



BOARD OF SUPERVISORS

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

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Phone: 209.525.4494 Fax: 209.525.4420

AGENDA

April 27, 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. Presentation: May as Older Americans Month in Stanislaus County

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for April 20, 2010 ([View Item](#))
- * 2. Approval to Proclaim:
 - a. May 2010, as Elder and Dependent Adult Abuse Awareness Month in Stanislaus County ([View Item](#))
 - b. May 2010, as Foster Care Awareness Month in Stanislaus County ([View Item](#))
 - c. May 2010, as Mental Health Month in Stanislaus County ([View Item](#))
- * 3. Acceptance of the Resignation of Newmon W. Fink from the Tuolumne River Regional Park Citizens Advisory Committee ([View Item](#))
- * 4. Approval to Declare a Vacancy on the Tuolumne River Regional Park Citizens Advisory Committee ([View Item](#))

B. Chief Executive Office

- * 1. Approval of Two New Contracts with the California Department of Food and Agriculture: Asian Citrus Psyllid Contract for Fiscal Years 2009-2010 and 2010-2011; and European Grapevine Moth Contract for Fiscal Year 2009-2010 – Agricultural Commissioner ([View Item](#))
- * 2. Approval of the 2010-2011 Megabyte Automated Property Tax System Maintenance Agreement with Megabyte Systems, Inc. – Assessor ([View Item](#))
- * 3. Approval to Use Community Development Funds to Assist the Crows Landing Community Services District with Minor Water System Improvements and Related Actions – Chief Executive Office ([View Item](#))
- * 4. Approval to Extend the Expiration Date of the Current Memorandum of Understanding Between the County of Stanislaus and the Stanislaus Sworn Deputies Association from December 31, 2010 to June 30, 2012 – Chief Executive Office ([View Item](#))
- * 5. Approval to Extend the Expiration Date of the Current Memorandum of Understanding Between the County of Stanislaus and the Stanislaus Sheriff's Management Association from February 28, 2011 to June 30, 2012 – Chief Executive Office ([View Item](#))
- * 6. Approval of the Labor Agreement Between the County of Stanislaus and the Stanislaus County Sheriff's Supervisor Association Representing the Sergeants Bargaining Unit – Chief Executive Office ([View Item](#))
- * 7. Approval of Labor Agreement Between the County and the Stanislaus County District Attorney Investigators' Association Representing the District Attorney Investigators' Bargaining Unit – Chief Executive Office ([View Item](#))
- * 8. Approval of Labor Agreement Between the County and the Stanislaus Deputy Sheriffs' Association Representing the Custodial Sheriffs' Bargaining Unit – Chief Executive Office ([View Item](#))
- * 9. Approval of Underground Storage Tank Local Oversight Program Contract No. 10-020-250 with the State Water Resources Control Board – Environmental Resources ([View Item](#))
- * 10. Approval to Accept the Health Services Agency's 2010 Annual Public Health Report to the Board of Supervisors – Health Services Agency ([View Item](#))
- * 11. Approval to Accept the Department of Public Works 2009 Annual Report to the Board of Supervisors – Public Works ([View Item](#))

- * 12. Approval for Boy Scout Troop No. 119 to Have Exclusive Use of the Kiwanis Camp Beginning April 30, 2010, and Ending May 2, 2010, for Overnight Family Camp-Out and Waiver of Fees for the Exclusive Use – Parks and Recreation ([View Item](#))
- * 13. Approval to Apply for a State of California Off-Highway Vehicle Grant Program in the Amount of \$417,146 for the Operations and Maintenance of the Off-Highway Vehicle Areas at Frank Raines and La Grange Regional Parks for Fiscal Year 2010-2011 – Parks and Recreation ([View Item](#))
- * 14. Approval for the Chief Probation Officer to Apply for and Accept Year Ten Juvenile Justice Crime Prevention Act Funding From the Corrections Standards Authority (CSA) in the Amount of \$1,320,524 for Fiscal Year 2010-2011 – Probation ([View Item](#))
- * 15. Approval to Accept the Stanislaus County Treasury Pool’s March 2010 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- 16. Approval of Chief Executive Officer’s Update on Preliminary Forecast of 2010-2011 Proposed Budget – Chief Executive Office ([View Item](#))
- 17. Approval of Revised Library Operating Hours and the Reduction-In-Force of 9 Filled Positions and the Deletion of 4 Vacant Positions in the Library Effective June 26, 2010 – Library ([View Item](#))
- 18. Approval of the Reduction-In-Force of 52 Full-Time Positions and the Deletion of 16 Vacant Positions in the Sheriff’s Department Budget Effective June 26, 2010 – Sheriff ([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 Vance C. Kennedy, Trustee, APN: 004-071-029, 10-Sta-219-KP 6.30, Parcel 15335 ([View Item](#))
- * 2. 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 M & B Bruno Family, L.P., a California Limited Partnership, APN: 004-094-009, 10-Sta-219-KP 7.8, Parcel 15348 ([View Item](#))
- * 3. Approval to Authorize the Director of Public Works to Sign a General Lease – Right of Way Use Agreement with the California State Lands Commission for the Hills Ferry Road Bridge at San Joaquin River ([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 A & P Cal Properties, LLC, et al., APN: 004-094-014, 004-094-015, 004-094016, 10-Sta-219-KP 7.30 Parcel 15343 ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Set a Public Hearing on May 18, 2010, at 6:40 p.m., to Consider the Introduction, Waiving of the Reading, and Adoption of Planning and Community Development Department Ordinance Amendment #2009-01, an Ordinance Adding Subsection “G” to Section 21.20.030 of Title 21 of the Stanislaus County Code Relating to Truck Parking in the Agricultural Zone ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 9:05 a.m. Public Hearing to Close the 30-Day Public Comment Period and to Consider: 1) Approval of the Fiscal Year 2010-2011 Annual Action Plan that Includes Approximately \$2,691,538 in Community Development Block Grant (CDBG) Award and Approximately \$109,464 in Emergency Shelter Grant (ESG) Award; 2) An Amendment to the Fiscal Year 2007-2012 Consolidated Plan to Recognize the Home Investment Partnership Program (HOME) and Stanislaus County's Role as Administrator of the Program for County Consortium Members; 3) An Amendment to the Fiscal Year 2008-2009 Annual Action Plan to Incorporate New Activities and Expand Target Areas in the Neighborhood Stabilization Program (NSP); and 4) Related Actions Including Authorization of a New NSP Contract with the Housing Authority of Stanislaus County – Planning and Community Development ([View Item](#))
- 9:10 a.m. Public Hearings to Consider the Adjustment of Fees as Follows:
- A. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees for the Department of Environmental Resources to Include a New Fee for the Aboveground Petroleum Storage Act (APSA) Program ([View Item](#))
 - B. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees for the Department of Public Works Engineering Division ([View Item](#))
 - C. Approval to Introduce and Waive the First Reading of an Ordinance to Adopt a Fee Schedule and Increase Existing Fees Collected By the Sheriff's Department for Carry Concealed Weapons Permits and Livescan/Fingerprint Fees ([View Item](#))
 - D. Approval to Introduce and Waive the First Reading of an Ordinance to Adopt a Parking Penalties Schedule and Adjust Existing Parking Penalties Collected by the Sheriff's Department ([View Item](#))

VII. Correspondence

1. This Board has received two letters from the State Water Resources Control Board, Division of Water Rights, regarding Petitions for Temporary Transfer of Water/Water Rights from Tule Basin Farms, LLC and Goose Club Farms, LLC to eight water agencies including Oak Flat Water District in Stanislaus County.
(Recommendation: Refer to the Department of Planning and Community Development, the Department of Public Works and the Agricultural Commissioner and Sealer of Weights and Measures.) ([View Item](#))
2. This Board has received a Program Update from the San Joaquin River Restoration Program regarding the Draft Program Environmental Impact Statement/Environmental Impact Report.
(Recommendation: Refer to the Department of Public Works and the Agricultural Commissioner and Sealer of Weights and Measures.) ([View Item](#))
3. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding the Fiscal Year 2010 allocations for Stanislaus County.
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))

4. This Board has received a letter from the California Department of Veterans Affairs regarding the funding received by Stanislaus County Veterans in 2008 and 2009 and requesting that the County Veterans Service Office continue to be fully funded.
(Recommendation: Refer to the Chief Executive Officer and the Area Agency on Aging and Veteran’s Service.) ([View Item](#))
5. This Board has received a letter from NI Industries, Inc. notifying that the Riverbank Army Ammunition Plant has submitted to the Department of Toxic Substances Control (DTSC) a Class 1 Modification request for changes to its existing Hazardous Waste Facility Permit due to the closure of the Plant.
(Recommendation: Refer to the Department of Environmental Resources.) ([View Item](#))
6. This Board has received a letter from Valley Fresh regarding the closure of its facility at 680 D Street, Turlock, CA with permanent lay offs beginning on June 25, 2010 through October 29, 2010, per the Worker Adjustment and Retraining Notification (WARN) Act.
(Recommendation: Refer to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance.) ([View Item](#))
7. This Board has received a letter from the Oakdale Fire Protection District requesting “dry period” funding for Fiscal Year 2010-2011.
(Recommendation: Refer to the Auditor-Controller.) ([View Item](#))
8. This Board has received the following claims: Debra Harper; Shylanai Parkinson; and, Keith Goddard and Kristy Monroe.
(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).