



BOARD OF SUPERVISORS

William O'Brien, 1st District
Thomas W. Mayfield, 2nd District
Jeff Grover, 3rd District
Ray Simon, 4th District
Jim DeMartini, 5th District

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Phone: 209.525.4494 Fax: 209.525.4420

AGENDA

May 23, 2006

9:00 A.M.

Chambers – Basement Level
1010 10th Street
Modesto, California

The Board of Supervisors welcomes you to its meetings which are regularly held each Tuesday, and your interest is encouraged and appreciated.

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 at the beginning of the meeting under the section titled "Consent Calendar." If you wish to have an item removed from the Consent Calendar, please make your request at the time the Board Chairperson asks if any member of the public wishes to remove an item from consent.

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.

PUBLIC COMMENT PERIODS: 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 will be limited to a maximum of 5 minutes.

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.co.stanislaus.ca.us/BOS/AgenMin.htm

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.co.stanislaus.ca.us/BOARD/broadcastingsched.htm. In addition, a live audio/video broadcast of this meeting can be heard/seen via the World Wide Web at: www.co.stanislaus.ca.us/referencemov/bosaudio.htm.

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. Public Comment Period

III. Consent Calendar

IV. Agenda Items

A. Miscellaneous

* 1. Approval of the Minutes for May 16, 2006 ([View Item](#))

- * 2. Approval to Adopt and Waive the Second Reading of Ordinances:
 - a. 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 ([View Item](#))
 - b. 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 ([View Item](#))
 - c. C.S. 960 Amending Title 9 of the Stanislaus County Code, Adding Chapter 9.90 Establishing the Stanislaus County Community Health Center Board ([View Item](#))
- * 3. Approval to Set a Public Hearing on June 6, 2006, 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 ([View Item](#))
- * 4. Acceptance of the Resignations of:
 - a. David White from the Stanislaus Consolidated Fire Protection District Board and the Stanislaus County Fire Authority Board ([View Item](#))
 - b. Jose Sanchez from the Empire Sanitary District Board ([View Item](#))
- * 5. Approval to Proclaim July 22, 2006 as the Day of the American Cowboy in Stanislaus County ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Adopt the Recommendation of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the following Properties:
 - a. 530 E. Taylor Road, Ceres, CA, CE No. 05-2884 ([View Item](#))
 - b. 1613 Fig Avenue, Patterson, CA, CE No. 05-2516 ([View Item](#))
- * 2. Approval of Labor Agreement Between the County and Stanislaus County District Attorney Investigators' Association Representing the District Attorney Investigators' Bargaining Unit – Chief Executive Office ([View Item](#))
- * 3. Approval of Recommendations to Modify the Pay for Performance System for All Unrepresented, Unclassified Management and Confidential Employees – Chief Executive Office ([View Item](#))
- * 4. Approval to Continue the Countywide Declaration of the Local State of Emergency for Stanislaus County Due to Weather and Flooding Conditions – Chief Executive Office ([View Item](#))
- * 5. Approval of the Fifth Status Report of the Emergency Replacement of the Courthouse Boiler System – Chief Executive Office ([View Item](#))
- * 6. Approval of a Resolution to Include the City of Oakdale Into the Enterprise Zone 40 and Authorization to Submit an Expansion Application Request to the State of California – Chief Executive Office ([View Item](#))
- * 7. Approval of Design, Plans, and Specifications for Bid Package 6 for the Gallo Center for the Arts Plaza and Site Work Project, and Approve the Notice Inviting Bids for June 28, 2006, No Later Than 2:00 p.m. – Chief Executive Office ([View Item](#))
- * 8. Approval of the Plans and Specifications; Authorize the Issuance of a Notice Inviting Bids and Set the Bid Opening Date for June 29, 2006, No Later Than 2:00 p.m., for the Security System for the 12th Street Office Building – Chief Executive Office ([View Item](#))
- * 9. Approval to Set a Public Hearing for June 27, 2006 at 9:35 a.m. to Consider Stanislaus County Franchise Refuse Collection Rate Adjustments for Residential and Commercial Refuse Services – Environmental Resources ([View Item](#))

- * 10. Approval to Enter into an Agreement with Sidley Austin LLP for Professional Legal Services Related to the Stanislaus Waste-to-Energy Facility – Environmental Resources
([View Item](#))
- * 11. Approval to Adopt a Resolution Authorizing the Chief Probation Officer to Accept Sixth Year Juvenile Justice Crime Prevention Act Funding in the Amount of \$1,357,103 for Fiscal Year 2006/2007 ([View Item](#))
- * 12. Acceptance of the Health Service Agency’s Report on Pharmacy Operations, Approval of the Salary Band Adjustment for the Outpatient Pharmacy Manager Classifications, and Approval to Delete One Pharmacist Position ([View Item](#))
- * 13. Approval to Issue a Request for Proposal for Stanislaus Regional 9-1-1 Computer Aided Dispatch System ([View Item](#))
- * 14. Approval to Negotiate and Enter Into a Licensing Agreement with Oracle Corporation Funded Through a Transfer from Appropriations for Contingencies and Approval of a Software License and Account Management Policy – Strategic Business Technology
([View Item](#))
- * 15. Approval of an Amended Agreement with Nirvana for Providing Substance Abuse Counseling and Treatment Services – Community Services Agency
([View Item](#))
- * 16. Approval to Apply for and Receive Household Hazardous Waste Grant Funds from the California Integrated Waste Management Board ([View Item](#))
- 17. Acceptance of Stanislaus County Children’s Council 2005 Annual Report – Behavioral Health and Recovery Services ([View Item](#))

C. Department of Public Works

- * 1. Approval of the Transit Transportation Development Act Claim for Fiscal Year 2006/07
([View Item](#))
- * 2. Approval to Adopt a Resolution Initiating Proceedings for the Annexation of Territory to Bret Harte Landscape and Lighting District (South Modesto Annexation) ([View Item](#))

D. Department of Planning and Community Development

E. County Counsel

V. Scheduled Matters

- 9:25 a.m. Public Hearing to Consider Rezone Application No. 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, Plus a Temporary Structure to House the Beauty College, 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. A Mitigated Negative Declaration Will Be Considered. APN: 045-049-011 ([View Item](#))

VI. Correspondence

- 1. This Board has received a letter from the Clerk-Recorder Registrar of Voters Lee Lundrigan requesting a member of the Board of Supervisors to be a member of the Ballot Processing Panel for the Gubernatorial Primary Election, on Tuesday, June 6, 2006. ([View Item](#))
(Recommendation: Board of Supervisors designate a member to be on the panel.)

2. This Board has received a letter from the City of Fresno inviting participation in the Department of Justice national webcast discussion on preventing gang activity. ([View Item](#))
(Recommendation: Refer to the Sheriff; Chief Probation Officer and District Attorney.)
3. This Board has received the following claims: Ofelia Coria; Leslie I. Archer; and, Robert Cathcart
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office
- Risk Management Division.)

VII. Board of Supervisors' Reports

VIII. Legislative, Fiscal and Management Report – Chief Executive Officer

IX. Adjournment

- X. Closed Session: Conference with Labor Negotiator - Agency Negotiator: Rick Robinson. Labor Organization: California Nurses Association (CNA). Government Code Section 54954.5(f).