



**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**

August 28, 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: Status of the Agricultural Industry by the Stanislaus County Agricultural Commissioner and Sealer of Weights and Measures
  
- III. Public Comment Period
  
- IV. Consent Calendar
  
- V. Agenda Items
  - A. Miscellaneous
    - \* 1. Approval of the Minutes for August 21, 2012 ([View Item](#))
  
  - B. Chief Executive Office
    - \* 1. Approval of Contracts for the Older Americans Act (OAA) Programs, the Health Insurance Counseling and Advocacy Program (HICAP), the Title V Senior Community Service Employment Program (SCSEP), and the Multipurpose Senior Services Program (MSSP) with the California Department of Aging – Aging & Veterans Services ([View Item](#))
    - \* 2. Approval to Adopt the 2012-2013 Property Tax Rates – Auditor-Controller ([View Item](#))
    - \* 3. Approval to Take all of the Necessary Actions Required to Salvage and Demolish the Commercial Modular Trailer Located at the Juvenile Commitment Center Construction Site – Chief Executive Office ([View Item](#))
    - \* 4. Approval of the Public Health Emergency Preparedness, General Fund Pandemic Influenza, and Hospital Preparedness Program Funding in the Amount of \$712,394 from the California Department of Public Health – Health Services Agency ([View Item](#))
    - \* 5. Approval of an Agreement with the California Department of Public Health for the California Personal Responsibility Education Program for Teen Pregnancy Prevention from July 1, 2012 through September 30, 2016 – Health Services Agency ([View Item](#))
    - \* 6. Approval to Adopt a Resolution Supporting Senate Bill (SB) 1014/House Resolution (HR) 3890, the Emergency Judicial Relief Act, to Provide for Additional Federal District Judgeships, in the Eastern District of California – Chief Executive Office ([View Item](#))
    - \* 7. Approval to Enter into an Agreement to Provide Auto, General Liability and Property Insurance with the Stanislaus County Law Library – Risk Management ([View Item](#))
    - \* 8. Approval to Set Public Hearing on September 25, 2012 at 9:05 a.m. for Authorization of Stanislaus County District Attorney and Stanislaus County Sheriff’s Department Expenditure Plans for the State Supplemental Law Enforcement Services Fund (SLESF) – Sheriff ([View Item](#))
    - \* 9. Approval to Accept the Stanislaus County Treasury Pool’s July 2012 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
    - \* 10. Approval to Adopt the Recommended Decision of the Nuisance Abatement Hearing Board Regarding CE No. 11-0113 at 1705/1707 Seattle Street, Modesto, California – Environmental Resources ([View Item](#))
    - 11. Approval of the Real Estate Fraud Prosecution Trust Fund Annual Report Covering Fiscal Year 2011-2012 – District Attorney ([View Item](#))
    - 12. Continuation of Item to Consider and Provide Direction Whether to Terminate the Cost Reimbursement, Deposit and Forfeiture Agreement and the Developer Relationship with West Park Holdings, LLC, or Direct Staff to Develop a Request for Proposals (RFP) Based Upon the Core Project Elements as Identified Through the West Park Holdings, LLC Master Development Experience 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 ([View Item](#))

C. Department of Public Works

D. Department of Planning and Community Development

- \* 1. Approval to Authorize the Release of the Fiscal Year 2011-2012 Draft Consolidated Annual Performance Evaluation Report (CAPER) for the Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) Programs and Substantial Amendments (SA) to Prior Year Annual Action Plans for the Neighborhood Stabilization Programs (NSP) for Public Review to End on September 18, 2012 and Set a Public Hearing on September 18, 2012 at 6:35 p.m. to Consider Adoption ([View Item](#))
- \* 2. Approval to Amend the Contract with ICF International for Planning Services for the Preparation of the Comprehensive General Plan Update and Related Actions ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 9:05 a.m. Public Hearing to Consider Planning Commission's Recommendation for Approval of General Plan Amendment Application No. 2009-04, Revised Housing Element Update ([View Item](#))
- 9:10 a.m. Public Hearing to Consider Planning Commission's Recommendation for Denial of General Plan Amendment Application No. 2012-01, Rezone Application No. 2012-01, and Vesting Tentative Subdivision Map Application No. 2012-01, Del Rio Villas ([View Item](#))

VII. Correspondence

- 1. This Board has received a copy of the State Board of Equalization 2010-2011 Annual Report. ([View Item](#)) (Recommendation: Acknowledge receipt of the report.)
- 2. This Board has received a letter from the Regional Council of Rural Counties regarding a Memorandum of Agreement with the U.S. Forest Service and Bureau of Land Management regarding management of federal public lands. ([View Item](#)) (Recommendation: Refer to the Chief Executive Office and the Department of Public Works.)
- 3. This Board has received a letter from the United States Department of the Interior regarding the participation in the preparation of the Environmental Impact Statement for the Remanded Biological Opinions on the Coordinated Long-Term Operation of the Central Valley Project and State Water Project. ([View Item](#)) (Recommendation: Refer to the Department of Public Works and the Department of Environmental Resources.)
- 4. This Board has received a letter from the Department of Transportation regarding a meeting on the soil stockpiles and groundwater monitoring located south of Kansas Avenue on both sides of State Route 99 in the City of Modesto. ([View Item](#)) (Recommendation: Refer to the Department of Environmental Resources.)
- 5. This Board has received a Claim for Refund of Property Tax from Flight Options regarding fractionally owned aircraft assessments. ([View Item](#)) (Recommendation: Refer to the Auditor-Controller, Assessor, and Tax-Collector.)
- 6. This Board has received a letter from Bender Rosenthal, Inc. regarding the State Route 165 Project Study Report. ([View Item](#))

(Recommendation: Refer to the Department of Public Works.)

7. This Board has received the following claims: Alejandro Garcia III; Kathryn Catlin Stewart; Brenda Jones; and, Pat Silva.

(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