

# AGENDA

November 9, 1999

9:00 A.M.

The Board of Supervisors welcomes you to its meetings which are regularly scheduled 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 all 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.

**\* Please Note this is the First Board of Supervisors' Meeting held in the New 1010 10th Street Joint Chambers**

- I. Pledge of Allegiance to the Flag
- II. Presentation: Social Worker of the Year Award for the Central Region from the California State Foster Parent Association Presented to Art Martin, Social Worker with the Community Services Agency
- III. Public Comment Period
- IV. Consent Calendar
- V. Agenda Items
  - A. Miscellaneous

- \* 1. Approval of Minutes for November 2, 1999
- \* 2. Approval of Appointments of:
  - a. Antonio Mello and Joe Sallaberry to the Reclamation District 2063
  - b. Wayne D. Zipser to the Stanislaus County Groundwater Coordination Advisory Committee
  - c. Evelyn Allinson to the Empire Sanitary District
- \* 3. Acceptance of Resignation of Leonard Powell from the Stanislaus County Parks and Recreation Commission
- \* 4. Approval to Set a Public Hearing on November 16, 1999, at 7:50 P.M. Pursuant to County California Environmental Quality Act Guidelines to Appeal Environmental Review Committee's Recommendation for Focused Environmental Impact Report Regarding a 40 Acre Parcel at the Corner of Stoddard and Kiernan Avenue
- 5. Approval to Proclaim November 1999 as California Court Adoption and Permanency Month in Stanislaus County

B. Chief Executive Office

- \* 1. Approval to Accept the Office of Criminal Justice Planning's Augmentation of \$103,812 to the Violence Against Women Grant Funding for the District Attorney's Office; Direct the Auditor/Controller to Augment the Budget by \$103,812
- \* 2. Approval to Accept Fiscal Year 1999-2000 Grants from the Department of Insurance for District Attorney's Office Workers Compensation Fraud and Automobile Insurance Fraud Programs; Direct the Auditor/Controller to Adjust the Budgets; Amend the Salary and Position Allocation Resolution to Add One Criminal Investigator II Position
- \* 3. Approval to Accept Department of Justice's Spousal Abuser Prosecution Program Grant for the District Attorney's Office for Fiscal Year 1999-2000
- \* 4. Approval to Accept Fiscal Year 1999-2000 Funding from the Office of Criminal Justice Planning for the District Attorney's Office Career Criminal, Statutory Rape Prosecution and Victim/Witness Programs
- \* 5. Approval to Accept Office of Criminal Justice Planning's Major Narcotic Vendors Prosecution Grant for the District Attorney's Office for Fiscal Year 1999-2000
- \* 6. Approval of Purchase and Installation of Uninterrupted Power Source (UPS) for the Stanislaus County Health Services Agency
- \* 7. Approval of Amendment to the Primary Care Services Agreement Between Stanislaus County Health Services Agency and Permanente Medical Group (Kaiser)
- \* 8. Authorization to Approve an Easement Agreement for Tuolumne River Regional Park (T.R.R.P.) And City of Modesto - Parks
- \* 9. Authorization to Conduct a Pilot Camping Program for Frank Raines Regional Park - Parks
- \* 10. Continuation of Existence of Local Emergency Proclamation Issued by the Director of Stanislaus County's Emergency Services
- 11. Approval to Establish an Alternate Emergency Operations Center and Increase Office of Emergency Services Budget Unit Appropriations
- 12. Approval of Stanislaus County Office of Education's Request to Allow Stanislaus County Office of Education to Transform From Being Fiscally Dependent on the County to Being Fiscally Independent of the County and Related Actions

C. Department of Public Works

D. Planning and Community Development

E. County Counsel

VI. Scheduled Matters

9:25 a.m.- Public Hearing to Consider:

- A. Pursuant to the Writ of Mandate Dated October 1, 1999 from the Stanislaus County Superior Court, Adopt a Resolution to Set Aside and Void the Recertification of the Diablo Grande Specific Plan Environmental Impact Report as Supplemented by the Water Resources Plan Supplemental Environmental Impact Report and All Approvals Related to the Diablo Grande Specific Plan or Phase 1 Project that Relied upon the Diablo Grande Specific Plan Environmental Impact Report as Supplemented
- B. Adopt a Resolution Recertifying the Diablo Grande Specific Plan Environmental Impact Report (Sch #91032066) as Supplemented by the Water Resources Plan Supplemental Environmental Impact Report (Sch #97032022) only Insofar as They Address Development of Phase 1 Served with Water from Berrenda Mesa and Onsite Groundwater
- C. Find that Substantial Evidence Exists to Support the Findings Listed in the Writ of Mandate Dated October 1, 1999 from the Stanislaus County Superior Court
- D. Adopt Resolution Re-authorizing General Plan Amendment No. 91-01 and Specific Plan Application No. 91-01 - Diablo Grande, Only Insofar as they Apply to Development of Phase 1
- E. Approval to Reintroduce and Waive the First Reading of an Ordinance for Rezone Application 91-01 and Modified Sectional District Map 91-100.840
- F. Approval to Introduce and Waive the First Reading of an Ordinance for the Phase 1 Preliminary Development Plan - Diablo Grande
- G. Approve Tentative Map Application No. 97-01 - Diablo Grande Unit 1, Including Approval of: a) Berrenda Mesa and On-site Wells as the Specific Water Sources for Phase 1, b) Minor Proposed Changes to the 1993 Mitigation Monitoring Reporting Plan, c) Western Hills Water District and Diablo Grande Standard Drawings and Specifications, d) Diablo Grande Limited Partnership, Diablo Grande Commercial Association, and Diablo Grande Residential Association as the Entities Responsible for Ownership, Funding, Operation, and Maintenance of Private Roads, Landscape Areas, Parks/Creekside Areas, Open Space, Wildlife, Corridors, Street Lighting, Guard Shack, Communication Facilities, Utility Facilities, Utility Sites, Wetlands, and the Sheriff Station, and e) Western Hills Water District as the Entity Responsible for Funding, Operating, and Maintaining Water, Wastewater, and Storm Drain Systems

9:30 a.m.- Public Hearing to Reconsider the Approval of General Plan Amendment No. 99-05 and Rezone Application No. 99-11, to Change the General Plan Designation and Rezone a

23-acre Parcel from Agriculture (A-2-40) to Planned Development (Pd) for the Purpose of Constructing a 232,000 Square Foot Mini-Storage Facility, a 2,400 Square Foot Caretakers Residence and Office Building, and a 3.7 Acre Outdoor Rv Storage Area. The Property Is Located at the Northwest Corner of Kiernan and Tunson Roads, in the Modesto Area. A Mitigated Negative Declaration Will Be Considered. Apn: 004-71-37 - Derrel A. Ridenour

## VII. Correspondence

1. This Board has received a letter from the Department of Health Services regarding the FY 1999-00 Revised County Allocations for the California Healthcare for Indigents Program (CHIP) county allocations.  
(Recommendation: Refer to the Health Services Agency.)
2. This Board has received a letter from the State Water Resources Control Board regarding the filing of an application for a water right permit for diversion of water from Union Slough tributary to Dry Creek in Stanislaus County.  
(Recommendation: Refer to the Department of Environmental Resources.)
3. This Board has received the following claims: Myesha Robinson; Don Nasser; and, Karen Mathews.  
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Officer-Risk Management.)

## VIII. Board of Supervisors' Reports

### IX. Legislative, Fiscal and Management Report - Chief Executive Officer

### X. Adjournment