



**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**

January 26, 2016

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.

**CLOSED SESSION:** Is the portion of the meeting conducted in private without the attendance of the public or press to discuss certain confidential matters specifically permitted by the Brown Act. The public will be provided an opportunity to comment on any matter to be considered in closed session prior to the Board adjourning into closed session.

**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. Moment of Silence for Stanislaus County Department of Child Support Employee Carla Armstrong

III. Invocation

IV. Presentation: Employee Service Awards

**Honored for Thirty-Five Years of Service:**

Robert Presto - Community Services Agency

**Honored for Thirty Years of Service:**

Robert Hunt - Sheriff's Department

**Honored for Twenty-Five Years of Service:**

Robert Van Trease - Sheriff's Department

V. Public Comment Period

VI. Consent Calendar

VII. Agenda Items

A. Miscellaneous

- \* 1. Approval of the Minutes for January 12, 2016 ([View Item](#))
- \* 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1170 Amending Chapter 9.86 of the County Code to Specifically Prohibit Cannabis Activities Within the Unincorporated Areas of Stanislaus County ([View Item](#))
- \* 3. Acceptance of the Resignation of:
  - a. Kathy Sniffen from the Commission on Aging ([View Item](#))
  - b. Betty Parker from the Parks and Recreation Commission ([View Item](#))
- \* 4. Approval of Appointment of:
  - a. Jonathan Carlson to the Stanislaus County Law Library Board of Trustees ([View Item](#))
  - b. Elizabeth Ortiz to the Mental Health Board ([View Item](#))
- \* 5. Approval to Commend George Angusich Upon his Retirement from the Department of Environmental Resources ([View Item](#))
- \* 6. Approval to Set a Public Hearing on February 9, 2016 to Expand the Knights Ferry Cemetery District Board of Trustees from Three Members to Five Members ([View Item](#))
- \* 7. Approval to Consolidate the City of Modesto Special Municipal Election with the Presidential Election to be Held on Tuesday, June 7, 2016 ([View Item](#))

B. Chief Executive Office

- \* 1. Approval to Accept the Eighth Update in Accordance with Public Contract Code Sections 20134 and 22050 for Emergency Repairs at County Center II located on Scenic Drive in Modesto to Repair Electrical Power Supply and Replace an Emergency Generator – Chief Executive Office ([View Item](#))
- \* 2. Approval to Apply for and Accept if Awarded Grants from the Off-Highway Motor Vehicle Recreation Program for Park Improvements and the Department of Housing and Community Development Housing-Related Parks Program for Recreational Projects for Fiscal Year 2016-2017 – Parks and Recreation ([View Item](#))
- \* 3. Approval to Award an Agreement with Delta Wireless, Inc., for the Probation Department's Juvenile Hall Digital Video Recorder and Surveillance System – Probation
- \* 4. Approve the Distribution of Excess Proceeds of \$1,468,661.86 from the November 13, 2014 Sale of Tax-Defaulted Properties – Treasurer-Tax Collector ([View Item](#))

- \* 5. Approval to Set the Starting Salary for the Newly Appointed Clerk of the Board of Supervisors – Chief Executive Office ([View Item](#))
- 6. Approval of the Annual Progress Report for the Stanislaus County Employee Mentor Program and Present a Proclamation Acknowledging the Month of January 2016 as Mentoring Awareness Month in Stanislaus County, Consistent with the National Mentor Month Distinction – Chief Executive Office ([View Item](#))
- 7. Approval to Accept a Report on the Initial Implementation and Impact of Proposition 47 on Law Enforcement Services in Stanislaus County – Chief Executive Office ([View Item](#))

C. Department of Public Works

- \* 1. Approval to Amend the Agreement for the Bridge Engineering Services and Project Delivery Services with T.Y. Lin International of Sacramento, California, and Approval to Amend the Memorandum of Agreement Between Merced County and Stanislaus County for the Hills Ferry Road Bridge Seismic Retrofit Project ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Acceptance of Report of Planning Commission’s December 3, 2015 Decision of Approval of Vesting Tentative Subdivision Map Application No. PLN2014-0074, Fairway 7 Estates, a Request to Subdivide an 8.1± Acre Property into 13 Lots of Approximately 20,000 to 27,466 Square Feet in the R-A (Rural Residential) Zoning District, Located at the Northeast Corner of North Stearns Road and State Route 108/120, in the Oakdale Area ([View Item](#))
- \* 2. Approval of a Reuse Plan for the Use of Successor Housing Agency Funds by Habitat for Humanity Stanislaus County for Development of Affordable Housing ([View Item](#))

E. County Counsel

VIII.Scheduled Matters

IX. Correspondence

1. This Board has received a Notice of Finding from the California Fish and Game Commission regarding the designation of the tricolor blackbird as an endangered species. ([View Item](#)) (Recommendation: Refer to the Fish and Wildlife Committee.)
2. This Board has received from the State Water Resources Control Board a notice of petitions for temporary change involving the transfer of water within the Patterson Irrigation District. ([View Item](#)) (Recommendation: Refer to the Department of Environmental Resources.)
3. This Board has received a letter from the Office of the Governor regarding the proclamation calling the Presidential Primary Election on Tuesday, June 7, 2016. ([View Item](#)) (Recommendation: Refer to the Clerk Recorder and Registrar of Voters.)
4. This Board has received the following claim: Roberta L. Wilson. (Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

X. Board of Supervisors’ Reports

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

## XII. Adjournment

XIII. Closed Session: Conference with Legal Counsel - Existing Litigation: One Case: Martin Ontiveros, et al. v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 2001997. Government Code Section 54956.9 (d)(1). Conference with Labor Negotiator - Agency Negotiators: Stan Risen, Jody Hayes and Cari Griffin. Labor Organizations: County Attorney's Association (CAA). Government Code Section 54957.6.