



**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**

March 2, 2004

9:00 A.M.

Chambers – Basement Level  
1010 10<sup>th</sup> Street  
Modesto, California  
[www.co.stanislaus.ca.us/BOS/AgenMin.htm](http://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: Distinguished Budget Presentation Award from the Government Finance Officers Association was awarded to the Stanislaus County Chief Executive Office Budget Unit
- III. Public Comment Period
- IV. Consent Calendar

## V. Agenda Items

### A. Miscellaneous

- \* 1. Approval of the Minutes for February 17, 2004 ([View Item](#))
- \* 2. Acceptance of the Resignation of Judith L. Thorkelson from the Mental Health Board ([View Item](#))
- \* 3. Approval of the Appointment of Bobby Yamamoto to the West Stanislaus Irrigation District ([View Item](#))
- \* 4. Approval to Proclaim March 7 – 13, 2004 as Girl Scout Week in Stanislaus County ([View Item](#))
- \* 5. Approval to Proclaim March 2004 as Social Worker Recognition Month in Stanislaus County ([View Item](#))
- \* 6. Approval to Change the Name of the Turlock Joint Unified School District to the Turlock Unified School District ([View Item](#))
- \* 7. Acceptance of the Resignation of Evelyn Allinson and Approval of the Appointment of Janet M. Cuiriz to the Empire Sanitary District Board ([View Item](#))
- \* 8. Approval of the Appointment of Rhonda Flemmings to the Mental Health Board ([View Item](#))

### B. Chief Executive Office

- \* 1. Approval of Agreement Between the State Department of Mental Health and Behavioral Health and Recovery Services for Fiscal Year 2003-2004 and an Amendment to an Agreement Between Crestwood Behavioral Health, Inc. and Behavioral Health and Recovery Services for Psychiatric Services for Clients in Locked Down Facilities – Behavioral Health and Recovery Services ([View Item](#))
- \* 2. Approval to Extend the Participation of an Employee in the Educational Stipend Program for Hard to Recruit Positions – Behavioral Health and Recovery Services ([View Item](#))
- \* 3. Approval of Staff Findings, Pursuant to California Government Code 56425, that the City of Turlock's Proposed Sphere of Influence Expansion in the Northeast Turlock Master Plan is Logical and Orderly ([View Item](#))
- \* 4. Approval to Pay a Flat Rate Daily Meal Allowance to District Attorney Staff Assigned to the Peterson Trial who Must Work in San Mateo County During the Course of the Trial ([View Item](#))
- \* 5. Approval to Declare County Vehicles as Surplus and Authorize their Sale – Purchasing ([View Item](#))
- \* 6. Approval of the Stanislaus County Treasury Pool's December 2003 Monthly Investment Report – Treasurer/Tax Collector ([View Item](#))
- \* 7. Approval of General Use Guidelines and Facility Use Fees for the Harvest Hall and Related Staffing Adjustments ([View Item](#))
- 8. Approval to Award a Construction Contract for the Gallo Center for the Arts on 10<sup>th</sup> Street and I Street in Modesto, California to the Low Bidder, Clark and Sullivan Builders, Inc. of North Highlands, California and Related Actions ([View Item](#))
- 9. Approval to Award a Construction Contract for the 12th Street Office Building and Parking Garage on 12th Street and I Street in Modesto, California to the Low Bidder, Acme Construction Co. Inc. of Modesto, California and Related Actions ([View Item](#))

### C. Department of Public Works

- \* 1. Authorization to Approve and Accept the Subdivision Improvements for Summit Corporate Center Phase 2 ([View Item](#))

### D. Department of Planning and Community Development

- \* 1. Approval to Set a Public Hearing for March 30, 2004 at 9:30 a.m. to Set Aside and Void the Approvals of the 2001 Addendum to the Diablo Grande Specific Plan Environmental

Impact Report and the Modified Condition No. 57 for Vesting Tentative Map 97-01, Diablo Grande, Unit 1, and Related Actions ([View Item](#))

- \* 2. Approval to Set a Public Hearing for March 30, 2004 at 9:25 a.m. to Consider Rezone Application No. 2003-07 – Ray Gritton ([View Item](#))

#### E. County Counsel

#### VI. Scheduled Matters

- 9:20 a.m. Sitting as the Stanislaus County Capital Improvements Financing Authority
  - I. Approval of Consent Calendar
    - \*A. Minutes of February 17, 2004 ([View Item](#))
    - \*B. Appointment of the Stanislaus County Deputy Clerks of the Board of Supervisors as the Deputy Secretaries of the Capital Improvements Financing Authority ([View Item](#))
  - II. Public Forum
  - III. Adjournment
- 9:25 a.m. Public Hearing to Consider Rezone Application No. 2003-08 and Vesting Tentative Parcel Map Application No. 2003-15 for B & D United Builders, Inc., A Request to Rezone 23.4+/- Acres From PD-233 (Planned Development) to Two New Planned Development Zones and Create Eight (8) Parcels and a Storm Drain Basin. The Project is Located on the Northwest Corner of Pentecost Drive and Bitritto Way, in the Modesto Area. A Mitigated Negative Declaration Will Be Considered. ([View Item](#))
- 9:30 a.m. Public Hearing to Consider an Appeal of Stanislaus County Planning Commission Approval for Use Permit Application #2002-28 - Santa Fe Aggregates, Inc. **Request to Continue Appeal to March 23, 2004 at 9:30 a.m.** ([View Item](#))

#### VII. Correspondence

1. This Board has received a letter from the U.S. Department of Housing and Urban Development regarding Fiscal Year 2004 allocation of \$2,288,000 for the Community Development Block Grant Program and \$85,010 in Emergency Shelter Grants. ([View Item](#))  
(Recommendation: Refer to the Department of Planning and Community Development.)
2. This Board has received a letter from the California Department of Fish and Game regarding Mammal Hunting and Trapping Regulations proposed regulatory actions and language changes. (Recommendation: Refer to the Agricultural Commissioner and the Department of Parks and Recreation.) ([View Item](#))
3. This Board has received the following claims: Richard A. Ney; Joseph Edward Lopes; Jose Santos Baudista; Olga Ruezga; Albert Hernandez; Guadalupe Villagomez Vega; and, California Highway Patrol.  
(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: Conference with Legal Counsel: Anticipated Litigations – Significant Exposure to Litigation: Two Cases. Government Code Section 54954.5(c). Labor Negotiations: Agency Negotiator Patricia Hill Thomas. United Domestic Workers. Pursuant to Government Code Section 54954.9(f).