



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

October 15, 2013

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

- I. Closed Session: Public Employee Appointment: Title: County Assessor. Government Code Section 54957 (b). Conference with Legal Counsel - Existing Litigation: Two cases: City of Modesto v. County of Stanislaus, et al, Alameda County Superior Court Case No. HG13693363; Forensic Consultants' Medical Group, Inc. v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 626798. Government Code Section 54956.9 (d)(1). Conference with Legal Counsel - Significant Exposure to Litigation: Multiple cases related to claims filed by the Cities of Ceres, Hughson, Newman, Turlock, Waterford, Riverbank, Oakdale, and Patterson concerning calculation of the property tax administration fee. Government Code Section 54956.9 (d)(2).

Regular Meeting
6:30 P.M.

- II. Pledge of Allegiance to the Flag
- III. Presentation:
- A. California State Association of Counties 2013 Innovation Award to Stanislaus County and the Valley Recovery Resources for their Clean and Sober Living Programs
 - B. Commendation for Assessor David Cogdill, Sr. for his Service to Stanislaus County
- IV. Public Comment Period
- V. Consent Calendar
- VI. Agenda Items
- A. Miscellaneous
 - * 1. Approval of the Minutes for October 1, 2013 ([View Item](#))
 - * 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1136 Repealing and Replacing Title 7 of the Stanislaus County Code Including Administrative Citations and Disposition of Stray Cats for Stanislaus Animal Services Agency ([View Item](#))
 - * 3. Approval to Change the Supervisorial District Representation of Seven Members on the Mental Health Board ([View Item](#))
 - * 4. Acceptance of the Resignation of:
 - a. Vicki Lucas from the Newman Redevelopment Successor Agency Oversight Board ([View Item](#))
 - b. Kyle Hampton from the Economic Development Action Committee ([View Item](#))
 - * 5. Approval to Proclaim November 2013 as Adoption and Permanency Awareness Month in Stanislaus County ([View Item](#))
 - B. Chief Executive Office
 - * 1. Approval to Modify the Sand Creek Flood Control District Reporting Requirement from an Annual Audit to a Five Year Audit – Auditor-Controller ([View Item](#))
 - * 2. Approval to Accept the Auditor-Controller's Report on Stanislaus County's Revolving Funds as of June 30, 2013 – Auditor-Controller ([View Item](#))

- * 3. Approval of an Agreement for Professional Services with AECOM Technical Services, Inc., for Land Use, Engineering, and Environmental Consultant Services for the Crows Landing Development Project – Chief Executive Office ([View Item](#))
- * 4. Approval to Award the Construction Contract for the Juvenile Justice Center Roofing and Heating, Ventilation and Air Conditioning Replacement Project to Acme Construction, Inc., and Related Actions – Chief Executive Office ([View Item](#))
- * 5. Approval to Accept the Report of Multi-Department Contracts and Agreements for the Periods July 1, 2011 through June 30, 2012 and July 1, 2012 through June 30, 2013 – General Services Agency ([View Item](#))
- * 6. Approval of a Contract with Ascent Elevators Services, Inc. for Elevator Modernization at the Modesto Main Library and the Community Services Agency – General Services Agency ([View Item](#))
- * 7. Approval to Set a Public Hearing on November 5, 2013 at 9:10 a.m. Pursuant to Section 1442.5 of the Health and Safety Code to Consider the Elimination of the Direct Provision of Pharmacy and Oncology Services, and to Consider Adjustments to the Medically Indigent Adult Program Eligibility and Scope of Benefits Policy – Health Services Agency ([View Item](#))
- * 8. Approval of Appointment of a Director of Volunteer Services at the Sheriff’s Department at Step 5 of the Salary Range – Sheriff ([View Item](#))
- * 9. Approval of the Stanislaus County District Attorney and Stanislaus County Sheriff’s Department Expenditure Plans for the State Supplemental Law Enforcement Services Fund (SLESF) – Sheriff ([View Item](#))
- * 10. Approval of the Final Acceptance for the Construction of the Honor Farm Jail Bed Replacement Project, Unit 2 at the Public Safety Center with Diede Construction, Inc. of Lodi, California; and, Authorize Related Closeout Actions Including the Construction of the Blast Wall and Water Distribution System – Chief Executive Office ([View Item](#))
- 11. Approval to Submit a Proposal to the Board of State and Community Corrections for Jail Construction Funding, Pursuant to SB 1022 Adult Local Criminal Justice Facilities Construction Financing Program for \$40 million and Related Actions: Approval of Updated 2013 Needs Assessment and Transfer of Funds to Fully Satisfy the Required County Match, Including Previously Authorized General Fund Balance and the Addition of the Use of Public Facility Fees and Authorize the Issuance of a Request for Proposal for Architectural Design Services – Chief Executive Office ([View Item](#))

C. Department of Public Works

- * 1. Approval of a Contribution Agreement between the County of Stanislaus and the City of Patterson for the Project Approval and Environmental Document Phase of the Sperry Road Interchange Project ([View Item](#))
- * 2. Approval of a Purchase Agreement to Acquire Road Right of Way for the Claribel Road Widening Project, Grantor: Irrevocable Bavaro Family Trust April 7, 1992, and Revocable Bavaro Survivors Trust April 7, 1992; Assessor's Parcel Number 082-006-004 (Portion) ([View Item](#))
- * 3. Approval of a Purchase Agreement to Acquire Road Right of Way for the Claribel Road Widening Project; Grantor: The Fugett Living Trust 10/01/90; Assessor's Parcel Number: 074-014-010 (Portion) ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance Amending Title 16 of the Stanislaus County Code, and Adopting by Reference the California Code of Regulations Title 24, 2013 Edition, of the California Building Standards Code and to Set a Public Hearing on November 5, 2013 at 9:05 a. m. ([View Item](#))
- 2. Approval to Continue Implementation of Nine-Year Williamson Act Contracts in Return for a Reduction in Landowner's Property Tax Relief in Calendar Year 2014 and Related Actions Under AB 1265 ([View Item](#))

E. County Counsel

VII. Scheduled Matters

VIII. Correspondence

1. This Board has received a copy of the Stanislaus County Law Library Annual Report for the Fiscal Year ending June 30, 2013. ([View Item](#))
(Recommendation: Acknowledge receipt of report.)
2. This Board has received a copy of the California State Board of Equalization's 2011-12 Annual Report and their publication: "Taxes and Fees Administered by the California State Board of Equalization 2011-12". ([View Item](#))
(Recommendation: Acknowledge receipt of reports.)
3. This Board has received a letter from State Senator Alex Padilla requesting support of Senate Bill 405 regarding the phase out of single-use plastic bags in California. ([View Item](#))
(Recommendation: Refer to the Chief Executive Office and the Department of Environmental Resources.)
4. This Board has received a letter from the Governor's Office of Emergency Services regarding the U.S. Small Business Administration's declaration of primary and contiguous counties as disaster areas due to the Rim Fire which began on August 17, 2013, and continuing. ([View Item](#))
(Recommendation: Refer to the Chief Executive Office - Office of Emergency Services and to the Stanislaus Economic Development and Workforce Alliance.)
5. This Board has received a letter from the Department of Fish and Wildlife regarding the Draft Environmental Impact Report for the proposed Salmon conservation and research facility and related management actions on the San Joaquin River 1.1 miles downstream of the Friant Dam. ([View Item](#))
(Recommendation: Refer to the Fish and Wildlife Committee.)
6. This Board has received the following claims: Tim K. Boone; Praveen Singh; Steven Cuellar; Miguel Angel Cruz; and, Janessa Avila.
(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