



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

August 21, 2012

Special Meeting
5:30 P.M.

Regular Meeting
6:30 P.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.

Special Meeting
5:30 P.M.

- I. Closed Session: Conference with Legal Counsel - Existing Litigation: Two Cases: James O'Connor, et al v. Vanessa Carrillo, et al., Stanislaus County Superior Court Case No. 675869; and, Dennis Wallace v. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 663764. Government Code Section 54956.9(a).

Regular Meeting
6:30 P.M.

- II. Pledge of Allegiance to the Flag
- III. Presentation: A. Recognition of the Volunteers for the Stanislaus County State Fair Exhibit
- B. Recognition of the Volunteers and Steering Committee for the Library Sales Tax Campaign
- IV. Public Comment Period
- V. Consent Calendar
- VI. Agenda Items
- A. Miscellaneous
- * 1. Approval of the Minutes for August 7, 2012 ([View Item](#))
 - * 2. Approval of Reappointment of David Cooper to the Children and Families Commission ([View Item](#))
 - * 3. Acceptance of the Resignation of Nina Brar from the Stanislaus County Parks and Recreation Commission ([View Item](#))
 - * 4. Approval to Accept the Resignation of Kristine Van Houten and Declare a Vacancy on the Stanislaus Child Development Local Planning Council ([View Item](#))
- B. Chief Executive Office
- * 1. Approval of a Master Agreement with AT&T for Services and Equipment Provided to Stanislaus County, Including the Lease of Fiber Optic Voice and Data Lines – Strategic Business Technology ([View Item](#))
 - * 2. Approval of a Master Agreement with Clark Pest Control, Inc., of Modesto, California for Pest Control Services – General Services Agency ([View Item](#))
 - * 3. Approval of Labor Agreement Between the County and the County Attorneys’ Association Representing the Attorneys’ Bargaining Unit – Chief Executive Office ([View Item](#))
 - * 4. Approval to Use Community Development Funds for the Helen White Memorial Trail Project in West Modesto, Community Cleanup Activities in South Modesto, and Other Administrative Actions Including the De-obligation of Funds for Certain Previously Approved Projects – Chief Executive Office ([View Item](#))
 - * 5. Approval to Declare Cisco Catalyst Network Switching Equipment from the Health Services Agency as Surplus and Authorize the Sale – General Services Agency ([View Item](#))
 - * 6. Approval of an Agreement with Adobe Systems Incorporated as an Affiliate to the Riverside County Master Agreement for the Purchase of Software Licenses, Upgrade Licenses, and Optional Maintenance Services – Strategic Business Technology ([View Item](#))

- * 7. Approval to Authorize the Chairman of the Board to Send a Letter Identifying the County's Position on a New Superior Courthouse in Modesto, California – Chief Executive Office ([View Item](#))
- 8. Consider and Provide Direction Whether to Terminate the Cost Reimbursement, Deposit and Forfeiture Agreement and the Developer Relationship with West Park Holdings, LLC or Waive the Breach of the Cost Reimbursement, Deposit and Forfeiture Agreement Between West Park Holdings, LLC and Stanislaus County Allowing the Continuance of a Development Time Extension Through January 31, 2013 – Chief Executive Office ([View Item](#))

C. Department of Public Works

- 1. Approval of the Subdivision Improvement Agreement with the Bank of Stockton for the Del Rio Lago Subdivision and Approval to Cancel the Public Hearing to Revert to Acreage ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Continue Implementation of Shorter Williamson Act Contracts in Return for a Reduction in Landowner's Property Tax Relief in Calendar Year 2013 and Related Actions Under AB 1265 ([View Item](#))

E. County Counsel

VII. Scheduled Matters

- 6:35 p.m. Public Hearing to Consider Planning Commission's Recommendation for Approval of Rezone Application No. 2011-02, Randy Thomas, a Request to Rezone 42± Acres in Five (5) Different Planned Development Zoning Districts Into One New Planned Development Zone to Allow New Commercial and Industrial Uses – Planning and Community Development ([View Item](#))
- 6:40 p.m. Public Hearing to Consider Lot Line Adjustment Application No. 2012-12 and Williamson Act Cancellation Application No. 2012-01, Berryhill Vineyards – Planning and Community Development ([View Item](#))
- 6:45 p.m. Continuation of the Public Hearing to Adopt a Resolution Approving the Reversion to Acreage of the Del Rio Lago Subdivision Final Map as Shown in Book 43 of Maps, at Page 85, Stanislaus County Records – Public Works (**Please note: Item C-1 of this agenda includes a recommendation to cancel this Public Hearing**) ([View Item](#))

VIII. Correspondence

- 1. This Board has received from the Milken Institute the report *Best Cities for Successful Aging*. ([View Item](#))
(Recommendation: Refer to the Department of Aging and Veteran Services.)
- 2. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding the approval of Stanislaus County's Fiscal Year 2011 Emergency Solutions Grant Substantial Amendment. ([View Item](#))
(Recommendation: Refer to the Department of Planning and Community Development.)

3. This Board has received two letters from the California Emergency Management Agency regarding the U.S. Department of Agriculture and the U.S. Small Business Administration's disaster designation for the primary counties of Kings and Merced, and Stanislaus County as a contiguous county, due to agricultural losses caused by hail, rain, and cold temperatures that occurred April 11, 2012 through April 13, 2012. ([View Item](#))
(Recommendation: Refer to the Agricultural Commissioner and Sealer of Weights and Measures, Office of Emergency Services, and Stanislaus Economic and Workforce Alliance.)
4. This Board has received a letter from the San Joaquin Valley Air Pollution Control District regarding grant opportunities for the Cordless Zero-Emission Commercial Lawn and Garden Equipment Demonstration Program. ([View Item](#))
(Recommendation: Refer to the Department of Parks and Recreation.)
5. This Board has received a copy of the Stanislaus County Civil Grand Jury Final Report 2011-2012. ([View Item](#)) (Recommendation: Acknowledge receipt of report.)
6. This Board has received the following claims: Alfredo Vega Garcia; Juan Sanchez; Tony Machado Rocha; Cynthia Parker; Larry McCormick Jr.; Carmen Tellez; Larry Dias; Ruby Rodrigues and Thomas Rodrigues; and, the Housing Authority of the County of Stanislaus.
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

IX. Board of Supervisors' Reports

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

XI. Adjournment