



**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**

May 4, 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: A. Adopt a Pet – Department of Animal Services

B. May as Asthma Awareness Month

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- \* 1. Approval of the Minutes for April 27, 2010 ([View Item](#))
- \* 2. Acceptance of the Resignation of:
  - a. Patricia Segoviano De Pier from the Economic Development Action Committee ([View Item](#))
  - b. Leonard Harrington, Robert Santos and Julio Arroyo from the Stanislaus Economic Development and Workforce Alliance Board ([View Item](#))
- \* 3. Approval of Commendations for:
  - a. Stanislaus County Outstanding Senior Citizens of the Year ([View Item](#))
  - b. Kenni Friedman Upon Receiving the Liberty Bell Award from the Stanislaus County Bar Association ([View Item](#))
- \* 4. Acceptance of the Resignation of Michael Franck and the Approval of the Appointment of Gerry Garcia to the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))

B. Chief Executive Office

- \* 1. Approval to Enter Into and Sign Routine Agreements and Contracts with Various Federal and State Agencies for Fiscal Year 2010-2011 – Agricultural Commissioner ([View Item](#))
- \* 2. Approval of Modification to the Stanislaus County Workforce Investment Act (WIA) Strategic Five-Year Local Plan for the Delivery of Employment and Training Services – Alliance Worknet ([View Item](#))
- \* 3. Approval for the Denver Museum of Nature and Science, Department of Zoology, to Survey, Inventory, and Collect Camel Spiders at Frank Raines Regional Park Beginning May 5, 2010, and Ending June 20, 2010 – Parks and Recreation ([View Item](#))
- \* 4. 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](#))
- \* 5. Approval of Requests from the:
  - a. Church of Jesus Christ Latter Day Saints, Oakdale Branch, to Have Exclusive Use of a Portion of Muir Point Campgrounds within Woodward Reservoir from May 14, 2010, to May 15, 2010, for their Overnight Camping Event – Parks and Recreation ([View Item](#))
  - b. Hobie Class Association of North America, Division 3, to Have Exclusive Use of Woodward Reservoir, Fisher Point, Beginning May 13, 2010, and Ending on May 17, 2010, for their 19<sup>th</sup> Annual Regatta – Parks and Recreation ([View Item](#))
  - c. 4-H Youth Development Program of Stanislaus County to Have Exclusive Use of the Kiwanis Camp Beginning May 14, 2010, and Ending May 16, 2010, for their 4-H Primary Camp – Parks and Recreation ([View Item](#))

- d. City of Modesto to Have Exclusive Use of the Courthouse Lawn on May 15, 2010, for their Fifteenth Annual Family Cycling Event Festival – Parks and Recreation ([View Item](#))
- \* 6. Approval of a Memorandum of Understanding (MOU) with the Cities of Modesto, Ceres and Turlock and the Del Puerto Water District for the North Valley Regional Recycled Water Project Collaborative Partnership – Chief Executive Office ([View Item](#))
- \* 7. Approval to Hold the Fifteenth Annual Fireworks Celebration on Sunday, July 4, 2010, at Woodward Reservoir Regional Park – Parks and Recreation ([View Item](#))
- 8. Consideration and Approval of the Third Quarter Financial Report for Fiscal Year 2009-2010, Transfers from Appropriations for Contingencies, Adjustments to the Budget, Staffing Changes, and Set a Public Hearing on June 8, 2010, at 9:05 a.m., for the Consideration and Adoption of the Fiscal Year 2010-2011 Proposed Budget – Chief Executive Office ([View Item](#))
- 9. Approval of Revised Assessor’s Operating Hours, Reduction-In-Force of Four Filled Positions, the Deletion of One Vacant Position and the Reclassification of One Position in the Assessor's Department Effective July 17, 2010 – Assessor ([View Item](#))
- 10. Approval of the Reduction-In-Force of Five Filled Full-Time Positions in the Public Defender’s Department Effective July 17, 2010 – Public Defender ([View Item](#))

C. Department of Public Works

- \* 1. Approval to Award the Construction Contract for the ARRA 2009 Cape Seal Project, Federal Project No. ESPL-5938 (164) to Bond Blacktop, Inc., Union City, California ([View Item](#))
- \* 2. Approval to Award the Construction Contract for the RSTP 2009 Cape Seal Project, Federal Project No. STPL-5938 (168) to Intermountain Slurry Seal, Inc., Watsonville, California ([View Item](#))
- \* 3. Approval to Award the Construction Contract for the ARRA Hughson Sphere Of Influence Cape Seal Project, Federal Project No. ESPL-5938 (170) to Bond Blacktop, Inc. of Union City, California ([View Item](#))
- \* 4. Approval to Award an Agreement for Construction Management Services to Nolte Associates, Inc., for the Carpenter Road at Beverly Drive and Carpenter Road at Robertson Road Traffic Signal Project, Federal Project ESPL-5938 (166) ([View Item](#))
- \* 5. Approval of the Installation of an All-Way Stop Traffic Control at the Intersection of Bangs Avenue at North Star Way in the North Modesto Area ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Set a Public Hearing for May 25, 2010 at 9:05 A.M. to Consider Approval of Lot Line Adjustment Application No. 2009-13 and Williamson Act Cancellation No. 2009-02, Lindskoog ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 9:05 a.m. Public Hearing to Consider the Formation of County Service Area 28-Grayson and Conduct a Ballot Procedure in Compliance with Proposition 218, and Consent to the Waiver of Conducting Authority Proceedings for Formation Of County Service Area 28-Grayson – Public Works ([View Item](#))

- 9:10 a.m. Public Hearing to Introduce and Waive the First Reading of the Subdivision Ordinance Amendments Changing Subsection “A” of Section 20.52.200, Dedications, and Subsection “A” of Section 20.16.090 Improvements Required, of Title 20 of the Stanislaus County Code – Public Works ([View Item](#))
  
- 9:15 a.m. Public Hearing to Consider an Appeal of the Planning Commission's Decision of Denial for Use Permit Application No. 2009-06, Los Artistas Nightclub, a Request to Allow a Nightclub Within an Existing Building on a One (1) Acre Parcel in the C-2 (General Commercial) Zoning District at 1705 Crows Landing Road, in the Modesto Area – Planning and Community Development ([View Item](#))

## VII. Correspondence

1. This Board has received a letter from Bartkiewicz, Kronick and Shanahan regarding a Petition for Temporary Transfer of Water from the City of Sacramento to one or more of the eight Buyers which includes Oak Flat Water District in Stanislaus County. ([View Item](#))  
(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.)
  
2. This Board has received a letter from the County Clerk-Recorder and Registrar of Voters requesting a Board of Supervisors member to participate on the Election Observer Panel for the upcoming Statewide Direct Primary Election on Tuesday, June 8, 2010. ([View Item](#))  
(Recommendation: Accept invitation.)
  
3. This Board has received the following claims: Debra Harper; Buck Consultants, LLC and Harold Loeb; and, Rashad Jardali Mitchell.  
(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