



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

September 16, 2003

6:30 P.M.

Chambers – Basement Level
1010 10th Street
Modesto, California

www.co.stanislaus.ca.us/BOS/AGENDA/agenda.pdf

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 19, 2003 ([View Item](#))
- * 2. Approval to Adopt Amended Local Rules and Regulations of the Stanislaus County Assessment Appeals Board ([View Item](#))

- * 3. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 857 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](#))
- * 4. Acceptance of the Resignations of:
 - a. Anthony Beato from the Salida Municipal Advisory Council ([View Item](#))
 - b. Taryn Muralt from the Workforce Alliance Youth Advisory Council ([View Item](#))
- * 5. Approval to Commend Douglas D. Wann Upon his Retirement from the Stanislaus County Probation Department ([View Item](#))
- * 6. Approval of Request from Oakdale High School for Use of Woodward Reservoir Park on September 24, 2003 and October 9, 2003 for Track Meets for the Mustang Cross County Team ([View Item](#))
- * 7. Approval of Request from Escalon High School for Use of Woodward Reservoir Park on Thursday, October 2, 2003 for their Annual Cross Country Invitational ([View Item](#))
- * 8. Approval of Request from Mid-Valley Water Ski Club for Use of Modesto Reservoir on Thursday, January 1, 2004 for their Annual Polar Bear Day ([View Item](#))
- * 9. Approval of Request from Modesto Centre Plaza for Use of the Courthouse Lawn on Saturday, December 6, 2003 for the City of Modesto Celebration of Lights Holiday Parade ([View Item](#))
- * 10. Approval of Appointment of Latisha Leap to the Juvenile Hall Service League ([View Item](#))

B. Chief Executive Office

- * 1. Approval of Older Americans Act (OAA) Contracts and Older Californians Act Aging Program Contract with the California Department of Aging and Approval of Grant Agreements with Contracting Service Providers for Fiscal Year 2003-2004 – Aging and Veteran’s Services ([View Item](#))
- * 2. Approval to Award Countywide Elevator Maintenance Agreement to Otis Elevator Company ([View Item](#))
- * 3. Approval of Completion and Acceptance of the Tenant Improvements for the Grand Jury Office at 1021 I Street, Modesto, California ([View Item](#))
- * 4. Approval of Completion and Acceptance of the Reconstruction of the Nick W. Blom Salida Regional Library, 4835 Sisk Road, Salida CA, and Approval of a 30-day Time Extension to the Construction Contract ([View Item](#))
- * 5. Approval to Accept Grant from the Fiscal Year 2002 State Office of Emergency Services (OES) for the State Domestic Preparedness Equipment Support Program and Establish a Budget ([View Item](#))
- * 6. Approval to Accept a Grant from the State Homeland Security Grant Program for the Enhancement of Local Emergency Response to Weapons of Mass Destruction (WMD) and Establish a Budget ([View Item](#))
- * 7. Approval for the Community Services Agency to Suspend the Fourth Wednesday Extended Hour Schedule Effective September 2003 – Community Services Agency ([View Item](#))
- * 8. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the Following Properties:
 - a. 4107 and 4125 Beckwith Road, Modesto, California (CE No. 02-1646 and 02-1931) ([View Item](#))
 - b. 219 Lathrop Street, Modesto, California (CE No. 03-461) ([View Item](#))
 - c. 2369 Regal Road, Modesto, California (CE No. 03-791) ([View Item](#))

- * 9. Approval to Contract with Mountain Valley Emergency Medical Services Agency for Fiscal Year 2003-2004 to Administer Local Emergency Medical Services – Health Services Agency ([View Item](#))
- * 10. Approval to Accept a Grant from the California State Library, Funded through the Federal Library Services and Technology Act (LSTA), for Computer and Internet Classes – Library ([View Item](#))
- * 11. Approval of the Probation Department’s Contracts with the Center for Human Services for the High Risk Offender Program and the Hutton House Crisis Intervention and Shelter Care ([View Item](#))
- * 12. Approval of Amendments to Retirement Board ByLaws as Recommended by the Board of Retirement ([View Item](#))
- * 13. Approval to Enter into an Agreement with Modesto City Schools to Provide a School Resource Officer to the Fairview Elementary School Neighborhood; Increase Appropriations and Estimated Revenues; and, Amend the Salary and Position Allocation Resolution – Sheriff ([View Item](#))
- 14. Consideration and Approval of Response to the 2002-2003 Stanislaus County Civil Grand Jury Final Reports Part Two on the Correctional Facilities Inspection of the Juvenile Hall and Part Eight on the Stanislaus County Landfill ([View Item](#))
- 15. Approval to Fully Implement Stanislaus County as the Employer of Record of Individual Providers, through a County-Administered Model, in the In-Home Supportive Services (IHSS) Program – Community Services Agency ([View Item](#))
- 16. Approval to Adopt Retirement Contribution and Interest Rates for Fiscal Year 2003-2004 - Retirement ([View Item](#))
- 17. Approval to Award Contract for Bid Package 3, Metals, Division 5 to Gayle Manufacturing Company, Inc., and to Award Contract for Bid Package 4, Conveying Systems Division 14 to Kone, Inc., for the 12th Street Office and Parking Garage Project; Approval of Related Contracts and Actions Necessary to Proceed with the Project ([View Item](#))
- 18. Approval of the Financing Plan for the Gallo Arts Center, the 12th Street Office Building and Parking Project, the Salida Regional Library; and Related Actions ([View Item](#))
- 19. Approval to Add Two Internal Auditor (Accountant III) Positions to the Auditor-Controller’s Office to Strengthen the Internal Audit Function for Stanislaus County ([View Item](#))

C. Department of Public Works

- * 1. Approve Request by Del Rio Services Corporation to Locate a Private Sewer Line within the Public Road Right-of-Way of Carver Road ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval of Increase in Estimated Revenues and Appropriations to the Redevelopment Agency for Acceptance of Federal Loan Funds and Payoff of Loan Anticipation Notes ([View Item](#))
- * 2. Approval of the Home Ownership Program Agreement with the Stanislaus County Redevelopment Agency and the Stanislaus County Housing Authority ([View Item](#))
- * 3. Approval to Respond to U.S. Fish and Wildlife Service’s Proposal to List the Central California Distinct Population Segment of the California Tiger Salamander as Threatened ([View Item](#))

E. County Counsel

V. Scheduled Matters

- 6:35 p.m. Public Hearing to Consider Rezone Application No. 2002-18 and Vesting Tentative Map Application No. 2002-27 - John Stewart. A Request to Rezone from A-2-3 (General Agriculture) to RA (Rural Residential) to Create Three Parcels from a 5.95 Acre Site. The Property is Located at 2741 River Road, in the Ceres Area. A Mitigated Negative Declaration will be Considered ([View Item](#))
- 6:40 p.m. Public Hearing to Consider Rezone Application No. 2003-02 and Parcel Map Application No. 2003-02 - Ervin Rifenburg. A Request to Amend the Zoning Designation from A-2-40 (General Agriculture) to A-2-3 (General Agriculture) and Create Four Parcels Ranging in Size from 3.5 to 5.2 Acres from a 16.4± Acre Parcel. The Property is Located at 1118 Bent Road, West of Wellsford Road, in the Modesto/Empire Area. A Mitigated Negative Declaration will be Considered ([View Item](#))
- 6:45 p. m. (A) Public Hearing to Consider Approval of the Request from the Central Valley Center for the Arts (CVCA) for the Stanislaus County Capital Improvements Financing Authority to Issue Conduit Revenue Bonds on Behalf of the CVCA Pursuant to Section 147(f) of the Internal Revenue Code of 1986 ([View Item](#))
- 6:45 p. m. (B) Public Hearing to Consider Approval of Stanislaus County's Execution and Delivery of Certificates of Participation for the Gallo Arts Center Pursuant to Section 147(f) of the Internal Revenue Code of 1986 ([View Item](#))
- 6:50 p.m. Public Hearing to Consider an Appeal of Planning Commission Decision for Parcel Map Application No. 2002-18 - Laurin M. Windus Trust. A Request to Create Three Parcels of 1.17, 1.07 and 1.12 Acres in the R-A (Rural Residential) Zoning District. The Property is Located on the West Side of Robertson Road and South of Paradise Road, in Modesto Area ([View Item](#))

VI. Correspondence

1. This Board has received a copy of the National Association of Counties 2002-2003 Annual Report. (Recommendation: Acknowledge receipt.) ([View Item](#))
2. This Board has received a letter from the County of Yuba requesting opposition to SB 451 which would exempt privatized military housing from possessory interest property tax assessments. (Recommendation: Refer to the Chief Executive Officer.) ([View Item](#))
3. This Board has received a letter from the Office of Historic Preservation requesting comments regarding the consideration for nomination of the Plaza Center Building in Patterson to the National Register of Historic Places. ([View Item](#))
(Recommendation: Refer to the Department of Planning and Community Development.)
4. This Board has received a letter and a public scoping meeting notice from Mariposa County Planning regarding Deerwood at the Lakes, a new development proposal that includes 1,348 residential units and a 27-acre commercial center in the Don Pedro Community. ([View Item](#))
(Recommendation: Refer to the Department of Planning and Community Development.)

5. This Board has received a letter from the United States General Services Administration regarding the Social Security Administration Building at 1230 12th Street in Modesto being designated as surplus Government property and available for disposal. ([View Item](#))
(Recommendation: Refer to the Chief Executive Office.)

6. This Board has received the following claims: Jim and Brenda Warfield; Michael Chabra; John Adams; Michelle Anderson; Wilma Gonzalez; Sean Dompe; Lusamerica Foods, Inc., a California Corporation and Paul Allen Freeman; Muhammed Shittu; Matthew John Bruns; Matthew John Bruns; and, Jennifer Arrieta
(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