



**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: 209.525.4420

**AGENDA**

November 9, 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. Presentation Ceremony by the American Legion Post 491 and the Veterans of Foreign Wars Post 10293 of the United States of America and the Prisoner of War/Missing in Action Flags to be Permanently Displayed at Tenth Street Place
- II. Pledge of Allegiance to the Flag
- III. Moment of Silence for Stanislaus County Public Works Employee Don Miralle
- IV. Presentation: 2004 Red Ribbon Week Awards from the Stanislaus County Office of Education to Downey High School, Davis High School, Turlock High School, Oakdale Junior High School, Glick Middle School, Teel Middle School, Hunt Elementary School, Fox Road Elementary School and University Charter School

## V. Public Comment Period

## VI. Consent Calendar

## VII. Agenda Items

### A. Miscellaneous

- \* 1. Approval of the Minutes for November 2, 2004 ([View Item](#))
- \* 2. Approval to Adopt and Waive the Second Readings of Ordinances:
  - a. C.S. 905 Creating the In-Home Supportive Services Public Authority of Stanislaus County ([View Item](#))
  - b. C.S. 906 Adding Subsection “C” to Section 2.44.065 of the County Code Pertaining to Compensation for Members of the Nuisance Abatement Hearing Board ([View Item](#))
- \* 3. Approval to Proclaim December 2004 as Drunk and Drugged Driving (3D) Prevention Month in Stanislaus County ([View Item](#))
- 4. Approval to Formally Recognize All Stanislaus County Employees Currently on Active Military Status, Those in the Reserves and Veterans as We Celebrate Veterans’ Day, November 11, 2004 ([View Item](#))

### B. Chief Executive Office

- \* 1. Approval to Accept Funding from the Children and Families Commission for Expansion of Specialized Behavioral Health Services for High Risk Children (Birth to Five Years of Age) and their Families, and Related Actions – Behavioral Health and Recovery Services ([View Item](#))
- \* 2. Approval to Accept Grant Funding from the Governor’s Office of Emergency Services for the Provision of Treatment Services to Victims of Child Abuse and Amend the Salary and Position Allocation Resolution – Behavioral Health and Recovery Services ([View Item](#))
- \* 3. Approval to Name the New Neighborhood Park Located in Empire the Empire Community Park and Authorize the Use of County Funds for the Grand Opening Celebration ([View Item](#))
- \* 4. Approval to Name the New Community Center and Neighborhood Park Located in Grayson the United Community Center and Park and Authorize the Use of County Funds for the Grand Opening Celebration ([View Item](#))
- \* 5. Approval to Combine the Modesto Library Restroom Remodel and Reading Room Lighting Projects; Approval of the Plans and Specifications and Setting of the Bid Opening Date as December 8, 2004; Authorize Advance Purchase of Light Fixtures; and, Related Actions ([View Item](#))
- \* 6. Approval to Return Fees Collected from Title Companies and Information Services Companies for Microfilm Copies of Recorded Documents – Clerk Recorder ([View Item](#))
- \* 7. Approval to Authorize the Registrar of Voters to Apply for and Accept Help America Vote Act Punch Card Replacement Funds – Elections ([View Item](#))
- \* 8. Approval to Add One Application Specialist I Position to Emergency Dispatch to Provide Enhanced Technical Support for Phone and Street Address Identification ([View Item](#))
- \* 9. Approval to Declare County Vehicles and Miscellaneous Salvaged Items as Surplus and Authorize their Sale – Fleet Services ([View Item](#))
- \* 10. Approval of Contract with the State Department of Health Services for the Chlamydia Screening Project (CLASP) – Public Health ([View Item](#))

- \* 11. Approval to Enter into an Agreement with Shadetree to Install a New Irrigation System at Paradise Elementary School per the Existing Joint Use Agreement with the Paradise Elementary School District – Parks and Recreation ([View Item](#))
- \* 12. Approval to Authorize the Treasurer to Accept Court Ordered Probate Deposits on Behalf of Minors – Treasurer/Tax Collector ([View Item](#))
- \* 13. Approval to Submit a Grant Application to the State Water Resources Control Board to Evaluate Methods to Reduce the Discharge of Pollutants from Irrigated Agricultural Lands – Agricultural Commissioner ([View Item](#))
- \* 14. Approval to Set a Public Hearing on November 30, 2004, at 9:35 a.m., for the Consideration to Introduce and Waive the First Reading of an Ordinance Regarding the Breeding, Transfer, and Spaying and Neutering of Dogs and Cats, Establishing New Fees and Amending Existing Fees for the Department of Animal Services ([View Item](#))
- \* 15. Approval to Not Protest the Proposed Water Rate Increase for the County Owned Parcels within the City of Modesto Water Utility Service Area – Environmental Resources ([View Item](#))
- 16. Approval of Annual Revision to the Stanislaus County Purchasing Card Policy ([View Item](#))
- 17. Approval to Accept the Auditor-Controller’s Internal Audit Reports Prepared by the Internal Audit Division ([View Item](#))

C. Department of Public Works

- \* 1. Approval of Budget Increase in the Project Account for the Hickman Road Bridge Project at Tuolumne River ([View Item](#))
- \* 2. Approval of Installation of Stop Signs at Various County Locations ([View Item](#))
- \* 3. Approval of the Funding Agreement for the Purchase of Compressed Natural Gas (CNG) Vehicles ([View Item](#))

D. Department of Planning and Community Development

- \* 1. Approval to Rescind All or a Portion of Williamson Act Contract No. 1984-3935 (Crows Landing Road, Ceres Area) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2004-40 (Steve Hofman) and Authorize the Planning Director to Execute a New Contract ([View Item](#))
- \* 2. Approval of Response to Notice of Acquisition of Property for a High School Site by Patterson Joint Unified School District ([View Item](#))
- \* 3. Approval to Set a Public Hearing on November 30, 2004 at 9:30 A.M. to Consider Rezone Application No. 2003-06 and Tentative Map Application No. 2003-02 - Del Rio Lago ([View Item](#))
- \* 4. Authorization to Record Certificate of Cancellation for Williamson Act Contract No. 1977-2684 - Crown View Corporation (Forrest Aarvig) ([View Item](#))
- \* 5. Approval to Set Aside and Void Certification of the Salida Community Plan Environmental Impact Report and All Approvals of the Salida Community Plan Adopted by the Board on August 29, 2000 ([View Item](#))

E. County Counsel

VIII. Scheduled Matters

- 9:25 a.m. Public Hearing to Consider the Introduction and the Waiving of the First Reading of an Ordinance Amending Existing Fees for the County Law Library ([View Item](#))

- 9:30 a.m. Public Hearing to Consider Rezone Application No. 2004-04 – Ray’s Carpets, a Request to Rezone a 1.02 Acre Parcel from Planned Development 254 to a New Planned Development to Allow a 12,950 Square Foot Building for Retail (No Food Businesses) and Office Uses, Located on the South Side of Kiernan Avenue (State Route 219), West of McHenry Avenue (State Route 108) and East of Stratos Way, in the Modesto Area. A Mitigated Negative Declaration Will Be Considered ([View Item](#))
- 9:35 a.m. Public Hearing to Consider Rezone Application No. 2004-08 - Kiernan Station, a Request to Amend the Zoning Designation of a 27,270 Square Foot Property to a New Planned Development to Allow a New One Story, 10,260 Square Foot Building to Be Built on the Site. The Applicant Proposes the Building Be Turned Into Small Condominium Units to Be Sold to Individuals for Largely Non-Commercial Office/Warehouse Units. The Site is Located West of Highway 99 at the Northwest Corner of Kiernan Avenue and Elm Street, North of Highway 99 / Kiernan Avenue Interchange, in the Salida Area. A Negative Declaration Will Be Considered ([View Item](#))

#### IX. Correspondence

1. This Board has received a letter from the United States Department of the Interior regarding the advance information meetings for the Vernal Pool Recovery Plan.  
(Recommendation: Refer to the Fish and Game Committee, the Department of Parks and Recreation, and the Department of Planning and Community Development.) ([View Item](#))
2. This Board has received a letter from the County of Merced regarding Public Hearings for the University Community Plan/General Plan Amendment and Final Environmental Impact Report.  
(Recommendation: Refer to the Department of Planning and Community Development.) ([View Item](#))
3. This Board has received a letter from Tom Watson, Treasurer/Tax Collector, announcing his resignation as the County Treasurer/Tax Collector effective December 31, 2004 to take a position as the Stanislaus County Employees’ Retirement Association Administrator.  
(Recommendation: Accept his letter of resignation.) ([View Item](#))
4. This Board has received the following claims: Joy Randall; Gloria Rosas; Howard Hoffman; Joseph Rothenberger and Jennifer Rothenberger (amended); Marsai Morgan; and, Gabriel J. Bocanegra.  
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

#### X. Board of Supervisors’ Reports

#### XI. Legislative, Fiscal and Management Report – Chief Executive Officer

#### XII. Announcements:

Celebration of the Title Transfer of the Crows Landing Air Facility to Stanislaus County  
November 9, 2004 from 2:30 p.m. to 4:00 p.m.  
Crows Landing Air Facility  
Corner of Fink and Bell Roads  
Crows Landing, CA

#### XIII. Adjournment