



BOARD OF SUPERVISORS

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

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Phone: 209.525.4494 Fax: 209.525.4410

AGENDA

August 19, 2003

6:30 P.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.

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 August 11, 2003 and August 12, 2003 ([View Item](#))
 - * 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 856 Amending Title 11 of the Stanislaus County Code, Pertaining to Traffic Control to Establish Speed Zones on Various County Roads ([View Item](#))

- * 3. Acceptance of the Resignations of Brendt Noon and Jack Tune and Approval of the Appointments of Ben Cassineto and Eric Ulrich to the Knights Ferry Community Services District Board ([View Item](#))
- * 4. Approval of Appointments of:
 - a. Dail Avila to the Westside Community Healthcare District Board ([View Item](#))
 - b. Robbie Brinkman to the Advisory Board on Substance Abuse Programs ([View Item](#))

B. Chief Executive Office

- * 1. Approval of Amendment to Agreement with the Critical Difference, LLC, for Temporary Nursing Services – Behavioral Health and Recovery Services ([View Item](#))
- * 2. Approval for the State Department of Mental Health to Transfer Funds to the California Mental Health Directors Association to Fund an Administrative Services Organization – Behavioral Health and Recovery Services ([View Item](#))
- * 3. Approval to Authorize the Chief Executive Officer to Grant Licenses for Temporary Use of County Property and Approval of a License Agreement with CNN America, Inc., to Use the Lower Patio of 801 11th Street to Conduct and Film a Television Show ([View Item](#))
- * 4. Approval of Fourth Year Modifications to the Stanislaus County Workforce Investment Act (WIA) Five-Year Plan – Employment and Training ([View Item](#))
- * 5. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the Following Properties:
 - a. 706 Santa Fe Avenue, Empire, California (CE No. 02-2482) ([View Item](#))
 - b. 4625 McGinn Avenue, Salida, California (CE No. 03-1054) ([View Item](#))
 - c. 5881 River Road, Oakdale, California (CE No. 03-1413) ([View Item](#))
 - d. 5224 McCoy Avenue, Empire, California (CE No. 02-774) ([View Item](#))
 - e. 115 G Street, Turlock, California (CE No. 02-1165) ([View Item](#))
- * 6. Approval of an Independent Contractor Agreement with Stephen Berrien, M.D., for the Provision of Orthopedic Specialty Clinic Services at Stanislaus County Health Services Agency ([View Item](#))
- * 7. Approval for the Sheriff to Enter into Agreement with Stanislaus County Community Services Agency to Provide a Detective to Assist with Child Welfare Services Criminal Investigations and to Conduct Forensic Interviews of Juvenile Crime Victims; Increase Appropriations and Estimated Revenues; and, Amend the Salary and Position Allocation Resolution – Sheriff ([View Item](#))
- * 8. Approval to Accept California Law Enforcement Equipment Program (CLEEP) High Technology Allocation from the State of California in the Amount of \$92,782.67 to Purchase Equipment, and Increase Appropriations and Estimated Revenues - Sheriff ([View Item](#))
- * 9. Approval of the Stanislaus County Treasury Pool’s June 2003 Monthly Investment Report – Treasurer/Tax Collector ([View Item](#))
- * 10. Approval of One Change to the County Treasury Pool Investment Policy to be Effective August 20, 2003 – Treasurer/Tax Collector ([View Item](#))
- * 11. Approval to Adopt a Resolution Approving the Development, Implementation and Grant Application for Recognition of the Weed & Seed Project and Authorize the Chief Executive Officer to Act on All Matters Regarding the Grant Application ([View Item](#))
- * 12. Approval of the Plans and Specifications for the Grayson Community Center and Park Project; Approval to Call for Bids on September 24, 2003, No Later than 2:30 p.m.; and, Related Actions ([View Item](#))
- * 13. Approval of an Independent Contractor Agreement with Valley Associated Urology Medical Group for the Provision of Urology Specialty Clinic Services at Stanislaus County Health Services Agency ([View Item](#))

- * 14. Approval to Authorize the Appointment of Susan Rutherford to the Position of Staff Nurse III, Health Services Agency Specialty Clinic, at Step Five of the Salary Classification ([View Item](#))
- * 15. Approval of Two Agreements between the Office of Statewide Health Planning and Development (OSHDP) and Stanislaus County Health Services Agency for Training Funds under the Song-Brown Family Physician Training Act – Health Services Agency ([View Item](#))
- 16. Approval to Authorize a Request for Proposals for Two Project Study Reports for the Hammett Road Interchange and the Kiernan Avenue Interchange; Authorize the Establishment of a Fund for Contributions from Property Owners and Developers to Pay for the Study; and, Related Actions ([View Item](#))
- 17. Approval to Introduce and Waive the First Reading of an Ordinance Amending the Stanislaus County Code Regarding Authorization for County Employees Who Voluntarily Use Regular Days Off, Vacation Days or Compensatory Time Off to Serve as Pollworkers on Election Day and Receive the Applicable Statutory Stipend from the Registrar of Voters – Clerk-Recorder ([View Item](#))
- 18. Approval to Adopt a Resolution Approving Recruitment of County Employees to Work the Election Polls During County Sponsored Elections – Clerk-Recorder ([View Item](#))
- 19. Approval of the Revised Stanislaus County Telecommunications Policy and Approval of Negotiated Contracts with Mobile Phone Vendors ([View Item](#))

C. Department of Public Works

- * 1. Accept the Salida 2002 Improvements Project as Complete; Approve Contract Change Orders 1 Through 6; and, Increase the Design Engineering Contract with Thompson-Hysell Engineers for Additional Design and Construction Services ([View Item](#))
- * 2. Approval to Increase Appropriations and Estimated Revenue for Additional Consultant Reviews Necessary for Final Inspection of the Compressed Natural Gas (CNG) Vehicle Fueling Facility Project ([View Item](#))
- * 3. Approval to Set the Bid Opening Date for August 27, 2003 at 2:30 p.m. for the Construction of the Knights Ferry School Access Road and Approval to Authorize the Stanislaus County Road Commissioner to Award the Contract Pursuant to Section 20395 of the Public Contract Code ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Set a Public Hearing on September 16, 2003 at 6:35 p.m. for Rezone Application No. 2002-18 and Parcel Map Application No. 2002-27 - John Stewart ([View Item](#))
- * 2. Approval to Set a Public Hearing on September 16, 2003 at 6:40 p.m. for Rezone Application No. 2003-02 and Parcel Map Application No. 2003-02 - Ervin Rifenburg ([View Item](#))

E. County Counsel

V. Scheduled Matters

- 6:40 p.m. Public Hearing to Consider General Plan Amendment Application No. 2003-01, Rezone Application No. 2003-03 and Vesting Tentative Map Application No. 2002-02, Riopel Property in the Denair Area ([View Item](#))
- 6:45 p.m. Public Hearing to Consider Appeal of Planning Commission Decision Regarding the Denial of Vesting Tentative Map Application No. 2002-02 for Riopel Property in the Denair Area ([View Item](#))

VI. Correspondence

1. This Board has received a letter from Susan Robinson regarding proposals to alleviate the cat and dog overpopulation.
(Recommendation: Refer to the Department of Animal Services.)
2. This Board has received a letter from United States Department of the Interior regarding the designation of critical habitat.
(Recommendation: Refer to the Department of Planning and Community Development.)
3. This Board has received a letter from the Office of Homeland Security approving the Fiscal Year 2003 State Homeland Security grant for \$1,129,609.
(Recommendation: Refer to the Chief Executive Office/Emergency Services.)
4. This Board has received a letter from the California State Association of Counties regarding the Secure Rural Schools and Community Self-Determination Act of 2000 and the Payment in Lieu of Taxes Act of 1976.
(Recommendation: Refer to the Chief Executive Office.)
5. This Board has received a letter from the California State Association of Counties regarding the special fall TRANS program addressing the State budget issues.
(Recommendation: Refer to the Chief Executive Office.)
6. This Board has received the following claim: Progressive Insurance Company for their insured Stacey Hance.
(Recommendation: Acknowledge receipt of claim and refer to the Chief Executive Office - Risk Management Division.)

VII. Board of Supervisors' Reports

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

- A. Consideration of Request from the California State Association of Counties (CSAC) to Oppose Senate Bill 707 (Florez) Prohibiting the Certification of an Environmental Impact Report or Negative Declaration for Construction/Expansion of Dairies

IX. Adjournment

- X. Closed Session: Conference with Legal Counsel - Existing Litigation: Jose Lopez et.al. vs. County of Stanislaus, et al. Stanislaus County Superior Court Case No. 309778. Government Code Section 54956.9(a).