



**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**

February 10, 2009

9:00 A.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.

**I. Pledge of Allegiance to the Flag**

**II. Presentation: A. Stanislaus County Safety Leadership Recognition**

- B. February 2009 as Spay and Neuter Month and February 24, 2009 as Spay Day in Stanislaus County

### III. Public Comment Period

### IV. Consent Calendar

### V. Agenda Items

#### A. Miscellaneous

- \* 1. Approval of the Minutes for February 3, 2009 ([View Item](#))
- \* 2. Approval of Appointment of:
  - a. Chad Kennedy to the Stanislaus County Parks and Recreation Commission ([View Item](#))
  - b. Gary Hampton to the Emergency Medical Services Committee ([View Item](#))
  - c. Thomas Maring to the Agricultural Advisory Board ([View Item](#))
- \* 3. Approval of Reappointment of Jim Jasper to the Hills Ferry Cemetery District Board of Directors ([View Item](#))
- \* 4. Approval to Adopt an Amendment to the Conflict of Interest Code of the Stanislaus Council of Governments (StanCOG) ([View Item](#))
- \* 5. Acceptance of the Resignation of Johnathan Parker from the Keyes Community Services District Board of Directors ([View Item](#))

#### B. Chief Executive Office

- \* 1. Approval for Boy Scout Troop No. 28 to Have Exclusive Use of the Kiwanis Camp from February 13, 2009 to February 15, 2009 and February 20, 2009 to February 22, 2009 for Overnight Camping Activities and Waiver of Fees for the Exclusive Use – Parks and Recreation ([View Item](#))
- \* 2. Approval of an Application for the 2009 National Association of Counties (NACO) Achievement Award for the Successful Accomplishments in the Category of the Arts to Highlight the Partnership between the County and the Central Valley Center for the Arts (CVCA) for the Construction of the Gallo Center for the Arts – Chief Executive Office ([View Item](#))
- \* 3. Approval to Issue a Request for Proposals for Stanislaus County Refuse Removal in Franchise Area No. 3 – Environmental Resources ([View Item](#))
- \* 4. Approval to Reject All Bids Received for the Fink Road Landfill, Landfill 2, Cell No. 5, Excavation Project, and Solicit New Bids Merging Phase One and Phase Two Into One Larger Project; the Fink Road Landfill, Landfill 2, Cell No. 5, Construction Project – Environmental Resources ([View Item](#))
- 5. Approval to Proceed to the Design Phase of the Animal Shelter Project and to Initiate Environmental Review for Siting for the New Animal Shelter at the Buffer of the Stanislaus County Public Safety Center at Crows Landing and Service Roads; and, Related Fiscal Actions – Chief Executive Office ([View Item](#))

#### C. Department of Public Works

- \* 1. Approval of the County Diesel Vehicle Idling Policy ([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 Patterson, Newman and Gustine Historical Societies regarding the location of a pioneer cemetery at the former naval air station in Crows Landing. (Recommendation: Refer to the Chief Executive Office.) ([View Item](#))
2. This Board has received a letter from R&B Electronics protesting the low bid for the Stanislaus County Juvenile Justice Center Fire Protection and Security Electronics Upgrade project. (Recommendation: Refer to the Chief Executive Office and County Counsel.) ([View Item](#))
3. This Board has received a letter from Industrial Electronic Systems, Inc. protesting the low bid for the Stanislaus County Juvenile Justice Center Fire Protection and Security Electronics Upgrade project. (Recommendation: Refer to the Chief Executive Office and County Counsel.) ([View Item](#))
4. This Board has received the following claim: Lynette Reid. (Recommendation: Acknowledge receipt of claim 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: Two Cases. 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).