



**BOARD OF SUPERVISORS**

**William O'Brien, 1<sup>st</sup> District**  
**Vito Chiesa, 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**

January 6, 2009

8:30 A.M.

Stanislaus County Swearing-In Ceremony

9:00 A.M.

Stanislaus County Board of Supervisors Meeting

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.

- I. Pledge of Allegiance to the Flag
- II. Election of the 2009 Chairman and Vice-Chairman of the Stanislaus County Board of Supervisors
- III. Public Comment Period
- IV. Consent Calendar
- V. Agenda Items
  - A. Miscellaneous
    - \* 1. Approval of the Minutes for December 16, 2008 ([View Item](#))
    - \* 2. Approval to Adopt and Waive the Second Reading of Ordinances:
      - a. C.S. 1048 to Amend Sections 11.08.040 and 11.08.110 of the Stanislaus County Code, Amending Green Curb Markings on Maud Avenue in the Keyes Area; and, Amending Blue Curb Markings on Elm Street in the Denair Area – Public Works ([View Item](#))
      - b. C.S. 1049 to Amend Sections 11.08.020 and 11.08.120 of the Stanislaus County Code, Amending No Parking Anytime Zones on Rodden Road and Rancheria Drive in the Northeast Oakdale Area; and, Amending No Truck Parking Zones on Seventh Street in the Keyes Area and Paradise Road and Florette Avenue in the West Modesto Area – Public Works ([View Item](#))
      - c. C.S. 1050 to Approve the Amended Modesto Redevelopment Plan Clarifying that the Land Uses Described in the Plan Match the City of Modesto General Plan and the Redevelopment Agency’s Master Plan – County Counsel ([View Item](#))
    - \* 3. Acceptance of the Resignation of Douglas Humphreys from the Hughson Fire Protection District Board of Directors ([View Item](#))
    - \* 4. Approval of Appointment of:
      - a. Vanessa Czopek to the Earl Pride Scholarship Committee ([View Item](#))
      - b. James Baron McKay to the Airport Advisory Committee ([View Item](#))
      - c. Tom DeLaMare to the Stanislaus County Planning Commission ([View Item](#))
      - d. Monica Sandoval to the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))
      - e. Councilman Brad Hawn to the Economic Development Action Committee ([View Item](#))
    - \* 5. Approval of Reappointment of:
      - a. Gabe Juarez, Angelo Clay and Leticia Ruano to the Youth Advisory Council of the Stanislaus Economic Development and Workforce Alliance ([View Item](#))
      - b. Lynn S. Goldstein, Jeffery McCardia, Jeff Gullo, Lenore Maurice and Michael Shinkel to the Advisory Board on Substance Abuse Programs ([View Item](#))
      - c. Annabel Gammon to the Stanislaus County Planning Commission ([View Item](#))
      - d. David Duran, Michael Lynch, Charles Stone and Ron West to the Tuolumne River Regional Park Citizens Advisory Committee ([View Item](#))
      - e. Jim Hughes and Ron Macedo to the Turlock Rural Fire Protection District Board ([View Item](#))
      - f. Augusta Farley and Andrea Lotz to the Stanislaus County Animal Advisory Board ([View Item](#))
      - g. Vee Hooper and Ronald Swift to the Patterson Cemetery District Board ([View Item](#))
      - h. Kay Dunkel, Michael Franck, Mark MacKenzie and Dennis Shuler to the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))

- i. Robert Brooks, Norman Crow and Anthony Duraio to the West Stanislaus Resource Conservation District Board ([View Item](#))
- j. Terrance Withrow to the Assessment Appeals Board ([View Item](#))
- k. Robert Nickerson, Timothy Ragsdale, Felix Reichmuth, James Shade and D.C. Vient to the Building Code Appeals Board ([View Item](#))
- l. Ron Greenwood and Neil Van Duyn to the East Side Mosquito Abatement District Board ([View Item](#))
- m. Gary Hinshaw to the Emergency Medical Services Committee ([View Item](#))
- n. Charlotte Kollmeyer to the Housing Authority of the County of Stanislaus ([View Item](#))
- o. Mary Burch, Jose Cisneros and Connie Mueller to the In-Home Supportive Services Advisory Committee ([View Item](#))
- p. John Doering, Jeffrey Olson and Bruce Ramsey to the Law Library Board of Trustees ([View Item](#))
- q. Mike Lucas to the Mountain View Volunteer Fire Protection District Board ([View Item](#))
- r. Betty Parker to the Parks and Recreation Commission ([View Item](#))
- s. Jan Gauthier to the Earl Pride Scholarship Committee ([View Item](#))
- \* 6. Approval of the 2009 Stanislaus County Board of Supervisors Committee Assignments ([View Item](#))

**B. Chief Executive Office**

- \* 1. Approval of the Allocation for Highway Property Rental Revenue of \$27,212.17 – Auditor-Controller ([View Item](#))
- \* 2. Approval and Adoption of Proposed Second Amendment to the Advisory Board on Substance Abuse Programs Bylaws – Behavioral Health and Recovery Services ([View Item](#))
- \* 3. Approval of Appointment of the 2009 Discipline/Equal Employment Opportunity (EEO) Grievance Appeals Board – Chief Executive Office ([View Item](#))
- \* 4. Approval to Extend an Existing Lease of County Space at 1010 Tenth Street, Suite 5800 to Congressman Dennis Cardoza Until January 2, 2011 – Chief Executive Office ([View Item](#))
- \* 5. Approval to Use \$27,000 of Emergency Services Public Facilities Fees to Purchase and Install Audio-Visual Office Equipment to Support the Office of Emergency Services Function and Adjust the Budget – Office of Emergency Services/Fire Warden ([View Item](#))
- \* 6. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board Regarding CE No. 08-0338 at 508 Imperial Avenue, Modesto, CA – Environmental Resources ([View Item](#))
- \* 7. Approval of the Authorization to Apply for a Waste Tire Clean-up and Amnesty Event Grant from the California Integrated Waste Management Board and if Awarded, Accept and Administer the Grant – Environmental Resources ([View Item](#))
- \* 8. Approval to Fund the Development of the Phase VI Groundwater Models for the Stanislaus and Tuolumne Rivers Groundwater Basin Association – Environmental Resources ([View Item](#))
- \* 9. Approval for Boy Scout Troop No. 9 to Have Exclusive Use of the Kiwanis Camp from January 9, 2009 to January 11, 2009 for Overnight Camping Activities and Waiver of Fees for the Exclusive Use – Parks and Recreation ([View Item](#))
- \* 10. Approval to Accept the Stanislaus County Treasury Pool’s November 2008 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))

- \* 11. Approval to Authorize an Increase of the Real Estate Fraud Fee from Two Dollars (\$2.00) to Three Dollars (\$3.00) for virtually all Real Estate Transactions Filed in Stanislaus County – District Attorney ([View Item](#))
- 12. Approval of Contract with the California Department of Public Health for the Women, Infants, and Children (WIC) Supplemental Nutrition Program, from October 1, 2008 through September 30, 2011 and Adjust the Budget – Health Services Agency ([View Item](#))

C. Department of Public Works

- \* 1. Approval of Cooperative Agreement No. 10-337 with the State of California, Department of Transportation for the Installation of Emergency Vehicle Signal Pre-emption Equipment at the Carver Road, Tully Road and State Route 108 (McHenry Ave) Intersections for the State Route (SR) 219 Widening Project, Phase 2 ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Accept the Stanislaus County Redevelopment Agency Fiscal Year 2007/08 Financial Report and Annual Audit; Acceptance of the 2007/08 Redevelopment Agency Activities Report; and, Authorization to Submit to the California State Department of Housing and Community Development (HCD) ([View Item](#))

E. County Counsel

VI. Scheduled Matters

VII. Correspondence

1. This Board has received a copy of the California Department of Transportation video “California’s General Aviation Airports: Links to Vitality” and brochure “Airport Land Use Compatibility Planning in California.  
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))
2. This Board has received a notice from the San Francisco Planning Department regarding a public hearing on the Draft Environmental Impact Report for the San Joaquin Pipeline System Project to be held at Thomas Downey High School in Modesto on Tuesday, January 13, 2009.  
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))
3. This Board has received a letter from the National Fair Housing Alliance regarding fair housing as it pertains to Community Development Block Grants (CDBG).  
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))
4. This Board has received a notice of the first meeting of the County Fish and Game Commissioners of California Association to be held on February 4, 2009, in Sacramento, CA.  
(Recommendation: Refer to the Fish and Wildlife Committee.) ([View Item](#))
5. This Board has received a copy of the River Partners Journal.  
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))

6. This Board has received a letter from the law offices of Griswold, Lasalle, Cobb, Dowd & Gin, L.L.P., representing Wood Brothers, Inc., regarding the Fink Road Landfill, LF-2, Cell No. 5, Excavation Project.  
(Recommendation: Refer to the Department of Public Works and County Counsel.) ([View Item](#))
7. This Board has received the following claims: Steven Cooper; Lizbette Castro; Brian Petersen; Maritza DeLaHoya; Della Baldonado; Jeremiah J. Long; Paul / Ashlee Brum; Oscar Contreras; Renee Crawford; and, Schwanda Campbell.  
(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 - One Case: People of the State of California v. Frank Mendes Silva, et al, Stanislaus County Superior Court Case No. 379561. Government Code Section 54956.9(a).