



**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**

June 22, 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.     Safety Leadership Recognition for the Health Services Agency
- B.     eTrip Rule 9410 – San Joaquin Valley Air Pollution Control District

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- \* 1.    Approval of the Minutes for:
  - a.    June 7, 2010 ([View Item](#))
  - b.    June 8, 2010 ([View Item](#))
- \* 2.    Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1088 to Amend Section 2.04.030 of the Stanislaus County Code to Change the Comparison Counties Used to Adjust the Stanislaus County Board of Supervisors’ Compensation – Chief Executive Office ([View Item](#))
- \* 3.    Approval of Appointment of Taryn Muralt to the Stanislaus County Child Abuse Prevention Council ([View Item](#))
- \* 4.    Acceptance of the Resignation of:
  - a.    Jaime Lomeli from the South Modesto Municipal Advisory Council ([View Item](#))
  - b.    Robbyn Ferraro-Foster from the In-Home Supportive Services Advisory Committee ([View Item](#))
- \* 5.    Approval to Consolidate with the Gubernatorial General Election to be Held on Tuesday, November 2, 2010 the Municipal Elections for the:
  - a.    City of Waterford ([View Item](#))
  - b.    City of Patterson ([View Item](#))
  - c.    City of Oakdale ([View Item](#))
- \* 6.    Approval of a Commendation for Judge Donald Shaver Upon his Retirement from the Stanislaus County Superior Court ([View Item](#))

B. Chief Executive Office

- \* 1.    Approval of the Reduction-in-Force of One Filled Full-Time Position in the Stanislaus Animal Services Agency Effective September 11, 2010 – Animal Services ([View Item](#))
- \* 2.    Authorize the Auditor-Controller to Reissue a Stale-Dated Check to Abraham Jaimes in the amount of \$40.00 – Auditor-Controller ([View Item](#))
- \* 3.    Approval to Modify the Pay for Performance System for Department Head, Management, and Confidential Employees – Chief Executive Office ([View Item](#))
- \* 4.    Approval to Introduce and Waive the First Reading of an Ordinance to Amend Chapter 2.08 of the Stanislaus County Code Relating to the Chief Executive Officer, and Conforming Changes to Other Provisions of the County Code Related to the Director of Public Works, Director of Parks and Recreation, the County Building Official, County Surveyor and Floodplain Administrator – Chief Executive Office ([View Item](#))
- \* 5.    Approval of Final Acceptance of the Electronic Security and Fire Alarm System Upgrades at the Juvenile Justice Center by Premises System, Inc. – Chief Executive Office ([View Item](#))
- \* 6.    Approval to Apply for the Fiscal Year 2010 Homeland Security Grant Program – Office of Emergency Services/Fire Warden ([View Item](#))

- \* 7. Approval to Enter Into a Contract Between the Office of Emergency Services/Fire Warden and the City of Oakdale for the Provision of Specific Fire Prevention Services Effective July 1, 2010 through June 30, 2011 – Office of Emergency Services/Fire Warden ([View Item](#))
- \* 8. Approval for the Community Services Agency to Accept a Grant of \$10,000 from the National Children’s Alliance and to Sign the Sub-Award Agreement with the California Network of Child Advocacy Centers for the Child Abuse Interview, Referral and Evaluation (CAIRE) Center – Community Services Agency ([View Item](#))
- \* 9. Approval to Accept Waste Tire Enforcement Grant Funds from the California Department of Resources Recycling and Recovery for Fiscal Year 2010-2011 to Promote the Regional Waste Tire Enforcement Program – Environmental Resources ([View Item](#))
- \* 10. Approval for the Department of Environmental Resources to Sponsor and Organize a Green Ideas Expo on November 4, 2010, at the Stanislaus County Agricultural Center – Environmental Resources ([View Item](#))
- \* 11. Approval of the State of California, Commission on Peace Officer Standards and Training Standard Agreement and Driving Simulator Use and Operation Agreement to Receive, House and Operate State-Owned Driving Simulators – Sheriff ([View Item](#))
- \* 12. Approval of the 2010 Agreement Between the 38th Agricultural Association - Stanislaus County Fair Board and Stanislaus County for the Sheriff to Provide Security at the Fair – Sheriff ([View Item](#))
- 13. Approval to Appoint Two Board Members to an Ad-Hoc Committee to Work with Modesto City Council and Salida Fire District Members on the Development of a Regional Joint Fire Services Agency, with Recommendations to be Returned to Each Governing Board for Consideration – Chief Executive Office ([View Item](#))

C. Department of Public Works

- \* 1. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11, Section 11.08.020 of the Stanislaus County Code, Amending No Parking Zone on Butte Avenue in the Stanislaus County Unincorporated Area ([View Item](#))
- \* 2. Approval to Summarily Vacate a Portion of Anna Avenue, East of Motsinger Road and West of Seventh Street, Located in the Community of Keyes ([View Item](#))
- \* 3. Approval of Amendment No. 1 to the Agreement Between the Central Valley Flood Control Board and Stanislaus County for the West Stanislaus (Orestimba Creek) Feasibility Study and the Schedule and Cost Change Request Between the U.S. Army Corps of Engineers on Behalf of Stanislaus County ([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 Joel F. De Graef, et al., APN: 004-069-017, 10-Sta-219-KP 5.80, Parcel 15331 ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Submit, and if Awarded, Accept a \$1,000,000 Grant Application to the California State Department of Housing and Community Development (HCD) Under the CalHome Program to Supplement the Stanislaus County First Time Home Buyer Program ([View Item](#))
- \* 2. Approval to Authorize the Department of Planning and Community Development to Negotiate and Enter into an Agreement to Provide Building Inspection and Plan Check Services to the City of Oakdale Effective July 1, 2010 ([View Item](#))

E. County Counsel

VI. Scheduled Matters

VII. Correspondence

1. This Board has received a notice from the State Department of Toxic Substances Control regarding the Draft Removal Action Work Plan for the Proposed Alternative Education School at 1013 South Yosemite Avenue in Oakdale, CA by the Stanislaus County Office of Education; the public comment period is from June 9, 2010 through July 9, 2010. ([View Item](#))  
(Recommendation: Refer to the Department of Environmental Resources.)
2. This Board has received from the State Department of Fish and Game a copy of the Draft Environmental Document regarding Migratory Game Bird Hunting. ([View Item](#))  
(Recommendation: Refer to the Fish and Wildlife Committee.)
3. This Board has received a letter from the San Joaquin Valley Resource Conservation and Development Council requesting the Board to designate a representative and alternate to participate in their meetings. ([View Item](#))  
(Recommendation: Refer to the Agricultural Advisory Board.)
4. This Board has received a letter from the State Fish and Game Commission regarding the finding that the California tiger salamander warrants listing to threatened species status. ([View Item](#))  
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures, Department of Planning and Community Development, and Department of Environmental Resources.)
5. This Board has received a notice from the U.S. Department of Transportation and the California High-Speed Rail Authority regarding the San Jose to Merced Section Alternatives Analysis Public Information Meetings. ([View Item](#))  
(Recommendation: Refer to the San Joaquin Valley Rail Committee and the Department of Public Works.)
6. This Board has received a notice from the U.S. Fish and Wildlife Service regarding the comment period for the 5-year review of a large number of species that are protected under the federal Endangered Species Act. ([View Item](#))  
(Recommendation: Refer to the Fish and Wildlife Committee and the Agricultural Commissioner and Sealer of Weights and Measures.)
7. This Board has received a copy of a resolution from the Mountain View Fire Protection District regarding their Special Assessment charge. ([View Item](#))  
(Recommendation: Refer to the Auditor-Controller.)
8. This Board has received seven petitions requesting the adoption of an ordinance to require all profit and non-profit businesses to fly the official flag of the United States of America. ([View Item](#))  
(Recommendation: Refer to the Office of County Counsel and the Chief Executive Officer.)

9. This Board has received the following claims: Guy Ralph Perea Sr. (2); Vanzy and Michael Kalanta; Shu Hsia Lee; Wendy Beattie; and, Denise Dorrity (2).  
(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 - Existing Litigation: Three Cases: Nicholous Kiele v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 646610; Building Industry Association of Central California v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 622705; and, Lucio Corral et al. v. County of Stanislaus, et al., United States District Court, Eastern District of California, Case No. 1:08-CV-00856-OWW-GSA. Government Code Section 54956.9(a).