



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

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Phone: 209.525.4494 Fax: 209.525.4410

AGENDA

March 30, 2004

9:00 A.M.

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

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 United States Army Major Mark D. Taylor, son of County Employee Doug Taylor, who was killed while on active duty in Iraq
- III. Presentation: Employee Service Awards
Those Honored For Twenty-Five Years of Service are:
 - Leslie B. Cervantes - Community Services Agency
 - Susan M. List - Community Services Agency
 - Josephine Navarro - Community Services Agency
 - Joy Randall - Community Services Agency
 - Thomas R. Snow - Community Services Agency

IV. Public Comment Period

V. Consent Calendar

VI. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for March 23, 2004 ([View Item](#))
- * 2. Approval to Proclaim:
 - a. April 2004 as Child Abuse Prevention Month and April 23, 2004 as Children's Memorial Day in Stanislaus County ([View Item](#))
 - b. April 18-24, 2004 as Victims' Rights Week in Stanislaus County and Approval of the Request for Use of the Courthouse Lawn on April 23, 2004 for the Garden of Healing for Victims of Crime Ceremony ([View Item](#))
 - c. April 18-24, 2004 as Safety Seat Checkup Week in Stanislaus County ([View Item](#))
- * 3. Approval of Request from the Yosemite Council of Boy Scouts for Use of Mt. View Point Camp at Woodward Reservoir on May 14 and 15, 2004 ([View Item](#))
- * 4. Approval of the Department of Aging and Veteran Services (Area Agency on Aging)/ Commission on Aging Senior Awareness Day 2004 and Approval of a Resolution Declaring May 2004 as Senior Awareness Month in Stanislaus County ([View Item](#))
- * 5. Approval of Appointment of Norm Wagner to the Local Cable Programming Committee ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Set a Public Hearing on April 27, 2004 at 9:25 A.M. to Consider the Adoption of Updated Fire Protection Facility Fees for the West Stanislaus County Fire Protection District Pursuant to Title 24 of the Stanislaus County Code ([View Item](#))
- * 2. Approval to Amend Three-Year Agreements with Community-Based Organizations for the Promoting Safe and Stable Families Program – Community Services Agency ([View Item](#))
- * 3. Approval to Authorize the District Attorney to Apply for a Federal Block Grant from “Project Safe Neighborhoods” to Promote Community Safety and Combat Gun Violence – District Attorney ([View Item](#))
- * 4. Approval to Apply for Household Hazardous Waste Grant Funds from the California Integrated Waste Management Board – Environmental Resources ([View Item](#))
- * 5. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the Following Properties:
 - a. 30301 Yosemite Boulevard, La Grange, California – CE No. 03-3114 ([View Item](#))
 - b. 5235 Avenue B, Modesto, California – CE No. 03-978 ([View Item](#))
 - c. 444 and 452 Bernell Avenue, Turlock, California – CE 03-3393 ([View Item](#))
- * 6. Approval to Amend the Affiliation Agreement Between the Health Services Agency and the University of California, Davis, Extending the Term of the Current Agreement for the Family Practice Residency Program from July 1, 2004 through June 30, 2007 – Health Services Agency ([View Item](#))
- * 7. Approval to Appoint Robert Westbrook to the Position of Attorney III in the Public Defender's Office at Step Five of the Salary Range – Public Defender ([View Item](#))
- * 8. Approval to Grant Monterey Park Tract Community Services District \$7,500 for Engineering Studies Needed for the District to Apply for Grants to Construct Infrastructure Improvements to the District Water System, and to Assist the District in Applying for Grants ([View Item](#))

9. Approval of the Master Plan Design for the Joint Use Park with Salida Union School District – Parks and Recreation ([View Item](#))
10. Approval to Adopt a Resolution in Support of the Agriculture Program at Modesto Junior College – Agricultural Commissioner ([View Item](#))
11. Authorize and Approve a Resolution in Support of the 2004 Local Taxpayers and Public Safety Protection Act ([View Item](#))
12. Consideration and Approval of Mid-Year Fiscal Report for Fiscal Year 2003-2004 and the Fiscal Year 2004-2005 Budget Strategy ([View Item](#))

C. Department of Public Works

- * 1. Approval to Award Contract for the Turlock Lake Fishing Access Improvements Project to Garcia Paving Company, Inc., of Fresno, California ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Rescind a Portion of Williamson Act Contract No. 0609 and 1657 (Riverview Road, Hickman, District 2) and Approve a New Contract Pursuant to Minor Lot Line Adjustment #2003-47 and Authorize the Planning Director to Execute a New Contract ([View Item](#))
- * 2. Approval to Rescind a Portion of Williamson Act Contract No. 1015-1972 and 1250-1973 (Vineyard Avenue, Patterson, District 5) and Approve a New Contract Pursuant to Minor Lot Line Adjustment #2003-38 and Authorize the Planning Director to Execute a New Contract ([View Item](#))
- * 3. Approval to Set a Public Hearing on May 11, 2004 at 9:25 a.m. to Consider Approval of the Annual Work Plan that Includes the \$2.288 Million Community Development Block Grant (CDBG); the \$85,010 Emergency Shelter Grant (ESG); and the \$540,943 Home Investment Partnership (HOME) Grant for a Total of \$2,913,953 for FY 2004-05 ([View Item](#))
- * 4. Approval to Set a Public Hearing on April 20, 2004 at 6:40 p.m. to Consider General Plan Amendment #2003-01, Rezone Application #2003-03, and Vesting Tentative Map Application #2002-02 - Riopel and Associates ([View Item](#))
- 5. Consideration and Approval of the Draft Annual Work Plan that Includes the \$2.288 Million Community Development Block Grant (CDBG); the \$85,010 Emergency Shelter Grant (ESG); and the \$540,943 Home Investment Partnership (HOME) Grant for a Total of \$2,913,953 for FY 2004-05 and Open 30-day Public Comment Period ([View Item](#))

E. County Counsel

VII. Scheduled Matters

- 9:25 a.m. Public Hearing to Consider Rezone Application No. 2003-07, Ray Gritton. A Request to Rezone 1.01 Acres from A-2-10 (General Agriculture) to PD (Planned Development) to Allow the Development of an Office/Warehouse Business Center Located East of Highway 99 on Kiernan Court, Salida. A Mitigated Negative Declaration Will Be Considered ([View Item](#))

9:30 a.m. Public Hearing to Consider the Approval to Set Aside and Void the Approvals of the 2001 Addendum to the Diablo Grande Specific Plan Environmental Impact Report and the Modified Condition Number 57 for Vesting Tentative Map 97-01, Diablo Grande, Unit 1, to Make Additional Findings Necessary and to Re-Approve a Modified Addendum to the Diablo Grande Specific Plan Environmental Impact Report, and to Incorporate the Kern County Water Agency Water Supply into Condition of Approval Number 57 for Vesting Tentative Map 97-01, Diablo Grande, Unit 1 ([View Item](#))

VIII. Correspondence

1. This Board has received a letter from the State of California Fish and Game Commission regarding the changes to the proposed regulatory action relative to mammal hunting and trapping regulations in Title 14, California Code of Regulations, and the extension of the comment period to April 22, 2004. ([View Item](#))
(Recommendation: Refer to the Fish and Game Committee, Department of Parks and Recreation and the Agricultural Commissioner.)
2. This Board has received a copy of the Oak Valley Hospital's 2003 Community Report.
(Recommendation: Acknowledge receipt of report.) ([View Item](#))
3. This Board has received a letter from the Governor's Office of Emergency Services regarding the U.S. Department of Agriculture granting a Secretarial disaster designation for the counties of Kern, Merced and Tulare and the contiguous counties of Los Angeles, Mariposa, Santa Barbara, San Bernardino, Santa Clara, San Luis Obispo, Stanislaus, Tuolumne and Ventura due to agriculture losses caused by adverse weather that occurred April 1, 2003 through August 31, 2003.
(Recommendation: Refer to the Agricultural Commissioner and Emergency Services/Chief Executive Office.) ([View Item](#))
4. This Board has received a copy of the United States Department of Housing and Urban Development's Review of Stanislaus County's Consolidated Annual Community Assessment Report for Program Year 2002. ([View Item](#))
(Recommendation: Refer to the Department of Planning and Community Development.)
5. This Board has received the following claims: Timothy Lopez; Roosevelt Harper; and, Lester De Lemos.
(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

XII. Closed Session: Conference with Legal Counsel - Existing Litigation: Millman vs. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 332658. Government Code Section 54954.5 (c).