



BOARD OF SUPERVISORS

William O'Brien, 1st District
Vito Chiesa, 2nd District
Jeff Grover, 3rd District
Dick Monteith, 4th District
Jim DeMartini, 5th District

1010 Tenth Street, Suite 6500, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4420

AGENDA

April 6, 2010

9:00 A.M.

Chambers – Basement Level
1010 10th Street
Modesto, California
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.

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 10th 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.

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. 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.

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. Moment of Silence for Department of Child Support Services Employee Gary Edwards

III. Presentation: Fitness Challenge Award Recipients

IV. Public Comment Period

V. Consent Calendar

VI. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for March 30, 2010 ([View Item](#))
- * 2. Approval of Appointment of:
 - a. Janette Jameson to the Stanislaus Child Development Local Planning Council ([View Item](#))
 - b. Vaughn Brenda to the Advisory Board on Substance Abuse Programs ([View Item](#))
- * 3. Approval to Commend:
 - a. Stanislaus Medical Society Upon their 100th Anniversary ([View Item](#))
 - b. Dave Ashleigh Upon the Naming of the Modesto Junior College Pool as the “Dave Ashleigh Aquatics Center” ([View Item](#))
- * 4. Approval to Proclaim:
 - a. April 11-17, 2010 as National Library Week in Stanislaus County ([View Item](#))
 - b. May 1, 2010 as Law Day in Stanislaus County ([View Item](#))
- * 5. Approval to Authorize the Chairman of the Stanislaus County Board of Supervisors to Sign and Submit Property Owner Ballots in Support of the Formation of County Service Area 28 - Grayson for those Properties Owned by Stanislaus County ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Retain the Certified Public Accounting Firm of Brown Armstrong Accounting Corporation to Conduct the Annual County Audit for Fiscal Year Ending June 30, 2010 – Auditor-Controller ([View Item](#))
- * 2. Approval of Amendments to the Agreements for Mental Health and Ancillary Services for Fiscal Year 2009-2010 – Behavioral Health and Recovery Services ([View Item](#))
- * 3. Approval to Adopt the Proposed Identity Theft Prevention Program (ITPP) as the County’s Red Flag Policy to Comply with the Amended Federal Fair and Accurate Credit Transaction Act of 2003 – Chief Executive Office ([View Item](#))
- * 4. Approval for the Health Services Agency to Prepare for and Conduct an H1N1 Public Awareness Campaign, and to Contract with Kit L. Lloyd Productions for Professional Services in an Amount Not to Exceed \$325,045 Funded by the Centers for Disease Control (CDC) – Health Services Agency ([View Item](#))
- * 5. Approval for the Nuevo Pacto Church, a Partner of Nineveh Outreach, to Have Exclusive Use of an Area Within Fairview Park on Saturdays Beginning April 10, 2010, Ending December 4, 2010 and Waiver of Fees for Exclusive Use – Parks and Recreation ([View Item](#))
- * 6. Approval for the Stanislaus County District Attorney Victim Services Unit to Have Exclusive Use of the Courthouse Lawn Park and the Victim’s Garden of Healing on Wednesday, April 21, 2010 for the National Crime Victims’ Rights Week Event – Parks and Recreation ([View Item](#))
- * 7. Approval for the Central Coast Racers Under the Sun to Have Exclusive Use of Deer Creek Campgrounds and the Recreation Hall at Frank Raines Regional Park for their 2nd Annual Fun Run Beginning April 16, 2010 and Ending April 18, 2010 – Parks and Recreation ([View Item](#))

- * 8. Approval to Accept the Stanislaus County Treasury Pool's February 2010 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- * 9. Approval to Award a Contract 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 Library to Pacific Design Associates, Inc. and Related Actions – Chief Executive Office ([View Item](#))
- * 10. Approval to Rescind the Sole-Source Purchase of a Polymerase Chain Reaction (PCR) System with Roche Diagnostic Corporation and Approve a Revised Project to Purchase, Renovate and Install a Polymerase Chain Reaction (PCR) System for the Health Services Agency Public Health Laboratory – Chief Executive Office ([View Item](#))
- 11. Approval of Labor Cost Reduction Agreements for County Employees for Fiscal Years 2010-2011 and 2011-2012; A Voluntary Separation/Retirement Incentive Program for Represented and Unrepresented County Employees for Fiscal Year 2010-2011 and a Modification to the Retirement Benefits for Unrepresented Employees to be Hired after December 31, 2010 and Related Actions – Chief Executive Office ([View Item](#))

C. Department of Public Works

- * 1. 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 HAJ Ranch, a Partnership, et al., APN: 004-068-007, 10-Sta-219-KP 4.80, Parcel 16304-1,2 ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Set a Public Hearing for April 20, 2010 at 6:40 p.m. to Consider Planning Commission's Recommendation for Approval of General Plan Amendment No. 2009-01 and Rezone Application No. 2009-02, Derrel's Mini Storage ([View Item](#))
- * 2. Approval to Set a Public Hearing on April 20, 2010 at 6:35 p.m. to consider Planning Commission's Recommendation for Approval of General Plan Amendment No. 2009-04, Housing Element Update ([View Item](#))
- * 3. Approval for the Department of Planning and Community Development to Use Public Facility Fees to Complete the Comprehensive General Plan Update ([View Item](#))

E. County Counsel

VII. Scheduled Matters

- 9:05 a.m. Public Hearing to Consider Adopting a Negative Declaration for the JND Thomas Co., Inc., Application for Permit to Operate a Food Processing By-product Use Site – Environmental Resources ([View Item](#))

VIII. Correspondence

1. This Board has received a letter from the Building Industry Association of Central California regarding Williamson Act Contract decisions by the Board of Supervisors. ([View Item](#)) (Recommendation: Refer to County Counsel.)
2. This Board has received a letter from Doctors Medical Center regarding their decision to cease the operation of the Sweet Success Diabetic Program. ([View Item](#)) (Recommendation: Refer to the Health Services Agency.)

3. This Board has received a notice from the Central Valley Salinity Alternatives for Long-term Sustainability regarding upcoming public workshops. ([View Item](#))
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures.)
4. This Board has received a letter from the Superior Court of the State of California in Stanislaus County regarding how the budget cuts in the Sheriff's Department are impacting the Drug Court Program. ([View Item](#))
(Recommendation: Refer to the Chief Executive Officer and the Sheriff.)
5. This Board has received a letter from the State Department of Fish and Game regarding the upcoming decision on whether the Pacific fisher warrants listing as an endangered or threatened species. ([View Item](#))
(Recommendation: Refer to the Fish and Wildlife Commission.)
6. This Board has received a notice from the California High-Speed Rail Authority on meetings and information regarding the Bay Area to Central Valley High-Speed Train (HST) Revised Draft Program Environmental Impact Report (EIR) Material. ([View Item](#))
(Recommendation: Refer to the Department of Public Works.)
7. This Board has received Reports concerning the Projected Budget for Fiscal Year 2010-2011; Leases, Prices, Concessions, Fees; and, the Schedule for the 2010-2011 Season from Gallo Center for the Arts. ([View Item](#))
(Recommendation: Acknowledge receipt and refer to the Chief Executive Officer.)
8. This Board has received a letter from the California Emergency Management Agency regarding the President's disaster declaration on March 8, 2010, for several California counties and their contiguous counties including Stanislaus County, due to damages caused by severe winter storms, flooding, and debris and mud flows that occurred January 17, 2010, through February 6, 2010. ([View Item](#))
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures, CEO-Office of Emergency Services, and the Stanislaus Economic Development and Workforce Alliance.)
9. This Board has received the following claims: Vincente O. Pulido Jr.; Mitchell Alexander Coleman; Randy Thomas and Heirs-at-Law of Jeffrey R. Thomas; and, Marsha Rios.
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

IX. Board of Supervisors' Reports

X. Legislative, Fiscal and Management Report – Chief Executive Officer

XI. Adjournment