



BOARD OF SUPERVISORS

Pat Paul, 1st District
Thomas W. Mayfield, 2nd District
Jeff Grover, 3rd District
Raymond Clark Simon, 4th District
Paul W. Caruso, 5th District

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

AGENDA

December 16, 2003

Reception for Stanislaus County Fire Fighters
Who Served in the 2003 Southern California Fires
5:30 P.M.

Regular Board Meeting
6:30 P.M.

Chambers – Basement Level
1010 10th Street
Modesto, California
www.co.stanislaus.ca.us/BOS/

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. Moment of Silence for Stanislaus County Health Services Agency Employee Ron Mathews
- III. Presentation: Stanislaus County Fire Fighters Who Served in the 2003 Southern California Fires

IV. Public Comment Period

V. Consent Calendar

VI. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for December 9, 2003 ([View Item](#))
- * 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 869 Amending Chapter 7, Section 7.12.030 of the Stanislaus County Code for the Holding of Administrative Hearings for Animal Infractions ([View Item](#))
- * 3. Approval of Appointment of Margie Neder and Betty Jean Morganti to the Mental Health Board ([View Item](#))
- * 4. Approval of Reappointments of:
 - a. Leo Avila, Jr. and Jenice Sechler to the Stanislaus County Housing Authority ([View Item](#))
 - b. James Cartia and Allen Zanker to the Stanislaus Consolidated Fire Protection District ([View Item](#))
 - c. Anita Hellam to the Advisory Board on Substance Abuse Programs ([View Item](#))
 - d. Mildred Zanker and Ismael Saldana to the Stanislaus County Parks and Recreation Commission ([View Item](#))
 - e. Jack Leguria and Heidi McNally-Dial to the Economic Development Action Committee ([View Item](#))
 - f. Arthur Filice, Betty Scheuber, Steve Amador and Bart Ingles to the Storm Drain District No. 8 ([View Item](#))
 - g. Everett B. Souza, Jr., Robert Caulton and Kern Hunewill to the Turlock Mosquito Abatement District Board ([View Item](#))
 - h. Tom Maring, Everett Souza, Jr. and Ray Murphy to the West Stanislaus Resource Conservation District Board ([View Item](#))
 - i. Walter Rea, Sr. to the Patterson Cemetery District Board ([View Item](#))
 - j. Traci Trujillo to the Area VI Board on Developmental Disabilities ([View Item](#))
 - k. Terrance Withrow, Dean Martin, Peter Katsufrakis, Gerald Merchant, Carl Collins and Stewart James to the Assessment Appeals Board ([View Item](#))
 - l. William Pringle, Carl Ott, Kandy Schmidt and Fred Wilder to the East Side Mosquito Abatement District Board ([View Item](#))
 - m. Bob Wikoff, Dr. Michael Rossini, Linda Sawdey and John Cremin to the Emergency Medical Services Committee ([View Item](#))
 - n. Teresa Angle, Everett Johnson and Romy Angle to the Juvenile Hall Justice League ([View Item](#))
 - o. Michael Krausnick to the Law Library Board of Trustees ([View Item](#))
 - p. Catalina Elsasser and Gerry Kilgore to the Animal Advisory Board ([View Item](#))
 - q. David Lemos to the Hazardous Waste Management Advisory Committee ([View Item](#))
 - r. Rod Hawkins to the Fire Code Board of Appeals ([View Item](#))
 - s. Arie Rose Martin, Ora Scruggs, George Sharp, Dwight Bateman and Linda White to the In-Home Supportive Services Advisory Board ([View Item](#))
 - t. Sylvia Lopez to the Stanislaus County Equal Rights Commission ([View Item](#))
- * 5. Approval to Amend the Term Ending Date of Stanislaus County Employee Retirement Member Nick Blom ([View Item](#))
- * 6. Approval of Conflict of Interest Code for the Stanislaus County Airport Land Use Commission ([View Item](#))

- * 7. Approval to Consolidate the Measure “P” the Library Sales Tax Measure Election with the General Primary Election on March 2, 2004 ([View Item](#))
- * 8. Approval of the Unification of the Turlock Joint Elementary School District and the Turlock Joint Union High School District to Create the New Turlock Joint Unified School District ([View Item](#))
- * 9. Approval of Commendations for:
 - a. Jeanne Hardin Upon her Retirement from Stanislaus County Regional 911 ([View Item](#))
 - b. Katherine Laughton Upon her Retirement from Stanislaus County Regional 911 ([View Item](#))

B. Chief Executive Office

- * 1. Approval of the Closure of Animal Services for Four Training Days and County Holidays in 2004 – Animal Services ([View Item](#))
- * 2. Approval of the Public Facilities Fees Annual Financial Report for Fiscal Year Ending June 30, 2003 – Auditor/Controller ([View Item](#))
- * 3. Approval to Establish and Recognize a Separate Bargaining Unit for the Classifications of Lieutenant and Custodial Lieutenants ([View Item](#))
- * 4. Approval for Contribution of Items from the County Store Merchandising Project to be Given to County Employee Mentors at the Fifth Annual Stanislaus County Employee Mentor Program Recognition Dinner ([View Item](#))
- * 5. Approval of Three New Positions for Fiscal Year 2003-2004 to Support Priority Business Operations in Community Services Agency Automation Projects, Child Care Services and Integrated Family Services – Community Services Agency ([View Item](#))
- * 6. Approval to Introduce and Waive the First Reading of an Ordinance Amending Chapter 14.12 of the Stanislaus County Code Concerning Water Conservation – Environmental Resources ([View Item](#))
- * 7. Approval to Accept Funds in the Amount of \$804,092 from the California Department of Health Services, Emergency Preparedness Office, for the Continuation of Preparedness Efforts Under the Comprehensive Strategic Local Bioterrorism Preparedness Plan (Center for Disease Control Focus Areas) – Health Services Agency ([View Item](#))
- * 8. Approval of the Distribution of \$30,252.61 in Excess Proceeds from the May 8, 2002 Sale of Tax-Defaulted Property Belonging to James Littell – Treasurer/Tax Collector ([View Item](#))
- * 9. Approval of the Stanislaus County Treasury Pool’s October 2003 Monthly Investment Report – Treasurer/Tax Collector ([View Item](#))
- * 10. Approval to Release the County from an Agreement with Software Company Macro 4 for Software Licensing ([View Item](#))
- * 11. Approval to Negotiate and Execute an Agreement and Related Work Orders for Construction Management Services for the County’s Capital Projects ([View Item](#))
- * 12. Approval to Declare Two County Modular Trailers at the Sheriff’s Operations Center as Surplus Property and Authorize their Demolition ([View Item](#))
- * 13. Approval to Upgrade the Oracle Financial System and Implement Cost Savings ([View Item](#))
- 14. Approval of Plans and Specifications for the 12th Street Office Building and Parking Garage Project and Approval to Set the Bid Opening Date as February 18, 2004, at 2:30 p.m., and Related Actions ([View Item](#))
- 15. Approval of the Implementation of an Ethics Training Program for Stanislaus County Employees ([View Item](#))
- 16. Approval to Award the Construction Contract for the Empire Neighborhood Park to the Lowest Bidder, Goodland Landscape Construction, Inc., and Other Related Actions ([View Item](#))
- 17. Approval to Accept the Annual Equal Rights Report for 2003 ([View Item](#))

18. Approval of the Revised Design for the Gallo Arts Center and Approval to Set the Bid Opening Date as February 4, 2004, at 2:30 p.m., and Related Actions ([View Item](#))

C. Department of Public Works

- * 1. Approval to Increase Appropriations for the LaGrange Road Bridge at Tuolumne River Bearing Pads Replacement Project, and Authorize the Purchasing Agent to Amend the Design Contract with Davis-King & Associates to Reflect Additional Work and the Increased Contract Amount ([View Item](#))
- * 2. Approval to Increase Appropriations for the Mitchell Road Bridge at Tuolumne River Approach Slabs Replacement Project, and Authorize the Purchasing Agent to Amend the Design Contract with Davis-King & Associates to Reflect Additional Work and the Increased Contract Amount ([View Item](#))
- * 3. Approval to Purchase the Property Adjacent to Geer Road Landfill, 612 Triangle Ranch Road, Modesto, California (APN 009-29-15) ([View Item](#))
- * 4. Approval to Award Contract for the Shackelford Safe Route to School (Sr2s) Project to Professional Construction Services of Pleasant Hill, California ([View Item](#))

D. Department of Planning and Community Development

1. Approval of 2004 Williamson Act Contracts ([View Item](#))

E. County Counsel

VII. Scheduled Matters

- 6:35 p.m. Public Hearing to Consider General Plan Amendment No. 2003-04 and Rezone Application No. 2003-09 - Star Quest. A Proposal to Rezone and Amend the General Plan Designation of a 1.5-acre Lot from Planned Industrial (PI) to Planned Development (PD) to Allow a Multi-Sport Facility to Teach Gymnastics, Cheer, Karate, and Tumbling for Children. The Property is Located on the Northeast Corner of Pentecost Drive and Bitritto Way in the Modesto Area. A Mitigated Negative Declaration Will Be Considered ([View Item](#))
- 6:40 p.m. Public Hearing to Consider General Plan Amendment (Community Plan Amendment) Application No. 2003-07 and Rezone Application No. 2003-04 - Christina and Daniel Donovan. A Request to Amend the Stanislaus County General Plan (Keyes Community Plan) and Rezone a 4.7 Acre Parcel. Keyes Community Plan Designation Would Change from "Commercial" to Low Density Residential (LDR) and Zoning from R-1 US to R-A (Rural Residential) to Permit Eventual Development of Four Residential Ranchettes of 1+ Acre, Located within the Sphere of Influence of Keyes Community Services District. Subject Parcel is Located at the Northwest Corner of Nunes Road and Washington Road in Keyes. A Mitigated Negative Declaration Will Be Considered ([View Item](#))
- 6:45 p.m. Public Hearing to Consider General Plan Amendment Application No. 2001-09, and Rezone Application No. 2001-16 - Crows Landing Flea Market (aka El Rematito Marketplace). A Request to Rezone and Amend the General Plan Designation of 18.65 Acres from Agriculture to Planned Development (PD) to Allow Upgrading and Expansion of the Existing Legal Non-conforming Crows Landing Flea Market. Project Site Location is 3113 Crows Landing Road, North of Hackett Road, Ceres Area. A Mitigated Negative Declaration Will Be Considered ([View Item](#))

- 6:50 p.m. Public Hearing to Consider General Plan Amendment Application No. 2003-01, Rezone Application No. 2003-03, and Vesting Tentative Map Application No. 2002-02 - Riopel and Associates, a Two Part Request. Part One is a Request to Amend the General Plan and Rezone a 19.16 Acre Parcel from Urban Transition/General Agriculture to Planned Development to Allow for the Development of a 4.43 Acre Dual-Use Landscaped Drainage Basin with a 0.24 Acre Park. Part Two is a Request to Create 53 Residential Lots of 8,000+ Square Feet from a 13.77 Acre Site, Consisting of Two Parcels, which will be Served by the Drainage Basin Proposed in Part One. The Project is Located in the Denair Area. A Mitigated Negative Declaration Will Be Considered ([View Item](#))
- 6:55 p.m. Public Hearing to Consider Approval of General Plan Amendment No. 2003-05 - Stanislaus County Housing Element ([View Item](#))

VIII. Correspondence

1. This Board has received a public notice from California State Water Resources Control Board regarding upcoming hearings on Water Quality Control Policy for Developing California's Clean Water Act. ([View Item](#))
(Recommendation: Refer to the Department of Environmental Resources, Agricultural Commissioner and U.C. Cooperative Extension.)
2. This Board has received the following claims: Angelique Simmons, Lamar Simmons, and Jovahn McDowell (deceased minor); Carol Bright Tougas; Alvin Ho; Trina Goblirsch; and, Sharon Newport.
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

IX. Board of Supervisors' Reports

X. Legislative, Fiscal and Management Report – Chief Executive Officer

XI. Adjournment

ANNOUNCEMENTS:

Board of Supervisors Closed Session Special Meeting

Monday, December 22, 2003 at 3:00 p.m.

Chambers Conference Room, 1010 Tenth Street, Modesto, CA

Closed Session: Public Employee Appointment: Title: Chief Executive Officer. Government Code Section 54954.5(e)