



**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**

October 27, 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: Adopt a Pet – Department of Animal Services

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- \* 1. Approval of the Minutes for:
  - a. October 19, 2009 ([View Item](#))
  - b. October 20, 2009 ([View Item](#))
- \* 2. Approval of Appointment of:
  - a. Fritz Schali to the Patterson Cemetery District Board of Directors ([View Item](#))
  - b. Judith Lorelli to the Stanislaus County Parks and Recreation Commission ([View Item](#))
- \* 3. Approval to Declare a Vacancy on the Turlock Irrigation District Board of Directors ([View Item](#))
- \* 4. Approval to Change the Appointment Category of Nathan Johnston-Chiszar on the Stanislaus Child Development Local Planning Council ([View Item](#))
- \* 5. Approval to Proclaim November 2009 as Adoption and Permanency Awareness Month in Stanislaus County ([View Item](#))

B. Chief Executive Office

- \* 1. Approval to Amend the Agreement with Stearns, Conrad, and Schmidt, Consulting Engineers, Inc., for Environmental Monitoring, Testing, and Reporting Services, at the Fink Road and Geer Road Landfills, and for Operations, Maintenance, and Monitoring Services at the Geer Road Landfill – Environmental Resources ([View Item](#))
- \* 2. Approval of Medicare Improvements for Patients and Providers Act (MIPPA) Contract with the California Department of Aging ([View Item](#))
- \* 3. Approval of Department of Aging and Veterans Services (Area Agency on Aging) Area Plan Year-End Report for Fiscal Year 2008-2009 ([View Item](#))
- \* 4. Approval of Agreements for Facility Services for Fiscal Year 2009-2010 – Behavioral Health and Recovery Services ([View Item](#))
- \* 5. Approval to Issue a Request for Proposal for Professional Architectural Design Services for the Development of a Comprehensive Scope of Work for Phase III Tenant and Site Improvements at the Nick W. Blom Salida Regional Library – Chief Executive Office ([View Item](#))
- \* 6. Approval to Accept the Report of Annual Inspections and Evaluations of Local Jail and Detention Facilities Pursuant to Section 101045 of the State of California Health and Safety Code – Environmental Resources ([View Item](#))
- \* 7. Approval to Implement Link2Gov E-Payments System at the Stanislaus County Library to Process Electronic Payments – Library ([View Item](#))
- \* 8. Approval to Accept the Stanislaus County Treasury Pool's September 2009 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- \* 9. Approval to Set a Public Hearing on November 24, 2009 at 9:20 a.m. for Authorization of Stanislaus County District Attorney and Stanislaus County Sheriff's Department Expenditure Plans for the State Supplemental Law Enforcement Services Fund (SLESF) – Sheriff's Department ([View Item](#))

- \* 10. Approval of Health Insurance Agreement Between Stanislaus County and all Employee Organizations for the Period January 1, 2010 through December 31, 2010 – Chief Executive Office ([View Item](#))
- 11. Approval to Accept the Children and Families Commission’s Presentation of 2008-2009 Activities ([View Item](#))
- 12. Approval for the Health Services Agency to Submit an Application to the California Department of Public Health for the Funding Allocation of \$1,442,787 under the 2009-2010 Centers for Disease Control (CDC) Public Health Emergency Preparedness Funding, State General Fund Pandemic Influenza Funding, Department of Health and Human Services Hospital Preparedness Program Funding, CDC Public Health Emergency Response H1N1 Phase I and II Funding, and the Hospital Preparedness Program H1N1 Funding Agreement – Health Services Agency ([View Item](#))
- 13. Approval to Authorize the Chief Executive Officer to Execute and Implement the Joint Powers Agency Agreement between the County and the Cities of Modesto, Ceres, Hughson, Patterson and Waterford; Approval to Execute an Agreement with SAVED, Inc. for a Low-Income, Low-Cost Spay/Neuter Program; and Approval to Award a Design Build Construction Contract for the new Animal Services Facility at Crows Landing Road and Cornucopia Way to Diede Construction, Inc. for the Design and Construction of the new Animal Services Facility and Related Actions – Chief Executive Office ([View Item](#))

C. Department of Public Works

D. Department of Planning and Community Development

E. County Counsel

## VI. Scheduled Matters

9:20 a.m. Public Hearing to Consider Adjustments to Stanislaus County Franchise Maximum Rates for Franchise Area #3 – Environmental Resources ([View Item](#))

## VII. Correspondence

1. This Board has received a copy of the Mountain-Valley Emergency Medical Services Agency’s Fiscal Year 2008/09 Annual Report of the Stanislaus County Emergency Medical Services Committee. ([View Item](#))  
(Recommendation: Acknowledge receipt of report.)
2. This Board has received a notice from the State Fish and Game Commission regarding a change in the location of the adoption hearing on Proposed Regulatory Action for the 2010-2012 Sport Fishing Regulations. ([View Item](#))  
(Recommendation: Refer to the Fish and Wildlife Committee.)
3. This Board has received a notice from the U.S. Department of the Interior, Bureau of Reclamation regarding information on the release of the Draft Environmental Assessment/Finding of No Significant Impact for the proposed 2-Gate Fish Protection Demonstration Project, a 5-year experiment relating to the delta smelt. ([View Item](#))  
(Recommendation: Refer to the Fish and Wildlife Committee and the Agricultural Commissioner and Sealer of Weights and Measures.)

4. This Board has received the following claims: Michael Castillo and Edgar Garcia.  
(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: Ramiro Garcia, Jr. individually, and as Personal Representative of the Estate of Ramiro Garcia; R. G., a minor, by and through her GAL, Corina Torrez, Ruben Garcia; and Alicia Garcia vs Stanislaus County, et. al. and Does 1-25 inclusive. Filed United States District Court for the Eastern District of California Case No. 2-07-cv-01376 LJO SMS. Arenivaz, et al. vs. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 628471. Government Code Section 54956.9(a). Conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: Stanislaus Sworn Deputies Association and Stanislaus County Sheriff Supervisors' Association. Government Code Section 54957.6.