



**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**

November 30, 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. Public Comment Period**

### III. Consent Calendar

### IV. Agenda Items

#### A. Miscellaneous

- \* 1. Approval of the Minutes for November 9, 2010 ([View Item](#))
- \* 2. Approval of Appointment of Judith Lanning and Blanca Rivera to the Stanislaus Economic Development and Workforce Alliance Youth Advisory Council ([View Item](#))
- \* 3. Acceptance of the Resignation of Brian Domyan from the Western Hills Water District Board of Directors ([View Item](#))
- 4. Approval to Accept the Clerk-Recorder's Certified Statement of the Results of the Gubernatorial General Election Held Tuesday, November 2, 2010, and Declare the Results ([View Item](#))

#### B. Chief Executive Office

- \* 1. Approval of Agreements with Various Providers of Mental Health Services for Fiscal Year 2010-2011 – Behavioral Health and Recovery Services ([View Item](#))
- \* 2. Approval to Accept the Eleventh Update on the Immediate Action Plan to Secure the Men's Honor Farm in Accordance with Public Contract Code Section 22050 for the Abatement, Demolition and Clean-Up of the Destroyed Barracks – Chief Executive Office ([View Item](#))
- \* 3. Approval to Extend the Expiration Date of the Current Memorandum of Understanding Between the County of Stanislaus and the California Nurses' Association from February 28, 2011 to June 30, 2012 – Chief Executive Office ([View Item](#))
- \* 4. Approval to Modify and Expand the Stanislaus County Job Sharing Policy for Unrepresented Confidential and Management Employees to Represented Employees – Chief Executive Office ([View Item](#))
- \* 5. Consideration of the Stanislaus Child Development Local Planning Council 2010 Child Care Needs Assessment – Community Services Agency ([View Item](#))
- \* 6. Approval to Adopt the Recommended Decision of the Nuisance Abatement Hearing Board Regarding the Cost Accounting to Abate the Nuisance at 1219 Imperial Avenue, Modesto, California, Case Number CE 09-0731 – Environmental Resources ([View Item](#))
- \* 7. Approval to Adopt the Recommended Decision of the Nuisance Abatement Hearing Board Regarding CE No. 10-0366 at 1209 Sam Avenue, Modesto, California – Environmental Resources ([View Item](#))
- \* 8. Approval to Close the Health Services Agency Clinic and Pharmacy Operations from 8:00 a.m. Through 12:00 p.m. on December 24, 2010 – Health Services Agency ([View Item](#))
- \* 9. Approval to Use \$76,105 of Fire Warden Public Facilities Fees (PFF) Funding for the Purchase of a Regional Fire Records Management System – Office of Emergency Services/Fire Warden ([View Item](#))
- \* 10. Approval of the Development Plans and Schedules for Woodward Reservoir Regional Park and Modesto Reservoir Regional Park Sewer System Management Plans – Parks and Recreation ([View Item](#))
- \* 11. Approval for the Stanislaus County District Attorney Victim Services Unit to Have Exclusive Use of the Courthouse Lawn and the Victim's Garden of Healing on Wednesday, December 8, 2010, for their 13th Annual Homicide Victims' Memorial Tree Lighting and Candlelight Vigil – Parks and Recreation ([View Item](#))

- \* 12. Approval of the Woodward Reservoir Regional Park Improvement Project and Expenditure in the Amount of \$176,492 Pursuant to the Roberti-Z'berg-Harris Block Grant Program in the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002 – Parks and Recreation ([View Item](#))
- \* 13. Acceptance of the Stanislaus County Treasury Pool's October 2010 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- \* 14. Approval of Proposed Policies Regarding the Designation of In-House and Contractual Janitorial Services Provided to County Departments Based Upon a Clear Definition of Core Service Areas – General Services Agency ([View Item](#))

#### C. Department of Public Works

- \* 1. Approval to Introduce and Waive the First Reading of an Ordinance Adopting Title 11.08.130, of the Stanislaus County Code, Adding a Tow-Away Zone on Various County Roadways Beginning in the Turlock Area ([View Item](#))
- \* 2. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11, Section 11.08.070, of the Stanislaus County Code, Amending a No Parking Zone on Marshall Street in the Stanislaus County, Turlock Area ([View Item](#))
- \* 3. Approval to Award the Construction Contract for the Heron Point Boat Launching Facility to Ross F. Carroll, Inc. of Oakdale, California ([View Item](#))
- \* 4. Approval to Revise the Project Budget for the Ladd Road at McHenry Avenue Intersection Improvement Project ([View Item](#))
- \* 5. Approval to Summarily Vacate a Portion of "I" Street, South of Lake Road and North of 4th Street, Located in the Community of Hickman ([View Item](#))

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

- \* 1. Approval to Set a Public Hearing for December 21, 2010, at 6:40 p.m., to Consider Planning Commission's Recommendation for Denial of General Plan Amendment No. 2010-02, Rezone Application No. 2010-02, and Vesting Tentative Subdivision Map, 2010-01, Del Rio Villas ([View Item](#))

#### E. County Counsel

#### V. Scheduled Matters

#### VI. Correspondence

1. This Board has received a letter from the California Department of Finance regarding Chapter 21, Statutes of 2009, which requires redevelopment agencies to transfer a portion of property tax revenues to K-12 schools during the 2010-2011 fiscal year via the Supplemental Educational Revenue Augmentation Funds (SERAF).  
(Recommendation: Refer to the Stanislaus County Redevelopment Agency and the Auditor-Controller.) ([View Item](#))
2. This Board has received a letter from John B. Sanfilippo & Son, Inc. regarding the closure of its Orchard Valley Harvest facility at 736 Mariposa Road, Suite A, Modesto, CA with permanent layoffs beginning on January 14, 2011, 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](#))

3. 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 and the City of Modesto's request for an additional 180-day extension of the interim trail use/rail banking negotiation period.  
(Recommendation: Refer to the Department of Public Works.) ([View Item](#))
  
4. This Board has received the following claims: Patricia Payne; Julio Munoz Jr.; James M. Molinaro; Freddie Davis; Ronda Bye (amended copy); Brian Korpiel (amended copy); Megan Lopez; Joseph Lopez; Richard Pomares, Charlene Boeh, Jordan Pomares, Devanie Pomares; Daniel Pomares, and Gayla Pomares; Dennis Johnson; and, Alex Guajardo.  
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

VII. Board of Supervisors' Reports

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

IX. Sitting as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority ([View Item](#))

- I. Call to Order
- II. Consent Calendar (Those items marked with an \*)
  - \*A. Approval of Minutes of November 9, 2010
- III. Correspondence
  - A. None
- IV. Public Hearings
  - A. None
- V. Agenda Items
  - A. None
- VI. Public Forum
- VII. Adjournment

X. Adjournment

- XI. Closed Session: Conference with Legal Counsel - Existing Litigation: Two Cases: Lucio Corral, et al vs. County of Stanislaus, United States District Court, Eastern District of California, Case No. 1:08-CV 00856-OWW-GSA; and, Bata Younan vs. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 651659. Government Code Section 54956.9(a).