item](#))

B. Chief Executive Office

- \* 1. Approval of Fiscal Year 2008/2009 High Risk Pest Inspection Contract with the California Department of Food and Agriculture – Agricultural Commissioner ([View Item](#))
- \* 2. Approval and Adoption of Proposed Amendments to the Mental Health Board Bylaws – Behavioral Health and Recovery Services ([View Item](#))
- \* 3. Approval to Award the Construction Contract for the Emergency Power and Fire Suppression System Improvements at the Sheriff’s Operations Center to the Lowest Responsible Bidder, Greg Opinski Construction, Inc. – Chief Executive Office ([View Item](#))
- \* 4. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board Regarding CE No. 08-0434 at 801 Spencer Avenue, Modesto, California – Environmental Resources ([View Item](#))
- \* 5. Approval to Award the Contract for Preparation of a Revised Solid Waste Facility Permit Application and Completion of an Initial Study to Shaw Environmental, Inc., for the Fink Road Landfill – Environmental Resources ([View Item](#))
- \* 6. Approval to Declare County Vehicles as Surplus and Authorize the Sale of These Vehicles – General Services Agency ([View Item](#))
- \* 7. Approval to Accept the Report of Annual Inspection/Evaluation of Local Jail/Detention Facilities Pursuant to Section 101045 of the State of California Health and Safety Code – Health Services Agency ([View Item](#))

- \* 8. Approval to Submit an Application to the California Department of Public Health for Funding Allocation of \$874,238 Under the Centers for Disease Control and Prevention and Hospital Preparedness Program 2008-09 Program Guidance, and the State General Fund Pandemic Influenza, Public Health Emergency Preparedness Comprehensive Agreement Application 2008-09 – Health Services Agency ([View Item](#))
- \* 9. Approval to Authorize the Purchasing Agent to Enter into a Five-Year Master Enterprise Agreement with Compucom Corporation for the Purchase of Microsoft Products – Chief Executive Office ([View Item](#))
- \* 10. Approval to Set Public Hearing on December 16, 2008, at 6:45 p.m. for Authorization of Stanislaus County District Attorney and Stanislaus County Sheriff’s Department Expenditure Plans for the State Supplemental Law Enforcement Services Fund (SLESF) – Sheriff’s Department ([View Item](#))
- \* 11. Approval to Enter into a Memorandum of Understanding with the City of Patterson for the Design, Development and Construction of an Intermodal Bus Transfer Facility in Patterson – Public Works ([View Item](#))
- \* 12. Approval to Authorize an Amendment to the Fink Road Farm Lease Agreement with LBFI I-5 Lease Limited Partnership to Purchase Additional Water Supply from the Del Puerto Water District for Fiscal Year 2008/2009 – Environmental Resources ([View Item](#))
- 13. Acceptance of the Advisory Board on Substance Abuse Programs Annual Report for Fiscal Year 2007/2008 – Behavioral Health and Recovery Services ([View Item](#))

C. Department of Public Works

- \* 1. Approval to Introduce and Waive the First Reading of an Ordinance Adding Chapter 14.14 to the County Code Relating to Storm Water Management and Discharge Control ([View Item](#))
- \* 2. Approval of Master Agreement for Professional Services with Aspen Survey Company of Modesto, California for Consulting Engineering and Surveying Services ([View Item](#))
- \* 3. Approval to Adopt a Resolution Initiating Proceedings for the Formation of the Beard Industrial Lighting District ([View Item](#))
- \* 4. Approval of the Cooperative Agreement No. 10-312 with the State of California, Department of Transportation (Caltrans) for the State Route (SR) 99/Kiernan Road Interchange Project ([View Item](#))
- \* 5. Approval of the Cooperative Agreement No. 10-327 with the State of California, Department of Transportation (Caltrans) for the State Route (SR) 99/Hammett Road Interchange Project ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Rescind All or a Portion of Williamson Act Contract No. 1976-2403 (Kiernan Avenue, Modesto) and Contract No. 2005-4572 (Kiernan Avenue, Modesto) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2008–25, Rodarakis ([View Item](#))
- \* 2. Approval to Rescind All or a Portion of Williamson Act Contract No. 80-3728 (Wellsford Road, Modesto) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2008–24, Blakemore and Steele ([View Item](#))
- 3. Approval to Amend the Community Development Block Grant Consolidated Plan and FY 2008-2009 Annual Action Plan to Incorporate the Housing and Urban Development (HUD) Neighborhood Stabilization Program Funding ([View Item](#))

E. County Counsel

VI. Scheduled Matters

VII. Correspondence

1. This Board has received a letter from the State of California Department of Transportation regarding the release of the Notice of Preparation for the Draft Environmental Impact Report for the North County Corridor-Stanislaus County Connector Project.  
(Recommendation: Refer to the Department of Public Works.) ([View Item](#))
2. This Board has received a letter from Orange County Supervisors regarding the change in State policy related to financial assurance for habitat mitigation projects that will impact counties and cities.  
(Recommendation: Refer to the Chief Executive Officer, Department of Planning and Community Development and Department of Public Works.) ([View Item](#))
3. This Board has received a notice from the State of California Fish and Game Commission regarding proposed emergency regulatory action relating to incidental take of longfin smelt.  
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))
4. This Board has received a letter from the U.S. Department of Justice Federal Bureau of Prisons, United States Penitentiary – Atwater, regarding their Federal Prison Industries (UNICOR) program that operates an electronic recycling factory.  
(Recommendation: Refer to the Strategic Business Technology Department and the General Services Agency.) ([View Item](#))
5. This Board has received a letter from the State of California Department of Finance regarding Stanislaus County’s share of the shift of property tax revenue funds from Redevelopment Agencies to K-12 schools.  
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))
6. This Board has received the following claims: Dennis Tillery; Drindh F. Kipp; Gilliam Joy Stephens; Robin T. Harrison and Susan Newman; Shawn Haddad; Joseph R. Ferro; Ashlee Storts, a Minor; Danielle Baker, a Minor; and Misty Baker, a Minor; and, Terry P. Bailey, Jr.  
(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