



**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**

January 12, 2010

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. Election of the 2010 Chairman and Vice-Chairman of the Stanislaus County Board of Supervisors
- III. Public Comment Period

#### IV. Consent Calendar

#### V. Agenda Items

##### A. Miscellaneous

- \* 1. Approval of the Minutes for December 22, 2009 ([View Item](#))
- \* 2. Approval of Appointment of Theodore Reimers to the Stanislaus County Planning Commission ([View Item](#))
- \* 3. Acceptance of the Resignation of Richard Rose, Ed.D. from the Economic Development Action Committee ([View Item](#))
- \* 4. Approval to Declare Vacancies on the Stanislaus County Community Health Center Board ([View Item](#))
- \* 5. Approval to Proclaim the Week of January 24, 2010 as Family Services Specialist Recognition Week in Stanislaus County ([View Item](#))
- \* 6. Approval of the 2010 Stanislaus County Board of Supervisors Committee Assignments ([View Item](#))

##### B. Chief Executive Office

- \* 1. Approval to Amend the Agricultural Advisory Board Bylaws Making Minor Administrative Changes – Agricultural Commissioner ([View Item](#))
- \* 2. Approval to Award a Contract for the Design and Scoping Phase for the Strategic Business Technology Data Center Improvements to Miller Pezzoni and Associates, Inc. – Chief Executive Office ([View Item](#))
- \* 3. Approval of Final Acceptance of the Emergency Power System Improvements at the Stanislaus County Honor Farm by Collins Electric Company, Inc. – Chief Executive Office ([View Item](#))
- \* 4. Approval to Accept Update on Emergency Contract to Repair the 12th Street Office Building in Accordance with Public Contract Code Section 22050 – Chief Executive Office ([View Item](#))
- \* 5. Approval of Annual Evaluation of the Purchasing Card Program and Revisions to the Stanislaus County Purchasing Card Policy – General Services Agency ([View Item](#))
- \* 6. Approval of an Amendment to the Agreement with Arnerich Massena & Associates, Inc., for Deferred Compensation Consulting Services – Chief Executive Office ([View Item](#))
- \* 7. Approval to Set a Public Hearing for February 2, 2010, at 9:20 a.m. to Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Fink Road Landfill In-fill Project – Environmental Resources ([View Item](#))
- \* 8. Approval to Reappoint Attorney Michael G. Loeffler, Steve Benak, M.D., and Betty King, R.N. to the Indigent Health Care Program (IHCP) Fair Hearing Panel and to Appoint Debbie Lewis, R.N. as an Alternate Nurse Panel Member – Health Services Agency ([View Item](#))
- \* 9. Approval for the Health Services Agency to Submit an Application to the California Department of Public Health, Office of Family Planning, for the Teen Pregnancy Prevention Community Challenge Grant Program Funding, and to Enter the Grant Agreement Upon Award – Health Services Agency ([View Item](#))
- \* 10. Approval to Award a Contract for Professional Architectural Design Services for the Development of Plans and Specifications for the Construction of a New Juvenile Commitment Facility to Lionakis of Sacramento, California – Chief Executive Office ([View Item](#))

11. Approval of the Annual Progress Report for the Stanislaus County Employee Mentor Program and Consideration of a Proclamation Acknowledging the Month of January 2010 as Mentoring Awareness Month in Stanislaus County, Consistent with the National Mentor Month Distinction – Chief Executive Office ([View Item](#))
12. Approval of the Temporary Suspension of Academy Training at the Ray Simon Training Center and Approval of the Related Staffing Changes in the Sheriff's Department Budget Effective February 13, 2010 – Sheriff ([View Item](#))

C. Department of Public Works

- \* 1. Approval of Purchase Agreement to Acquire Road Right-of-Way Easement for the Las Palmas Avenue at Sycamore Avenue Intersection Project, Parcel Owner Manuel Romero, APN: 048-003-048 ([View Item](#))
- \* 2. Approval to Summarily Vacate the 20-Foot Access Road Located within Lot 14 of the Subdivision Map for Carmichael Colony, Per Map Filed December 16, 1912 in Volume 7 of Maps, Page 20, Stanislaus County Records ([View Item](#))
- \* 3. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11, Section 11.04.060 of the Stanislaus County Code, Amending a Speed Zone on Las Palmas Avenue in the Patterson Area ([View Item](#))
- \* 4. Approval to Consider and Adopt a Resolution of Necessity to Acquire Real Property or Interest in Real Property by Eminent Domain for the State Route 219 Widening Project, Parcel Owner Carl S. Boyett, Co-Trustee, et al., APN: 046-010-026, 10-Sta-219-KP 7.80, Parcel 16101 ([View Item](#))
- \* 5. Approval to Consider and Adopt a Resolution of Necessity to Acquire Real Property or Interest in Real Property by Eminent Domain for the State Route 219 Widening Project, Parcel Owner Helder Garcia, et ux., APN: 004-069-034, 10-Sta-219-KP 6.20, Parcel 16089 ([View Item](#))
- \* 6. Approval to Consider and Adopt a Resolution of Necessity to Acquire Real Property or Interest in Real Property by Eminent Domain for the State Route 219 Widening Project, Parcel Owner Oscar Rudolph Wedegaertner Trustee, et ux, APN: 046-006-005 and APN: 046-006-006, 10-Sta-219-KP 6.0, Parcel 15328 ([View Item](#))
- \* 7. Approval to Consider and Adopt a Resolution of Necessity to Acquire Real Property or Interest in Real Property by Eminent Domain for the State Route 219 Widening Project, Parcel Owner Raman S. Essa, et al., APN: 046-069-066, 10-Sta-219-KP 5.50, Parcel 15543-1, 2, 3 ([View Item](#))
- \* 8. Approval to Consider and Adopt a Resolution of Necessity to Acquire Real Property or Interest in Real Property by Eminent Domain for the State Route 219 Widening Project, Parcel Owner Modesto Irrigation District, APN: 046-006-007, 10-Sta-219-KP 6.20, Parcel 15329 ([View Item](#))
9. Approval to Adopt a Resolution Supporting the Findings of the California Statewide Local Streets and Roads Needs Assessment ([View Item](#))

D. Department of Planning and Community Development

E. County Counsel

VI. Scheduled Matters

## VII. Correspondence

1. This Board has received a letter from the Central Valley Regional Water Quality Control Board regarding the Issue Paper on Drinking Water Supply and Public Health Related Issues Proposed NPDES Permit Renewal for Sacramento Regional County Sanitation District Sacramento Regional Wastewater Treatment Plant. ([View Item](#))  
(Recommendation: Refer to the Department of Environmental Resources, Department of Public Works and the Agricultural Commissioner/Sealer of Weights and Measurers.)
2. This Board has received a notice of proposed emergency regulatory action relating to the incidental take of Pacific fisher from the California State Fish and Game Commission. ([View Item](#))  
(Recommendation: Refer to the Fish and Wildlife Committee.)
3. This Board has received from the National Association of Counties (NACo) and the Pretrial Justice Institute (PJI) their new publication, Jail Population Management: Elected Officials' Guide to Pretrial Services. ([View Item](#))  
(Recommendation: Refer to the Chief Executive Office, Sheriff and the District Attorney.)
4. This Board has received the following claims: Kerry (Sonja) Gilbert; Kenneth Evitt; Denise Nelson; Eric G. LaJoure; Daniel Farris; Johnny Delatorre (aka Juan); Kathryn S. North; and, George M. Morrison.  
(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 - Significant Exposure to Litigation: One Case. Government Code Section 54956.9 (b).