



AGENDA

April 30, 2002

9:00 A.M.

Chambers – Basement Level
1010 10th Street
Modesto, California

www.co.stanislaus.ca.us/board/default.htm

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. Public Comment Period

III. Consent Calendar

IV. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for April 16, 2002 ([View Item](#))
- * 2. Approval of Commendation for the 61st Annual Coca-Cola Modesto Relays ([View Item](#))
- * 3. Approval to Proclaim the Week of May 6 through 10, 2002 as Arson Awareness Week in Stanislaus County ([View Item](#))
- * 4. Acceptance of the Clerk-Recorders' Declaration of the Results of the Special Election Conducted on April 9, 2002 for the Reorganization of the Valley Home and Oakdale Rural Fire Protection Districts ([View Item](#))
- * 5. Acceptance of the Resignation of:

- a. Peter Johansen from the Workforce Investment Board ([View Item](#))
 - b. Janet Carlsen from the Commission on Aging ([View Item](#))
 - c. Ray Flanders from the West Stanislaus Resource Conservation District ([View Item](#))
 - d. Walter T. Hudson from the Burbank-Paradise Fire Protection District ([View Item](#))
 - e. Lynda M. Rodriguez from the Stanislaus County Children and Families Commission ([View Item](#))
- * 6. Approval of Appointment of:
 - a. James Carita to the Stanislaus Consolidated Fire District ([View Item](#))
 - b. Martin Petersen, Stanislaus County Superintendent of Schools, to the Children and Families Commission ([View Item](#))
 - * 7. Approval to Authorize the Chairman to Vote in Support of Increased Assessments on the Proposition 218 Ballots for the Six Parcels in the Denair Highway Lighting District ([View Item](#))
 - * 8. Approval of Request from the Sheriff's Department for Use of the Courthouse Lawn on Wednesday May 1, 2002, for a Candlelight Vigil in Memory of the One-Year Anniversary of the Disappearance of Chandra Levy ([View Item](#))
- B. Chief Executive Office**
- * 1. Approval of Senior Award Resolutions for the Department of Aging and Veterans Services (Area Agency on Aging)/Commission on Aging Senior Awareness Day on May 18, 2002 ([View Item](#))
 - * 2. Approval to Retain the Certified Public Accounting Firm of Bartig, Basler & Ray to Conduct the Annual County Audit for Fiscal Year Ending June 30, 2002 – Auditor/Controller ([View Item](#))
 - * 3. Approval to Enter into Agreements with Grover Landscaping to Install and Maintain Landscaping at the Agricultural Center ([View Item](#))
 - * 4. Approval of Completion and Acceptance of the Backup Radio System and Ancillary Equipment Project for the City-County Emergency Dispatch Center at 3705 Oakdale Road, Modesto, CA ([View Item](#))
 - * 5. Approval to Contract with the State Water Resources Control Board for Clean Up of Soil Contamination at Property at 711/713 Lander Avenue, Turlock – Environmental Resources ([View Item](#))
 - * 6. Approval to Contract with the State Water Resources Control Board for Clean Up of Soil Contamination at Property at 722 South First Street, Turlock – Environmental Resources ([View Item](#))
 - * 7. Approval of Independent Contractor Agreement Between Guardsmark, Inc. and the Health Services Agency for Security Services at 800-830 Scenic Drive, Modesto for the Period January 1, 2002 through December 31, 2002 – Health Services Agency ([View Item](#))
 - * 8. Approval of Contract with Trident Services, Inc. for Systems Support for the County IBM Mainframe Computer – Management Information Services ([View Item](#))
 - * 9. Approval of Contract with the Victim Compensation and Government Claims Board for Collection of Restitution Fines in Fiscal Year 2002-2003 – Probation ([View Item](#))
 - * 10. Approval of Amendments to the Retirement Board Bylaws as Recommended by the Board of Retirement - Retirement ([View Item](#))
 - * 11. Approval for the Sheriff to Purchase Computer Equipment and Automation Software for the Sheriff's Department Civil Division ([View Item](#))
 - * 12. Approval for Treasurer/Tax Collector to Re-Enter into an Agreement with the Employment Development Department for Data (Wage, Claim, Employer and Client Address) that Enhances Revenue Recovery – Treasurer/Tax Collector ([View Item](#))
 - * 13. Approval of the Stanislaus County Treasury Pool's February, 2002 Monthly Investment Report - Treasurer/Tax Collector ([View Item](#))

- * 14. Approval of the Distribution of \$33,431.94 in Excess Proceeds from the March 8, 2001 Sale of Tax Defaulted Property Last Assessed to Emma Hamrick – Treasurer/Tax Collector ([View Item](#))
- * 15. Approval of the Distribution of \$5,662.47 in Excess Proceeds from the March 8, 2001 Sale of Tax Defaulted Property Last Assessed to Art N. and Charlene G. Bornstein - Treasurer/Tax Collector ([View Item](#))
- * 16. Approval of the Distribution of \$14,632.47 in Excess Proceeds from the March 8, 2001 Sale of Tax Defaulted Property Belonging to Otto M. Briery - Treasurer/Tax Collector ([View Item](#))
- * 17. Approval to Participate in a Partnership with the City of Oakdale and the Oakdale Unified School District for the Joint Gymnasium Project ([View Item](#))
- * 18. Approval to Participate in a Partnership with Valley Home School District and the Valley Home 4-H Club for the Construction of a Joint Community/Lunch Room/Auditorium Building ([View Item](#))
- 19. Approval of the Update on the Westley Tire Fire Site – Environmental Resources ([View Item](#))
- 20. Approval to Introduce and Waive the First Reading of an Ordinance Amending the Stanislaus County Code Relating to Refuse Control – Environmental Resources ([View Item](#))
- 21. Approval of an Informational Report from the District Attorney’s Office Regarding Ongoing Implementation and Results from “Project 2000: A Continuous Improvement Plan” – District Attorney ([View Item](#))

C. Department of Public Works

- * 1. Approval of a Summary Abandonment of a Portion of Garst Road in East Modesto ([View Item](#))
- * 2. Approval of the Pelican Road Erosion Control Project as a Public Works Project ([View Item](#))
- * 3. Approval of a Purchase Agreement to Acquire a Utility Pole Anchor Easement on the South Side of Claribel Road West of Albers Road ([View Item](#))
- * 4. Approval of a Purchase Agreement to Acquire a Utility Pole Anchor Easement on the North Side of Claribel Road West of Albers Road ([View Item](#))
- * 5. Approval of the Sale of Surplus County Property ([View Item](#))
- * 6. Approval to Award a Contract to On Grade Contracting for Construction of the LF-3, Cell 3 Base Liner System at Fink Road Landfill ([View Item](#))
- * 7. Approval of Subdivision Improvements of B & D Industrial Park (Parcel Map NO. 2001-13) ([View Item](#))
- * 8. Approval to Set a Public Hearing on June 4, 2002, 9:25 a.m. (A-D), Regarding the Fiscal Year 2002/2003 Assessment for Various Landscape and Lighting Districts ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval of Salida Planned Development Storm Drain Account Expenditures ([View Item](#))

E. County Counsel

V. Scheduled Matters

- 9:25 a.m. (A) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 4 - Bristol Glen ([View Item](#))
- 9:25 a.m. (B) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 5 - Starlite Place ([View Item](#))

- 9:25 a.m. (C) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 6 - Raymond Tract ([View Item](#))
- 9:25 a.m. (D) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 7 - Modesto Auto Center ([View Item](#))
- 9:25 a.m. (E) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 8 - Honey Bee Estates ([View Item](#))
- 9:25 a.m. (F) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 9 - River / Souza ([View Item](#))
- 9:25 a.m. (G) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 11 - Gilbert Road ([View Item](#))
- 9:25 a.m. (H) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 12 - Peach Blossom Estates ([View Item](#))
- 9:25 a.m. (I) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 13 - La Jolla ([View Item](#))
- 9:25 a.m. (J) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 14 - United Pallet ([View Item](#))
- 9:25 a.m. (K) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 15 - Patterson Gateway ([View Item](#))
- 9:25 a.m. (L) Public Hearing to Consider the Approval of the Fiscal Year 2002/2003 Annual Assessment for County Service Area No. 16 - Olive Ranch ([View Item](#))
- 9:30 a.m. Public Hearing to Consider the Approval of General Plan Amendment No. 2001-12 and Rezone Application No. 2001-22 - Larry Krueker. A Request to Change the General Plan and Zoning Designations from Commercial / C-1 (Neighborhood Commercial) to Low Density Residential / R-1 (Single-Family Residential) to Allow a Dwelling on a 0.15 Acre Parcel Located at 13107 Valley Home Road, in Valley Home ([View Item](#))
- 9:35 a.m. Public Hearing to Consider the Approval of General Plan Amendment No. 2001-14 and Rezone Application No. 2001-24 by Jim Wyatt. A Request to Change the General Plan and Zoning Designation from Commercial to Industrial / M (Industrial) to Allow a Billboard to Be Placed on 0.4 Acres Located at 3920 El Camino Avenue, in Ceres ([View Item](#))
- 9:40 a.m. Public Hearing to Consider the Approval of General Plan Amendment No. 2001-11 and Rezone Application No. 2001-20 by John and Janette Freitas. A Request to Change the General Plan Designation from A-2-10 (General Agriculture) and the Zoning Designation from Urban Transition (UT) to Planned Development to Allow a Mini-Storage Facility with RV Parking on 4.77 Acres Located at 1033 Montana Avenue, in the Turlock area ([View Item](#))

9:45 a.m. Public Hearing to Consider the Approval of General Plan Amendment No. 2001-06 and Rezone Application No. 2001-10 by Ferro Mini-Storage. A Request to Amend the General Plan Designation from Medium Density Residential to Planned Development and Rezone from R-2 (Duplex Residential) to Planned Development to Allow a Mini Storage Facility Located West of Collins Road, between Laurel and Don Pedro Avenues, in the Ceres Area ([View Item](#))

VI. Correspondence

1. This Board has received a letter from the State of California Department of Justice announcing the court-approved settlement of an action filed against Toshiba under the California False Claim Act and based upon the distribution formula provided a check to Stanislaus County in the amount of \$38,000.
(Recommendation: Refer to the Chief Executive Officer.)
2. This Board has received a letter from the San Joaquin Valley Air Pollution Control District regarding a voluntary incentivized funding program for lower-emitting technologies.
(Recommendation: Refer to the Department of Environmental Resources, Parks Department, Department of Public Works, and the Chief Executive Officer.)
3. This Board has received a letter from the Governor's Office of Emergency Services regarding Calaveras and Stanislaus Counties being granted a Secretarial disaster designation due to agriculture losses.
(Recommendation: Refer to the Agricultural Commissioner and the Director of the Office of Emergency Services.)
4. This Board has received a letter from the Family Water Alliance requesting support in asking the Governor to declare a moratorium on participation by the State of California in plans to restore wildlife habitat with floodways of the Sacramento and San Joaquin Rivers until adequate studies of impacts can be completed.
(Recommendation: Refer to the Department of Environmental Resources and the Agricultural Commissioner.)
5. This Board has received the following claims: Donelle Page; Harold Marvin Geren, Jr.; Enterprise Rent-A-Car; Donelle Page (Amended Claim); and, Beltran Farms.
(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

- X. Closed Session: Conference with Legal Counsel – Existing Litigation: Stephen Millman, M.D., vs County of Stanislaus d.b.a. Stanislaus Behavioral Health Center; Tenet Healthcare Corporation d.b.a. Doctors Medical Center; Marshall Lewis, M.D.; and, Does 1 through 50, Inclusive – Superior Court Case No. 251694, Filed January 21, 2000, Pursuant to Government Code §54956.9.