



BOARD OF SUPERVISORS

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

1010 10th Street, Suite 6500
Modesto, CA 95354

Phone: 209.525.4494 Fax: 209.525.4420

AGENDA

October 4, 2011

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: Italian American Heritage Month in Stanislaus County

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for September 20, 2011, September 27, 2011, and September 28, 2011 ([View Item](#))
- * 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1107 to Repeal Title 25 of the Stanislaus County Code Related to Election Campaign Reform – County Counsel ([View Item](#))
- * 3. Approval of Appointment of Carlos Estacio III to the Stanislaus County Agricultural Advisory Board ([View Item](#))
- * 4. Acceptance of the Resignation of Judith Callaway from the Assessment Appeals Board ([View Item](#))
- * 5. Approval to Commend:
 - a. Stanislaus County Sheriff Deputies Pena and Seymour for their Life Saving Heroic Actions ([View Item](#))
 - b. Mayenne USA Upon their 20th Anniversary ([View Item](#))
- 6. Approval of Appointments In Lieu of Election:
 - a. Jerry Hancock and Harlan E. Smith to the Ceres Fire Protection District Board of Directors ([View Item](#))
 - b. David S. Absher, Miguel Oseguera and Jeff Serpa to the Hughson Fire Protection District Board of Directors ([View Item](#))
 - c. Emil Rusca and Mark Brubaker to the Salida Fire Protection District Board of Directors ([View Item](#))
 - d. John A. Varni, David D. Sundy, Jr. and Joe S. Nunes to the Westport Fire Protection District Board of Directors ([View Item](#))
 - e. Coleen Sanguinetti, Miguel Monteon and Vern Wheeland to the Crows Landing Community Services District Board of Directors ([View Item](#))
 - f. Roland C. Allen, T.J. McDonald and Karl F. Curnow to the Denair Community Services District Board of Directors ([View Item](#))
 - g. Johnathon Parker to the Keyes Community Services District Board of Directors ([View Item](#))
 - h. Tim McKinsey and William Telfair to the Knights Ferry Community Services District Board of Directors ([View Item](#))
 - i. Cheryl Zumstein and Dennis R. Findley to the Denair Municipal Advisory Council ([View Item](#))
 - j. Davie Landers, Jr., William Alexander, and Jeff Reed to the Keyes Municipal Advisory Council ([View Item](#))
 - k. Christopher D. Hempleman, Winnie Mullens and Kathrin Hart to the Valley Home Municipal Advisory Council ([View Item](#))
 - l. Frank Clark and Alfred Bairos, Jr. to the Oakdale Irrigation District Board of Directors ([View Item](#))
 - m. John M. Azevedo to the Patterson Irrigation District Board of Directors ([View Item](#))
 - n. Rob Santos to the Turlock Irrigation District Board of Directors ([View Item](#))
 - o. Greg Petz and Lee DeIDon to the West Stanislaus Irrigation District Board of Directors ([View Item](#))
 - p. Ivan E. Bays, John Escobar, Earl Perez and Jim Jasper to the Del Puerto Water District Board of Directors ([View Item](#))

- q. Ward Burroughs and Albert Rossini to the Eastside Water District Board of Directors ([View Item](#))
- r. Tom Morris, Greg Nunes, and Henry Bettencourt to the El Solyo Water District Board of Directors ([View Item](#))
- s. Roy J. Orlando and Donald Harper to the Rock Creek Water District Board of Directors ([View Item](#))
- t. Joe Sallaberry, Veryl “Butch” Watkins, and Phillip Souza to the Reclamation District #2063 Board of Directors ([View Item](#))
- u. Frank Freitas, Patrick Cerutti, Douglas Lucas, and Michael Dompe to the Newman Drainage District Board of Directors ([View Item](#))
- 7. Approval of Appointments In Lieu of Election and Vacancies:
 - a. Nathan Cary to the Empire Municipal Advisory Council ([View Item](#))
 - b. Arleen Hernandez to the South Modesto Municipal Advisory Council ([View Item](#))
 - c. Ana Rocha-San Nicolas to the Salida Municipal Advisory Council ([View Item](#))
 - d. Rudy Caro, Diana M. Gonzales-Alvarez, Kelland Murphy, and Timi Lynn Horn to the Riverdale Park Community Services District Board of Directors ([View Item](#))
 - e. Tony Bravo, Henry R. Galvan to the Westley Community Services District Board of Directors ([View Item](#))
 - f. John E. Beltran and Joe J. Martini to the Oak Flat Water District Board of Directors ([View Item](#))
 - g. Earl Perez and Clyde Peters to the Orestimba Flood Control District Board of Directors ([View Item](#))
- 8. Approval of Appointments In Lieu of Election Where No Candidates Filed:
 - a. Grayson Community Services District Board of Directors ([View Item](#))
 - b. Monterey Pack Tract Community Services District Board of Directors ([View Item](#))
 - c. Hickman Municipal Advisory Council ([View Item](#))
 - d. Knights Ferry Municipal Advisory Council ([View Item](#))
 - e. Reclamation District #2091 Board of Directors ([View Item](#))
- B. Chief Executive Office
 - * 1. Approval to Pay Invoice for Service Performed More Than One Year Ago to WageWorks for Flexible Spending Account Fees – Risk Management ([View Item](#))
 - * 2. Approval to Declare a Vehicle as Surplus and Authorize the Sale – General Services Agency ([View Item](#))
 - * 3. Approval to Submit an Application to the California Department of Public Health for Funding Allocation of \$747,192 Under the 2011-12 Centers for Disease Control Public Health Emergency Preparedness Funding, State General Fund Pandemic Influenza Funding, and U.S. Department of Health and Human Services Assistant Secretary for Prevention and Response Hospital Preparedness Program Funding Agreement – Health Services Agency ([View Item](#))
 - * 4. Approval of a Resolution of Intent to Participate in the Great California ShakeOut Annual Statewide Earthquake Drill and Work Toward Becoming a Safer Community – Office of Emergency Services ([View Item](#))
 - * 5. Approval to Accept the Donations from Jon E. Maring and Group for the Laird Park Renovation Project Located in the Grayson/Westley Area – Parks and Recreation ([View Item](#))
 - * 6. Approval to Accept Off-Highway Motor Vehicle Grant Funds from the State of California Resources Agency for Fiscal Year 2011-2012 for Operations and Maintenance at Frank Raines and La Grange Regional Parks – Parks and Recreation ([View Item](#))

- * 7. Approval to Enter into an Agreement with the State of California Department of Forestry and Fire Protection for Emergency Use of Facilities in Frank Raines Regional Park – Parks and Recreation ([View Item](#))
- * 8. Approval to Award a Contract to Redwood Toxicology for Drug Testing Services at the Probation Department – Probation ([View Item](#))
- * 9. Acceptance of the Stanislaus County Treasury Pool’s August 2011 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- * 10. Approval to Award the Construction Contract for the Minor Renovations at the Health Services Agency Public Health Laboratory Polymerase Chain Reaction Project to BC Construction of Ceres, California – Chief Executive Office ([View Item](#))
- 11. Approval of the Third Annual Stanislaus County Board of Supervisors’ Effective Partnership Recognition for the Department of Child Support Services and the Latino Emergency Council – Chief Executive Office ([View Item](#))
- 12. Approval to Authorize the Chief Executive Officer and Sheriff to Submit a Letter of Interest to the State of California for AB 900 Phase II Jail Construction Funding; Accept an Update on the Master Planning and Needs Assessment Efforts Underway and Authorize a Request for Qualifications/Proposals for Architectural Design Services for Future Jail Facility Expansion – Chief Executive Office ([View Item](#))

C. Department of Public Works

- * 1. Approval of the Annexation of Park View Estates into County Service Area No. 10 Salida ([View Item](#))
- * 2. Approval of Purchase Agreement to Acquire Road Right-of-Way for the State Route 99/State Route 219 (Kiernan Avenue) Interchange Project, Parcel Owner Frederick B. Butterworth, APN: 136-020-010 ([View Item](#))
- * 3. Approval of the Consent by Stanislaus County to Allow Right-of-Way Acquisition by the City of Modesto to Widen Sylvan Avenue and Litt Road ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval for the Department of Planning and Community Development to Accept Two Grants from the State Water Resources Control Board for Planning and Engineering Activities Related to the Airport District and Shackelford (Parklawn Neighborhood) Sewer Improvement Projects ([View Item](#))

E. County Counsel

VI. Scheduled Matters

9:10 a.m. Public Hearing to Consider and Adopt Sewer System Management Plans for Modesto Reservoir and Woodward Reservoir Regional Parks – Parks and Recreation ([View Item](#))

VII. Correspondence

- 1. This Board has received a letter from California Emergency Management Agency regarding the U.S. Small Business Administration designation of Stanislaus County as a contiguous county disaster area due to agricultural losses caused by unseasonable and excessive rain that occurred May 1, 2011, through June 28, 2011.
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures, and the Stanislaus Economic Development and Workforce Alliance.) ([View Item](#))

2. This Board has received a letter from the California Department of Social Services pertaining to the proposed Fiscal Year 2011/12 funding for fraud investigations and program integrity efforts related to the In-Home Supportive Services Program.
(Recommendation: Refer to the Community Services Agency.) ([View Item](#))
3. This Board has received a letter from the California Partnership for the San Joaquin Valley inviting the Board of Supervisors to appoint a member to the Partnership Water Work Group.
(Recommendation: Refer to the Chief Executive Officer.) ([View Item](#))
4. This Board has received a letter from the Hills Ferry Cemetery District requesting a bi-annual audit.
(Recommendation: Refer to the Auditor-Controller.) ([View Item](#))
5. This Board has received a letter from the California Department of Corrections and Rehabilitation regarding Stanislaus County's compliance of the inclusion of the Health Officer on the review panel for an inmate's death per Title 15, Section 1046.
(Recommendation: Refer to the Sheriff.) ([View Item](#))
6. This Board has received the following claims: R. Michael Williams (amended claim); Jose Bedoya; Timothy Wester; and, Peter Camara.
(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. 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 September 20, 2011
 - III. Correspondence
 - A. None
 - IV. Public Hearings
 - A. None
 - V. Agenda Items
 - A. None
 - VI. Public Forum
 - VII. Adjournment

XI. Adjournment

- XII. Closed Session: Public Employee Appointment: Title: Chief Executive Officer. Government Code Section 54957(b). Conference with Legal Counsel - Existing Litigation. One Case: Maria Alvarez, et al. v. County of Stanislaus, Stanislaus County Superior Court Case No. 612601. Government Code Section 54956.9(a). Conference with Legal Counsel - Significant Exposure to Litigation: Two Cases: Claim for damages by Stephanie Vandoorn dated April 8, 2011 re vehicle accident; Annette Smith v. County of Stanislaus re investigation by Stanislaus County Civil Grand Jury. Government Code Section 54956.9 (b)(B). Conference with Labor Negotiator: Agency Negotiator: Richard Robinson. Labor Organizations: California Nurses' Association; Stanislaus County Employees

Association/AFSCME Local 10; Service Employees' International Union, Local 521; Stanislaus County Probation Corrections Officer's Association; Stanislaus Regional Emergency Dispatchers' Association; County Attorneys' Association; Stanislaus County District Attorney Investigators' Association; Deputy Sheriffs' Association; Stanislaus Sworn Deputies Association; Stanislaus County Sheriffs Supervisors' Association; Stanislaus County Deputy Probation Officers' Association; Stanislaus County Sheriff Management Association. Government Code Section 54957.6.