



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

September 18, 2001

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.

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. Presentation:
 - A. Council on Accreditation of Services for Families and Children, Inc. Award
 - B. Resolution in Recognition of National 9-1-1 Day
- III. Public Comment Period
- IV. Consent Calendar
- V. Agenda Items
 - A. Miscellaneous
 - * 1. Approval of the Minutes for [August 28, 2001](#) and [September 12, 2001](#)

- * 2. Approval to Proclaim:
 - a. September 17-21, 2001 as Lawsuit Abuse Awareness Week in Stanislaus County ([View Item](#))
 - b. September 11, 2001 as National 9-1-1 Day in Stanislaus County ([View Item](#))
- * 3. Approval of Request from the Department of Aging and Veterans Services for Use of the Courthouse Lawn on November 11, 2001 for a Ceremony after the Veteran's Day Parade ([View Item](#))
- * 4. Acceptance of Resignations of:
 - a. Dr. Richard Curry from the Stanislaus Children's Council ([View Item](#))
 - b. Pat Dobbs from the Mental Health Board ([View Item](#))
- * 5. Approval of Commendation for the Modesto Chapter of the American GI Forum Upon Receiving the National Chapter of the Year Award ([View Item](#))
- * 6. Approval of Request from the Oakdale High School Cross Country Team for Use of the Woodward Reservoir Park on September 27, 2001 for a Track Meet ([View Item](#))
- * 7. Approval of Appointments In-Lieu of Election:
 - a. Holman E. King and Donald G. Smith, Jr. to the Denair Community Services District ([View Item](#))
 - b. Constant Fliermans, Kathryn Lee Gabrielson, Pamela G. Hillar and Walter T. Hudson to the Burbank-Paradise Fire Protection District ([View Item](#))
 - c. Gus Villarreal to the Hughson Fire Protection District ([View Item](#))
 - d. Kirk Bridegroom, Roy A. Johnson, Mark Hodges and David Muller to the Sand Creek Flood Control District ([View Item](#))
 - e. William G. Cerutti to the Central California Irrigation District ([View Item](#))
 - f. Tony Taro to the Oakdale Irrigation District ([View Item](#))
 - g. Alfred Scheuber, John M. Azevedo, John Barbaste and Steven Trinta to the Patterson Irrigation District ([View Item](#))
 - h. Charles A. Fernandes and Michael C. Berryhill to the Turlock Irrigation District ([View Item](#))
 - i. Steven R. Ernst, Brad Johnson and Anthony Beato to the Salida Municipal Advisory Council ([View Item](#))
 - j. Ken Beswick and Eliseu Mendonca to the Reclamation District #2063 (Carpenter) ([View Item](#))
 - k. Barbara W. Casey, Evelyn Allinson, Jacqueline Amaral and James Garrison to the Empire Sanitary District ([View Item](#))
 - l. Gary Dew and Lana Moore to the Salida Sanitary District ([View Item](#))
 - m. Howard M. Barnett, David Harrison Long and James G. Crecelius to the Eastside Water District ([View Item](#))
 - n. Steven Arnaudo and Fred E. Beltran to the Oak Flat Water District ([View Item](#))
- * 8. Approval of Appointments In-Lieu of Election and Vacancies:
 - a. Rosenda Mataka, Angela M. Alvarado, Lulu M. Polk, and Maricela Vela to the Grayson Community Service District ([View Item](#))
 - b. Marjorie W. Paiz, Owen W. Haskell and David R. Simons to the Knights Ferry Municipal Advisory Council ([View Item](#))
 - c. Fran Lightly and Webb Shaffer to the Western Hills Water District ([View Item](#))
- * 9. Approval of Appointments In-Lieu of Election Where No Candidates Filed:
 - a. Knights Ferry Community Service District ([View Item](#))
 - b. Westley Community Service District ([View Item](#))
 - c. Newman Drainage District ([View Item](#))
 - d. Ceres Fire Protection District ([View Item](#))

- e. Orestimba Flood Control District ([View Item](#))
 - f. West Stanislaus Irrigation District ([View Item](#))
 - g. Empire Municipal Advisory Council ([View Item](#))
 - h. Hickman Municipal Advisory Council ([View Item](#))
 - i. Reclamation District #2091 (Chase) ([View Item](#))
- * 10. Approval of Resolution in Support of the President of the United States of America in Regards to the Terrorist Acts on September 11, 2001 ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance Amending Section 2.08.010 of the County Code Regarding the Qualifications for the Auditor-Controller ([View Item](#))
- * 2. Approval of the 2001-2002 Property Tax Rates – Auditor/Controller ([View Item](#))
- * 3. Approval to Apply for a Rural E-Commerce Grant from the California Technology, Trade and Commerce Agency for Funding Innovative E-Commerce Training Projects ([View Item](#))
- * 4. Approval to Grant Pay Adjustments to Elected Department Heads’ Compensation ([View Item](#))
- * 5. Approval of Labor Agreement Between the County and Operating Engineers Local 3 Representing the District Attorney Investigator’s Association ([View Item](#))
- * 6. Approval of Labor Agreements Between the County and Service Employees International Union Local 535 Representing the Community and Health Services Bargaining Unit ([View Item](#))
- * 7. Approval of Underground Storage Tank Local Oversight Program Contract with the State of California Water Resources Control Board – Environmental Resources ([View Item](#))
- * 8. Approval of the Annual Report of Substandard Housing and Code Enforcement Activities Pursuant to Section 17274 of the California Revenue and Taxation Code for Calendar Year 2000 – Environmental Resources ([View Item](#))
- * 9. Approval of Progress Report on Partnership Grant with Community Services Agency to Reduce Teen Pregnancy – Health Services Agency ([View Item](#))
- * 10. Approval to Establish a Property Limit Standard Equal to 150% of the Federal Poverty Level and Approval to Establish an Income Limit of 250% of the Federal Poverty Level for Indigent Health Care Program (IHCP) Eligibility – Health Services Agency ([View Item](#))
- * 11. Approval of a Memorandum of Understanding Between the Stanislaus County Library and the Stanislaus Literacy Center Expressing the Parties’ Intent to “Partner” for the Delivery of Adult Literary Services and Making the County Eligible for Additional State Library Literacy Funds – Library ([View Item](#))
- * 12. Approval to Accept a Grant in the Amount of \$15,650 from the California State Library for a Families for Literacy Program - Library ([View Item](#))
- * 13. Approval of a Contract Renewal for Probation Services for Modesto City Schools – Probation ([View Item](#))
- * 14. Authorization to Change Community Services Agency General Assistance Regulations ([View Item](#))
- 15. Approval of Response to the Final Report of the Stanislaus County Civil Grand Jury 2000-2001 ([View Item](#))
- 16. Update on Library Financing and Authorization to Purchase the Real Property Located at 4385 Sisk Road, Salida, California (APN 135-42-22) for a Regional Library and Related Actions ([View Item](#))

17. Approval of Design Concept, Design Architect Selection, and Approval to Proceed to Schematic Design and Design Development Phases for the Gallo Performing Arts Center Project in Collaboration with the Central Valley Center for the Arts ([View Item](#))
18. Approval to Apply for Governor's Methamphetamine Initiative Funds (CAL-MMET) from Office of Criminal Justice Planning (OCJP) in the Amount of \$3,377,806 - Sheriff ([View Item](#))
19. Approval to Accept High Technology Grant Funds from State of California, Purchase Equipment and Increase Appropriations and Estimated Revenues - Sheriff ([View Item](#))

C. Department of Public Works

- * 1. Approval of Project Agreement 2001-02 for Groundwater Monitoring at the Fink Road Landfill with Kleinfelder, Inc. ([View Item](#))
- * 2. Approval of Project Agreement 2001-02 for Operation, Monitoring, and Maintenance (O&M) of the Landfill Gases (LFG) and Groundwater Treatment and Monitoring Facilities at the Closed Geer Road Landfill with SCS Field Engineers, Inc. ([View Item](#))

D. Department of Planning and Community Development

- * 1. Set Public Hearing on October 2, 2001 at 9:30 a.m. for Approval of Planning and Community Development Department Fee Schedule Increases ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 9:10 a.m. Public Hearing to Consider the Approval to Submit an Application as an "Entitlement Status" County for an Approximate \$3.1 Million H.U.D. Grant ([View Item](#))
- 9:20 a.m. Public Hearing to Consider the Adoption of the Final Budget Addendum Report for Fiscal Year 2001-2002, and Related Actions and Adjustments ([View Item](#))

VII. Correspondence

1. This Board has received a letter from Stanislaus County Clerk-Recorder Karen Mathews announcing her resignation from the elected office of the Clerk-Recorder effective September 30, 2001. ([View Item](#))
(Recommendation: Acknowledge and accept resignation.)
2. The Board has received a copy of the Final Report of the Mountain-Valley Emergency Medical Services Agency for Fiscal Year 2000/01.
(Recommendation: Acknowledge receipt of the Report.)
3. This Board has received a copy of the Annual Review of the Capital Facilities Fees Collected by the Salida Fire Protection District for Fiscal Year 2000-01.
(Recommendation: Refer to the Public Facilities Fees Committee.)
4. This Board has received a copy of Form 10-Q for the quarter ended June 30, 2001 from the Covanta Energy Corporation as required per the Sublease Agreement between Stanislaus Waste-to-Energy Agency and Covanta Stanislaus, Inc.
(Recommendation: Refer to the Department of Environmental Resources.)

5. This Board has received a copy of the Stanislaus County Assessment Practices Survey from the State Board of Equalization.
(Recommendation: Acknowledge receipt of the report.)
6. This Board has received a notice from the Department of Rehabilitation regarding a public hearing on the proposed amendments to Title 9.
(Recommendation: Refer to the Community Services Agency, Behavioral Health and Recovery Services, the Department of Employment and Training, and the Health Services Agency.)
7. This Board has received a letter from the California State Association of Counties requesting opposition to SB 1018 (Perata) relating to District Attorney and Public Defender retirement benefits.
(Recommendation: Authorize sending a letter to the Governor in opposition.)
8. This Board has received the following claims: Cody Babb; Maria V. Ramirez; William T. Clark Jr.; Julie Mauga; Clay Dale Henson; Robert Collins; Jose Lopez, June Lopez, Jose Luiz Lopez, Janet Lopez, and John Anthony Lopez; Carl & Rachel Hedden; and, Angelo Gonzalez & Miguel Gonzalez.
(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

- A. Approval of a Letter to Assembly Members Thompson and Alpert, Members of Appropriations Committee and Local Legislators, Supporting AB 1147 to Restore State General Fund for Maternal Child Health Program ([View Item](#))

X. Adjournment

- XI. Closed Session: Conference with Legal Counsel – Existing Litigation: Jorge Rivas, by and Through his Guardian Ad Litem, Sherri De Moreno vs Golden Valley Health Centers, Stanislaus County HSA; County of Stanislaus, and Does 1 to 10 Inclusive. Stanislaus County Superior Court Action - Number 270664. Conference with Legal Counsel – Existing Litigation: Carolyn Chapin vs County of Stanislaus, et al. Stanislaus County Superior Court Action - Number 269898. Conference with Legal Counsel – Anticipated Litigation – Significant Litigation: Two potential cases. California Government Code Section 54954.5(c).