



BOARD OF SUPERVISORS

Pat Paul, 1st District
Thomas W. Mayfield, 2nd District
Nick W. Blom, 3rd District
Raymond Clark Simon, 4th District
Paul W. Caruso, 5th District

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AGENDA

June 5, 2001

9:00 A.M.

Chambers – Basement Level
1010 10th Street
Modesto

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.

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.

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 8, 2001 and May 15, 2001 ([View Item](#))
- * 2. Approval of Adoption and Waiving of the Second Reading of Ordinance C.S. 761 Amending the 1998 Stanislaus County Standards and Specifications to Provide for Multiple Use Storm Drainage Facilities ([View Item](#))
- * 3. Approval of Request by the All Abilities Ski Club for Use of the Modesto Reservoir Dam Area on Saturday, June 30, 2001 ([View Item](#))

- * 4. Acceptance of Resignations of:
 - a. Shana Bagley from the Stanislaus County Equal Rights Commission ([View Item](#))
 - b. Dwight Bailey from the Denair Municipal Advisory Council ([View Item](#))
 - c. Randy Mello and Don Campodonica from the Empire Sanitary District ([View Item](#))
 - d. Suzanne E. Gornick from the Citizen’s Advisory Committee for the San Joaquin Valley Air Pollution Control District ([View Item](#))
- * 5. Approval to Confirm Vacancies on the Stanislaus County Equal Rights Commission and the Mental Health Board ([View Item](#))
- * 6. Approval of Resolutions to:
 - a. Proclaim June 2, 2001 as YMCA Day in Stanislaus County ([View Item](#))
 - b. Commend the Minority Women Network’s Annual Man and Young Man of the Year Award Recipients ([View Item](#))
- * 7. Approval of Request from the Denair Municipal Advisory Council to Amend the Term Expiration Date of One of their Members ([View Item](#))
- * 8. Approval to Authorize the Chair to Vote in Support of Increased Assessments on Proposition 218 Ballots for the Almond Wood Estates Lighting District ([View Item](#))
- * 9. Approval to Appoint Supervisor Caruso as the Primary Elected Member and Supervisor Blom and Modesto City Council Member Kenni Freidman as Alternate Elected Members Representing Stanislaus County on the San Joaquin Valley Rail Committee ([View Item](#))
- * 10. Approval of Appointment of Sarah Bradley Huff to the Hills Ferry Cemetery District Board ([View Item](#))
- * 11. Approval of Appointment of Rob Brooks to the West Stanislaus Resource Conservation District ([View Item](#))

B. Chief Executive Office

- * 1. Approval of Property Tax Administrative Cost Recovery Plan – Auditor/Controller ([View Item](#))
- * 2. Approval of Candidates for Credentialing by Stanislaus County Behavioral Health and Recovery Services ([View Item](#))
- * 3. Approval of Labor Agreement Between the County and Deputy Sheriff’s Association for a Term from December 1, 2000 through June 1, 2005 ([View Item](#))
- * 4. Approval of Above the Mid-Point Appointment of Charles Haase to Director of Management Information Services ([View Item](#))
- * 5. Approval of Fiscal Year 2001/2002 Multipurpose Senior Services Program (MSSP) Contract with the California Department of Aging to Provide Supportive Services for Frail Elderly Residents of our County – Community Services Agency ([View Item](#))
- * 6. Approval of a Contract Amendment with the California Department of Education for the Administration of the Child Care and Development Block Grant - Community Services Agency ([View Item](#))
- * 7. Approval of the Destruction of Certain Records in the Custody of the District Attorney – District Attorney ([View Item](#))
- * 8. Approve the Recommendations of the Nuisance Abatement Hearing Board Regarding Abatement Hearing No. 2001-06; 2521 W. Hatch Rd., Modesto ([View Item](#))
- * 9. Approve the Recommendations of the Nuisance Abatement Hearing Board Regarding Abatement Hearing No. 2001-07; 2513 W. Hatch Rd., Modesto – Environmental Resources ([View Item](#))

- * 10. Approval for the Chief Executive Officer, as Agent for Stanislaus County, to Sign the Solid Waste Facilities Permit Revision Application for Covanta, Stanislaus Inc. (The Waste-To-Energy Facility) - Environmental Resources ([View Item](#))
- * 11. Approval for the Director of Environmental Resources to Accept and Use Beverage Container Recycling Funds from the Department of Conservation - Environmental Resources ([View Item](#))
- * 12. Approval to Submit Request for One Time Only Infrastructure Funding from the California Family Health Council – Health Services Agency ([View Item](#))
- * 13. Approval to Apply for the March of Dimes 2002 Community Grant Program - Health Services Agency ([View Item](#))
- * 14. Approval to Apply for the California Department of Health Services Refugee Preventive Health Program Grant - Health Services Agency ([View Item](#))
- * 15. Approval of Independent Contractor Agreement with Sage Associates for Performance and Completion of a Compliance Audit at the Health Services Agency ([View Item](#))
- * 16. Approval to Discharge Treasurer/Tax Collector of Accountability for County Departmental Accounts Which are Uncollectible ([View Item](#))
- * 17. Approval of the Stanislaus County Treasury Pool’s March 2001 Monthly Investment Report – Treasurer/Tax Collector ([View Item](#))
- * 18. Approval of Stanislaus County Institute Fee Schedule for Courses Offered to Other Public and Private Organizations ([View Item](#))
- * 19. Approval for Community Services Agency to Enter into an Agreement with the Probation Department for the Provision of Youth Services – Community Services Agency ([View Item](#))
- * 20. Approval of Contract #99-85761 Amendment #03 with the State Department of Health Services for the Women, Infants, and Children (WIC) Supplemental Nutrition Program – Health Services Agency ([View Item](#))
- * 21. Approval to Establish and Operate a Trust Fund for the Heart Education Awareness Resource Team (HEART) Coalition in the Health Services Agency ([View Item](#))
- * 22. Approval of Affiliation Agreement #00-01127A for the Family Practice Residency Program, Between the County of Stanislaus and the Regents of the University of California, Davis School of Medicine for the Period of July 1, 2000 through June 30, 2005 – Health Services Agency ([View Item](#))
- * 23. Approval of the Expenditure of Public Facility Fees for the Stanislaus County Sheriff Facility Needs ([View Item](#))
- 24. Approval of Chief Executive Officer’s Third Quarter Fiscal Report for Fiscal Year 2000-2001 and Related Actions and Adjustments ([View Item](#))
- 25. Approval of the Project Charter for Electoral Redistricting Based on the 2000 Federal Census, Updating the Base (GIS) Map and Providing Support for the Electoral Redistricting Process, to Ensure New Areas are Defined and Comply with Federal and State Legislation by September 28, 2001 ([View Item](#))
- 26. Approval of an Agreement with Yosemite Community College District for a Pre-Construction Training Program for StanWORKs Participants – Community Services Agency ([View Item](#))

C. Department of Public Works

- * 1. Approval to Set a Public Hearing and Conduct a Ballot Procedure on July 10, 2001, at 9:25 a.m., for Golden State Lighting District in Compliance with Proposition 218 ([View Item](#))
- * 2. Approval of Subdivision Improvements of Oakmore Estates Subdivision, Phase 2 ([View Item](#))
- * 3. Approval of Subdivision Improvements of Oakmore Estates Subdivision, Phase 3 ([View Item](#))

- * 4. Approval of the Subdivision Improvements of Salida Haciendas, Unit No. 4 (A.K.A. the Colony, Unit No. 4) ([View Item](#))
- * 5. Approval of the Filing and Recording of the Final Map of Hillsborough Estates Subdivision ([View Item](#))
- * 6. Approval of the Transportation Development Act Claim for Fiscal Year 2001/2002 ([View Item](#))
- * 7. Approval of Plans and Specifications for the 2001 Road Improvement Program ([View Item](#))
- * 8. Approval of Plans and Specifications for the Landfill Gas Collection and Control System Construction Project at the Fink Road Landfill ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Set Public Hearing for Rezone Application No. 2001-02 - Ross Schiveley for June 19, 2001 at 9:25 a.m. ([View Item](#))
- * 2. Approval of Salida Planned Development Road Account Expenditure ([View Item](#))

E. County Counsel

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance Regarding Refuse Removal by Owners or Occupants of Property and Permit Fees for Industrial Refuse Collection ([View Item](#))
- * 2. Approval of Agreement for Legal Services with Law Firm of Sulmeyer, Kupetz & Rothman ([View Item](#))

V. Scheduled Matters

9:25 a.m. Public Hearing to Consider Final Cost Reimbursement for Demolition of a Structure Located at 504 Imperial Avenue, Modesto, California ([View Item](#))

9:30 a.m. Public Hearing to Consider Grantee Performance Report for Community Development Block Grant #98-STBG-1271 – Housing Rehabilitation ([View Item](#))

9:35 a.m. Public Hearing to Consider an Appeal by Janie Meily of the Planning Commission's Approval of Staff Approval Application No. 2000-09 - Pacific Bell Wireless – Ott Farms, for a Monopole Tower (54 Feet High Cellular Tower), Two Microwave Dishes, and Two Equipment Cabinets at 5243 Paradise Road - Continued from May 8, 2001 ([View Item](#))

VI. Correspondence

1. This Board has received the Final Report Part Four for the Sheriff's Department Men's Jail and Final Report Part Five for the Modesto Irrigation District from the Stanislaus County 2000-2001 Civil Grand Jury.
(Recommendation: Acknowledge receipt of report.)
2. This Board has received a letter from Stradling Yocca Carlson and Rauth, acting as bond counsel to the Ceres Unified School District, Chatom Union elementary School District, Denair Unified School District, Empire Union School District, Keyes Union Elementary School District, Modesto City Elementary School District, Modesto City High School District, Newman-Crows Landing Unified School District, Oakdale Joint Unified School District, Patterson Joint Unified School District, Riverbank Unified School District, Sylvan Union Elementary School District and Stanislaus County Office of Education regarding the issuance of a pool of tax and revenue anticipation notes by the County Board.

(Recommendation: Authorize the Clerk of the Board to notify the law firm of Stradling Yocca Carlson and Rauth that the Board will not authorize issuance within forty-five days and, therefore, that these School Districts may issue their obligation in their own name. California Government Code Section 53853(b).

3. This Board has received a letter from the State Attorney General Bill Lockyer regarding amending our zoning ordinances to include a procedure for handling requests for reasonable accommodation made pursuant to the fair housing laws relating to the disabled.

(Recommendation: Refer to the Department of Planning and Community Development.)

4. This Board has received the following claims: Felix Castro; Jackie Jilbert; Waymon Stancell; Craig R. Tedore; Jackie Jilbert (Amended Claim); Timothy David Bower; Larry Kocks; Amber Myers; Martha Alvarez, children, Anthony Alvarez, Amber Alvarez, and Dominga Alvarez (Supplement Claim); Anil Oshana; and Marissa Cabral.

(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 Real Property Negotiators for the Following Parcels: 1) 4835 Sisk Rd., Modesto (APN: 135-5306-400). Negotiating Parties: Harold Miller, Hubert Miller, Aaron Miller, JBC Realty, Breuners. Agency Negotiator: Reagan M. Wilson or Patricia Hill Thomas for Stanislaus County. Under Negotiation: Both Price and Terms of Payment; and, 2) E St. and Main St., Waterford, CA (Owned by Community Baptist Church - APNs: 134-07-01 through 04 and 134-14-01; or, Property Owned by Blake Lambert – APNs: 134-06-15 and 134-06-17). Negotiating Parties: Representatives from Community Baptist Church and Blake Lambert. Agency Negotiator: Reagan M. Wilson or Patricia Hill Thomas for Stanislaus County. Under Negotiation: Both Price and Terms of Payment. Pursuant to Government Code Section 54956.8. Conference with Labor Negotiations: Agency Negotiator, Reagan M. Wilson: Employee Organizations: SCEA/AFSCME, SEIU, OE3, DSA, SCSSA, CAIR/CIR, CNA, and Management and Confidential Employees. Pursuant to Government Code Section 54954.5(f). Conference with Legal Counsel: Anticipated Litigation: Significant Exposure to Litigation on One Case: Initiation of Litigation on One Case. Pursuant to Government Code Sections 54956.9(b) and 54956.9(c).