



**BOARD OF SUPERVISORS**

**William O'Brien, 1<sup>st</sup> District**  
**Vito Chiesa, 2<sup>nd</sup> District**  
**Terry Withrow, 3<sup>rd</sup> District**  
**Dick Monteith, 4<sup>th</sup> District**  
**Jim DeMartini, 5<sup>th</sup> District**

1010 10th Street, Suite 6500  
Modesto, CA 95354

Phone: 209.525.4494 Fax: 209.525.4420

**AGENDA**

June 28, 2011

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: The National Association for the Advancement of Colored People (NAACP) Award to the Sheriff's Department**

### III. Public Comment Period

### IV. Consent Calendar

### V. Agenda Items

#### A. Miscellaneous

- \* 1. Approval of the Minutes for June 14, 2011 ([View Item](#))
- \* 2. Approval of Reappointment of:
  - a. Robert Ott and Hans Wagner to the Woodland Avenue Volunteer Fire Protection District Board of Directors ([View Item](#))
  - b. Jim Hughes to the Turlock Rural Fire Protection District Board of Directors ([View Item](#))
  - c. Robert Kimball to the West Stanislaus Fire Protection District Board of Directors ([View Item](#))
  - d. Carolyn Padlo to the Stanislaus County Mental Health Board ([View Item](#))
  - e. Daniel Downey and Eileene King to the Commission on Aging ([View Item](#))
  - f. Cindy Woolston to the Regional Advisory Committee of the Mountain-Valley Emergency Medical Services Agency ([View Item](#))
  - g. Pam Reeder, Keri Rodgers and Marvin Patton to the Stanislaus Child Development Local Planning Council ([View Item](#))
  - h. Jeff Broumas to the Stanislaus County Airport Land Use Commission ([View Item](#))
  - i. Michael Lynch and Jeff Grover to the Stanislaus County Employees Retirement Board (StanCERA) ([View Item](#))
  - j. Dennis Hartman to the Denair Fire Protection District Board of Directors ([View Item](#))
  - k. Pamela Floyd and Sue Henderson to the Stanislaus County Free Library Advisory Board ([View Item](#))
  - l. John Bairos to the Oakdale Fire Protection District Board of Directors ([View Item](#))
- \* 3. Approval of Appointment of:
  - a. Richard Gibson to the Stanislaus County Planning Commission ([View Item](#))
  - b. Michelle Lucas to the Advisory Board on Substance Abuse Programs ([View Item](#))
  - c. Lisa Archibeque to the State Council on Developmental Disabilities Area Board 6 ([View Item](#))
- \* 4. Approval to Commend Donna Powers Upon her Retirement from the Stanislaus County Department of Child Support Services ([View Item](#))
- \* 5. Approval to Adopt the Amendment to the Conflict of Interest Code for the Keyes Community Services District ([View Item](#))
- \* 6. Approval to Consolidate the Municipal Elections with the Consolidated District Election to be Held on November 8, 2011 for the:
  - a. City of Oakdale's One-Half Cent Transactions and Use Tax ([View Item](#))
  - b. City of Ceres ([View Item](#))

#### B. Chief Executive Office

- \* 1. 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](#))
- \* 2. Approval to Receive and Expend Program Year 2011-2012 Workforce Investment Act (WIA) Funds in Accordance with the Approved Stanislaus County Strategic Five-Year Local Plan – Alliance Worknet ([View Item](#))

- \* 3. Acceptance of Internal Audit Reports Prepared by the Internal Audit Division of the Auditor-Controller's Office ([View Item](#))
- \* 4. Acceptance of the Accountant's Report on the Stanislaus County Treasurer's Statement of Assets as of March 28, 2011 Prepared by the Auditor-Controller's Office ([View Item](#))
- \* 5. Approval to Authorize the Auditor-Controller to Advance Funds to Stanislaus Consolidated Fire Protection District for Operational Expenses Under Government Code 23010 in an Amount Not to Exceed \$6,724,106 – Auditor-Controller ([View Item](#))
- \* 6. Approval to Authorize the Auditor-Controller to Advance Funds to Oakdale Rural Fire District for Operational Expenses Under Government Code 23010 in an Amount Not to Exceed \$1,445,000 – Auditor-Controller ([View Item](#))
- \* 7. Approval for Behavioral Health and Recovery Services to Enter an Agreement with Aegis Medical Systems, Inc. to Provide Narcotic Replacement Therapy Services for Fiscal Year 2011-2012 – Behavioral Health and Recovery Services ([View Item](#))
- \* 8. Approval of a Memorandum of Understanding and Settlement Agreement and Release with Modesto City Schools District Regarding Gregori High School Traffic Mitigation – Chief Executive Office ([View Item](#))
- \* 9. Approval of Year End Budget Adjustments for the Chief Executive Office – Risk Management Division, District Attorney and Public Defender Funded from Retained Earnings, Appropriations for Contingencies and Increased Departmental Revenues – Chief Executive Office ([View Item](#))
- \* 10. Approval of the Recommended Proposed Capital Improvement Plan Project List for Budget Year 2011-2012 – Chief Executive Office ([View Item](#))
- \* 11. Approval to Accept the Seventh and Final Update on Flooding in Various Locations in Stanislaus County and Approval to Terminate the Countywide Declaration of a Local Emergency – Chief Executive Office ([View Item](#))
- \* 12. Approval of the Contract for July 1, 2011 through June 30, 2012 Between the Victim Compensation and Government Claims Board and the District Attorney's Office for a Paralegal to Track, Research and Report on Restitution to Victims of Violent Crimes – District Attorney ([View Item](#))
- \* 13. Approval to Extend the Term and Increase the Total Amount of the Agreement with ATC Associates, for Soil and Groundwater Investigation and Clean-Up, at 402 Downey Avenue, Modesto – Environmental Resources ([View Item](#))
- \* 14. Approval of the Countywide Integrated Waste Management Plan Five-Year Review Conducted by the Local Task Force on Solid Waste Management – Environmental Resources ([View Item](#))
- \* 15. Approval for the Health Services Agency to Purchase Network and Voice-Over Internet Protocol Telephone Equipment, Software and Services, and Approval to Use Public Facility Fees of \$318,103 as Partial Funding for the Project – Health Services Agency ([View Item](#))
- \* 16. Authorization for the Health Services Agency to Submit an Application for the Community Transformation Grant for the Prevention and Control of Chronic Diseases Offered Through the Federal Centers for Disease Control and Prevention Public Prevention Health Fund – Health Services Agency ([View Item](#))
- \* 17. Approval to Retain One Filled Community Health Worker III Position Previously Approved for a Reduction-in-Force in the Health Services Agency – Health Services Agency ([View Item](#))
- \* 18. Approval of the Amended and Restated Agreement with the Stanislaus County Police Activities League for a Recreation Swim Program for Fiscal Year 2011-2012 – Parks and Recreation ([View Item](#))

- \* 19. Approval to Authorize the Chief Probation Officer to Apply for and Accept, if Awarded, an Evidence Based Practices Project Grant from the California Department of Corrections and Rehabilitation, Corrections Standards Authority to Advance the Use of Evidence Based Practices in the Juvenile Justice System – Probation ([View Item](#))
- \* 20. Approval to Accept a Donation from an Anonymous Donor of Twelve Mounted Prints/Pictures of Nature to be Displayed in the Juvenile Hall Corridors – Probation ([View Item](#))
- \* 21. Approval to Award an Agreement to TouchPay Payment Services, Inc. California for the Provision of Inmate Trust Account Services – Sheriff ([View Item](#))
- \* 22. Acceptance of the Stanislaus County Treasury Pool’s May 2011 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- \* 23. Approval to Enter Into an Agreement Between the Stanislaus County University of California Cooperative Extension and Audubon California for Use of a Workstation Space Within the University of California Cooperative Extension Office at 3800 Cornucopia Way – University of California Cooperative Extension ([View Item](#))
- \* 24. Approval of Year End Budget Adjustments for Community Services Agency In-Home Supportive Services (IHSS) Provider Wages and IHSS Public Authority Benefits Funded from Departmental Revenue – Community Services Agency ([View Item](#))
- \* 25. Approval to Introduce and Waive the First Reading of an Ordinance Adding Chapter 2.98 to the Stanislaus County Code to Prohibit the County from Requiring Project Labor Agreements on County Construction Projects - Chief Executive Office/County Counsel ([View Item](#))
- 26. Approval of the Chief Executive Office and the Community Services Agency Plan for the Use of Additional State Child Welfare Funds Available for Child Welfare Program Augmentations Using Donated Funds for the Required Local Matching Funds and Related Actions – Chief Executive Office ([View Item](#))

C. Department of Public Works

- \* 1. Approval to Adopt Plans and Specifications for the Claribel Road at Burlington Northern Santa Fe (BNSF) Railroad Crossing and Set the Bid Opening Date ([View Item](#))
- \* 2. Approval to Set a Public Hearing on July 26, 2011, at 9:05 a.m., Regarding Budget Year 2011-2012 Assessments for Various County Service Areas, Landscape Assessment District and Landscape and Lighting Districts ([View Item](#))

D. Department of Planning and Community Development

E. County Counsel

VI. Scheduled Matters

- 9:05 a.m. Public Hearing to Consider Adjustments to Stanislaus County Franchise Maximum Rates for Solid Waste Collection Services – Environmental Resources ([View Item](#))

VII. Correspondence

- 1. This Board has received a copy of the Stanislaus County Assessment Practices Survey Report from the State Board of Equalization.  
(Recommendation: Refer to the Assessor.) ([View Item](#))

2. This Board has received a letter from the Federal Emergency Management Agency regarding the Flood Insurance Rate Map revision for floodplain management purposes and for all flood insurance policies and renewals issued in Stanislaus County.  
(Recommendation: Refer to the Department of Planning and Community Development and the Department of Public Works.) ([View Item](#))
3. This Board has received a copy of the California Department of Mental Health's completed Medical Oversight onsite review of Stanislaus County's Mental Health Plan.  
(Recommendation: Refer to Behavioral Health and Recovery Services.) ([View Item](#))
4. This Board has received the Fiscal Year 2009/10 Annual Report of the Stanislaus County Emergency Medical Services Agency.  
(Recommendation: Refer to Chief Executive Officer.) ([View Item](#))
5. This Board has received a memo from the State Fish and Game Commission regarding the proposed regulatory action relative to the Inspection of Facilities for Restricted Species meeting on June 30, 2011, the correct name of the location of the meeting is the University Plaza Waterfront Hotel at 110 W. Fremont Street in Stockton, CA.  
(Recommendation: Refer to Fish and Wildlife Committee.) ([View Item](#))
6. This Board has received the following claims: Kathleen Michelle Jelley; Debra Harper (2); Ryan Collins, Crystal Collins, Megan Collins, and Elizabeth Collins; Douglas L. Farrow; Kathleen Jelley; Bright Development; Signature Development Inc.; Richard Pomares, Charlene Boeh-Pomares, Devanie Pomares, Jordan Pomares, Gayla Pomares, and Danny Pomares; and, Thomas L. Goff.  
(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. Announcements:

##### A. Redistricting Committee Public Meetings:

1. June 28, 2011 6:00 p.m. - 8:00 p.m. Modesto Senior Center, 211 Bodem St., Modesto
2. June 29, 2011 6:00 p.m. - 8:00 p.m. King Kennedy Center, 601 S Martin Luther King, Modesto
3. June 30, 2011 6:00 p.m. - 8:00 p.m. Salida Fire Station #1, 4820 Salida Blvd, Salida

#### XI. Adjournment

XII. Closed Session: Conference with Legal Counsel - Existing Litigation: Two Cases: The Committee Concerning Community Improvement, et al. vs. City of Modesto, et al., United States District Court, Eastern District California, Case No. CV-F-04-6121 LJO DLB; Nyomi Elias, et al. v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 663544. Government Code Section 54956.9 (a). Conference with Legal Counsel - Significant Exposure to Litigation: One case related to calculation of property tax administration fees. Government Code Section 54956.9 (b). Conference with Legal Counsel - Anticipated Litigation: Two Cases. Government Code Section 54956.9 (c).