



**BOARD OF SUPERVISORS**

**Pat Paul, 1<sup>st</sup> District**  
**Thomas W. Mayfield, 2<sup>nd</sup> District**  
**Nick W. Blom, 3<sup>rd</sup> District**  
**Raymond Clark Simon, 4<sup>th</sup> District**  
**Paul W. Caruso, 5<sup>th</sup> District**

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

**AGENDA**

October 1, 2002

9:00 A.M.

Chambers – Basement Level  
1010 10<sup>th</sup> 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.

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 September 24, 2002 ([View Item](#))
- \* 2. Approval of Commendation for Chief Probation Officer Linda Duffy Upon her Retirement from Stanislaus County ([View Item](#))
- \* 3. Approval of the Amendments to the Bylaws for El Solyo Water District ([View Item](#))
- \* 4. Approval to Proclaim:

- a. October as “The Grapes of Wrath” Month in Stanislaus County ([View Item](#))
- b. November 24 - 30, 2002 as “God Bless America Week” in Stanislaus County ([View Item](#))

**B. Chief Executive Office**

- \* 1. Approval of Older Americans Act (OAA) and Older Californians Act Aging Program Contracts with the California Department of Aging for Aging Programs Services in Stanislaus County – Aging & Veterans Services ([View Item](#))
- \* 2. Approval of Department of Aging and Veterans Services (Area Agency on Aging) Fiscal Year 2002-2003 Planning and Service Area (PSA) Plan Update ([View Item](#))
- \* 3. Approval of Report on Stanislaus County Revolving Funds as of June 30, 2002 – Auditor-Controller ([View Item](#))
- \* 4. Approval of Renewal Agreement Between the Community Services Agency and University of California, Davis to Provide Family Service Training ([View Item](#))
- \* 5. Approval of a Monitoring Well Conveyance and Release Agreement with Mobil Oil Company – Environmental Resources ([View Item](#))
- \* 6. Approval to Adopt the Decision of the Nuisance Abatement Hearing Board Regarding:
  - a. Property Located at 1009 Atlantic Drive, Modesto, California, Hearing No CE 01-1761 ([View Item](#))
  - b. Property Located at 2236 Robertson Road, Modesto, California, Hearing No CE 01-1857 ([View Item](#))
  - c. Property Located at 5224 McCoy Avenue, Empire, California, Hearing No. CE 02-0774 ([View Item](#))
- \* 7. Approval to Amend the Agreement Between the County of Stanislaus and Scenic Faculty Medical Group (SFMG) for the Provision of Administrative and Teaching Related Services at the Stanislaus County Health Services Agency ([View Item](#))
- \* 8. Approval for the Health Services Agency to Negotiate and Enter into a Lease/Purchase Agreement with LaSalle Bank National Association for the Replacement of a Radiographic-Fluoroscopic Unit ([View Item](#))
- \* 9. Approval of the Stanislaus County Application to the California Health Care for Indigents Program (CHIP) to Initiate the Flow of Tobacco Tax Funds for Fiscal Year 2002/2003 – Health Services Agency ([View Item](#))
- \* 10. Approval to Apply for a Grant from the U.S. Department of Education Under their Community Technology Center Program for the Library ([View Item](#))
- \* 11. Approval to Apply and Accept a Grant from the California State Library’s “Public Library Staff Education Program” - Library ([View Item](#))
- \* 12. Approval of the Closure of the Riverbank Library on October 12, 2002, During the Annual Riverbank Cheese and Wine Exposition ([View Item](#))
- \* 13. Approval to Apply for Literacy Matching Funds from the California State Library Under the California Library Services Act – Library ([View Item](#))
- \* 14. Approval to Accept a Federal COPS Grant, Amend the Salary and Position Allocation Resolution, Increase Appropriations and Estimated Revenues – Sheriff ([View Item](#))
- \* 15. Approval to Transfer One Legal Clerk IV Position from the Treasurer/Tax Collector’s Revenue Recovery Division to County Counsel for Civil Court Action Duties ([View Item](#))
- \* 16. Approval to Apply and Accept Second Year Funding and California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-Mmet), Adjust First Year Funding of Appropriations and Estimated Revenue to Coincide with Grant Year – Sheriff ([View Item](#))
- \* 17. Approval to Accept the Stanislaus County Treasury Pool’s:
  - a. June 2002 Monthly Investment Report ([View Item](#))

- b. July 2002 Monthly Investment Report ([View Item](#))
- \* 18. Approval to Award a Contract to Demco, Inc. to Provide Library Shelving and Related Furnishings, Equipment and Installation for the Salida Regional Library ([View Item](#))
- \* 19. Approval of Appointment of Kenneth Patterson to the Position of Director of the Community Services Agency and Margaret Szczepaniak to the Position of Managing Director of the Health Services Agency and Associated Benefit and Compensation Package ([View Item](#))
- 20. Approval to Accept the Update on the Westley Tire Fire Site – Environmental Resources ([View Item](#))
- 21. Approval of a One-Time Contribution of \$5,500 to the Turlock Groundwater Basin Association for the Purpose of Funding a Water Balance Study - Environmental Resources ([View Item](#))
- 22. Approval to Accept Funding in the Amount of \$1,300,000 from the Children and Families Commission to Establish the Child Health Access Program in the 2002/2003 Fiscal Year – Health Services Agency ([View Item](#))

C. Department of Public Works

- \* 1. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11 of the Stanislaus County Code; Adding Two-Hour Parking Zones on Lassen Avenue and Ustick Road; Amending No Parking Zones on Covert Road and Finney Road; Adding a Yellow Zone on Finney Road; and Adding Parking Prohibited on Certain Streets at Certain Hours on McHenry Avenue ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Rescind a Portion of Williamson Act Contract No. 71-0235, 71-0318 (Dakota Ave., District 3), and a Portion of Contract No. 73-1252 (North Ave., District 3) and Approve New Contracts Pursuant to Minor Lot Line Adjustment 2002-12 and 2002-29 and Authorize the Planning Director to Execute New Contracts ([View Item](#))

E. County Counsel

V. Scheduled Matters

9:25 a.m. Public Hearing to Consider an Appeal of the Planning Commission’s Denial on Parcel Map Application #2002-12 and Variance Application #2002-03 - Joaquin A. Azevedo, Jr. A Request to Create a 6.3± Acre Parcel and a 56± Acre Remainder, in the A-2-20 (General Agriculture) Zoning District. A Variance is Necessary to Allow the Creation of a 6.3± Acre Parcel which is Less than the 20-Acre Minimum Zoning Requirement – Planning and Community Development ([View Item](#))

9:30 a.m. Public Hearing to Consider General Plan Amendment #2002-02 and Rezone Application #2002-06 - Kit Fox Vineyards Winery. A Request to Change General Plan and Zoning from Agriculture/A-2-40 to Planned Development (PD) to Allow Phased Construction of a Winery, Including a Tasting Room, Café and Retail Sales Facility Utilizing 3.6 Acres of a 46.81 Acre Walnut Orchard. Total Building Area will be 7,500 Square Feet. The Project is Located West of Ward Avenue, Between Fink Road and Oak Flat Road, Patterson Area. A Mitigated Negative Declaration Will Be Considered. **(Continued from September 24, 2002)** – Planning and Community Development ([View Item](#))

## VI. Correspondence

1. This Board has received a copy of the Recovery Plan for the California Redlegged Frog from the United States Department of the Interior.  
(Recommendation: Refer to the Agricultural Commissioner.)
2. This Board has received a letter from State Senator Jackie Spears requesting support of legislation regulating disclosure of confidential consumer information by financial institutions.  
(Recommendation: Refer to the Chief Executive Officer.)
3. This Board has received the following claims: Ruth Sanchez; Samuel Steckman; and, Cynthia Valenti.  
(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 Real Property Negotiator: Property located at 12<sup>th</sup> and I Street, Modesto, CA (APN:105-24-09). Property Owner: City of Modesto, Jack Crist, City Manager. Agency negotiator: Reagan M. Wilson, CEO or Patricia Hill Thomas, Assistant Executive Officer. Under negotiation: negotiator will determine price and terms of payment. Government Code Section 54954.5(b).

### **Announcements:**

Discussion of Report on the Draft EIR on Fink Road Landfill  
Tuesday, October 8, 2002, at 7:00 p.m.  
Agricultural Center, Harvest Hall  
3800 Cornucopia Way  
Modesto, California