

THE BOARD OF SUPERVISORS
OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

May 23, 2006

Hal DeArmond spoke on behalf of Martin Petersen, County Superintendent of Schools, regarding the Preschool for All Program (Proposition 82) that is on the 6/6/06 election ballot.

Grover/Mayfield unan. Adopted the consent calendar

- ***A1** Approved the minutes of 05/16/06
- ***A2a** Adopted and waived the second reading of Ordinance C.S. 956 amending Title 11 of the Stanislaus County Code, adding a no parking zone on Sequoia Street and Cloutier Drive, amending a no parking zone on Cloutier Drive, adding a no truck parking zone on Cloutier Drive; and, adding a white zone on Sequoia Street in the Town of Salida – PW
ORD-54-Z-6 2006-366
- ***A2b** Adopted and waived the second reading of Ordinance C.S. 958 Amending Title 11 of the Stanislaus County Code, adding a no parking zone on School Avenue and amending a no parking zone on Carpenter Road in the Modesto area – PW
ORD-54-Z-7 2006-367
- ***A2c** Adopted and waived the second reading of Ordinance C.S. 960 amending Title 9 of the Stanislaus County Code, adding Chapter 9.90 establishing the Stanislaus County Community Health Center Board – HSA
ORD-54-Z-9 2006-368
- ***A3** Set a public hearing on 6/6/06, at 9:30 a.m., to consider the Appeal of the Planning Commission Condition of Approval No. 26 for Parcel Map No. 2005-30 – Barbara Dykzeul
2006-369
- ***A4a** Accepted the resignation of David White from the Stanislaus Consolidated Fire Protection District Board and the Stanislaus County Fire Authority Board
2006-370
- ***A4b** Accepted the resignation of Jose Sanchez from the Empire Sanitary District Board
2006-371
- ***A5** Proclaimed July 22, 2006 as the Day of the American Cowboy in Stanislaus County
2006-372
- ***B1a** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 530 E. Taylor Road, Ceres, CA (CE No. 05-2884) – DER
2006-373
- ***B1b** Adopted the recommendations of the Nuisance Abatement Hearing Board regarding nuisances at 1613 Fig Avenue, Patterson, CA (CE No. 05-2516) – DER
2006-374
- ***B2** Approved the labor agreement between the County and Stanislaus County District Attorney Investigators' Association representing the District Attorney Investigators' Bargaining Unit; amended the Salary and Position Allocation Resolution to reflect the changes included in the tentative agreement; and, authorized the Chairman and all parties to sign the agreement – CEO
2006-375
- ***B3** Approved the recommendations to revise the Pay for Performance system for all Unrepresented, Unclassified Management and Confidential employees effective 7/1/06; directed the CEO to administer the program and adopt rules as necessary to ensure the proper administration of the program; directed all appointed Stanislaus County Department Heads to revise their development plans to correspond with the new development plan requirements by 7/1/06; and, directed Stanislaus County departments to establish requirements for all new Unrepresented, Unclassified Management and Confidential

- employees to adopt a development plan within 90 days of employment or promotion
 – CEO 2006-376
- *B4** Continued the Countywide declaration of the Local State of Emergency for Stanislaus County due to the warm weather and the potential for flooding; and, directed all appropriate actions to be taken relative to the State of Emergency – CEO 2006-377
- *B5** Approved the fifth status report of the emergency replacement of the Courthouse boiler system – CEO 2006-378
- *B6** Authorized the inclusion of the City of Oakdale into the Enterprise Zone 40 expansion application and approved the resolution initiating the expansion of the Stanislaus County Enterprise Zone 40 to include the City of Oakdale – CEO 2006-379
- *B7** Approved the design, plans, and specifications for Bid Package 6 for the Gallo Center for the Arts Plaza and Site Work Project; approved the issuing of a notice inviting bids for 6/28/06, no later than 2:00 p.m., for the next phase of the Gallo Center for the Arts Plaza and Site Work; authorized the Project Manager to review bids received on 6/28/06, and return to the Board to obtain final Board approval for contract award; authorized the Project Manager to negotiate and execute agreements for printing and reprographic services necessary to administer the project, provided the agreements for such services are within the approved project budget; approved requesting quotations for furnishing Orchestra Enclosures and to issue a purchase order for the Enclosures provided the cost is within the budget; and, authorized the Central Valley for the Arts (CVCA) to furnish and install the theater seats as a contribution to the County – CEO 2006-380
- *B8** Approved the Plans and Specifications and authorized the issuance of a notice inviting bids and set the bid opening date for 6/29/06, no later than 2:00 p.m., for the Security System for the 12th Street Office Building – CEO 2006-381
- *B9** Set a public hearing for 6/27/06, at 9:35 a.m., to consider Stanislaus County Franchise Refuse Collection Rate Adjustments for residential and commercial refuse services – DER 2006-382
- *B10** Authorized the Purchasing Agent to enter into a five year agreement with Sidley Austin LLP for professional legal services related to the Stanislaus Waste-to-Energy Facility at an annual cost not to exceed \$100,000 – DER 2006-383
- *B11** Adopted the resolution as required by the State Corrections Standards Authority authorizing the Chief Probation Officer to submit and/or sign Stanislaus County’s application for approval of the County’s 2006/2007 Comprehensive Multi-Agency Juvenile Justice Plan Modification and related contracts, amendments, or extensions as approved by the Juvenile Justice Coordinating Council in the amount of \$1,357,103 for FY 2006/2007 2006-384
- *B12** Accepted the HSA’s report on Pharmacy Operations; approved the Salary Band adjustment for the Outpatient Pharmacy Manager classification from Band F to Band G; and, amended the Salary and Position Allocation Resolution to delete one Pharmacist position from the Clinics and Ancillary Budget unit 2006-385
- *B13** Approved the issuance of a RFP for the Computer Aided Dispatch System for Stanislaus Regional 9-1-1 2006-386
- *B14** Approved the purchase of 300 “E-Business Suite” licenses and product support and updates; approved \$355,243 transfer from Appropriations for Contingencies to fund the purchase of the licenses and support; authorized the CEO to negotiate and enter into a new agreement with Oracle Corporation for the purchase of the licenses and support; authorized the Auditor-Controller to increase estimated revenue and appropriations in the amount of \$355,243 in the SBT budget; and, approved the Financial Management System License and Account Management Policy for the administration and management of the Oracle Software Licenses – SBT 2006-387

- ***B15** Approved the amended agreement with Nirvana for providing substance abuse counseling and treatment services; and authorized the CSA Director, or his Assistant Director Designee, to sign the amended agreement not to exceed the total agreement amount of \$300,000 for the period of 7/1/05 through 6/30/06 – CSA 2006-388
- ***B16** Authorized the Director of DER, or her Designee, to apply for a competitive Household Hazardous Waste Grant to the California Integrated Waste Management Board for up to \$300,000 to expand the types and amounts of household hazardous waste collected and to help advertise and promote the facility operations; authorized the Director of DER, or her Designee, to apply for a non-competitive Household Hazardous Waste Grant to the California Integrated Waste Management Board for up to \$7,200 to promote a regional coordination of universal waste (u-waste) handling and recycling; authorized the Director of DER, or her Designee, to sign the grant agreements and to receive the Household Hazardous Waste Grant funds from the California Integrated Waste Management Board; authorized the Director of DER, or her Designee, to purchase the supplies and equipment included in the agreements; directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$307,200; and, authorized the Director of DER, or her Designee, to approve any future amendments to the agreements not to exceed the original agreement amounts – DER 2006-389
- ***C1** Approved the FY 2006-2007 Transit Transportation Development Act Claim and authorized the Director of Public Works to execute and submit the claim to the Stanislaus Council of Governments (StanCOG) – PW 2006-390
- ***C2** Adopted a resolution initiating proceedings for the Annexation of Territory to the Bret Harte Landscape and Lighting District; and, directed the Department of Public Works to prepare and file the required Engineer’s Report – PW DL-40-3 2006-391

Grover/O’Brien unan. **B17** Accepted the Stanislaus County Children’s Council 2005 Annual Report – BHRS 2006-392

Corr 1 The Board of Supervisors designated Supervisor O’Brien as the Board of Supervisors representative on the Ballot Processing Panel for the Gubernatorial Primary Election on Tuesday, 06/06/2006.

Corr 2 Referred to the Sheriff, Chief Probation Officer, and District Attorney, a letter from the City of Fresno inviting participation in the Department of Justice national webcast discussion on preventing gang activity.

Corr 3 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Ofelia Coria; Leslie I. Archer; and, Robert Cathcart.

Supervisor DeMartini recently visited Napa and Sonoma Valley and he did not see trash dumped in either of those two counties. He voiced the need for Stanislaus County to do a better job in addressing illegal dumping. He asked for an update from George Stillman, Director of Public Works, regarding the Shackelford neighborhood sewer system project. Mr. Stillman noted that all of the corrective action should be finished by now. He will follow-up on this issue and see if the City of Modesto has accepted the improvements so that we can proceed.

Supervisor Mayfield also spoke regarding illegal dumping, and asked George Stillman, Director of Public Works, about the process for picking up trash. Mr. Stillman noted that much of the trash is picked up by hand, and that a truck with a hoist is dispatched to pick up mattresses and other large items. Mr. Stillman also noted that a report will be coming to the Board regarding illegal dumping in two weeks.

The CEO reported that staff is currently tracking the status of various bills in the State Legislature, and noted that AB 959, which would qualify non-hospital based clinic systems for specific types of reimbursements for Medi-Cal services, is currently in the Senate Health Committee.

Mayfield/Grover unan. **9:25am** Finds Rezone Application #2005-14, Cherokee Plaza/Patricia Cochran, a request for a Planned Development (PD) zone to allow 50,000 square feet of permanent buildings to house a beauty college, restaurants and retail/service businesses, on two parcels totaling approximately 7 acres, located in an expired PD on the south side of Nunes Road, east of Highway 99, in Keyes to be De Minimis for the purposes of collection of Fish and Game fees pursuant to California Code of Regulations §753.5, by adopting the Findings of Fact contained in the attached Certificate of Fee Exemption, those findings being based on the analyses presented in the Initial Study, and ordered the filing of the Certificate of Fee Exemption with the Stanislaus County Clerk-Recorder's Office; adopted the Mitigated Negative Declaration pursuant to California Code of Regulations §15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgement and analysis; adopted the Mitigated Monitoring Plan pursuant to California Code of Regulations §15075(d); ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code §21152 and California Code of Regulations §15075; finds the project will increase activities in the area, thereby necessitating dedications and improvements to accommodate this new development; finds that the proposed Planned Development zoning is consistent with the Stanislaus County General Plan and the Keyes Community Plan; approved Rezone Application #2005-14, subject to the attached Development Standards and Schedule, project Mitigation Monitoring Plan and all pertinent mitigation measures contained within the Keyes Community Plan EIR Mitigation Monitoring and Reporting Plan; and, introduced, waived the reading and adopted Ordinance C.S. 932 for the approved Rezone Application #2005-14 – Planning ORD-54-Z-4; 2006-393 & 2006-394

Adjourned to closed session at 9:31 a.m. for Conference with Labor Negotiator - Agency Negotiator: Rick Robinson. Labor Organization: California Nurses Association (CNA). Government Code §54954.5(f).

Adjourned at 10:40 a.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: ELIZABETH A. KING, Assistant Clerk of the Board of Supervisors
(The above is a summary of the minutes of the Board of Supervisors. Complete minutes are available from the Clerk of the Board's Office.)