



BOARD OF SUPERVISORS

William O'Brien, 1st District
Vito Chiesa, 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

January 27, 2009

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: 2009 State of the County Address by Supervisor Jim DeMartini, 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 January 13, 2009 ([View Item](#))
- * 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1051 Amending Section 10.13.010 "E" of the Stanislaus County Code Regarding Cardroom Regulations – County Counsel ([View Item](#))
- * 3. Acceptance of the Resignation of:
 - a. Lisa Alamo from the Agricultural Advisory Board ([View Item](#))
 - b. Mary Burch from the In-Home Supportive Services Advisory Committee ([View Item](#))
 - c. Don Grischott from the Westley Community Services District Board of Directors ([View Item](#))
- * 4. Approval of Appointment of:
 - a. Kevin Shatswell to the Oakdale Rural Fire Protection District ([View Item](#))
 - b. Ramon Bawan and Ed Katen to the Economic Development Action Committee ([View Item](#))
 - c. Nick Candea to the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))
 - d. Cynthia Borges-O'Dell to the Stanislaus Child Development Local Planning Council ([View Item](#))
- * 5. Approval to Adopt the Amendment to the Conflict of Interest Code for the Patterson Cemetery District ([View Item](#))

B. Chief Executive Office

- * 1. Approval of Request from the City of Modesto for Use of County Properties in Downtown Modesto on February 16 and 17, 2009 for the Stage Three Finish of the Amgen Tour of California Bicycle Race – Chief Executive Office ([View Item](#))
- * 2. Approval to Adopt a Revised Board of Supervisors Resolution for the Application to the State of California for the 2007 Local Youthful Offender Rehabilitative Facility Construction Funding Program for the Stanislaus County Juvenile Justice Center Expansion Project – Chief Executive Office ([View Item](#))
- * 3. Approval to Award the Agreement to ASPIRAnet for the Provision of Employment Services to Former Foster Youth Participating in the Transitional Housing Program-Plus (THP-Plus) Program – Community Services Agency ([View Item](#))
- * 4. Approval to Accept a Grant from the National Children's Alliance for the Child Abuse Interview, Referral and Evaluation (CAIRE) Center – Community Services Agency ([View Item](#))
- * 5. Approval to Issue a Request for Proposal (RFP) for the Provision of Services to Children by Family Resource Centers – Community Services Agency ([View Item](#))
- * 6. Approval of a Contract with Telcion Communications Group (a.k.a. Netlogic, Inc.) to Provide Voice Over Internet Protocol Telephone System Equipment, Licenses, and Support for the District Attorney's Office – Chief Executive Office ([View Item](#))
- * 7. Approval to Accept the Stanislaus County Treasury Pool's December 2008 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))

- * 8. Approval to Award a Contract to Behavioral Interventions, Inc. for Electronic Monitoring Services at the Probation and Sheriff's Department ([View Item](#))
- 9. Approval to Accept a Donation of Two Personal Watercraft and Trailer from Two Private Citizens – Sheriff ([View Item](#))
- 10. Approval to Purchase a Surplus 1992 Ford F700 Truck from the Salida Fire Protection District for Use by the Sheriff's Department ([View Item](#))
- 11. Approval of New Policy Regarding County Department Head and Assistant Department Head Vacation Schedules – Chief Executive Office ([View Item](#))

C. Department of Public Works

- * 1. Approval to Adopt Plans and Specifications for Federal Aid Project STPL-5938(152) Titled “RSTP Roadway Resurfacing Phase B” which is Part of the Federal Regional Surface Transportation Program and Set the Bid Opening Date and Time for March 18, 2009 at 2:00 p.m. ([View Item](#))
- * 2. Approval to Adopt an Addendum to the Adopted Mitigated Negative Declaration for the Stanislaus County Ladd Road/McHenry Avenue Intersection Operational Improvement Project ([View Item](#))
- * 3. Approval of Purchase Agreement to Acquire Road Right-of-Way Through a Roadway Easement for the Ladd Road at McHenry Avenue Intersection Project, Parcel Owner Steven F. Sbragia and Charlotte D. Sbragia, APN: 074-002-021 and 074-002-031 ([View Item](#))
- * 4. Approval to Negotiate and Execute an Agreement with Rajappan & Meyer Consulting Engineers for Professional Services for the Preparation of the Project Approval and Environmental Document (PA&ED) Phase for the State Highway 99 at Kiernan Avenue Interchange Project ([View Item](#))
- * 5. Approval to Negotiate and Execute an Agreement with Rajappan & Meyer Consulting Engineers for Professional Services for the Preparation of the Project Approval and Environmental Document (PA&ED) Phase for the State Highway 99 at Hammett Road Interchange Project ([View Item](#))

D. Department of Planning and Community Development

E. County Counsel

VI. Scheduled Matters

VII. Correspondence

1. This Board has received a letter from the State of California Business, Transportation and Housing Agency requesting support of the California Consensus Principles on Federal Transportation Authorization for 2009.
(Recommendation: Refer to the Department of Public Works.) ([View Item](#))
2. This Board has received a notice from the California Public Utilities Commission regarding the initiation of a rulemaking proceeding to consider regulations to reduce potential fire hazards associated with electric utility facilities and communication facilities in close proximity to electric transmission and distribution lines.
(Recommendation: Refer to the Chief Executive Office - Office of Emergency Services.) ([View Item](#))

3. This Board has received a Press Release from the California State Auditor announcing the Voters First Act, Proposition 11, regional public meeting schedule relating to the State Auditor's application and selection process for the Citizens Redistricting Commission.
(Recommendation: Refer to the Chief Executive Officer.) ([View Item](#))
4. This Board has received a letter from Circuit City Stores, Inc., regarding their plans to close their store at 3401 Dale Road in Modesto, CA and anticipate that 53 employee positions will be terminated on March 21, 2009, or within the fourteen days thereafter, 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](#))
5. This Board has received a letter from the California Board of Forestry and Fire Protection regarding a new policy titled, "Board of Forestry and Fire Protection Policy Number 12 for Professional Foresters Registration: Guidance on the Certified Range and Manager Program".
(Recommendation: Refer to the Department of Planning and Community Development, Department of Environmental Resources, Agricultural Commissioner and Sealer of Weights and Measurers and the Chief Executive Office - Office of Emergency Services.) ([View Item](#))
6. This Board has received the following claims: Maria Mercado and Eloy Mercado; K. Darpinian & Sons, Inc.; State Farm Insurance a subrogee of Juan Lomeli; Sharon Bowers; Estate of Eulalia Garcia; Ivonne Garcia, the daughter of decedent Eulalia Garcia; Antonio De Jesus Garcia, the son of decedent Eulalia Garcia; Miguel Angel Garcia, the son of decedent Eulalia Garcia; Liliana Tapia Garcia, a minor who is the granddaughter of decedent Eulalia Garcia; Alejandro Santiago Garcia, the husband of decedent of Eulalia Garcia; Luis Garcia, the father of Adriana Garcia; Santos Martinez Vargas, the father of decedent Lucas Martinez Cruz; Ofelia Cruz, the mother of decedent Lucas Martinez Cruz; Alejandro Martinez Estrada, father of decedent Adan Martinez; Josefina Martinez Amaro, the mother of decedent, Adan Martinez; Roberta Garcia, the mother of decedent Adriana Garcia; and, Bobby Nunez.
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.) ([View Item](#))

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).