



**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**

May 19, 2009

6:30 P.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. Commendations for Stanislaus County 2009 Outstanding Senior Citizens of the Year in Celebration of Older Americans Month
  - B. May 2009 as Foster Care Awareness Month and May 19, 2009 Foster Parent and Relative Care Provider Appreciation Day in Stanislaus County
  - C. 2009 Stanislaus County Recycling Poster Contest Winners

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- \* 1. Approval of the Minutes for May 5, 2009 ([View Item](#))
- \* 2. Approval to Adopt and Waive the Second Reading of Ordinances:
  - a. C.S. 1059 to Establish New Fees and Amend Existing Fees for Building Permits – Planning and Community Development ([View Item](#))
  - b. C.S. 1060 to Establish New Fees and Amend Existing Fees for Planning Services ([View Item](#))
  - c. C.S. 1057 to Amend Stanislaus County Code Section 7.32.110 Voluntary Surrender and to Adopt the 2009 Fee Schedule in Accordance with Chapter 7.50 Animal Services Fees ([View Item](#))
- \* 3. Acceptance of the Resignations of:
  - a. Joyce Plis from the Mental Health Board ([View Item](#))
  - b. Donna Sesock-Miller from the Advisory Board on Substance Abuse Programs ([View Item](#))
  - c. Carl Collins from the Assessment Appeals Board ([View Item](#))
  - d. Mario Jimenez from the Riverdale Park Tract Community Services District Board of Directors ([View Item](#))
  - e. Janet Orvis Cook from the Stanislaus Child Development Local Planning Council ([View Item](#))

B. Chief Executive Office

- \* 1. Approval to Enter Into an Agreement with PSC 21<sup>st</sup> Century EMI of California, Inc., for the Sorting, Transporting, and Recycling of Latex Paint at the Stanislaus County Household Hazardous Waste Collection Facility – Environmental Resources ([View Item](#))
- \* 2. Approval to Apply for and Accept a Juvenile Accountability Block Grant (JABG) from the Corrections Standards Authority (CSA) to Provide Services and Activities to Assist Youthful Offenders in Curbing their Criminal Behaviors - Probation ([View Item](#))
- \* 3. Approval for the Agricultural Commissioner to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2009-2010 ([View Item](#))
- \* 4. Approval to Accept the Offender Treatment Program Funding Award and Adjust the Offender Treatment Program and Stanislaus Recovery Center Budgets for Fiscal Year 2008-2009 – Behavioral Health and Recovery Services ([View Item](#))
- \* 5. Approval to Declare Equipment, Parts, and Vehicles as Surplus and Authorize the Sale – General Services Agency ([View Item](#))
- \* 6. Authorization for the Sheriff to Apply for and Accept California Department of Boating and Waterways Boating Safety and Enforcement Financial Aid Funding – Sheriff ([View Item](#))

- \* 7. Approval of the Stanislaus Child Care and Development Planning Council 2009-2010 Priorities Report – Community Services Agency ([View Item](#))
- \* 8. Approval to Award the Agreement to Aspiranet for the Provision of Scattered Sites Services to Former Foster Youth Participating in the Transitional Housing Program – Plus (THP-Plus) Program – Community Services Agency ([View Item](#))
- \* 9. Approval to Reset the Time of the Public Hearing on June 9, 2009, to 9:00 a.m., for the Consideration and Adoption of the Fiscal Year 2009-2010 Proposed Budget – Chief Executive Office ([View Item](#))
- \* 10. Approval to Award Three-Year Agreements for the Provision of Services to Children by Family Resource Centers to Aspiranet, Center for Human Services – Ceres, West County and East County, Parent Resource Center, Sierra Vista Child and Family Services-North Modesto, and Sierra Vista Child and Family Services-Hughson – Community Services Agency ([View Item](#))
- \* 11. Approval of Actions Related to the Opening and Operations of the Regional Water Safety Training Center - Empire Community Pool, Including Amending and Restating the Agreement with the Stanislaus County Police Activities League for Special Youth and Recreation Swim Programs for Fiscal Year 2009-2010, and Approval of the Public Dedication Ceremony on June 12, 2009 at 6:00 p.m. – Chief Executive Office and Parks and Recreation ([View Item](#))
- \* 12. Approval for Bonita Elementary School, Newman-Crows Landing Unified School District to Have Exclusive Use of Bonita Pool in Crows Landing on May 26, 2009 for Their End of the Year Reading Incentive Pool Party – Parks and Recreation ([View Item](#))
- \* 13. Approval of Memoranda of Understanding Between the Administrative Office of the Courts, the Superior Court of California, and the County of Stanislaus for the Use of Courthouse Construction Funds – Chief Executive Office ([View Item](#))
- \* 14. Approval for Twain Harte Cub Scout Pack 71 to have Exclusive Use of the Kiwanis Camp from May 29, 2009 to May 31, 2009 for Overnight Camping Activities – Parks and Recreation ([View Item](#))
- \* 15. Approval to Apply for Beverage Container Recycling Funds from the California Department of Conservation for Fiscal Year 2009-2010 to Promote Beverage Container Recycling and Litter Cleanup – Environmental Resources ([View Item](#))
- \* 16. Approval of Amendment 3 to the Memorandum of Understanding with the California Statewide Automated Welfare System Consortium IV (C-IV), a Joint Powers Authority and Approval of the California Statewide Automated Welfare System (SAWS) Consortium IV, County Purchase Approval ST-01-2009 ImageNow Imaging Solution – Community Services Agency ([View Item](#))
- \* 17. Approval of the Reduction-In-Force of One Filled Full-Time Position in the Cooperative Extension Budget Unit Effective June 20, 2009 – Cooperative Extension ([View Item](#))
- \* 18. Approval to Revise the Departments of Planning and Community Development and Public Works Operating Hours from Monday through Friday 7:30 a.m. to 5:00 p.m. to Monday through Friday 8:00 a.m. to 5:00 p.m. Effective May 26, 2009 – Planning and Community Development/Public Works ([View Item](#))
- \* 19. Approval to Award the Construction Contract for the Emergency Power System Improvements at the Stanislaus County Honor Farm to the Lowest Responsible Bidder, Collins Electrical Company, Inc. – Chief Executive Office ([View Item](#))
- \* 20. Approval to Enter Into an Agreement with A & A Portables, Inc. for Sanitation Servicing, Pumping and Disposal of Waste from County Owned Portable Toilets and Pumping and Disposal of Waste from County Owned Septic Tanks and Lift Stations at Various Facilities Throughout Stanislaus County – Parks and Recreation ([View Item](#))

- \* 21. Approval of an Agreement between the California Department of Social Services (CDSS) and the County of Stanislaus for Reimbursement to California's Interim Assistance Agencies for Interim Assistance Payments Pursuant to Section 1631(g) of the Social Security Act – Community Services Agency ([View Item](#))
- 22. Approval of Schematic Design of the Animal Services Facility Project, Update on City and County Partnerships, and Approval to Issue a Request for Proposals for a Privately Operated Spay and Neuter Clinic – Chief Executive Office ([View Item](#))

C. Department of Public Works

- \* 1. Approval of Purchase Agreement to Acquire Road Right-of-Way through a Roadway Easement for the Ladd Road at McHenry Avenue Intersection Project and the McHenry Avenue Widening Project, Parcel Owner Berberian Properties LLC, APN: 004-076-007 ([View Item](#))
- \* 2. Approval to Summarily Vacate a Portion of Jessup Road Located East of Keyes Road and West of California State Highway 99 ([View Item](#))
- \* 3. Approval of Purchase Agreements to Acquire Road Right-of-Way Easement for the Las Palmas Avenue at Sycamore Avenue Intersection Project, Parcel Owners Alfred J. Scheuber and Betty J. Scheuber, APN: 047-036-015; Larry D. Emehiser and Fatima M. Emehiser, APN: 047-035-015 ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Initiate a 14-Day Public Comment Period for the Proposed Amendment to the Fiscal Year 2007-2012 Community Development Block Grant Consolidated Plan and the Fiscal Year 2008-2009 Annual Action Plan to Incorporate the Community Development Block Grant – Recovery Act Funds (CDBG-R) in the Amount of \$669,134.00 ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 6:35 p.m. Public Hearing to Consider an Appeal of Planning Commission's Decision of Approval for Use Permit Application No. 2008-10, Turlock Golf Center. A Request to Establish a Golf Driving Range on a 39± Acre Parcel in the A-2-40 (General Agriculture) Zoning District. The Development Will Include a 1,000 Square Foot Maintenance Building, a 2,000 Square Foot Office / Pro-Shop, and a Covered Tee Area. The Project Site is Located on the North Side of Taylor Road, East of Hwy. 99 and West of Mountain View Road, in the Turlock Area ([View Item](#))
- 6:40 p.m. Public Hearing to Consider the Introduction and Waiving of the First Reading of an Ordinance to Amend Existing Fees for the Department of Public Works Engineering Division ([View Item](#))
- 6:45 p.m. Public Hearing to Consider the Behavioral Health and Recovery Services Restructuring Plan, Including Reductions-In-Force, and Potential Service Level Changes for Outpatient Psychiatric and Substance Abuse Services Pursuant to Section 1442.5 of the Health and Safety Code – Behavioral Health and Recovery Services ([View Item](#))

## VII. Correspondence

1. This Board has received a letter from California Forensic Medical Group (CFMG) regarding their plans to stop providing medical services at the four County Detention facilities in Stanislaus County on July 1, 2009, and layoff 85 positions 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](#))
2. This Board has received a letter from NI Industries, Inc., a TriMass Company, regarding their plans to layoff one position scheduled on July 6, 2009, at its facility at 5300 Claus Road in Riverbank, CA, 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](#))
3. This Board has received two letters from the State Water Resources Control Board regarding notifications of Petitions for Temporary Change of Water.  
(Recommendation: Refer to the Agricultural Commissioner-Weights and Measurers.) ([View Item](#))
4. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding the Fiscal Year 2009 allocations for Stanislaus County.  
(Recommendation: Refer to the Department of Planning Community Development.) ([View Item](#))
5. This Board has received a letter from the State of California Fish and Game Commission regarding the notice of proposed regulatory action listing the longfin smelt to a threatened species status.  
(Recommendation: Refer to the Agricultural Commissioner/Sealer of Weights and Measurers, the Department of Environmental Resources and the Fish and Game Commission.) ([View Item](#))
6. This Board has received a letter from the law offices of Petrulakis Jensen and Friedrich, LLP regarding Rail Car Receiving Building and the imposition of Public Facilities Fee charges from the City of Modesto and Stanislaus County.  
(Recommendation: Refer to the Department of Planning Community Development.) ([View Item](#))
7. This Board has received a notice from the Transmission Agency of Northern California (TANC) and Western Area Power Administration regarding the TANC Transmission Project's proposed study area alternatives for the building and upgrading of 600 miles of high-voltage transmission lines in Northern California.  
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))
8. This Board has received a letter from the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force requesting support of Assembly Bill 222 regarding the development of advanced biorefinery facilities within California.  
(Recommendation: Refer to the Chief Executive Office and the Department of Environmental Resources.) ([View Item](#))
9. This Board has received a letter from the City of Waterford regarding their agreement with the Stanislaus County Sheriff's Office for police services.  
(Recommendation: Refer to the Chief Executive Office and the Sheriff.) ([View Item](#))

10. This Board has received a notice from the California Regional Water Quality Control Board regarding a California Environmental Quality Act (CEQA) scoping meeting and public workshop being held on July 7, 2009, for input on the development of an amendment to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins to establish Total Maximum Daily Loads to address Organochlorine Pesticides.  
(Recommendation: Refer to the Department of Planning and Community Development, the Department of Environmental Resources and the Agricultural Commissioner and Sealer of Weights and Measures.) ([View Item](#))
11. This Board has received the following claims: Francisco E. Vivero; Monte Laverne Low; Jim Greer; Carlos Gonzales; Imer Jaimes Cornejo; and, Doris Crane.  
(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