



**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**

April 17, 2012

**Special Meeting**  
**5:00 P.M.**

**Regular Meeting**  
**6:30 P.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.

**Special Meeting**  
**5:00 P.M.**

- I. Closed Session: Conference with Labor Negotiator: Agency Negotiator: Monica Nino. Labor Organizations: California Nurses' Association (CNA); Stanislaus County Employees Association (SCEA)/AFSCME Local 10; Service Employees' International Union (SEIU), Local 521; County Attorneys' Association (CAA). Government Code Section 54957.6. Conference with Legal Counsel - Anticipated Litigation: One case. Government Code Section 54956.9 (c). Conference with Real Property Negotiator: Property: Stanislaus Waste-to-Energy Facility, 4040 Crows Landing Road, Crows Landing, California. Agency Negotiator: Monica Nino. Owner Negotiator: Covanta Stanislaus, Inc. Under Negotiation: Both Lease Terms and Price. Government Code Section 54956.8. Conference with Legal Counsel - Existing Litigation: One case: Annette Smith v. County of Stanislaus, United States District Court, Eastern District California, Case No. CV 11-1655-LJO-SKO. Government Code Section 54956.9 (a).

**Regular Meeting**  
**6:30 P.M.**

- II. Pledge of Allegiance to the Flag
- III. A Moment of Silence in Honor of Stanislaus County Deputy Sheriff Robert "Bob" Paris and Civilian Glendon Engert
- IV. Presentation: April 2012 as Child Abuse Prevention Month and Child Abuse Prevention Council Art Contest Winners
- V. Public Comment Period
- VI. Consent Calendar
- VII. Agenda Items
- A. Miscellaneous
- \* 1. Approval of the Minutes for April 3, 2012 ([View Item](#))
  - \* 2. Approval of Appointment of Frank Lucas to the Turlock Rural Fire Protection District Board of Directors ([View Item](#))
  - \* 3. Acceptance of the Resignation of:
    - a. Pamela Neronha from the San Joaquin Valley Air Pollution Control District Citizens' Advisory Committee ([View Item](#))
    - b. Dominic Salluce from the Economic Development Action Committee ([View Item](#))
  - \* 4. Approval to Commend Baldwin Trucking and The Franceschi Family Upon Being Named as the 2012 Business Honoree of the Year by the Sons of Italy Modesto Lodge #2021 ([View Item](#))
  - \* 5. Approval to Consolidate the West Side Community Healthcare District Election with the November 6, 2012, Presidential General Election ([View Item](#))
  - \* 6. Approval to Proclaim May 14 through 20, 2012 as National Salvation Army Week in Stanislaus County ([View Item](#))

## B. Chief Executive Office

- \* 1. Acceptance of the Accountant's Report on the Stanislaus County Treasurer's Statement of Assets as of December 19, 2011 Prepared by the Auditor-Controller's Office ([View Item](#))
- \* 2. Approve the Distribution of Excess Proceeds of \$313,855.28 from the 2011 Sale of Tax-Defaulted Properties – Treasurer/Tax Collector ([View Item](#))
- \* 3. Approval of the Second Amendment to the Agreement for Professional Services By and Between the County of Stanislaus and California CCS, PC for Inmate Health Care Services – Chief Executive Office ([View Item](#))
- \* 4. Approval of the Regular Operating Hours of the Health Services Agency and Authorization to Offer Particular Services on a Varied Scheduled ([View Item](#))
- \* 5. Approval to Enter Into a Contract with Stueve's Dairy for the Harvesting of Grass and Hay from Woodward Reservoir Regional Park for Fire Prevention Purposes – Parks and Recreation ([View Item](#))
- \* 6. Approval to Use Public Facilities Fees for the Demolition and Removal of a Former Parks Concessions Facility at Woodward Reservoir Regional Park – Parks and Recreation ([View Item](#))
- \* 7. Approval to Purchase Equipment and Amenities for Modesto Reservoir, Woodward Reservoir, Neighborhood Parks, and Regional Parks Using Public Facilities Fees – Parks and Recreation ([View Item](#))
- \* 8. Approval of a Resolution in Support of the Stanislaus Arts Council's Grant Application to the California Arts Council for \$12,000 – Chief Executive Office ([View Item](#))
- \* 9. Approval of the Merger of Three Adjacent County-Owned Parcels Comprising the Stanislaus County Public Safety Center Located at 250 East Hackett Road, Modesto (APN 086-015-014 and 086-015-015) Into One Single Parcel; and, Authorize the Chief Operations Officer and the Clerk of the Board of Supervisors to Sign and Record the Lot Merger Documents – Chief Executive Office ([View Item](#))
- \* 10. Approval of Substitution of the Fire Protection System Subcontractor for Roebbelen Contracting, Inc., for the Construction of the Stanislaus County Juvenile Commitment Center Project – Chief Executive Office ([View Item](#))

## C. Department of Public Works

- \* 1. Approval of a Purchase Agreement to Acquire Road Right-of-Way for the State Route 99/State Route 219 (Kiernan Avenue) Interchange Project, Parcel Owner J.L. Bray & Sons, Inc., APN: 135-047-001 ([View Item](#))
- \* 2. Approval of a Purchase Agreement to Acquire Road Right-of-Way for the State Route 99/State Route 219 (Kiernan Avenue) Interchange Project, Parcel Owner California Almond Growers Exchange, APN: 135-042-020 ([View Item](#))
- \* 3. Approval to Award the Construction Contract for the Non-Potable Water Well Projects at Segesta, Murphy, and Wincanton Parks in County Service Area 10 in Salida to Howk Systems of Modesto, California ([View Item](#))
- \* 4. Approval to Award a Contract for Bridge Design Engineering Services to CH2MHill, Inc. of Sacramento, California, for the Seventh Street Bridge over the Tuolumne River Replacement Project in Stanislaus County, Federal Project Number: BRLS-5938(167) ([View Item](#))

## D. Department of Planning and Community Development

- \* 1. Approval to Vacate the Board of Supervisors' Decision, Dated March 24, 2009, to Deny the Appeal of the Planning Commissions' Denial of Vesting Tentative Map No 2006-06, Knights Ferry Overlook and to Direct Staff to Review and Prepare the Application for Reconsideration by the Board ([View Item](#))

E. County Counsel

VIII. Scheduled Matters

- 6:35 p.m. Approval to Close the 30-day Public Comment Period and Conduct a Public Hearing on April 17, 2012 at 6:35 p.m. to Consider Approval of the Fiscal Year 2012-2015 Consolidated Plan (CP); the Fiscal Year 2012-2013 Annual Action Plan (AAP); the Housing and Urban Development Neighborhood Revitalization Strategy Areas (RS) for Airport and Parklawn Neighborhoods; the Fiscal Year 2012-2015 Analysis of Impediments (AI) to Fair Housing Choice; and the Substantial Amendment (SA) to the Fiscal Year 2011-2012 Annual Action Plan ([View Item](#))
- 6:40 p.m. Public Hearing to the Consider Introduction, Waiving of the Reading, and Adoption of Ordinance Amendment Application No. 2009-01 - Truck Parking in the Agricultural Zone, an Ordinance Amending Chapters 21.20 and 21.94 of the Stanislaus County Code ([View Item](#))

IX. Correspondence

1. This Board has received a copy of the report “Public Safety Realignment: California at a Crossroads” from the American Civil Liberties Union.  
(Recommendation: Refer to the Sheriff; District Attorney; Chief Probation Officer; and, the Public Defender.) ([View Item](#))
2. This Board has received a letter from the Dawn Food Products, Inc. regarding the permanent closure of their operations at 2407 and 2455 Tenaya Drive and 737 Riverside Drive in Modesto, CA that was to begin during a two week period near March 10, 2012, but has been extended for some employees until the two week period beginning on April 27, 2012.  
(Recommendation: Refer to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance.) ([View Item](#))
3. This Board has received a Public Notice from the California High-Speed Rail Authority regarding the Notice of Availability and Notice of Consideration of the Partially Revised Final Program Environmental Impact Report for the Bay Area to Central Valley High-Speed Train.  
(Recommendation: Refer to the Department of Public Works.) ([View Item](#))
4. This Board has received from the California Fish and Game Commission a Notice of Receipt of Petition for the listing of the Gray Wolf as an endangered species.  
(Recommendation: Refer to the Fish and Wildlife Committee.) ([View Item](#))
5. This Board has received from the San Joaquin Valley Air Pollution Control District a public meeting notice regarding the draft Guidance for Accessing and Mitigating Air Quality Impacts (GAMAQI) – 2012.  
(Recommendation: Refer to the Department of Environmental Resources.) ([View Item](#))
6. This Board has received a letter from the Department of Veterans Affairs regarding the cash benefits received in Stanislaus County.  
(Recommendation: Refer to the Department of Aging and Veteran Services.) ([View Item](#))

7. This Board has received the following claims: Candace Heather Iler; Marc Duncan; Jason Garner, Deputy; Shawn G. Moss; and, James Haley.  
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

X. Board of Supervisors' Reports

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

XII. Adjournment