



**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**

July 2, 2013

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: A. Affordable Care Act – California State Association of Counties - Matt Cate, Executive Director and Farrah McDaid Ting, Associate Legislative Representative

B. “Pathways to Growth” – Modesto Chamber of Commerce

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- \* 1. Approval of the Minutes for June 18, 2013 ([View Item](#))
- \* 2. Approval to Set a Public Hearing on July 30, 2013 at 9:30 a.m. to Consider an Appeal of the Planning Commission’s Denial of Use Permit Application No. 2012-04 – Recology Grover Environmental Products, Due to Lack of a Majority Vote ([View Item](#))
- \* 3. Approval to Consolidate the City of Waterford Special Municipal Election with the Consolidated District Election (UDEL) on November 5, 2013 ([View Item](#))
- \* 4. Approval to Correct the Term Ending Date for David Orris on the Western Hills Water District Board of Directors ([View Item](#))
- \* 5. Accept the Resignation of Micaela Gutierrez from the Earl Pride Scholarship Committee ([View Item](#))
- \* 6. Approval of Appointment of:
  - a. Mickey Peabody as the Stanislaus County Representative to the Oversight Board of the Successor Agency for the City of Oakdale ([View Item](#))
  - b. Jeff Davis and Jamie Culbertson to the Child Abuse Prevention Council of Stanislaus County ([View Item](#))
- \* 7. Approval of the Reappointment of:
  - a. Arby Hoobyar, Jr. and Edward Perry to the Stanislaus County Agricultural Advisory Board ([View Item](#))
  - b. James Barron McKay to the Modesto City-County Airport Advisory Committee ([View Item](#))
  - c. Taryn Muralt, Nelda Parman, Sharon Salaiz, and Nancy Fisher to the Child Abuse Prevention Council of Stanislaus County ([View Item](#))
  - d. Mickey Peabody, Lillian Castigliano, and Adriana Breugem to the Commission on Aging ([View Item](#))
  - e. Karl von Spreckelsen, Erin Lesan, Ritta Sudnikoff, and Catherine Szakmary to the Mental Health Board ([View Item](#))
  - f. Glenda Leonard and Elizabeth Gripenstraw to the Oakdale Rural Fire Protection District Board of Directors ([View Item](#))
  - g. Joan Ahlstrand to the Stanislaus County Free Library Advisory Board ([View Item](#))
  - h. Jon E. Maring and Steve Pedrazzi to the West Stanislaus Fire Protection District Board of Directors ([View Item](#))
  - i. Richard D. Sylvester, Richard Barboza, Joseph Madden, and Douglas L. Miller to the Stanislaus County Veterans Advisory Commission ([View Item](#))

## B. Chief Executive Office

- \* 1. Approval to Authorize the Auditor-Controller to Temporarily Loan Funds to Oakdale Rural Fire District and Stanislaus Consolidated Fire Protection District for Operational Expenses Under Government Code 23010 in an Amount Not to Exceed 85% of Anticipated Revenue – Auditor-Controller ([View Item](#))
- \* 2. Approval of Year End Budget Adjustment for the Chief Executive Office – County Fire Service Fund to Cover Unanticipated Retirement Costs – Chief Executive Office ([View Item](#))
- \* 3. Approval of an Agreement Between the City of Ceres and Stanislaus County for Crime Analyst Services – Sheriff ([View Item](#))
- \* 4. Approval to Submit and Accept if Awarded the 2013 Edward Byrne Memorial Justice Assistance Grant Application to the Bureau of Justice Assistance to Enhance Criminal Justice Processes – Sheriff ([View Item](#))
- \* 5. Approval to Accept a Donation of a Reconyx Tactical Field Camera and Hyperfire Cellular Upgrade from the Cattlemen’s Association – Sheriff ([View Item](#))
- \* 6. Approval of Application for Discharge of Accountability for Uncollectible Revenue from Deceased Debtors – Treasurer-Tax Collector ([View Item](#))
- \* 7. Approval of Acceptance of the Stanislaus County Treasury Pool’s May 2013 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- \* 8. Authorization for a Temporary Construction Easement to Pacific Gas & Electric to Allow Access and Use of Property on the I5 Ranch Adjacent to the Fink Road Landfill – Environmental Resources ([View Item](#))
- \* 9. Approval for the Sheriff to Sign an Agreement with the State of California, Commission on Peace Officer Standards and Training to Provide Emergency Vehicle Course Training – Sheriff ([View Item](#))
- 10. Approval of Restoration of 1% of the Current 6% Salary Deduction and a Corresponding Reduction of Eight Hours of Special Accrued Leave Time (SALT) for All Represented Employees, Unrepresented Confidential and Management Employees, and Elected Officials; and, Approval of the Agreements with Labor Associations for the 1% Salary Restoration and SALT Reduction – Chief Executive Office ([View Item](#))

## C. Department of Public Works

- \* 1. Approval to Adopt Plans and Specifications for the Stanislaus County 2013 Chip Seal Program (Asphalt Rejuvenation Emulsion) and Set the Bid Opening Date ([View Item](#))
- \* 2. Approval to Adopt Plans and Specifications for the 2013 Slurry Seal Project, and Set the Bid Opening Date ([View Item](#))
- \* 3. Approval to Accept the Subdivision Improvements and the Approval to File and Record the Final Map for Vesting Tentative Subdivision Map 2009-01 Elm Street, Salida, California ([View Item](#))
- \* 4. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11, Section 11.08.080, of the Stanislaus County Code, Amending Angle Parking on Ninth Street in Stanislaus County, Keyes Area ([View Item](#))
- \* 5. Approval to Set a Public Hearing on July 30, 2013, at 9:05 a.m., Regarding Budget Year 2013-2014 Assessments for Various County Service Areas, Landscape Assessment District and Landscape and Lighting Districts ([View Item](#))
- \* 6. Approval of a Memorandum of Understanding Between Stanislaus County, the City of Ceres and the Monterey Park Tract Community Services District for Water Service Improvements for the District ([View Item](#))

- \* 7. Approval to Declare the Intent to Utilize the Board's Authority Under Public Contract Code Section 22031 to Allow County Workforce to Perform Paving Projects on Quincy Road, First Street, Faith Home Road, Roeding Road, and Tully Road ([View Item](#))
- 8. Approval to Accept the Status Report on the Regional Flood Management Program ([View Item](#))

D. Department of Planning and Community Development

E. County Counsel

## VI. Scheduled Matters

## VII. Correspondence

1. This Board has received a letter from the United States Department of the Interior National Park Service confirming that the Secretary of the Interior designated the Knight's Ferry Bridge in Stanislaus County a National Historic Landmark.  
(Recommendation: Refer to the Department of Parks and Recreation and to the Department of Planning and Community Development.) ([View Item](#))
2. This Board has received a Notice of Proposed Rulemaking from the Department of Fish and Wildlife regarding the practices of falconry.  
(Recommendation: Refer to the Fish and Wildlife Commission.) ([View Item](#))
3. This Board has received portions of the 2012-2013 Stanislaus County Civil Grand Jury Final Report regarding the Monterey Park Tract Community Services District; the Stanislaus County General Services Agency: Fleet Services Policy; and, the Stanislaus County Jail Facilities Inspection.  
(Recommendation: Refer to the General Services Agency, the Sheriff, the Clerk-Recorder and Registrar of Voters, and the Chief Executive Office.) ([View Item](#))
4. This Board has received the following claims: David Sanchez; Henry Telles; and, Gerald Tuff Stewart.  
(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. Announcements:

- A. 18<sup>th</sup> Annual Fireworks Celebration  
Saturday, July 6, 2013  
Woodward Reservoir  
14528 26 Mile Road, Oakdale, CA

- XI. Sitting as the Stanislaus County In-Home Supportive Services (IHSS) Public Authority ([View Item](#))
- I. Call to Order
  - II. Consent Calendar (Those items marked with an \*)
    - \*A. Approval of Minutes of June 11, 2013
  - III. Public Forum
  - IV. Adjournment
  - V. Closed Session: Conference with Labor Negotiator: Agency Negotiator: Monica Nino and Jody Hayes. Labor Organization: United Domestic Workers. Government Code Section 54957.6.

XII. Adjournment

XIII. Closed Session: Public Employee Appointment: Title: Chief Executive Officer. Government Code Section 54957(b). Conference with Labor Negotiator - Agency Negotiators: Monica Nino, Nancy Bronstein and Jody Hayes. Labor Organizations: California Nurses' Association (CNA); Stanislaus County Employees Association (SCEA)/AFSCME Local 10; Service Employees' International Union (SEIU), Local 521; County Attorneys' Association (CAA); Deputy Sheriffs' Association (DSA); Stanislaus County Sheriffs Supervisors' Association (SCSSA); Stanislaus County Deputy Probation Officers' Association (SCDPOA); Stanislaus Regional Emergency Dispatchers' Association (SREDA); Stanislaus County Probation Corrections Officers' Association (SCPCOA); Stanislaus County Sheriff Management Association (SCSMA); Stanislaus County District Attorney Investigators' Association (SCDAIS); and, Stanislaus Sworn Deputy Association (SSDA). Government Code Section 54957.6. Conference with Legal Counsel - Existing Litigation: Two cases: City of Modesto v. County of Stanislaus, et al, Stanislaus County Superior Court Case No. 683887; Michael R. O'Neal, et al., v. Stanislaus County Employees Retirement Association, Case No. 648469. 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, Newman, Turlock, Waterford, Riverbank, Oakdale, and Patterson concerning calculation of the property tax administration fee. Government Code Section 54956.9 (d)(2).