



BOARD OF SUPERVISORS

William O'Brien, 1st District
Vito Chiesa, 2nd District
Jeff Grover, 3rd District
Dick Monteith, 4th District
Jim DeMartini, 5th District

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Phone: 209.525.4494 Fax: 209.525.4420

AGENDA

April 14, 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. Moment of Silence for Community Services Agency Employee Bill Medeiros

- III. Presentation: A. April 12-18, 2009 as National Library Week in Stanislaus County
- B. April 15, 2009 as the 100th Anniversary of the Stanislaus County Probation Department

IV. Public Comment Period

V. Consent Calendar

VI. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for March 31, 2009 ([View Item](#))
- * 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1058 to Establish a Medical Marijuana Identification Card Application Fee – Health Services Agency ([View Item](#))
- * 3. Approval to Set a Public Hearing on May 5, 2009, at 9:15 a.m., to Consider an Appeal of the Planning Commission’s Approval of Use Permit No. 2008-10 – Turlock Golf Center ([View Item](#))
- * 4. Approval of Appointment of:
 - a. Guadalupe Castillon to the Stanislaus County Mental Health Board ([View Item](#))
 - b. Harinder Grewal to the Keyes Community Services District Board of Directors ([View Item](#))
 - c. Jeremy Damas to the Hughson Fire Protection District Board of Directors ([View Item](#))
 - d. David Boyd to the Salida Fire Protection District Board of Directors ([View Item](#))
- * 5. Approval to Proclaim:
 - a. April 19-25, 2009, as Safety Seat Checkup Week in Stanislaus County ([View Item](#))
 - b. April 26-May 2, 2009 as Victims’ Rights Week in Stanislaus County ([View Item](#))
 - c. May 2009 as Donate Life Month in Stanislaus County ([View Item](#))
 - d. May 1, 2009 as Law Day U.S.A. in Stanislaus County ([View Item](#))
- * 6. Acceptance of the Resignation of Anita Estrada Chapa from the South Modesto Municipal Advisory Council ([View Item](#))
- * 7. Approval of a Commendation for South San Joaquin Irrigation District Upon their 100th Anniversary ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Award a Contract to Grover Landscape Services, Inc. to Provide Landscape Services, Management and Maintenance at the Stanislaus County Agricultural Center – Agricultural Commissioner ([View Item](#))
- * 2. Approval to Enter Into a License Agreement with the Friends of the Library Organizations for Use of a Portion of the Modesto Free Library Building and Branch Libraries for Use as a Gift Shop and/or Used Book Store – Library ([View Item](#))
- * 3. Approval for Central Coast Racers Under the Sun to Have Exclusive Use of Frank Raines Regional Park, Deer Creek Camping Area and Recreation Hall from April 24, 2009 to April 26, 2009 for their 2009 Annual Fun Run – Parks and Recreation ([View Item](#))
- * 4. Approval of an Agreement between the California Department of Social Services (CDSS) and the Community Services Agency (CSA) to Install State Owned Video Conferencing Equipment at the Community Services Facility (CSF) for Use while Conducting State Fair Hearings – Community Services Agency ([View Item](#))
- * 5. Approval for the Christian Service Brigade at Calvary Baptist Church to Have Exclusive Use of the Kiwanis Camp from April 17, 2009 to April 19, 2009, for their Father/Son

Overnight Camp-Out and Waiver of Fees for the Exclusive Use – Parks and Recreation
([View Item](#))

- * 6. Approval for the Carole Sund/Carrington Memorial Reward Foundation to Have Exclusive Use of the Courthouse Lawn Area and Victim’s Garden of Healing on Saturday, April 18, 2009, as the Staging Area for their 11th Annual Vigil of Hope March – Parks and Recreation ([View Item](#))
- * 7. Approval to Submit an Application for the Use of United States Environmental Protection Agency Contract Funds for Implementing the Underground Injection Control Program – Environmental Resources ([View Item](#))
- * 8. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board Regarding the Cost Accounting to Abate the Nuisance CE No. 07-313 at 1827 John Street, Modesto, CA – Environmental Resources ([View Item](#))
- * 9. Approval to Award the Contract for the Preparation of a Feasibility Study for a Transfer Station/Materials Recovery Facility for the Fink Road Landfill to HDR Engineering, Inc. – Environmental Resources ([View Item](#))
- * 10. Approval of Amendments to Agreements with Various Providers for the Provision of Mental Health Services Risk Assessment and Client Placement – Behavioral Health and Recovery Services ([View Item](#))
- * 11. Approval to Implement a Voluntary Time Off Policy – Chief Executive Office ([View Item](#))
- * 12. Approval to Issue an Invitation to Bid for Mobile Data Terminals to Support Local Ambulance Providers, Funded through Homeland Security Grant Funds – Office of Emergency Services ([View Item](#))
- 13. Approval to Submit and Accept if Awarded the 2009 Edward Byrne Memorial Justice Assistance Grant Application to Bureau of Justice Assistance to Enhance Criminal Justice Processes – Sheriff ([View Item](#))
- 14. Consideration of the Fiscal Year 2007-2008 Library Annual Report ([View Item](#))

C. Department of Public Works

- * 1. Approval of Amendment No. 3 to Agreement No. 2004-1 with BkF Engineers, to Add Additional Engineering Service for the Geer Road at Santa Fe Avenue and Hatch Road at Santa Fe Avenue Intersection Improvement Projects ([View Item](#))
- * 2. Approval to Adopt Plans and Specifications for the Shiloh Road Bridge at Tuolumne River and Set the Bid Opening Date and Time for May 20, 2009 at 2:30 p.m. ([View Item](#))

D. Department of Planning and Community Development

- * 1. Consider an Amendment to the Consolidated Plan Fiscal Year 2007-2012 and Annual Action Plan Fiscal Year 2008-2009, to Include the Expenditure of \$1,023,163.00 in Housing and Urban Development Under the Homeless Prevention and Rapid Re-Housing Program ([View Item](#))

E. County Counsel

VII. Scheduled Matters

- 9:15 a.m. Public Hearing to Consider Approval of the Fiscal Year 2009-2010 Annual Action Plan that Includes Approximately \$2,463,579 in Community Development Block Grant Award, and Approximately \$109,694 in Emergency Shelter Grant Award, for a Total of Approximately \$2,573,273 for Fiscal Year 2009-2010 ([View Item](#))

9:20 a.m. Public Hearing to Consider the Formation of the North McHenry #2 Lighting District and Conduct a Ballot Procedure and Levy of the Annual Assessment in Compliance with Proposition 218 ([View Item](#))

VIII. Correspondence

1. This Board has received a letter from Fresno County Supervisor Phil Larson regarding the California March for Water on April 14-17, 2009. ([View Item](#))
(Recommendation: Refer to the Agricultural Commissioner-Sealer of Weights and Measures and Cooperative Extension.)
2. This Board has received a letter from NI Industries, a TriMass Company, regarding their plans to layoff 22 employees on May 29, 2009, at its facility at 5300 Claus Road in Riverbank, CA per the Worker Adjustment and Retraining Notification (WARN) Act. ([View Item](#))
(Recommendation: Refer to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance.)
3. This Board has received a copy of the Projected Budget, Fee and Presentation Schedules for Fiscal Year 2009-10 for the Gallo Center for the Arts. ([View Item](#))
(Recommendation: Refer to the Chief Executive Office.)
4. This Board has received the following claims: Alexander D. Gevarghes; Fred L. Winters; Marilyn and Ty Caskey; Valine Sarmes; Turlock Irrigation District; Ryan Oseski; Japan T. Shirley; Pacific Bell; and, James Xavier Hopson. ([View Item](#))
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

IX. Board of Supervisors' Reports

- X. Legislative, Fiscal and Management Report – Chief Executive Officer
- A. Approval to Adopt a Resolution Supporting the Passage of SB 295 to Adjust the Timetable for Implementation of AB 32 – the Global Warming Solutions Act ([View Item](#))

XI. Adjournment

- V. Closed Session: Conference with Legal Counsel - Anticipated Litigation - One Case. Government Code Section 54956.9(c).