



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 25, 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.

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.

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.

I. Pledge of Allegiance to the Flag

II. Presentation: Stanislaus County Safety Leadership Recognition

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for November 18, 2008 ([View Item](#))
- * 2. Acceptance of Resignation from Ken Bays from the West Stanislaus Resource Conservation District Board of Directors ([View Item](#))
- * 3. Approval of Appointment In-Lieu of Election of Jeff Mello to the WestSide Community Healthcare District Board of Directors ([View Item](#))
- 4. Approval to Accept the Clerk-Recorder's Certified Statement of the Results of the Presidential General Election Held on Tuesday, November 4, 2008; and, Declare the Results ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Accept the Auditor-Controller's Report on Stanislaus County's Revolving Funds as of June 30, 2008 ([View Item](#))
- * 2. Approval of Total Appropriations/Budgetary Limit for Annual Appropriations of Tax Revenues for Fiscal Year 2008-2009 in Accordance with the Provisions of Proposition 4 and Proposition 111 – Auditor-Controller ([View Item](#))
- * 3. Acceptance of Mental Health Services Act Prevention and Early Intervention Funds and Approval to Assign Prevention and Early Intervention Funds to California Department of Mental Health and Authorization to Amend the Agreement with the California Department of Mental Health for Prevention and Early Intervention – Behavioral Health and Recovery Services ([View Item](#))
- * 4. Acceptance of Mental Health Services Act Community Services and Support Funding Augmentation for Community-Based Mental Health Services and Approval to Amend the Agreement with the State Department of Mental Health and Increase the Budget – Behavioral Health and Recovery Services ([View Item](#))
- * 5. Approval for the Closure of County Offices for the Full Day on December 26, 2008 and January 2, 2009, and Approval to Provide Employees, Not Otherwise Required to Work, the Option of Working in their Assigned Duties, or Using Vacation or Compensatory Time Off for the Dates Indicated – Chief Executive Office ([View Item](#))
- * 6. Approval to Hold a Public Dedication Ceremony on December 30, 2008, at 3:30 p.m., for Ryan's Reading Tree at the Stanislaus County Library - Modesto Library Children's Room and Related Actions – Chief Executive Office ([View Item](#))
- * 7. Approval of the Medi-Cal Data Privacy and Security Agreement between the Community Services Agency and the California Department of Health Care Services (DHCS) to Ensure the Privacy and Security of Medi-Cal Personally Identifiable Information (PII) – Community Services Agency ([View Item](#))
- * 8. Approval to Amend the Agreement with Stearns, Conrad, and Schmidt, Consulting Engineers, Inc., for Environmental Monitoring, Testing, and Reporting Services, at the Fink Road and Geer Road Landfills, and Operations, Maintenance, and Monitoring Services at Geer Road Landfill – Environmental Resources ([View Item](#))
- * 9. Approval of Requests for Use of the Courthouse Lawn and Waiver of Fees from:
 - a. City of Modesto on December 6, 2008 for their Annual Celebration of Lights Parade – Parks and Recreation ([View Item](#))

- b. Stanislaus County District Attorney's Victim Services Division on December 9, 2008, for their 11th Annual Homicide Victims' Memorial Tree Lighting Ceremony and Candlelight Vigil – Parks and Recreation ([View Item](#))
- * 10. Approval to Accept the Stanislaus County Treasury Pool's October 2008 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- * 11. Approval of the Design, Plans and Specifications to Improve and Upgrade the Electronic Security and Fire Alarm Systems at The Juvenile Justice Center and Call for Bids – Chief Executive Office ([View Item](#))
- * 12. Approval to Accept the Fiscal Year 2008 State Homeland Security Grant for the Enhancement of Local Emergency Prevention and Response to Terrorist Events, and Establish the Budget – Office of Emergency Services ([View Item](#))
- * 13. Approval to Award the Construction Contract for the Tenant and Site Improvements of the Unfinished Space of the 5th Floor of the 12th Street Office Building to the Lowest Responsible Bidder, Simile Construction Service, Inc. – Chief Executive Office ([View Item](#))
- * 14. Approval to Apply for a Juvenile Accountability Block Grant for Gang Intervention from the State Corrections Standards Authority to Provide Services to Ensure Accountability for Youthful Gang Offenders – Probation ([View Item](#))
- 15. Approval of a Revised Strategy for Managing Franchise Refuse Collection in Franchise Area No. 3 in the Unincorporated Areas of Stanislaus County and to Amend the Agreement with HF&H, LLC, for Additional Refuse-Related Consulting Services – Environmental Services ([View Item](#))

C. Department of Public Works

- * 1. Approval of a Resolution Adopting the Stanislaus Council of Governments Non-Motorized Transportation Plan as the Stanislaus County Bicycle Transportation Plan ([View Item](#))
- * 2. Approval of Purchase Agreement to Acquire Road Right-of-Way Easement for the Las Palmas Avenue at Elm Avenue Intersection Project, Parcel Owners Phillip and Elizabeth Carlson, APN: 048-004-001; Ronald Fantozzi, APN: 047-036-007; and Burta L. Herger, APN: 048-003-005 ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Set a Public Hearing for December 16, 2008, at 6:40 p.m., to Consider General Plan Amendment No. 2008-05, a Minor Text Amendment to Add the Stanislaus County Multi-Jurisdictional Hazard Mitigation Plan to the Safety Element of the General Plan ([View Item](#))

E. County Counsel

VI. Scheduled Matters

VII. Correspondence

- 1. This Board has received Form 10-Q from Covanta Energy Corporation for the 3rd Quarter ended September 30, 2008, regarding the Stanislaus Waste-to-Energy Financing Agency and Covanta Stanislaus, Inc. ([View Item](#))
(Recommendation: Refer to the Department of Environmental Resources.)

2. This Board has received a letter from the Federal Emergency Management Agency regarding information on properties within Stanislaus County that are located within an identified Special Flood Hazard Area. ([View Item](#))
(Recommendation: Refer to the Department of Planning and Community Development, Department of Public Works and the Chief Executive Office-Office of Emergency Services.)
3. This Board has received a letter from the Stanislaus County Superintendent of Schools regarding the 2008 Williams/Valenzuela Report for Stanislaus County Schools. ([View Item](#))
(Recommendation: Acknowledge receipt of report.)
4. This Board has received a letter from the City of Modesto and the City of Ceres regarding animal control services in Stanislaus County. ([View Item](#))
(Recommendation: Refer to the Chief Executive Office.)
5. This Board has received the following claims: Seren Oldham; Tajinder Singh Aujla; and, Jefferson W. Hester.
(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 - 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(a).