



**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**

May 8, 2012

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: May 14 through 20, 2012 as Salvation Army Week in Stanislaus County

### III. Public Comment Period

### IV. Consent Calendar

### V. Agenda Items

#### A. Miscellaneous

- \* 1. Approval of the Minutes for May 1, 2012 ([View Item](#))
- \* 2. Approval to:
  - a. Adopt and Waive the Second Reading of Ordinance C.S. 1114 to Amend Existing Fees and Adopt New National Pollutant Discharge Elimination System (NPDES) Fees for the Department of Public Works Engineering Division ([View Item](#))
  - b. Adopt and Waive the Second Reading of Ordinance C.S. 1115 to Establish New and Amend Existing Fees for the Department of Environmental Resources ([View Item](#))
  - c. Adopt and Waive the Second Reading of Ordinance C.S. 1118 to Establish New and Amend Existing Fees for the Department of Parks and Recreation ([View Item](#))
- \* 3. Approval of Appointment of Richard Sylvester, Thomas Truax, Richard Barboza, Richard Edgecomb, Richard Gaytan, Joseph Madden, and, Doug Miller to the Veterans Advisory Commission ([View Item](#))
- \* 4. Approval of Commendations for Stanislaus County Outstanding Senior Citizens in Celebration of Older Americans Month in May 2012 ([View Item](#))

#### B. Chief Executive Office

- \* 1. Approval to Accept Additional Allocations from the Local Safety and Protection Account for:
  - a. Vertical Prosecution Block Grant and Increase the Budget – District Attorney ([View Item](#))
  - b. Rural Crimes Prevention Grant and Increase the Budget – District Attorney ([View Item](#))
- \* 2. Approval to Submit and Accept if Awarded the 2012 Edward Byrne Memorial Justice Assistance Grant Application to the Bureau of Justice Assistance to Enhance Criminal Justice Processes – Sheriff ([View Item](#))
- \* 3. Approval to Adopt the Fifth Amendment to the Joint Exercise of Powers Agreement of the California County Tobacco Securitization Agency Relating to the Operations of the Commission – Treasurer-Tax Collector ([View Item](#))
- \* 4. Accept the Stanislaus County Tobacco Endowment Investment Fund Audit for Year-Ending June 30, 2011 – Treasurer-Tax Collector ([View Item](#))
- \* 5. Approval of Agreement Between the County of Stanislaus and TRISTAR Risk Management as the County's Workers' Compensation Third Party Administrator Effective July 1, 2012 – Risk Management ([View Item](#))

#### C. Department of Public Works

- \* 1. Approval of Purchase Agreement to Acquire a Temporary Construction Easement for the State Route 99/State Route 219 (Kiernan Avenue) Interchange Project, Parcel Owners Billy and Robin Laws, APN: 136-020-012 ([View Item](#))
- \* 2. Approval to Award a Construction Contract for the Las Palmas Avenue at Elm Avenue and Las Palmas Avenue at Sycamore Avenue Intersection Projects to Knife River Construction of Stockton, California ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Adopt the Recommendations from the Nuisance Abatement Hearing Board Regarding Dangerous Building Case DAD2011-00004 Located at 901 Parklawn Avenue, Modesto, California ([View Item](#))

E. County Counsel

VI. Scheduled Matters

VII. Correspondence

1. This Board has received a letter from Patterson Vegetable Company L.L.C. regarding their intent to permanently close their entire operations at 100 W. Las Palmas Avenue in Patterson, CA occurring on June 24, 2012.  
(Recommendation: Refer to the Alliance Worknet and the Stanislaus Economic Development and Workforce Alliance.) ([View Item](#))
2. This Board has received the following claims: Jose Torres; Guillermina Torres; Simran Kaur, a minor; and, Lawrence Taylor.  
(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 - Significant Exposure to Litigation: Multiple cases related to a law enforcement incident on April 12, 2012 on the 2100 block of Chrysler Drive, Modesto, California. Government Code Section 54956.9 (b).