



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

March 23, 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: Proclamation of Social Worker Recognition Month in Stanislaus County
- III. Public Comment Period
- IV. Consent Calendar
- V. Agenda Items
 - A. Miscellaneous
 - * 1. Approval of the Minutes for March 9, 2004 ([View Item](#))
 - * 2. Approval to Adopt and Waive the Second Reading of Ordinance C.S. 875 to Amend Title 11 of the Stanislaus County Code, Adding No Parking Zones on Crows Landing Road,

Hackett Road and Whitmore Avenue, and a No Truck Parking Zone on Hatch Road
([View Item](#))

- * 3. Approval to Accept the Clerk-Recorder's Declaration of the Results of the Presidential Election Held on March 2, 2004 ([View Item](#))
- * 4. Approval of a Commendation for Fred J. Bastian Upon his Retirement from the Stanislaus County Probation Department ([View Item](#))
- * 5. Approval to Proclaim March 25, 2004 as Healthy Nutrition Day in Stanislaus County ([View Item](#))
- * 6. Approval of Request from E Clampus Vitus for Use of the Courthouse Lawn on April 3, 2004 for the Dedication of a Monument Honoring the 150th Anniversary of Stanislaus County ([View Item](#))
- 7. Consideration and Approval of Recommendations from the Special Board Committee Consisting of Supervisor Grover and Supervisor Mayfield Regarding the Allocation of Community Development Block Grant Funds ([View Item](#))

B. Chief Executive Office

- * 1. Approval to Apply for Federal Assistance from the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) and Veterinary Services (VS) to Continue Conducting Exotic Newcastle Disease Services - Agricultural Commissioner ([View Item](#))
- * 2. Approval of Staff Findings that the City of Modesto's Proposed Prezone and Annexation in the Bret Hart Area of Approximately Two Acres Adjacent to Glenn and Guthrie Street Southwest of the City of Modesto Should be Subject to the Provisions of the Master Property Tax Agreement Between the County and the City of Modesto ([View Item](#))
- * 3. Approval to Award Construction Contract to Menghetti Construction, Inc. for the Public Defender Tenant Improvements at 1021 I Street, Modesto, California ([View Item](#))
- * 4. Approval of Agreement Between the Stanislaus Foundation for Medical Care and the Health Services Agency for Claims Processing Services Necessary to Reimburse Emergency Room Physicians from the Emergency Medical Services Appropriation (EMSA) – Health Services Agency ([View Item](#))
- * 5. Authorize the Appointment of Beverly Anstine to the Position of Dietitian in the Health Services Agency Women, Infants and Children's Program (WIC) at Step Five of the Salary Classification – Health Services Agency ([View Item](#))
- * 6. Approval for the Sheriff to Apply for, and Accept if Awarded, a Grant through the Department of Alcoholic Beverage Control (ABC) for Addressing Problematic ABC Establishments through Targeted Abatement – Sheriff ([View Item](#))
- * 7. Approval of Transportation Control Measures that Will Help Mitigate Negative Impacts to Air Quality and that Will Begin to Address the "Extreme Status" Classification of the Valley Air Quality ([View Item](#))
- * 8. Approval to Exhibit a Model of Stanislaus County with Active River Components Identified as Part of the County Design for the 2004 California State Fair ([View Item](#))
- 9. Acceptance of the Airport Advisory Committee's 2003 Annual Report for the Modesto City-County Airport ([View Item](#))
- 10. Acceptance of the Stanislaus County Children's Council Annual Report for Calendar Year 2003 ([View Item](#))

C. Department of Public Works

- * 1. Approval of Purchase Agreement to Acquire Road Right-of-Way on the West Side of Carpenter Road to Realign a Curve North of Crows Landing Road ([View Item](#))

- * 2. Approval of Contract Change Order No. 1 in the amount of \$15,954 and Contract Change Order No. 2 in the amount of \$2,128 for the Compressed Natural Gas (C.N.G.) Vehicle Fueling Facility Project ([View Item](#))

D. Department of Planning and Community Development

E. County Counsel

VI. Scheduled Matters

9:25 a.m. Public Hearing to Consider Approval to Reallocate \$791,101 Community Development Block Grant Funds (**Continued from February 10, 2004**) ([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. A Request to Excavate Sand and Gravel from Approximately 110+/- Acres of Two Parcels Totaling 153+/- Acres Located in Eastern Stanislaus County. This is an Extension of a Santa Fe Aggregates Operation (UP 87-32) to the East of the Project Site. The Site is Located Approximately Four Miles East of the City of Waterford, near State Route 132 and near Modesto Reservoir. The Project Site is Located South of the Tuolumne River Channel at Approximately River Mile 35.5 at the East End of Lampley Road in the Unincorporated Area of Stanislaus County. (APN: 008-09-18 &19). A Mitigated Negative Declaration will be Considered (**Continued from the February 10, 2004 and March 2, 2004 meetings**) ([View Item](#))

VII. Correspondence

- 1. This Board has received the following claims: Three & One Investment Group; Steven O’Garey; Duarte Nunes and Ernestina Nunes; Robert Camden Carder; and, Karen Leigh Gates. (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

- A. Update on the California State Association of Counties Legislative Conference
- B. Update on The Local Taxpayers and Public Safety Protection Act

X. Adjournment

XI. Closed Session: Conference with Legal Counsel - Existing Litigation: Three Cases: California Farm Bureau Federation v. California Department of Forestry, et al, Sacramento County Superior Court Case No. 04CS00225; County of San Diego v. State of California et al., Sacramento County Superior Court Case No. 04AS00371; County of San Diego v. State of California et al., San Diego County Superior Court Case No. GIC825109. Government Code section 54956.9 (a). Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation. Two Cases. Government Code Section 54954.5(c). Public Employee Appointment: Title: Chief Executive Officer. Government Code Section 54954.5(e). Labor Negotiations: Agency Negotiator Patricia Hill Thomas. United Domestic Workers and Committee of Interns and Residents (CIR). Pursuant to Government Code Section 54954.9(f).