



**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**

May 3, 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. Invocation

## III. Public Comment Period

## IV. Consent Calendar

## V. Agenda Items

### A. Miscellaneous

- \* 1. Approval of the Minutes for:
  - a. April 22, 2016, Special Meeting ([View Item](#))
  - b. April 26, 2016, Regular Meeting ([View Item](#))
- \* 2. Approval to Authorize the Registrar of Voters to Provide Specified Services to the Westport Fire Protection District to Conduct a Special Mail Ballot Election on August 30, 2016 Regarding a Special Tax ([View Item](#))
- \* 3. Approval to Proclaim, in Conjunction with the National Designation, May 15, 2016 to May 21, 2016 as Public Works Week in Stanislaus County – Public Works ([View Item](#))

### B. Chief Executive Office

- \* 1. Approval to Award an Agreement with International Rescue Committee, Inc., for the Provision of Refugee Services, Targeted Assistance and Employment Services – Community Services Agency ([View Item](#))
- \* 2. Approval of the Stanislaus County Local Agency Management Program and Authorization to Submit the Program to the Central Valley Regional Water Quality Control Board for Approval – Environmental Resources ([View Item](#))
- \* 3. Approval to Enter into and Sign a Memorandum of Understanding Between the City of Modesto and Stanislaus County for the Abatement of Graffiti in the Unincorporated Areas of the County that are within Close Proximity to the City’s Boundaries – Environmental Resources ([View Item](#))
- \* 4. Approval to Use Emergency Medical Services System Enhancement Funds to Purchase Automatic External Defibrillators for Fire Agencies as Recommended by the Emergency Medical Services Committee – Health Services Agency ([View Item](#))
- \* 5. Approval to Accept the Tenth Update on the Temporary Water Assistance Program and Continue the Countywide Declaration of a Local Emergency Due to a Multi-year Drought in California – Office of Emergency Services ([View Item](#))
- \* 6. Approval to Submit and Adopt a Resolution for a Law Enforcement Grant from the California State Parks Off-Highway Vehicle Grant Program to Enhance Emergency Response and Safety for the County's Off-Highway Vehicle Parks – Sheriff ([View Item](#))
- \* 7. Approval of a Change Order for State Required Shower Door Change for the Public Safety Center Expansion Within the Approved Project Budget – Chief Executive Office ([View Item](#))
- 8. Approval of Matters Related to the Community Services Facility Heating, Ventilation and Air Conditioning Project, and Related Actions – Chief Executive Office ([View Item](#))
- 9. Consideration and Approval of the Third Quarter Financial Report for Fiscal Year 2015-2016 and Related Actions – Chief Executive Office ([View Item](#))

### C. Department of Public Works

- \* 1. Approval of Contract Change Order No. 17 and the Increase of the Construction Contract with George Reed, Inc. for the Crows Landing Road at West Main Intersection Upgrade Project ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Rescind Williamson Act Contract Nos. 1983-3872 and 2009-0003, Located at 873 and 875 Geer Road, Between State Route 132 and E. Hatch Road, Adjacent to the Tuolumne River; and, Approval of New Contracts Pursuant to Lot Line Adjustment Application No. PLN2015-0079, Swanson and Streeter ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 9:05 a.m. Public Hearing to Consider the Formation of the Fruit Yard Lighting District and Levy of an Annual Assessment; and, Conduct an Assessment Ballot Procedure Regarding the Matter – Public Works ([View Item](#))
- 9:10 a.m. Public Hearing to Consider the Approval of Rezone and Parcel Map Application No. PLN2015-0027, Valley BMW-KIA, a Request to Rezone a 9+/- Acre Parcel from A-2-10 (General Agriculture) to Planned Development (P-D) and to Subdivide the Property into Five Parcels for the Development of Two Auto Dealerships and the Future Development of Similar Auto Related Uses on Property Located at 4761 McHenry Avenue (State Route 108), Between Kiernan Avenue and Bangs Avenue, North of the City of Modesto; and, adoption of a Mitigated Negative Declaration – Planning and Community Development ([View Item](#))

VII. Correspondence

- 1. This Board has received a letter from the Oakdale Fire Protection District requesting Dry-Period funding for Fiscal Year 2016-2017 per Government Code Section 23010. (Recommendation: Refer to the Auditor-Controller.) ([View Item](#))
- 2. This Board has received a letter from the California Department of Veterans Affairs regarding funding received for veterans through the Stanislaus County Veterans Services Agency from July 1, 2014 through June 30, 2015. (Recommendation: Refer to Area Agency on Aging and Veteran Services.) ([View Item](#))
- 3. This Board has received the following claims: Angelica Savala; Jeremy Edward Lapachet (Amended); Alliance United Insurance as subrogee of Jose Deleon Jr.; and, Josh Bryll. (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

- XI. Closed Session: Conference with Legal Counsel - Existing Litigation: One case: California Public Records Research, Inc. v. County of Stanislaus, Stanislaus County Superior Court Case No. 2006090. Government Code Section 54956.9 (d)(1). Conference with Legal Counsel - Significant Exposure to Litigation: One Case. Government Code Section 54956.9 (d)(2).