



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

1010 Tenth Street, Suite 6500, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4410

AGENDA

November 4, 2003

9:00 A.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. Presentation: A. Commendation for Interagency Law Enforcement for their Investigation of the Home Invasion Robberies

B. Employee Service Awards

Those Honored for Thirty Years of Service are:

Carol Hancock - Behavioral Health & Recovery Services
Marian Isaac - Behavioral Health & Recovery Services
Delores Pinto - Behavioral Health & Recovery Services

Those Honored for Twenty-five Years of Service are:

Amy Childs	-	Behavioral Health & Recovery Services
Guadalupe Perez	-	Behavioral Health & Recovery Services

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for October 28, 2003 ([View Item](#))
- * 2. Approval of Request to Cancel a Public Hearing on February 17, 2004 at 6:35 p.m. to Consider Williamson Act Cancellation No. 2002-01, Use Permit No. 2002-53 – Catholic Church Cemetery ([View Item](#))
- * 3. Approval to Proclaim November 15, 2003 as America Recycles Day in Stanislaus County ([View Item](#))
- * 4. Approval to Proclaim November 2003 as Adoption and Permanency Awareness Month in Stanislaus County ([View Item](#))
- * 5. Approval of Request from E Clampus Vitus for Use of the La Grange Gold Dredge Historical Site on Friday, April 16, 2004 through Sunday, April 18, 2004 ([View Item](#))
- * 6. Approval of Appointment In Lieu of Election Where No Candidates Filed for Orestimba Creek Flood Control District ([View Item](#))
- * 7. Approval to Accept the Clerk-Recorder's Declaration of the Results of the Consolidated Election Conducted on October 7, 2003 ([View Item](#))
- * 8. Approval to Waive the Procedural Requirement to Remove a Member of the Children and Families Commission for Meeting Absences ([View Item](#))
- * 9. Approval of Appointment of Supervisor Ray Simon, as the Director and Supervisor Pat Paul, as the Alternate to the 2003-04 California State Association of Counties' Board of Directors ([View Item](#))

B. Chief Executive Office

- * 1. Approval of Fiscal Year 2003/2004 Pesticide Application Reporting Contract with the California Department of Pesticide Regulation – Agricultural Commissioner ([View Item](#))
- * 2. Approval of an Amendment to the Agreement with the United Advocates for Children of California for the Provision of Mental Health Education, Advocacy and Support Services – Behavioral Health and Recovery Services ([View Item](#))
- * 3. Approval to Set a Public Hearing on December 9, 2003 at 9:25 a.m. to Consider the Adoption of Updated Fire Protection Facilities Fees for the Salida Fire Protection District Pursuant to Title 24 Stanislaus County Ordinance Code ([View Item](#))
- * 4. Approval of the Community Services Agency's Child Welfare Service Division's Application for Reaccreditation to the Council on Accreditation ([View Item](#))
- * 5. Approval to Close Out the Mainframe Computer Operations Internal Service Fund as of December 31, 2003 – Community Services Agency ([View Item](#))
- * 6. Approval of a Contract with the Federal Alternative Payment Program and Amend a Contract with the General Alternative Payment Program of the California Department of Education for the Administration of the Child Care and Development Block Grant – Community Service Agency ([View Item](#))

- * 7. Approval of a Resolution to Designate the Auditor-Controller as the County Officer Authorized to Receive a Gift of Any Amount on Behalf of Stanislaus County, and to Report to the Board Quarterly the Source and Value of Each Gift Valued in Excess of \$10,000.00 – County Counsel ([View Item](#))
- * 8. Approval to Accept Funding from the California Wellness Foundation Through the California Family Health Council for Peer Provider Teen Clinics for Calendar Year 2004 – Health Services Agency ([View Item](#))
- * 9. Approval to Accept Funding from the California Family Health Council, Inc. for the Health Services Agency’s Information and Education (I&E) Project – Health Services Agency ([View Item](#))
- * 10. Approval of the Fiscal Year 2002/2003 Fourth Annual Report from the Stanislaus County Family Violence Death Review Team – Health Services Agency ([View Item](#))
- * 11. Approval to Authorize the Director of the Department of Parks and Recreation to Accept Grant Funds for the Construction of a Boundary Fence at Frank Raines Regional Park – Parks and Recreation ([View Item](#))
- * 12. Approval to Purchase Playground Equipment and Transfer Ownership to Paradise School, Pursuant to a Joint Use Agreement – Parks and Recreation ([View Item](#))
- * 13. Approval of a Resolution Authorizing the Department of Parks and Recreation to Apply for the Park Bond Act 2002 (Proposition 40) Per Capita Grant – Parks and Recreation ([View Item](#))
- * 14. Approval of a Resolution Authorizing the Department of Parks and Recreation to Apply for the Park Bond Act 2002 (Proposition 40), Roberti-Z’Berg-Harris Block Grant Program Under the Open Space and Recreation Program – Parks and Recreation ([View Item](#))
- * 15. Approval to Abandon Irrigation Pipeline Facilities at the Proposed Empire Park Site – Parks and Recreation ([View Item](#))
- * 16. Approval for the Sheriff to Donate Driving Simulators as Surplus Property to the Los Angeles Police Department – Sheriff ([View Item](#))
- * 17. Approval to Accept Eighth Year Funding from the Department of Justice, Bureau of Justice Assistance, to Reduce Crime and Improve Public Safety; Establish an Estimated Revenue and Appropriations Interest-Bearing Account; and Accept the Recommendations from the Local Law Enforcement Advisory Group for Use of the Funds ([View Item](#))
- * 18. Approval of an Employment Agreement and Acceptance of Funds from the Gallo Arts Center, LLC, and Approval to Amend the Salary and Position Allocation Resolution ([View Item](#))
- 19. Approval of Additional Staff to Meet the State Required Nurse-to-Patient Ratio; Approval to Amend the Salary and Position Allocation Resolution; and, Approval to Create a Salary Enhancement Plan – Behavioral Health and Recovery Services ([View Item](#))
- 20. Approval to Contract with Economic Development and Workforce Alliance (Alliance) for the Implementation of the Marketing Strategy of the Countywide Economic Development Strategic Plan ([View Item](#))

C. Department of Public Works

- * 1. Approval to Authorize the Acceptance of the Off-Site Street Improvements on North El Roya Avenue located in Modesto for Vesting Tentative Parcel Map No. 2002-06 ([View Item](#))
- 2. Approval to Authorize the Director of Public Works to Negotiate and Execute an Agreement to Lease the County’s Property Located Generally North and West of the Fink Road Landfill to Lent Burden Farming, Inc. ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval of Salida Planned Development Park Account Expenditures ([View Item](#))
- * 2. Approval to Set a Public Hearing on November 25, 2003 at 9:30 a.m. for Rezone Application No. 2003-06 and Tentative Map Application No. 2003-02 for Del Rio Lago ([View Item](#))
- * 3. Approval to Set a Public Hearing on November 25, 2003 at 9:35 a.m. for Rezone Application No. 2003-05, Parcel Map Application No. 2003-23 and Abandonment of Pirrone Court for Innovative Technologies Business Park (Phase 2) ([View Item](#))
- * 4. Approval to Set a Public Hearing on November 25, 2003 at 9:25 a.m. to Consider the Introduction, Waiving of the Reading, and Adoption of Planning and Community Development Department Ordinance Amendment No. 2003-01 an Amendment to Zoning Ordinance Chapters 21.12 and 21.20 to Require Use Permits for New or Expanded Confined Animal Facilities ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 9:25 a.m. Public Hearing to Consider an Appeal of Planning Commission Decision for Use Permit Application No. 2002-30, Salida Hulling Association, a Request to Establish an Almond Hulling Facility, Consisting of a Sheller Plant, Dryer, Office, Shop and Truck Scale, on Approximately 50.42 Acres Located on the Northeast Corner of State Route 132 (Maze Blvd.) and Dakota Avenue, in the Modesto Area. A Mitigated Negative Declaration will be Considered ([View Item](#))
- 9:35 a.m. Public Hearing to Consider the Approval of the Fiscal Year 2003/2004 Annual Assessment Rates for Del Rio Heights Landscape Assessment District ([View Item](#))

VII. Correspondence

1. This Board has received a letter from the California Mental Health Planning Council regarding the composition study of Mental Health Boards and Commissions. ([View Item](#))
(Recommendation: Refer to the Department of Behavioral Health and Recovery Services.)
2. This Board has received from the Center for Human Services a copy of their annual Community Report (2002-03). ([View Item](#))
(Recommendation: Acknowledge receipt of report.)
3. This Board has received a letter from the Department of Transportation regarding the public comment period for the Initial Study of the proposed widening of State Route 132 in the City of Modesto. ([View Item](#))
(Recommendation: Refer to the Department of Public Works and the Department of Planning and Community Development.)
4. This Board received from the National Aeronautics and Space Administration (NASA) a Fact Sheet, the Draft Finding of No Significant Impact and the Draft Finding of Suitability to Transfer regarding the transfer of the Crows Landing Flight Facility to Stanislaus County. ([View Item](#))
(Recommendation: Refer to the Chief Executive Office.)

5. This Board has received a letter from the United States Department of the Interior Bureau of Land Management (BLM) regarding the potential for development of wind energy on western BLM-administered lands. ([View Item](#))
(Recommendation: Refer to the Department of Planning and Community Development.)
6. This Board has received “Profiles of Youth Systems in California’s Workforce Investment Areas” from the California Workforce Investment Board. ([View Item](#))
(Recommendation: Refer to the Department of Employment and Training.)
7. This Board has received a letter from the Board of Corrections regarding the comment period on a new regulation titled: DNA Collection – Use of Reasonable Force. ([View Item](#))
(Recommendation: Refer to the Sheriff, the District Attorney and Chief Probation Officer.)
8. This Board has received the following claims: Enterprise Rent-A-Car; Jan Jacobs; and, Brian S. Sparks.
(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

X. Adjournment

- XI. Closed Session: Conference with Legal Counsel-Existing Litigation: Misty Marez, an Incompetent, by and through her Guardian Ad Litem. Sandra Benenati vs Ford Motor Company; County of Stanislaus, Ceres Unified School District; Rana S. Samra; Does 1 to 100, Inclusive. Superior Court Case Number 331398. Government Code Section 54956.9. Labor Negotiations: Agency Negotiator Patricia Hill Thomas. Labor Organizations SCEA/AFSCME, SEIU, OE3, DSA, SCSSA, CAIR/CIR, CNA and UDW. Pursuant Government Code Section 54954.9(e).

ANNOUNCEMENTS:

Grayson Community Center and Park
Ground Breaking Ceremony
November 8, 2003
10:00 a.m.
8900 Laird Street
Grayson, CA