



**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**

March 2, 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. Presentation: March 2010 as Social Worker Recognition Month in Stanislaus County

### III. Public Comment Period

### IV. Consent Calendar

### V. Agenda Items

#### A. Miscellaneous

- \* 1. Approval of the Minutes for February 16, 2010 ([View Item](#))
- \* 2. Approval of Appointment of:
  - a. Arleen Hernandez to the South Modesto Municipal Advisory Council ([View Item](#))
  - b. Dolleen Haskell to the Knights Ferry Municipal Advisory Council ([View Item](#))
  - c. Miguel Monteon to the Crows Landing Community Services District Board of Directors ([View Item](#))
- \* 3. Acceptance of the Resignation of:
  - a. Theodore Reimers from the Stanislaus County Planning Commission ([View Item](#))
  - b. Derek Davis from the Oakdale Rural Fire Protection District Board of Directors ([View Item](#))
- \* 4. Approval to Proclaim the First Saturday of May as the Bette Belle Smith Day of Service in Stanislaus County ([View Item](#))
- \* 5. Approval of a Commendation for Michael Franck Upon his Retirement from the Department of Environmental Resources ([View Item](#))

#### B. Chief Executive Office

- \* 1. Approval to Accept the County of Stanislaus Treasury Oversight Committee's Annual Audit and Annual Certificates of Compliance, and Approval of Amendment to the Treasury Pool Investment Policy – Treasurer-Tax Collector ([View Item](#))
- \* 2. Approval to Accept the Stanislaus County Treasury Pool's January 2010 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- \* 3. Approval to Introduce and Waive the First Reading of an Ordinance Repealing Chapter 9.65 of the Stanislaus County Code Regarding Establishment of the Stanislaus Family Justice Center Commission – Chief Executive Office ([View Item](#))
- 4. Approval to Adopt a Resolution Initiating a Sixth Expansion of the Stanislaus Enterprise Zone by Approximately 101.65 Acres in the Unincorporated Area and Authorization to Submit a Zone Expansion Application Request to the State of California – Chief Executive Office ([View Item](#))
- 5. Consideration and Approval of the Mid-Year Financial Report for Fiscal Year 2009-2010, Transfers from Appropriations for Contingencies, Adjustments to the Budget, Staffing Changes and Related Actions – Chief Executive Office ([View Item](#))

#### C. Department of Public Works

- \* 1. Approval to Adopt the Negative Declaration for the McHenry Avenue Widening – Phase 1 (Ladd Road to Hogue Road) Project ([View Item](#))
- \* 2. Approval to Appoint Curt Chappell as the Interim County Surveyor ([View Item](#))
- 3. Approval to Adopt a Resolution Initiating Proceedings for the Formation of County Service Area 28-Grayson ([View Item](#))

#### D. Department of Planning and Community Development

- \* 1. Authorization to Record a Certificate of Cancellation of a 114.8 Acre Portion of Williamson Act Contract No. 1975-1888 – Sun Dry Products (Original Contract Name: Anthony C. Ruggiero) ([View Item](#))

E. County Counsel

VI. Scheduled Matters

VII. Correspondence

1. This Board has received four letters from the California Fish and Game Commission regarding proposed regulatory action concerning Mammal Hunting, Central Valley sport fishing, ocean salmon sport fishing, and Klamath Trinity River sport fishing. ([View Item](#))  
(Recommendation: Refer to the Fish and Wildlife Committee.)
2. This Board has received a letter from the U.S. Surface Transportation Board regarding the abandonment of the 5.18-mile line of railroad known as the McHenry Industrial Lead.  
(Recommendation: Refer to the Department of Public Works.) ([View Item](#))
3. This Board has received two letters from the City of Newman regarding the Proposed 2010 Amendment to the Redevelopment Plan for the Newman Redevelopment Project. ([View Item](#))  
(Recommendation: Refer to the Department of Planning and Community Development and the Auditor-Controller.)
4. This Board has received the following claims: Rachel Prescott, Analeyna Prescott, Chalyn Prescott, Raynelle Prescott, Mariah Prescott, Talaya Prescott and Yvana Prescott; Joan Carole Guerrero; Steve Hatzigeorgiou; Debra Harper, Vanessa Rubio, Elonda Warner, Sprint PCS et al, Robert Rowe, Carol Bushway; and, Julian Lopez.  
(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 Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organizations: California Nurses' Association (CNA); Stanislaus County Employees Association (SCEA)/AFSCME Local 10; Service Employees' International Union (SEIU), Local 521; Committee of Interns and Residents (CAIR/CIR); County Attorneys' Association (CAA); Deputy Sheriffs' Association (DSA); Stanislaus County Sheriffs Supervisors' Association (SCSSA); Stanislaus County Deputy Probation Officers' Association (SCDPOA); Stanislaus Regional Emergency Dispatchers' Association (SREDA); Stanislaus County Group Supervisors' Association (SCGSA); Stanislaus County Sheriff Management Association (SCSMA); Stanislaus County District Attorney Investigators' Association (SCDAIA); and, Stanislaus Sworn Deputy Association (SSDA). Government Code Section 54957.6. Conference with Legal Counsel - Existing Litigation: One Case: Tamara Smith, et al. v. County of Stanislaus, et al., United States District Court, Eastern District of California, Case No. 07-CV-00860-OWW-NEW. Government Code Section 54956(a). Conference with Legal Counsel - Significant Exposure to Litigation: One Case. Government Code Section 54956.9(b).