



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: 209.525.4420

AGENDA

September 28, 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. Presentation:
 - A. Donation from the Health Services Agency Foundation to the Health Services Agency
 - B. Legislative Update by Don Peterson, of Peterson Consulting, Inc., Stanislaus County's Legislative Advocate
- III. Public Comment Period
- IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for September 21, 2004 ([View Item](#))
- * 2. Approval of Appointments of:
 - a. Steve McManis to the El Solyo Water District Board of Directors ([View Item](#))
 - b. Ronald E. Reid to the Advisory Board on Substance Abuse Programs ([View Item](#))
 - c. Jeff Gullo to the Advisory Board on Substance Abuse Programs ([View Item](#))
 - d. Ron Martin to the Stanislaus County Employees Retirement Board ([View Item](#))
- * 3. Acceptance of the Resignation of Debra Fahl from the Advisory Board on Substance Abuse Programs ([View Item](#))
- * 4. Approval of Request from the Department of Aging and Veteran Services for Use of the Courthouse Lawn on November 11, 2004 for Various Events for Veterans ([View Item](#))
- * 5. Approval to Set a Public Hearing on October 12, 2004 at 9:25 a.m. to Consider an Appeal of the Planning Commission's Denial of Use Permit Application No. 2003-36 – D.B. Truck Body and Trailer ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Receive and Administer Funds for a Household Hazardous Waste Grant from the California Integrated Waste Management Board – Environmental Resources ([View Item](#))
- * 2. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the Following Properties:
 - a. 1219 Herndon Road, Modesto, California, CE NO. 03-2144 ([View Item](#))
 - b. 616 Lassen Avenue, Modesto, California, CE No. 03-3221 ([View Item](#))
 - c. 620 Lassen Avenue, Modesto, California CE No. 03-3222 ([View Item](#))
 - d. 301, 303, 305, 307, and 309 Spencer Avenue, Modesto, California CE No. 03-3889 ([View Item](#))
 - e. 2521, 2513, and 0 W. Hatch Road, Modesto, California, CE No. 04-928 ([View Item](#))
 - f. 3115 W. Whitmore Avenue, Modesto, California, CE No. 04-1055 ([View Item](#))
 - g. 4809 Corona Way, Denair, California, CE No. 04-1112 ([View Item](#))
 - h. 4128 Warda Avenue, Keyes, California CE No. 04-1313 ([View Item](#))
 - i. 1506 Grimes Avenue, Modesto, California, CE No. 04-1320 ([View Item](#))
- * 3. Approval of Agreements with the Cities of Ceres, Oakdale and Riverbank Providing for the Transfer of State of California Proposition 40 – 2002 Resources Bond Act Program Funds – Parks & Recreation ([View Item](#))
- * 4. Approval of the Probation Department's Temporary Aid to Needy Families (TANF) Expenditure Plan for Fiscal Year 2004-2005 ([View Item](#))
- * 5. Approval of Amendments to the Stanislaus County Employees Retirement Board (StanCERA) Bylaws - Retirement ([View Item](#))
- * 6. Approval to Authorize the Distribution of \$157,945.42 in Claims for Excess Proceeds from the March 5, 2003 Sale of Tax Defaulted Property – Treasurer/Tax-Collector ([View Item](#))
- * 7. Approval to Accept the Stanislaus County Treasury Pool's July 2004 Monthly Investment Report – Treasurer/Tax-Collector ([View Item](#))
- * 8. Approval to Establish a Budget for the 2004 Juvenile Accountability Grant for Enhanced Programs and Services to Curb Criminal Behavior of Youthful Offenders – Probation ([View Item](#))
- * 9. Approval of an Agreement to Use and Maintain the Radio Control Glider/Electric Airplane Field and Area at Modesto Reservoir Regional Park – Parks & Recreation ([View Item](#))
- * 10. Approval to Accept the County of Stanislaus Tobacco Endowment Fund Annual Report for Fiscal Year Ending June 30, 2004 – Treasurer/Tax-Collector ([View Item](#))

- * 11. Approval of Labor Agreement Between the County and the California Association of Interns and Residents/Committee of Interns and Residents (CIR) ([View Item](#))
- 12. Approval of Labor Agreement Between the County and the United Domestic Workers of America (UDW), Representing the In-Home Supportive Services (IHSS) Workers ([View Item](#))
- 13. Acceptance of the First Annual In-Home Supportive Services Advisory Committee Report and Consumer and Provider Satisfaction Surveys ([View Item](#))
- 14. Consideration and Approval of Response to the 2003-2004 Stanislaus County Civil Grand Jury Final Report ([View Item](#))

C. Department of Public Works

D. Department of Planning and Community Development

- * 1. Approval of Salida Planned Development Park Account Expenditures ([View Item](#))
- * 2. Approval to Rescind All or a Portion of Williamson Act Contract No. 1972-916 and 1973-1226 (Minnear Road, Westley Area), Approve a New Contract Pursuant to Minor Lot Line Adjustment 2004-47 (Jon Maring), and Authorize the Planning Director to Execute a New Contract ([View Item](#))
- 3. Approval to Respond to U.S. Fish and Wildlife Service's Proposal to Designate Critical Habitat for the California Tiger Salamander ([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 a Redevelopment Ordinance Extending the Redevelopment Plan for the Maximum Period Allowed Pursuant to Health and Safety Code Section 33333.2(C) ([View Item](#))
- 9:30 a.m. Public Hearing to Consider the Introduction, Waiving of the Reading and Adoption of Planning and Community Development Department Ordinance Amendment No. 2004-02 Amending Title 21 of the Stanislaus County Code Relating to Large Scale Retail Business ([View Item](#))
- 9:35 a.m. Public Hearing to Consider Approval to Construct Two Single Family Residences in the General Agricultural Zoning District through Williamson Act Cancellation Application No. 2004-02 and Use Permit Application No. 2003-26 - Forrest Aarvig and Related Actions ([View Item](#))
- 9:40 a.m. Public Hearing to Consider Approval of Specific Plan Amendment Application No. 2002-01 and Tentative Map Application No. 2002-05 - Diablo Grande Unit 2A, a Request to Create Ninety-Four Residential Lots of 5,000 Square Feet and Nine Residential Lots of 20,000 Square Feet as the Diablo Grande Unit 2A Subdivision within the Adopted Diablo Grande Specific Plan Area, and to Amend the SP1 Zoning District to Add 5,000 and 8,000 Square Feet Lot Categories to the Single Family Residential District (R-1) Found in Section 4.02 of the Diablo Grande Specific Plan and to Revise the Preliminary Development Plan Map to Provide Areas of Construction of These Two Housing Types. Total Number of Housing Units in the SP1 Zoning District Will be Reduced from 2,038 to 2,012. Adoption of the Related Mitigated Negative Declaration Will Be Considered ([View Item](#))

VII. Correspondence

1. This Board has received a letter from the State of California Office of Emergency Services regarding the U.S. Department of Agriculture granting a disaster designation for the County of Merced and the contiguous counties of Fresno, Madera, Mariposa, San Benito, Santa Clara, Stanislaus and Tuolumne due to agriculture losses caused by drought that occurred March 1, 2004 through April 30, 2004. ([View Item](#))
(Recommendation: Refer to the Agricultural Commissioner and the Chief Executive Office-Emergency Services.)
2. This Board has received the following claim: Anita Peterson.
(Recommendation: Acknowledge receipt of claim 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. Review of the Initial Recommendations of the California Performance Review Commission
([View Item](#))
- X. Adjournment

ANNOUNCEMENTS:

Public Reception for Chief Executive Officer Richard Robinson
Tuesday, September 28, 2004
4:00 p.m. to 6:00 p.m.
Tenth Street Place 1st Floor Lobby and Plaza