



**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**

September 22, 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. Adopt a Pet – Department of Animal Services
  - B. September 20-26, 2009, as Fall Prevention Awareness Week in Stanislaus County

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- \* 1. Approval of the Minutes for September 15, 2009 ([View Item](#))
- \* 2. Approval of Appointment of Joy Madison to the Economic Development Action Committee ([View Item](#))
- \* 3. Approval of Appointment In Lieu of Election of John Beltran and Glen Crow to the Orestimba Creek Flood Control District Board of Directors ([View Item](#))
- \* 4. Acceptance of the Resignation of Guadalupe Castillion from the Mental Health Board ([View Item](#))
- \* 5. Approval to Proclaim the Week of September 27, 2009 through October 3, 2009 as Stanislaus County Diversity Awareness Week ([View Item](#))

B. Chief Executive Office

- \* 1. Approval to Adopt a Resolution Supporting the Original Merced-Bakersfield High Speed Rail Segment and Urging the Rejection of any Alternative Proposal for a Bakersfield-Fresno Segment – Chief Executive Office ([View Item](#))
- \* 2. Approval to Revise the District Attorney’s Office Hours Open to the Public from Monday through Friday from 8:00 a.m. to 5:00 p.m. to Monday through Friday, 8:00 a.m. to 4:30 p.m. with Phone Access Until 5:00 p.m. – District Attorney ([View Item](#))
- \* 3. Approval for On Your Mark Events to Have Exclusive Use of Woodward Reservoir Areas Designated as Trails, Bay View Boat Ramp, and the Group Picnic Area on September 26, 2009 and October 17, 2009 for their 2nd Annual Central Valley Triathlon – Parks and Recreation ([View Item](#))

C. Department of Public Works

- \* 1. Approval to Enter into a Lease Agreement with the City of Modesto for Use of the Modesto Transportation Center ([View Item](#))

D. Department of Planning and Community Development

E. County Counsel

VI. Scheduled Matters

- 9:15 a.m. Public Hearing to Consider Adoption of the Fiscal Year 2008-2009 Consolidated Annual Performance Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and Emergency Shelter Grant (ESG) Programs – Planning ([View Item](#))

## VII. Correspondence

1. This Board has received a letter from the State Fish and Game Commission regarding proposed regulatory action relating to hybrid animals and plants. ([View Item](#))  
(Recommendation: Refer to the Fish and Wildlife Commission.)
2. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding the approval of the Consolidated Plan and grant assistance for Stanislaus County in the amount of \$2,601,386. ([View Item](#))  
(Recommendation: Refer to the Department of Planning and Community Development.)
3. This Board has received the following claims: Justin and Kirsten Cicairos; and, Nichole Dowdy.  
(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

- XI. Closed Session: Conference with Legal Counsel - Existing Litigation: Two Cases: Building Industry Association of Central California v. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 622705; and, Arenivaz, et al. vs. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 628471. Government Code Section 54956.9 (a).