



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

November 1, 2011

9:00 A.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.

I. Pledge of Allegiance to the Flag

II. Moment of Silence for Frans Hamar, an Employee of Behavioral Health and Recovery Services

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for October 18, 2011 and October 25, 2011 ([View Item](#))
- * 2. Approval of Appointment of Supervisor Vito Chiesa as the Primary Member and Supervisor Jim De Martini as the Alternate Member to the California State Association of Counties 2012 Board of Directors ([View Item](#))
- * 3. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 1108 to impose a Library Transactions and Use Tax to be administered by the State Board of Equalization, for the continued exclusive funding of the Stanislaus County Library System ([View Item](#))
- * 4. Approval of Appointment of:
 - a. Dorothy Jean Nygard to the Commission on Aging ([View Item](#))
 - b. Ladd J. Hackler to the Keyes Fire Protection District Board of Directors ([View Item](#))
- * 5. Acceptance of the Resignation of Walter T. Rea, Sr. from the Patterson Cemetery Board of Directors ([View Item](#))
- * 6. Approval to Commend Carl Boyett as the 2011 American Legion, Post 74 Citizen of the Year ([View Item](#))
- * 7. Approval of the Resignation of Officer Billy Hamilton and Approval of the Appointment of Officer John Wohler to the Advisory Board on Substance Abuse Programs ([View Item](#))
- * 8. Approval of a Commendation for Chief Probation Officer Jerry Powers ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Execute Revised Construction Contract with Champion Industrial Contractors, Inc. for the Immediate Repairs for the Heating, Ventilation and Air Conditioning System at the Downtown Men's Jail – Chief Executive Office ([View Item](#))
- * 2. Approval to Issue a Request for Qualifications and Proposals for On-Call Code Review Services and Estimating Services for Various Capital Projects – Chief Executive Office ([View Item](#))
- * 3. Approval of the Plans and Specifications for the Strategic Business Technology Data Center Server Room Relocation and Improvements at 3705 Oakdale Road; Authorize Invitation to Bids, Set the Bid Date for December 14, 2011 at 2:00 p.m., and Related Actions – Chief Executive Office ([View Item](#))
- * 4. Approval of 2011 Equal Rights Commendations for Richard W. Robinson, Chief Executive Officer, Linda Marion, Senior Software Developer, Community Services Agency and Raul Mendez, Senior Management Consultant, Chief Executive Office ([View Item](#))
- * 5. Approval for the Director of the Departments of Environmental Resources and Parks and Recreation to Enter Into and Sign Routine Grant Agreements and Contracts with Various State Agencies for Fiscal Year 2012-2013 – Environmental Resources/Parks and Recreation ([View Item](#))
- * 6. Acceptance of the Stanislaus County Treasury Pool's September 2011 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- * 7. Approval to Sell Tax-Defaulted Properties Subject to Power to Sell Through Sealed Bid Sale – Treasurer-Tax Collector ([View Item](#))
- * 8. Approval to Sell Tax-Defaulted Properties, to Re-offer Parcel for Sale, and to Authorize the Treasurer-Tax Collector to Exempt Federal and State Government Lands from Tax Sale, and to Not Pursue Sale of Housing Authority Properties – Treasurer-Tax Collector ([View Item](#))

9. Approval to Accept a Children and Families Commission Presentation on 2010-2011 Activities – Children and Families Commission ([View Item](#))
10. Consideration and Approval of the First Quarter Financial Report for Fiscal Year 2011-2012 and Related Actions – Chief Executive Office ([View Item](#))

C. Department of Public Works

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11, Section 11.08.020, of the Stanislaus County Code, Amending a No Parking Zone on Tenaya Drive, Glenn Avenue, and Sequoia Street in Stanislaus County, Modesto, and Salida Areas ([View Item](#))
- * 2. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11, Section 11.08.120, of the Stanislaus County Code, Amending a No Truck Parking Zone on Service Road in Stanislaus County, Ceres Area ([View Item](#))
- * 3. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11, Section 11.08.020, of the Stanislaus County Code, Amending a No Parking Zone on Emerald Avenue in the Stanislaus County, Modesto Area ([View Item](#))
- * 4. Approval to Award a Contract for Bridge Design Engineering Services to David Evans and Associates, Inc. of Roseville, California, for the Kilburn Road Bridge over Orestimba Creek Replacement Project in Stanislaus County, Federal Project Number: BRLO-5938(157) ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval of the Authorization to Record a Certificate of Cancellation of a 0.95 Acre Portion of Williamson Act Contract No. 1975-2011, Garner (Original Contract Name: Archer and Sandra Duncan) ([View Item](#))

E. County Counsel

- * 1. Approval of the Lapsation of the La Grange Elementary School District, which will Result in the Dissolution and Annexation into Roberts Ferry Union Elementary School District ([View Item](#))
- * 2. Approval of Territory Transfer from Modesto City Schools to Ceres Unified School District ([View Item](#))

VI. Scheduled Matters

VII. Correspondence

1. This Board has received a notice from the California Department of Fish and Game regarding proposed regulatory action relating to the Shared Habitat Alliance for Recreational Enhancement (SHARE) program.
(Recommendation: Refer to the Fish and Wildlife Committee.) ([View Item](#))
2. This Board has received a notice from the Fish and Game Commission regarding the Public Use of Department of Fish and Game Lands.
(Recommendation: Refer to the Fish and Wildlife Committee.) ([View Item](#))
3. This Board has received a letter from the East Side Mosquito Abatement District regarding a notice of intent to apply pesticides within the District's boundaries from March 1, 2011 through November 30, 2011 as necessary.
(Recommendation: Refer to the Department of Environmental Resources.) ([View Item](#))

4. This Board has received a copy of the Fire/Life Safety Inspection Report for the Stanislaus County Juvenile Hall at 2215 Blue Gum Avenue, Modesto, CA, from the Modesto Regional Fire Authority.
(Recommendation: Refer to the Department of Environmental Resources.) ([View Item](#))
5. This Board has received the resignation letter from Stanislaus County Chief Probation Officer Jerry Powers, who has accepted the position of Chief Probation Officer of Los Angeles County.
(Recommendation: Accept the resignation letter and thank Chief Powers.) ([View Item](#))
6. This Board has received the following claims: George Conway Patterson (amended) and Dean Hasten.
(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: Public Employee Appointment: Title: Chief Executive Officer. Government Code Section 54957(b). Conference with Labor Negotiator: Agency Negotiator: Richard Robinson. 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; Stanislaus Regional Emergency Dispatchers' Association; Stanislaus County Probation Corrections Officer's Association (SCPCOA); Stanislaus County Sheriff Management Association; Stanislaus County District Attorney Investigators' Association; and, Stanislaus Sworn Deputy Association (SSDA). Government Code Section 54957.6.