



**BOARD OF SUPERVISORS**

**Pat Paul, 1<sup>st</sup> District**  
**Thomas W. Mayfield, 2<sup>nd</sup> District**  
**Jeff Grover, 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**

February 4, 2003

9:00 A.M.

Chambers – Basement Level  
1010 10<sup>th</sup> Street  
Modesto, California

[www.co.stanislaus.ca.us/BOS/AGENDA/agenda.pdf](http://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: Donation from the East Stanislaus Resource Conservation District to Stanislaus County for the Reconstruction of the Riverdale Fishing Access
- III. Public Comment Period
- IV. Consent Calendar

## V. Agenda Items

### A. Miscellaneous

- \* 1. Approval of the Minutes for January 14, 2003 ([View Item](#))
- \* 2. Approval of Commendation for Mary Moore Upon her Retirement as the Director of the Modesto Library ([View Item](#))
- \* 3. Acceptance of the Resignation of:
  - a. Larry Hunter from the Youth Council of the Workforce Investment Board ([View Item](#))
  - b. Aaron Trott from the Reclamation District #2091 (Chase) ([View Item](#))
  - c. Troyce Weese from the Keyes Fire Protection District ([View Item](#))
  - d. Dave Young from the Advisory Board on Substance Abuse Programs ([View Item](#))
- \* 4. Approval of Appointment of:
  - a. Jim Poore to the Stanislaus County Planning Commission ([View Item](#))
  - b. Rebecca Barton-Nicholes to the Stanislaus County Children and Families Commission ([View Item](#))
  - c. William G. Shipp to the Hazardous Waste Management Advisory Committee ([View Item](#))
  - d. Phil Rockey and Sandra Benitez to the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))
  - e. Chris Fuzie to the Advisory Board on Substance Abuse Programs ([View Item](#))
  - f. Andrew Van Allen to the San Joaquin Valley Unified Air Pollution Control District Citizen's Advisory Council ([View Item](#))
  - g. John Honnette to the San Joaquin Valley Unified Air Pollution Control District Citizen's Advisory Council ([View Item](#))
- \* 5. Approval of Request for Removal of Joseph M. Sanchez from the Keyes Municipal Advisory Council because his Residence is No Longer within the District Boundaries ([View Item](#))
- \* 6. Approval to Authorize the Clerk Recorder to Conduct a Special Election on June 3, 2003, to Fill a Vacancy on the Newman City Council ([View Item](#))

### B. Chief Executive Office

- \* 1. Approval of 2002/2003 Glassy-Winged Sharpshooter Contract with the California Department of Food and Agriculture – Agricultural Commissioner ([View Item](#))
- \* 2. Approval of the Allocation for Highway Property Rental Revenue Deposit Permit 87225 Dated November 15, 2002, \$14,970.36 – Auditor/Controller ([View Item](#))
- \* 3. Approval to Extend the Educational Stipend Program for a Hard to Recruit Position – Behavioral Health and Recovery Services ([View Item](#))
- \* 4. Approval of a Master Agreement with Pinkerton's, Inc. for Security Services for Stanislaus County – Behavioral Health and Recovery Services ([View Item](#))
- \* 5. Approval of Agreement with the California Institute for Mental Health for Training and Technical Assistance – Behavioral Health and Recovery Services ([View Item](#))
- \* 6. Approval of Appointment of the 2003 Discipline/Equal Employment Opportunity (EEO) Grievance Appeals Board ([View Item](#))
- \* 7. Approval to Appoint Members to the Stanislaus Economic Development and Workforce Alliance Board and Youth Advisory Council; Approval of Third Year Modifications to the Stanislaus County Workforce Investment Act Five-Year Plan – Employment and Training ([View Item](#))
- \* 8. Approval of the State Water Resources Control Board Underground Storage Tank Local Oversight Program Contract – Environmental Resources ([View Item](#))

- \* 9. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding:
  - a. 5105 Central Avenue, Ceres, California Hearing No. CE02-818 ([View Item](#))
  - b. 960 and 966 Hickman Road, Hickman, California Hearing No. CE01-1637 and CE01-1219 ([View Item](#))
  - c. 5224 Motsinger Road, A & B, Keyes, California Hearing No. CE02-1763 ([View Item](#))
  - d. 5566 9th Street, Keyes, California Hearing No. CE02-1314 ([View Item](#))
  - e. 4701 McHenry Avenue, Modesto, California Hearing No. CE02-1174 ([View Item](#))
  - f. 1506 Grimes Avenue, Modesto, California Hearing No. CE02-767 ([View Item](#))
  - g. 937 Pauline Avenue, Modesto, California Hearing No. CE02-131 ([View Item](#))
  - h. 428 S. Conejo Avenue, Modesto, California Hearing No. CE02-2266 ([View Item](#))
  - i. 320 Rio Grande Avenue, Modesto, California Hearing No. CE02-1707 ([View Item](#))
  - j. 1100 S. Soderquist Road, Turlock, California Hearing No. CE02-1339 ([View Item](#))
- \* 10. Approval of the California Advocacy Network/Public Health Foundation Enterprises Contract with the Stanislaus County Health Services Agency for Youth Advocates Promoting Better Health Mini-Grant – Health Services Agency ([View Item](#))
- \* 11. Approval of the Grant from Blue Cross of California State Sponsored Programs for Telemedicine Technical Support and Medical Equipment Warrantees – Health Services Agency ([View Item](#))
- \* 12. Approval of an Amendment to the Urgent Care Agreement Between the Health Services Agency (HSA) and Scenic Faculty Medical Group (SFMG) to Temporarily Permit SFMG to Utilize Mid-Level Providers in the Urgent Care – Health Services Agency ([View Item](#))
- \* 13. Approval for the Health Services Agency to Enter into an Agreement with the California Department of Health Services, Sexually Transmitted Disease (STD) Control Branch, for \$100,000 for Health Opportunities for Teens: To Provide Screening, Prevention and Treatment of Sexually Transmitted Diseases – Health Services Agency ([View Item](#))
- \* 14. Approval to Open the Gate at the Shiloh Fishing Access from January 1 through October 15 Annually– Parks and Recreation ([View Item](#))
- \* 15. Approval to Transfer Funds from the General Liability Self Insurance Fund to Fleet Services for Reimbursement of a Damaged Vehicle – Risk Management ([View Item](#))
- \* 16. Approval for the Sheriff to Extend the Term of the Contract for Law Enforcement Services with the City of Patterson – Sheriff ([View Item](#))
- \* 17. Approval of the Stanislaus County Treasury Pool’s November, 2002 Monthly Investment Report – Treasurer/Tax Collector ([View Item](#))
- \* 18. Approval of the Stanislaus County Groundwater Management Preliminary Feasibility Report – Environmental Resources ([View Item](#))
- 19. Approval of Resolution in Opposition to the Direct Sale to End-Users of Bulk Co-Compost Containing Biosolids by the City of Modesto and Proposed Importation of Waste Without an Environmental Impact Report and Health Risk Assessment – Environmental Resources ([View Item](#))
- 20. Approval of an Agreement with the Housing Authority of Stanislaus County for Guaranteed Access for Persons with Psychiatric Disabilities to Fifteen Units at Miller Pointe Apartments – Behavioral Health and Recovery Services ([View Item](#))
- 21. Approval of Community Services Agency’s Report: “First Year’s Results of Outcome-Based Contracts.” – Community Services Agency ([View Item](#))
- 22. Approval to Prepare a Master Development Plan for County Property Adjacent to the Fink Road Landfill ([View Item](#))

23. Approval of the Preliminary Budget Reduction Strategy and Policy for Fiscal Year 2002-2003 and Beyond ([View Item](#))

C. Department of Public Works

- \* 1. Approval to Increase Appropriations and Estimated Revenue for Survey Staking Sheets for the Carpenter Road Realignment 2.0 Miles North of Crows Landing Road Project ([View Item](#))
- \* 2. Approval of an Agreement Regarding the Purchase by the City of Modesto of the County's Interest in Property Needed for the Planned Project to Replace the 9th Street Bridge Across the Tuolumne River ([View Item](#))
- \* 3. Approval to Set a Public Hearing and Conduct a Ballot Procedure on March 25, 2003, at 9:25 a.m. for Golden State Lighting District in Compliance with Proposition 218 ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Rescind a Portion of Williamson Act Contract No. 77-2451 (August Road, District 2) and Approve New Contract Pursuant to Minor Lot Line Adjustment 2002-42 and Authorize the Planning Director to Execute New Contract ([View Item](#))
- \* 2. Approval to Adopt a Mitigated Negative Declaration and the Robertson Road Neighborhood Infrastructure Improvements Project ([View Item](#))
- \* 3. Approval to Accept Annual Report on the Stanislaus County General Plan 2001-2002 ([View Item](#))
- \* 4. Approval to Set Public Hearing on 2/18/03 at 6:35 p.m. for Rezone Application No. 2002-34 - Gerry Hughes ([View Item](#))
- \* 5. Approval to Set Public Hearing on 2/18/03 at 6:40 p.m. for Rezone Application No. 2002-32 - Forrest Aarvig ([View Item](#))
- \* 6. Approval to Set Public Hearing on 2/18/03 at 6:45 p.m. for Rezone Application No. 2002-35 - Post Properties, LLC ([View Item](#))
- \* 7. Approval to Set Public Hearing on 2/18/03 at 6:50 p.m. for Rezone Application No. 2002-08 - Mark Porter ([View Item](#))
- \* 8. Approval of Salida Planned Development Park Account Expenditures ([View Item](#))

E. County Counsel

1. Approval to Introduce and Waive the First Reading of an Ordinance to Amend the Fee Payment Provisions of Code Section 23.04.010 of the Public Facility Fee Ordinance ([View Item](#))

VI. Scheduled Matters

- 9:20 a.m. Public Hearing to Consider the Approval of Rezone Application No. 2002-07 - Valley Peterbilt, Inc. A Request to Rezone from A-2-40 (General Agriculture) to Planned Development on 11.7 Acres for Construction of a Truck Sales and Service Facility on Golden State Boulevard at Barnhart Road in the Turlock/Keyes Area. A Mitigated Negative Declaration will be Considered. (Continued from January 14, 2003) ([View Item](#))
- 9:25 a.m. Public Hearing to Consider an Increase in the County Public Facilities Fee Program ([View Item](#))

VII. Correspondence

1. This Board has received a letter from the San Joaquin Valley Unified Air Pollution Control District requesting support for the continued funding for biomass industry-related programs, specifically the Biomass-to-Energy Incentive Grant Program administered by the California Technology, Trade and Commerce Agency.  
(Recommendation: Adopt a resolution of support.) ([View Item](#))
2. This Board has received a letter from State Senator Gloria Romero requesting support for Senate Bill 5x, referred to as “Five for Life”, the Alcohol Related Emergency Services Reimbursement Act of 2003.  
(Recommendation: Refer to the Health Executive Committee.)
3. This Board has received a letter from the State Department of Social Services regarding the Revised Child Abuse Prevention, Intervention and Treatment Funding Process.  
(Recommendation: Refer to the Community Services Agency.)
4. This Board has received a Notice of Preparation of Environmental Impact Report for the Monterey Amendment to the State Water Project Contracts from EIP Associates.  
(Recommendation: Refer to the Department of Environmental Resources.)
5. This Board has received the following claims: Jesus Aguirre Morales; Zoey Dawn Parkin, a minor, by and through her Guardian ad Litem, Linda Herring, and Linda Herring, individually; Melvyn R. Powell; Unigard Insurance Company/Glen Rapp; Arturo P. Garcia; Blanca Carrillo; Robert Bush; Claims Resource Services on behalf of CSAA for their insured, Nicolas Vega; Susan Lindstrom; Patricia E. Bryte; Bill M. Walley; Maria Gaxiola, (an individual), Dulce Camacho, a minor, Misael Camacho, a minor, Maria Camacho, Guillermo Torres, a minor, Julio Torres, a minor, Melida Torres, a minor, Patricia Camacho, Hector Camacho, Delia Camacho, Jose Camacho-Rivera, Estate of Jose Camacho, Deceased, and Maria Gaxiola as Successor in Interest of Jose Camacho, Deceased; Progressive Insurance for their insured Irja Tover; Rocky C. Sanderson; Richard Blackburn and Patricia Blackburn; Issa Salem; Tim and Shirley Woods; and, Audra Noppe.  
(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

- A. Approval of Legislative Platform for 2003 ([View Item](#))
- B. Approval to Adopt a Resolution Urging the California Legislature to Reject the Governor’s Proposed Shift of Local Vehicle License Fee (VLF) Revenues and to Honor the 1998 Commitment to Restore the VLF ([View Item](#))

#### X. Adjournment

- XI. Closed Session: Conference with Legal Counsel: Existing Litigation – Sofia YanCey Neely vs. the County of Stanislaus, a public entity, and its Public Works Department; Angelo Gonzalez; Miguel Gonzalez and Does One through Thirty – Number 290885, filed in Stanislaus Superior Court on June 6, 2001. Government Code Section 54956.9.