



**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**

November 25, 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:
  - A. Presentation of 2003 Red Ribbon Week Awards from the Stanislaus County Office of Education to Peterson Alternative School for Education, Central Catholic High School and Thomas Downey High School; Waterford High School, Knights Ferry School, and Oakdale Junior High School; and, Hunt Elementary School, Agnes Baptist Elementary School and Grace Lutheran Elementary School
  - B. Resolution Proclaiming November 2003 as Adoption and Permanency Month in Stanislaus County

- C. Presentation of the Outstanding Administrative Award to Lyndalee Whipple by the California State Foster Parents Association

### III. Public Comment Period

### IV. Consent Calendar

### V. Agenda Items

#### A. Miscellaneous

- \* 1. Approval of the Minutes for November 4, 2003 ([View Item](#))
- \* 2. Acceptance of the Resignations of:
  - a. John Honnette from the San Joaquin Valley Unified Air District's Citizen Advisory Committee ([View Item](#))
  - b. Robert Crabtree from the Stanislaus County Mental Health Board ([View Item](#))
  - c. Hugh S. Corbalis from the Salida Municipal Advisory Council ([View Item](#))
  - d. Steve Trinta from the Patterson Irrigation District Board ([View Item](#))
- \* 3. Approval of Appointments of:
  - a. Aaron Trott to the Reclamation District No. 2091 Board ([View Item](#))
  - b. John Beltran, William Fleisig, and Fred Vogel to the Oak Flat Water District Board ([View Item](#))
  - c. Elmer E. Salazar to the Empire Municipal Advisory Council ([View Item](#))
  - d. William Cerutti and Douglas Lucas to the Newman Drainage District Board ([View Item](#))
  - e. Greg Petz and Lee DelDon to the West Stanislaus Irrigation District Board ([View Item](#))
  - f. Charles A. Morris, Jr., Edward Bettencourt, Shane P. Donlon, and Thomas C. Morris to the El Solyo Water District Board ([View Item](#))
  - g. Norval Pimental to the Westport Fire Protection District Board ([View Item](#))
  - h. David Sousa to the Juvenile Hall Service League ([View Item](#))
  - i. Benny Cassinetto to the Knights Ferry Community Services District Board ([View Item](#))
  - j. Nancy Barajas to the Grayson Community Services District Board ([View Item](#))
  - k. Mervyn Crow, Jr., Earl Perez and Clyde Peters to the Orestimba Creek Flood Control District ([View Item](#))
- \* 4. Approval to Consolidate the Oakdale Rural Fire Protection District Election with the General Primary Election on Tuesday, March 2, 2004 ([View Item](#))
- \* 5. Approval of Request from the Calvary Seniors for Use of the Frank Raines Park Recreation Hall on January 4-7, 2004; March 7-10, 2004; May 2-5, 2004 and October 3-6, 2004 ([View Item](#))
- \* 6. Approval to Proclaim:
  - a. December 2003 as Drunk and Drugged Driving Prevention Month in Stanislaus County ([View Item](#))
  - b. November 18, 2003 as Prematurity Awareness Day for the March of Dimes in Stanislaus County ([View Item](#))
- \* 7. Approval of Commendations for Mary Hauselmann and Lori Van Ruiten Upon their Retirement from the Stanislaus County Probation Department ([View Item](#))
- \* 8. Approval of Commendations for:
  - a. Eric Ingwerson Upon his Retirement as the Mayor of the City of Ceres ([View Item](#))
  - b. Stanislaus County Youth for Christ's Teen Parents Program ([View Item](#))
  - c. Beyer High School Girls Golf Team ([View Item](#))

9. Approval to Accept the Clerk-Recorder's Declaration of the Results of the Consolidated District Election Conducted on November 4, 2003 ([View Item](#))
  10. Approval to Consider the Final Recommendations of the Board of Supervisors' Committee Report Regarding the Special Projects and Community Support Budgets ([View Item](#))
  11. Approval of the Final Report from the Auditor-Controller Regarding the Purchasing Card Audit of the Former Chief Executive Officer ([View Item](#))
- B. Chief Executive Office
- \* 1. Approval of Pesticide Use Enforcement Contract with the California Department of Pesticide Regulation for Fiscal Year 2003/2004 – Agricultural Commissioner ([View Item](#))
  - \* 2. Approval of Public Safety Augmentation Fund Annual Report – Auditor/Controller ([View Item](#))
  - \* 3. Approval of Memorandum of Understanding Between Behavioral Health and Recovery Services and Stanislaus County Office of Education to Accept Funding for the Provision of State Mandated Mental Health Services for Eligible Students – Behavioral Health and Recovery Services ([View Item](#))
  - \* 4. Approval of Implementation Schedule Amendments to California Department of Housing and Community Development Department Jobs/Housing Balance Improvement Program Grant Contracts ([View Item](#))
  - \* 5. Approval of the Renewal Agreement Between the Community Services Agency and University of California, Davis for Staff Training – Community Services Agency ([View Item](#))
  - \* 6. Approval to Set a Public Hearing on December 9, 2003 at 9:20 A.M. to Consider the Adoption of Updated Fire Protection Facility Fees for the Oakdale Rural Fire Protection District Pursuant to Title 24 of the Stanislaus County Code ([View Item](#))
  - \* 7. Approval to Apply for, and Accept Funds if Awarded, the Stanislaus County Children and Families Commission (Proposition 10) 2004 Mini-Grants to Purchase Medical Equipment and to Fund Child Safety Seats for the Health Services Agency ([View Item](#))
  - \* 8. Approval for the Early Closure of the Stanislaus Urgent Care Center on Wednesday, December 24 and Wednesday, December 31, 2003 – Health Services Agency ([View Item](#))
  - \* 9. Approval of the Closure of All Stanislaus County Libraries at 5:00 P.M. on Wednesday, December 31, 2003 – Library ([View Item](#))
  - \* 10. Approval to Adopt a Resolution for Sheriff's Record Retention Schedule – Sheriff ([View Item](#))
  - \* 11. Approval for the Sheriff to Enter into an Agreement with the Stanislaus County Department of Public Works to Provide a Deputy Sheriff-Coroner to Assist with County Traffic Studies and Other Such Obligations; Increase Appropriations and Estimated Revenues and Amend Salary Position Allocation Resolution – Sheriff ([View Item](#))
  - \* 12. Approval of a Subordination Request Between the Ceres Redevelopment Agency and the County of Stanislaus Which Would Allow the Agency to Pledge All or Any Portion of the Tax Increments Otherwise Payable to the County to Secure the Payment of Bonded Indebtedness ([View Item](#))
  - \* 13. Approval to Implement the Single Point of Entry Regarding a Health Coverage Application and Eligibility Determination Process for Specific Health Programs – Community Services Agency ([View Item](#))
  14. Approval to Adopt a Resolution in Support of the East San Joaquin County Water Quality Coalition for the Conditional Waiver of Waste Discharge Requirements for Discharges From Irrigated Lands – Agricultural Commissioner ([View Item](#))
  15. Consideration and Approval of Budget Recommendations and First Quarter Fiscal Review for Fiscal Year 2003-04 ([View Item](#))

### C. Department of Public Works

- \* 1. Approval to Accept Subdivision Improvements of Vizcaya Unit No. 1 Except for the Storm Drain Basin ([View Item](#))
- \* 2. Approval to Accept Subdivision Improvements of Vizcaya Unit No. 2 Except for the Storm Drain Basin and Arborwood Drive Part Width Road Improvements ([View Item](#))
- \* 3. Approval of the Subdivision Improvement Agreement for the Summit Corporate Center Phase 2 ([View Item](#))
- \* 4. Approval of a Purchase Agreement to Acquire Road Right-of-Way at the Northeast Corner of the Intersection of Carpenter Road and Robertson Road ([View Item](#))
- \* 5. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11 of the Stanislaus County Code, Adding No Parking Zones, Yellow Zones, and No Truck Parking Zones on Various Locations ([View Item](#))
- \* 6. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11 of the Stanislaus County Code, Pertaining to Traffic Control to Establish Speed Zones on Various County Roads ([View Item](#))
- 7. Approval of the Master Facilities Agreement and Implementation Plan for Tentative Maps 99-01, 99-07, 99-09 and 99-08 and Approval of the Subdivision Improvement Agreement and the Filing and Recording of the Final Map for Sterling Ranch Unit No. 1 Subdivision ([View Item](#))

### D. Department of Planning and Community Development

- \* 1. Approval to Rescind a Portion of Williamson Act Contract No. 2724-1977 (Valley Home Road, District 1) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2003-36 and Authorize the Planning Director to Execute a New Contract ([View Item](#))
- \* 2. Approval to Set a Public Hearing on December 16, 2003 at 6:35 p.m. for General Plan Amendment No. 2003-04 and Rezone Application No. 2003-09 - Star Quest ([View Item](#))
- \* 3. Approval to Set a Public Hearing on December 16, 2003 at 6:55 p.m. for General Plan Amendment No. 2003-05 - Stanislaus County Housing Element ([View Item](#))
- \* 4. Approval to Set a Public Hearing on December 16, 2003 at 6:40 p.m. for General Plan Amendment No. 2003-07 and Rezone Application No. 2003-04 - Christina and Daniel Donovan ([View Item](#))
- \* 5. Approval to Set a Public Hearing on December 16, 2003 at 6:45 p.m. for General Plan Amendment No. 2001-09 and Rezone Application No. 2003-07 - Crows Landing Flea Market ([View Item](#))
- \* 6. Approval to Set a Public Hearing on December 16, 2003 at 6:50 p.m. for General Plan Amendment No. 2003-01 and Rezone Application No. 2003-03 - Riopel & Associates ([View Item](#))

### E. County Counsel

## VI. Scheduled Matters

- 9:25 a.m. Public Hearing to Consider the Introduction, Waiving of the Reading, and Adoption of Ordinance C.S. 861, Planning and Community Development Department Ordinance Amendment No. 2003-01, an Amendment to Zoning Ordinance Chapter 21.12 and 21.20 to Require Use Permits for New or Expanded Confined Animal Facilities ([View Item](#))

- 9:30 a.m. Public Hearing to Consider Rezone Application No. 2003-06 and Vesting Tentative Subdivision Map Application No. 2003-02 - Del Rio Lago Subdivision, a Request to Create 47 Parcels with an Average Parcel Size of Over 20,000+ Square Feet from a 43.5 Acre Site in a New P-D (Planned Development) Zoning District Located on the East Side of Carver Road, South of Thunderbird Drive, in the Del Rio Area. A Mitigated Negative Declaration will be Considered ([View Item](#))
- 9:35 a.m. Public Hearing to Consider Rezone Application No. 2003-05, Parcel Map Application No. 2003-23 and Abandonment of Pirrone Court for Innovative Technologies Business Park No. 2, a Request to Rezone 7.2 Acres From A-2-40 (General Agriculture) and Planned Industrial No. 4 to Planned Development of a Light Industrial Business Park and to Legally Abandon Pirrone Court. A Mitigated Negative Declaration will be Considered ([View Item](#))

## VII. Correspondence

1. This Board has received a letter from the Governor's Office of Emergency Services regarding the U.S. Department of Agriculture's granting a Secretarial disaster designation for the counties of Stanislaus and San Joaquin and the contiguous counties of Amador, Tuolumne, Sacramento, Alameda, and Calaveras due to agriculture losses caused by spring rains and Wheat Stipe Rust that occurred April 1, 2003, through May 15, 2003. ([View Item](#))  
(Recommendation: Refer to the Agricultural Commissioner.)
2. This Board has received the following claims: Bruce A. Campbell; Melinda Cropper; Ronald Davis; Rodney Lee Gratton; Camera Bonsack; Kevin Rice; Liz Pace; Richard Rupp; Marc Kneeland; David R. Ramos; Gilberto Nevarez; and, John J. Gullatt, III.  
(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: Public Employee Appointment: Title: County Chief Executive Officer. Government Code Section 54954.5(e).