



**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**

December 6, 2011

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: Red Ribbon Week 2011 Best Decorated School Contest:
- 1st Place Winners:** Virginia Parks Elementary School; Evelyn P. Hanshaw Middle School; and, Orestimba High School
- 2nd Place Winners:** Fox Road Elementary School; Emilie J. Ross Middle School; and, Ceres High School
- 3rd Place Winners:** Capistrano Elementary School; Roosevelt Junior High School; and, Grace M. Davis High School

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- \* 1. Approval of the Minutes for November 15, 2011 ([View Item](#))
- \* 2. Approval to Accept the Clerk-Recorder's Certified Statement of the Results of the Consolidated District Election Held Tuesday, November 8, 2011, and Declare the Results ([View Item](#))
- \* 3. Approval to Declare a Vacancy on the Commission on Aging ([View Item](#))
- \* 4. Approval of Appointment of Rod Butler to the Stanislaus County Emergency Medical Services Committee ([View Item](#))
- \* 5. Acceptance of the Resignation of Rick Fritzemeier from the Stanislaus Economic Development and Workforce Alliance Youth Advisory Council ([View Item](#))
- \* 6. Acceptance of the Resignation of Thomas Morris from the El Solyo Water District ([View Item](#))

B. Chief Executive Office

- \* 1. Approval of Older Americans Act (OAA) Senior Employment Contract TV-1112-30 with the California Department of Aging – Aging & Veterans Services ([View Item](#))
- \* 2. Approval to Introduce and Waive the First Reading of an Ordinance Amending Provisions of Stanislaus County Code Chapter 2.36 Related to the County Safety Board and Chapter 2.60 Related to the County Safety Program; and, Approval to Adopt the Safety Board Membership Changes – Chief Executive Office ([View Item](#))
- \* 3. Approval to Reduce the Elected Auditor-Controller's Annual Salary by Fifteen Percent Which Includes the Salary Deduction Taken by County Employees and Waive the \$4,800 Annual Car Allowance Beginning January 1, 2012 Through December 31, 2012 – Chief Executive Office ([View Item](#))
- \* 4. Approval to Increase Appropriations by \$10,000 for the Grand Jury to Hire a Private Law Firm for a Civil Contempt Proceeding Funded by a Transfer of Appropriations for Contingencies – Chief Executive Office ([View Item](#))
- \* 5. Acceptance of the Stanislaus County Treasury Pool's October 2011 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- \* 6. Acceptance of the Report of the Annual Inspection/Evaluation of the Local Jail/Detention Facilities Pursuant to Section 101045 of the State of California Health and Safety Code – Environmental Resources ([View Item](#))
- \* 7. Approval to Declare Vehicles and Miscellaneous Equipment as Surplus and Authorize the Sale – General Services Agency ([View Item](#))

- \* 8. Approval of Independent Contractor Agreements Between the Stanislaus County Health Services Agency and Various Contractors for Fiscal Year 2011-2012 – Health Services Agency ([View Item](#))
- \* 9. Approval to Contract with Mountain Valley Emergency Medical Services Agency to Administer Local Emergency Medical Services for Budget Year 2012-2013 and Approval of Amended Bylaws of the Emergency Medical Services Committee – Health Services Agency ([View Item](#))
- \* 10. Approval to Use the Remaining Fire Warden Public Facilities Fees (PFF) up to \$11,679 to Fund a Portion of the Technical Rescue Training Props Needed to Attain Rescue Systems-2 (RS2) Certification for the Regional Fire Training Center – Office of Emergency Services/Fire Warden ([View Item](#))
- \* 11. Approval to Proceed with the Honor Farm Jail Bed Replacement Project; Approval of the Schematic Design Prepared by Lionakis, Inc.; Approval to Issue a Request for Statement of Qualifications to General Contractors for the Construction of a Replacement Facility and Related Actions – Chief Executive Office ([View Item](#))
- 12. Approval to Authorize the County Registrar of Voters to Provide Election Services to the City of Modesto to Conduct a Mayoral Run-Off Election on February 7, 2012 – Clerk-Recorder ([View Item](#))
- 13. Approval to Adopt the County’s Recommended Final Capital Improvement Plan (CIP) for Fiscal Year 2011-2012 Based on the Stanislaus County Planning Commission Determination of Conformance with the County’s General Plan – Chief Executive Office ([View Item](#))

C. Department of Public Works

- \* 1. Approval to Authorize the Director of Public Works to Renew the General Lease Agreement with the California State Lands Commission for the Hickman Road Bridge Over the Tuolumne River ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Set a Public Hearing for December 20, 2011 at 6:35 p.m. to Consider the Planning Commission's Recommendation for Approval of General Plan Amendment No. 2011-01, Revised Agricultural Buffers ([View Item](#))

E. County Counsel

VI. Scheduled Matters

VII. Correspondence

- 1. This Board has received a letter from the California Department of Toxic Substances Control regarding the property at 1425 La Loma Avenue in Modesto, CA. (Recommendation: Refer to the Department of Environmental Resources.) ([View Item](#))
- 2. This Board has received a letter from Doctors Medical Center regarding the operating hours for intake of patients at Doctors Behavioral Health Center. (Recommendation: Refer to the Chief Executive Office and Behavioral Health and Recovery Services.) ([View Item](#))

3. This Board has received a letter from the California Department of Conservation regarding the Turlock Irrigation District's intention to acquire Williamson Act preserve land for the Hughson-Grayson 115kV Transmission Line in Stanislaus County.  
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))
4. This Board has received a notice of public informational meeting on Wednesday, December 7, 2011, at the Mark Twain Junior High School from 6:30 p.m. to 8:00 p.m. regarding the State Route 132 West Freeway/Expressway.  
(Recommendation: Refer to the Department of Public Works.) ([View Item](#))
5. This Board has received a copy of the 2011 Williams Report for Stanislaus County Schools from the Stanislaus County Office of Education.  
(Recommendation: Acknowledge receipt of the report.) ([View Item](#))
6. This Board has received the following claims: George Conway Patterson (amended claim); Karl Geletich III, Citizens for Constitutional Government; Ladean Burnett; Maria Machuca, Jorge Galvan, Robert Galvan, Maria Galvan, Rafael Galvan, Maria Gutierrez, Jose Galvan, Jr.; Dawn Ortiz; Ernestina Nunes; Tristen Nunes; Brooke Nunes; Bailey Nunes; Esmeralda Coronado; and, Michael Don Summers.  
(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: Nicholas Honchariw. County of Stanislaus, Stanislaus County Superior Court Case No. 642200. Government Code Section 54956.9 (a). Conference with Legal Counsel - Anticipated Litigation: One Case. Government Code Section 54956.9 (c).