



**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**

March 31, 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. Presentations: Employee Service Awards
- Those Being Honored for Thirty Years of Service:**
- |                   |   |                                  |
|-------------------|---|----------------------------------|
| Albert Suelzle    | - | Clerk-Recorder's Office          |
| Josephine Navarro | - | Community Services Agency        |
| Jan Cade          | - | Treasurer-Tax Collector's Office |
- Those Being Honored for Twenty-Five Years of Service:**
- |              |   |                           |
|--------------|---|---------------------------|
| Norma DeLeon | - | Community Services Agency |
|--------------|---|---------------------------|

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- \* 1. Approval of the Minutes for March 24, 2009 ([View Item](#))
- \* 2. Approval of Appointments of:
  - a. Robert Hull and Benandrew Briggs to the Stanislaus County Mental Health Board ([View Item](#))
  - b. Bryan Briggs to the Economic Development Action Committee ([View Item](#))
- \* 3. Approval to Proclaim:
  - a. April 2009 as Child Abuse Prevention Month in Stanislaus County ([View Item](#))
  - b. April 12-18, 2009 as National Library Week in Stanislaus County ([View Item](#))
  - c. April 15, 2009 as the 100<sup>th</sup> Anniversary of the Stanislaus County Probation Department ([View Item](#))
  - d. May 2009 as Asthma Awareness Month in Stanislaus County ([View Item](#))

B. Chief Executive Office

- \* 1. Approval to Retain the Certified Public Accounting Firm of Brown Armstrong Accountancy Corporation to Conduct the Annual County Audit for Fiscal Year Ending June 30, 2009 – Auditor-Controller ([View Item](#))
- \* 2. Approval of Final Completion for Clark and Sullivan Builders, Inc., for the Gallo Center for the Arts Project Using Existing Funds, Approval of a Change Order for Unforeseen Site Conditions and Related Fiscal and Budget Actions to Close Out the Project – Chief Executive Office ([View Item](#))
- \* 3. Approval to Adjust the 12th Street Parking Garage Parking Allocation and Cost Sharing with Westland Development Corporation Pursuant to the Provisions of the Amended Parking License Agreement - Chief Executive Office ([View Item](#))
- \* 4. Approval of Plans and Specifications for the Emergency Power System Improvements at the Stanislaus County Honor Farm Facilities Prepared by Greg E. Miller and Associates, Inc. – Chief Executive Office ([View Item](#))
- \* 5. Approval to Enter into Contracts with Iomlan Construction Services, Inc. and Stewart and Stewart, Inc. for On-Call Inspection Services – Chief Executive Office ([View Item](#))
- \* 6. Approval to Authorize the April 16, 2009 Pandemic Influenza Full Scale Exercise Coordinated by Health Services Agency as a Disaster Training and Allow the Participation of Disaster Service Workers –Office of Emergency Services ([View Item](#))
- \* 7. Approval to Introduce and Waive the First Reading of an Ordinance to Establish a Medical Marijuana Identification Card Application Fee – Health Services Agency ([View Item](#))

- \* 8. Approval to Set a Public Hearing on April 28, 2009 at 9:15 a.m. to Introduce and Waive the First Reading of an Ordinance to Establish New Fees and Amend Existing Fees for Building Permits – Planning ([View Item](#))
- \* 9. Approval to Set a Public Hearing on April 28, 2009 at 9:15 a.m. to Introduce and Waive the First Reading of an Ordinance to Establish New Fees and Amend Existing Fees for Planning Services – Planning ([View Item](#))
- 10. Approval to Acknowledge Award of \$18 million from the State of California Corrections Standards Authority for the Construction of a 60 Bed Juvenile Youth Treatment Facility; Approval of the Master Plan and Authorization to Proceed to Facility Planning and Design and Related Fiscal Actions – Chief Executive Office ([View Item](#))
- 11. Approval to Accept a Report from the Agricultural Advisory Board on the Use of Tertiary Wastewater for Agricultural Purposes – Agricultural Commissioner ([View Item](#))

#### C. Department of Public Works

- \* 1. Approval to Summarily Vacate the Portion of an 18-Foot Alley Located Adjacent to Lots 12-16 of Block 5 South of Modesto Irrigation District High Line Lateral and North of 2nd Street in the Community of Empire in Stanislaus County ([View Item](#))
- \* 2. Approval of Amendment No. 4 to Agreement No. 2004-1 with Wood Rodgers to Add Post-Design Engineering Services for the Ladd Road and McHenry Avenue Intersection Improvement Project ([View Item](#))
- \* 3. Approval to Authorize the Director of Public Works to Sign a General Lease - Right-of-Way Use Agreement with the California State Lands Commission for the Geer Road Bridge at the Tuolumne River ([View Item](#))
- \* 4. Approval of Cooperative Agreement No. 10-334 with the State of California, Department of Transportation for the Installation of Emergency Vehicle Signal Pre-emption Equipment at the Intersections of State Route 108 (McHenry Avenue) at Patterson Road and State Route 108 (Patterson Road) at Ladd Road ([View Item](#))
- \* 5. Approval to Adopt a Resolution of Support to the Stanislaus Council of Governments to Formally Apply for the Partnership Planning Grant 2009-2010 for the Proposed South County Corridor Project (West Main Street) to Fund the Feasibility Study with the City of Patterson and Stanislaus County ([View Item](#))

#### D. Department of Planning and Community Development

- \* 1. Approval to Set a Public Hearing for April 21, 2009 at 6:50 p.m. to Consider General Plan Amendment Application No. 2007-04, Rezone Application No. 2007-4, Parcel Map Application No. 2008-11 and Williamson Act Cancellation No. 2007-03, Sun Dry Products/Jim Davis ([View Item](#))

#### E. County Counsel

### VI. Scheduled Matters

- 9:15 a.m. Public Hearing to Consider an Appeal of Stanislaus County Planning Commission Approval for Use Permit Application No. 2008-03 - Delaney Aggregates. A Request to Excavate Sand and Gravel from an 80-Acre Portion of a 205-Acre Parcel Enrolled under Williamson Act Contract and Located within the A-2-40 Zoning District near the Community of La Grange ([View Item](#))

## VII. Correspondence

1. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding the awarding of \$9,744,482 to Stanislaus County for the action plan amendment for the Neighborhood Stabilization Program (NSP).  
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))
2. This Board has received a letter from the California Natural Resources Agency regarding a petition for change to consolidate the State Water Project, Central Valley Project and Friant authorized places of use.  
(Recommendation: Refer to the Agricultural Commission/Sealer of Weights and Measures; University of California Cooperative Extension; and the Department of Planning and Community Development.) ([View Item](#))
3. This Board has received the following claims: Alexander D. Gevarges and Fred L. Winters.  
(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