



**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**

September 11, 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. Public Comment Period

## III. Consent Calendar

## IV. Agenda Items

### A. Miscellaneous

- \* 1. Approval of the Minutes for August 28, 2012 ([View Item](#))
- \* 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1119 to Amend Sections 14.14.150 and 14.14.180 of the Stanislaus County Code Relating to Storm Water Management and Discharge Control ([View Item](#))
- \* 3. Acceptance of the Resignations of:
  - a. Joy Madison from the Economic Development Action Committee ([View Item](#))
  - b. Elisa Duke from the Mental Health Board ([View Item](#))
- \* 4. Approval to Proclaim September 2012 as National Preparedness Month in Stanislaus County ([View Item](#))

### B. Chief Executive Office

- \* 1. Approval to Revise the Stanislaus County Travel Policy, Effective September 11, 2012 – Auditor-Controller ([View Item](#))
- \* 2. Approval to Authorize the Auditor-Controller on Behalf of Behavioral Health and Recovery Services to Pay a Prior Year Invoice for Services Provided in a Prior Year ([View Item](#))
- \* 3. Approval to Authorize the Department of Environmental Resources to Collect the State Milk and Dairy Farm Inspection Fee Surcharge, on Behalf of the State of California, Effective October 1, 2012, as Required by Section 33253 of the California Food and Agricultural Code – Environmental Resources ([View Item](#))
- \* 4. Approval of the Memorandum of Understanding for Fiscal Year 2012-2013 with the Stanislaus Economic Development and Workforce Alliance Regarding the Implementation of Countywide Economic Development Activities – Chief Executive Office ([View Item](#))
- \* 5. Consideration and Approval of Response to the 2011-2012 Stanislaus County Civil Grand Jury Final Report ([View Item](#))
- \* 6. Approval to Increase Appropriations in the Chief Executive Office - Risk Management Medical Self-Insurance and Workers' Compensation Self Insurance Budget Units for Fiscal Year 2011-2012 – Risk Management ([View Item](#))
- \* 7. Approval to Adopt a Resolution Opposing Senate Bill 1148 (Pavley) Which Authorizes the Fish and Game Commission to Adjust Fees at its Discretion, Creates New Fees and Alters Funding Designated for the Hatcheries and Inland Fisheries Fund Established by AB 7 (Cogdill) – Chief Executive Office ([View Item](#))

### C. Department of Public Works

- \* 1. Approval to Authorize the Purchase of One 2013 2-Axle Conventional Cab/Flatbed Truck from Interstate Truck Center ([View Item](#))
- \* 2. Approval of Amendment No. 1 to Cooperative Agreement No. 10-355 with the State of California, Department of Transportation (Caltrans) for the State Route 99/Kiernan Avenue Interchange Improvement Project ([View Item](#))
- \* 3. Approval to Summarily Vacate a Portion of Undeveloped Sherry Lane Located North of Stewart Road and West of McHenry Avenue ([View Item](#))

### D. Department of Planning and Community Development

## E. County Counsel

## V. Scheduled Matters

- 9:05 a.m. Public Hearing to Consider the Adoption of the Recommended Final Budget for Fiscal Year 2012-2013 and Related Actions ([View Item](#))
- 9:10 a.m. Continuation of a 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](#))

## VI. Correspondence

1. This Board has received a letter from Silgan Containers Manufacturing regarding their intention to conduct temporary layoffs at its facility located at 3250 Patterson Road, Riverbank, CA per the Worker Adjustment and Retraining Notification Act (WARN Act) ([View Item](#)) (Recommendation: Refer to the Alliance WorkNet and the Stanislaus Economic Development and Workforce Alliance.)
2. 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.)
3. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding the approval of the Program Year 2012-2013 Annual Action Plan for the Stanislaus County Community Development Block Grant and the Emergency Solutions Grant. ([View Item](#)) (Recommendation: Refer to the Department of Planning and Community Development.)
4. This Board has received the following claims: Irina Engert; Joe Peggram; Jan Pritchard and Gisele Johnson; and, Guowei Tang. (Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

## VII. Board of Supervisors' Reports

## VIII. Legislative, Fiscal and Management Report – Chief Executive Officer

## IX. Adjournment

- X. Closed Session: Conference with Legal Counsel – Existing Litigation: Conference with Legal Counsel - Existing Litigation: One Case: In re Municipal Derivates Antitrust Litigation, MDL No. 1950, Master Docket No. 08-02516, United States District Court for the Southern District of New York. Government Code Section 54956.9 (a). Public Employee Appointment: Title: Director of Planning and Community Development. Government Code Section 54957 (b).