



BOARD OF SUPERVISORS

Pat Paul, 1st District
Thomas W. Mayfield, 2nd District
Nick W. Blom, 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

December 17, 2002

6:30 P.M.

Chambers – Basement Level
1010 10th Street
Modesto, California

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.

I. Pledge of Allegiance to the Flag

- II. Presentation:
 - A. Commendation for Mike De Ferrari, Assessor, Upon his Retirement from Stanislaus County
 - B. Recognizing Supervisor Nick W. Blom, Upon his Retirement from the Stanislaus County Board of Supervisors

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for December 10, 2002 ([View Item](#))
- * 2. Approval to Set a Public Hearing on January 14, 2003 at 9:40 a.m. to Consider an Appeal of the Planning Commission Denial for Vesting Tentative Subdivision Map Application No. 2001-01 – Del Rio Vista ([View Item](#))
- * 3. Approval of Appointment of:
 - a. Frank Durao to the West Stanislaus Resource Conservation District Board ([View Item](#))
 - b. Jason Gordo to the Parks and Recreation Commission ([View Item](#))
 - c. Linda E. White and Christine L. Munoz to the In Home Supportive Services Advisory Committee ([View Item](#))
 - d. Ronald West to the Tuolumne River Regional Park Citizens Advisory Committee ([View Item](#))
 - e. Chris Savage to the Primary Industry/Agriculture position on the San Joaquin Valley Unified Air Pollution Control District Citizen’s Advisory Council ([View Item](#))
- * 4. Approval of Request from the HobieCat Fleet 20 for Use of the Woodward Reservoir on May 17 and 18, 2003 for their Roaring 20’s Regatta ([View Item](#))
- * 5. Approval of Reappointment of:
 - a. Don Amario to the Oakdale Rural Fire Protection District Board ([View Item](#))
 - b. David Duran, Charles Stone and Karen Henry to the Tuolumne River Regional Park Citizens Advisory Committee ([View Item](#))
 - c. Carlos Estacio III, A. Dirk Hoek, Frank Courtney and B. C. Edwards to the Housing Authority of the County of Stanislaus Board ([View Item](#))
 - d. Warner Soelling and Doug Basmajian to the Stanislaus County Animal Advisory Board ([View Item](#))
 - e. Kurt Vander Weide to the Turlock Mosquito Abatement District Board ([View Item](#))
 - f. Alan Cover, Mike McElhiney and Norman Kline to the Agricultural Advisory Board ([View Item](#))
 - g. Lee Honore Means, Les Weidman, James Enoch, Eliose Preiss, Linda Avedon to the Stanislaus County Children’s Council ([View Item](#))
 - h. Randall Heldt to the Advisory Board on Substance Abuse Programs ([View Item](#))
 - i. Judith Thorkelson and Ann Blair to the Mental Health Board ([View Item](#))
 - j. Ronald West to the Parks and Recreation Commission ([View Item](#))
 - k. Steve Bell to the Hills Ferry Cemetery District Board ([View Item](#))
 - l. Patrick Alves to the Storm Drain District No. 8 Board ([View Item](#))
 - m. Ken Bays, Tom Morris and Rob Brook to the West Stanislaus Resource Conservation District Board ([View Item](#))
 - n. M. Robert Adkinson to the Airport Advisory Committee ([View Item](#))
 - o. Mario Fovinci to the Stanislaus County Assessment Appeals Board ([View Item](#))
 - p. James Shade, Felix Reichmuth, Timothy Ragsdale, D.C. Vient and Ross Kitson to the Building Code Appeals Board ([View Item](#))
 - q. Neil Van Duyn and Ron Greenwood to the East Side Mosquito Abatement District ([View Item](#))
 - r. Steve Pedrazzi to the Emergency Medical Services Committee ([View Item](#))
 - s. Michael Krausnick and Jim Milam to the Law Library Board of Trustee ([View Item](#))
 - t. Mike Lucas to the Mountain View Fire Protection District Board ([View Item](#))
 - u. Caroline Mitton, Ron Grider, Mark MacKenzie, Ignacio Lopez, and Carla Den Dulk to the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))

- v. Constant Fliermans to the Stanislaus County Equal Rights Commission ([View Item](#))
- w. Ismael Saldana and Paul Antigua to the Stanislaus-Ceres Redevelopment Commission ([View Item](#))
- x. James W. Hughes and Ron Macedo to the Turlock Rural Fire Protection District Board ([View Item](#))

B. Chief Executive Office

- * 1. Approval of Fiscal Year 2002-2003 Pest Exclusion Program Contract with the California Department of Food and Agriculture – Agricultural Commissioner ([View Item](#))
- * 2. Approval of Annual Proposition 4 Appropriation/Budget Limit for Stanislaus County Government for Fiscal Year 2002-2003 – Auditor/Controller ([View Item](#))
- * 3. Approval of Fees for Audit Services to be Charged to the Other Five Member Counties of the California County Tobacco Securitization Agency – Auditor/Controller ([View Item](#))
- * 4. Approval of Participation in Educational Stipend Program for Hard to Recruit Positions – Behavioral Health and Recovery Services ([View Item](#))
- * 5. Approval to Authorize the Chief Executive Officer to Negotiate and Execute Necessary and Appropriate Amendments to the Agreement with RGA Environmental for the Abatement of Hazardous Materials on the Former City Hall Block, Amendments Not to Exceed \$25,000 ([View Item](#))
- * 6. Approval of Plan to Demolish Two Buildings on the Former City Hall Block and to Call for Bids on February 5, 2003, no later than 2:30 p.m., for the Gallo Arts Center ([View Item](#))
- * 7. Approval of an Amended Agreement with Moss Beach Homes, Inc. DBA Aspira Foster and Family Services for the Promoting Safe and Stable Families Program – Community Services Agency ([View Item](#))
- * 8. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board Regarding:
 - a. 2513 and 2521 W. Hatch Road, Modesto, California Hearing No. CE02-1858 ([View Item](#))
 - b. 1010 Santa Fe Avenue, Modesto, California Hearing No. CE02-440 ([View Item](#))
- * 9. Approval to Transfer Funds from the General Liability Self Insurance Fund to Fleet Services for Reimbursement of a Damaged Vehicle – Risk Management ([View Item](#))
- * 10. Approval to Accept Grant Funds from the California Office of Criminal Justice Planning (OCJP) through the Sacramento County California Methamphetamine Multijurisdictional Enforcement Team (CAL-MMET) for the High Intensity Drug Trafficking Area (HIDTA) and Increase Appropriations – Sheriff ([View Item](#))
- * 11. Approval to Apply for Fifth Year Federal Grant Funds from the Federal Office of National Drug Control Policy (ONDCP) for the High Intensity Drug Trafficking Area (HIDTA) for the Calendar Year 2003; Increase Estimated Revenues and Appropriations – Sheriff ([View Item](#))
- * 12. Approval to Award Contract to Menghetti Construction Company for the On-Site Improvements for the Sheriff’s Office Annex - California Methamphetamine Multijurisdictional Enforcement Team (CAL-MMET) for the High Intensity Drug Trafficking Area (HIDTA) – Sheriff ([View Item](#))
- * 13. Approval to Authorize the Sheriff to Purchase a Mobile Response Lab Truck for the High Intensity Drug Trafficking Area (HIDTA) – Sheriff ([View Item](#))
- * 14. Approval of the Public Facilities Fees Annual Financial Report for the Fiscal Year Ending June 30, 2002 ([View Item](#))
- * 15. Approval to Award a Construction Contract to Barham, Inc., for the Tenant Improvements at 2612 Crows Landing Road, Modesto, for the Department of Child Support Services ([View Item](#))

- * 16. Approval to Add Scope to the Salida Regional Library Project for the Reconstruction of the Building Temperature Control System by a Change in the Construction Contract with the McDonald Glenn Company ([View Item](#))
- * 17. Approval to Continue Collection of Penalty Assessment ([View Item](#))
- 18. Approval of the Public Health Preparedness and Response to Bioterrorism Plan and Application to the State Department of Health Services ([View Item](#))
- 19. Approval to Accept Grant from the State Office of Emergency Services (OES) for the State Domestic Preparedness Equipment Support Program, and Support Program and Establish the Budget ([View Item](#))

C. Department of Public Works

- * 1. Approval to Increase Appropriation for the Quality Assurance Program (QAP) for the Abbie Street-South Avenue Curb and Gutter Construction Project ([View Item](#))
- * 2. Authorization to Approve and Accept the Subdivision Improvements for Astoria Sound ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval of 2003 Williamson Act Contracts ([View Item](#))
- * 2. Approval to Rescind a Portion of Williamson Act Contract No. 72-0617 (Maze Blvd., District 3) and a Portion of Contract No. 78-3033 (Page Rd., District 3) and Approve New Contracts Pursuant to Minor Lot Line Adjustment 2001-76 and Authorize the Planning Director to Execute New Contracts ([View Item](#))
- * 3. Approval to Rescind a Portion of Williamson Act Contract Nos. 72-0938 (Dodds Rd., District 1) and Approve New Contracts Pursuant to Minor Lot Line Adjustment 2002-50 and Authorize the Planning Director to Execute New Contracts ([View Item](#))
- * 4. Approval to Rescind a Portion of Williamson Act Contract Nos. 73-1525, 79-3691, and 85-3997 (Whitmore Ave., Washington Rd., and Roeding Rd., District 2) and Approve New Contracts Pursuant to Minor Lot Line Adjustment 2002-52 and Authorize the Planning Director to Execute New Contracts ([View Item](#))
- * 5. Approval to Accept Financial Report and Agency Activities Report for Fiscal Year 2001/02 of the Stanislaus County Redevelopment Agency as Required by Health and Safety Code Section 33080.1 ([View Item](#))

E. County Counsel

- * 1. Approval to Adopt a Resolution Making Government Code Section 31625.3 Titled “Members Having Credit for Thirty Years Service; Nondeduction of Contributions; Adoption by Counties” Applicable and Operative in Stanislaus County ([View Item](#))

VI. Scheduled Matters

VII. Correspondence

1. This Board has received a letter from the Modesto City Schools regarding a public hearing to consider the rescinding of the agreement with the California Department of Education for Bret Harte Elementary School’s participation in the High Priority Schools Grant Program. (Recommendation: Refer to the County Superintendent of Schools.)
2. This Board has received the following claims: Ophelia Chiles; Arturo Lemus; and, Hector Mata. (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: Personnel-Public Employment: Performance Evaluation – Chief Executive Officer. Government Code Section 54954.5(e). Existing Litigation: Coren David Wong vs. Cheryl Mae Albers, County of Stanislaus, et al. Stanislaus County Superior Court Case No. 227985. County Attorneys Association; Coren David Wong vs. County of Stanislaus. Superior Court Case No. 182199. Government Code Section 5954.5(c). ([View Item](#))