



BOARD OF SUPERVISORS

William O'Brien, 1st District
Thomas W. Mayfield, 2nd District
Jeff Grover, 3rd District
Ray Simon, 4th District
Jim DeMartini, 5th District

1010 Tenth Street, Suite 6500, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4420

AGENDA

March 1, 2005

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. March 2005 as Social Worker Recognition Month in Stanislaus County
 - B. "Stanislaus Health Television Program" from the Stanislaus Health Services Agency Foundation
- III. Public Comment Period
- IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for February 15, 2005 ([View Item](#))
- * 2. Approval to Amend the 2005 Stanislaus County Board of Supervisors Committee Assignment List ([View Item](#))
- * 3. Acceptance of the Resignations of:
 - a. Jan Moore from the Salida Municipal Advisory Council ([View Item](#))
 - b. Anthony B. Riley from the Equal Rights Commission ([View Item](#))
 - c. Allen S. Zanker from the Stanislaus Consolidated Fire Protection District Board of Directors ([View Item](#))
- * 4. Approval of Appointments of:
 - a. Lionel Miguel to the Mental Health Board ([View Item](#))
 - b. Ray Gene Veldhuis to the Sand Creek Flood Control District Board of Directors ([View Item](#))
 - c. Barbara Little to the Local Task Force on Solid Waste Management ([View Item](#))
- * 5. Approval to Proclaim March 13-19, 2005 as Portuguese Immigrant Week in Stanislaus County ([View Item](#))
- * 6. Approval to Authorize the Clerk-Recorder to Conduct an Election on June 14, 2005 for the Oakdale Rural Fire Protection District ([View Item](#))

B. Chief Executive Office

- * 1. Approval of the Donation of Historical Items from the Former Agricultural Commissioner's Office in Patterson to the Patterson Township Historical Society – Agricultural Commissioner ([View Item](#))
- * 2. Authorization for the Chief Executive Officer to Negotiate and Execute a Five Year Lease at 921 County Center Three Court, Building Two, in Modesto for the Continued Use by the United States Postal Service as the Remote Encoding Center ([View Item](#))
- * 3. Authorization for Stanislaus County Capital Projects Staff to Proceed with the Mens' Jail Recreation Yard Fence Screening Project in the Downtown Modesto Jail ([View Item](#))
- * 4. Approval of Completion and Acceptance of the Empire Neighborhood Park Project ([View Item](#))
- * 5. Approval of and Authorization to Sign the Agreement for Hazardous Materials Mutual Aid Response with Tuolumne County – Environmental Resources ([View Item](#))
- * 6. Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the Following Properties:
 - a. 5907 N. Sperry Road, Denair, California – CE No. 04-880 ([View Item](#))
 - b. 4804 Corona Way, Denair, California – CE No. 04-1110 ([View Item](#))
 - c. 5324 9th Street, Keyes, California – CE No. 04-1113 ([View Item](#))
 - d. 1229 Nadine Avenue, Modesto, California – CE No. 04-1150 ([View Item](#))
 - e. 228 H Street, Turlock, California – CE No. 04-5 ([View Item](#))
 - f. 722 S. 1st Street, Turlock, California – CE No. 04-1689 ([View Item](#))
- * 7. Acceptance of the Stanislaus County Treasury Pool's January 2005 Monthly Investment Report – Treasurer-Tax Collector ([View Item](#))
- 8. Acceptance of the Update on Groundwater Management Activities in the Modesto Groundwater Sub-Basin from the Stanislaus and Tuolumne Rivers Groundwater Basin Association – Environmental Resources ([View Item](#))
- 9. Approval to Appoint an Ad Hoc Committee to Review Domestic Water Needs in the Unincorporated Areas of the County ([View Item](#))

C. Department of Public Works

- * 1. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Title 11 of the Stanislaus County Code, Adding a No Parking Zone on Crows Landing Road, San Marino Drive, Ninth Street and Faith Home Road; Amending a No Truck Parking Zone on Sisk Road and Oakdale Road; Amending a No Parking Zone on Sisk Road and Herndon Avenue ([View Item](#))
- * 2. Approval and Acceptance of the Subdivision Improvements for Sterling Ranch Unit No. 2 Subdivision, Excluding the Park and Landscaped Storm Drain Basin ([View Item](#))
- * 3. Approval of the Subdivision Improvement Agreement and the Filing and Recording of the Final Map for Runyan Country Estates Subdivision ([View Item](#))
- * 4. Approval of Amendment No. 1 to Project 2004-01 for the Base Liner Systems Design and Plans for the LF-2, Cell No. 4, at the Fink Road Landfill and Approval of Plans and Specifications for the LF-2, Cell No. 4, Base Liner System Installation Project at the Fink Road Landfill and Approval to Set the Bid Opening Date as April 6, 2005, at 2:30 p.m. ([View Item](#))
- * 5. Approval to Set a Public Hearing for April 19, 2005, at 6:40 p.m., to Introduce, Waive the Reading, and Adopt an Ordinance to Increase Transit Fares for Stanislaus Regional Transit (“StaRT”) ([View Item](#))
- * 6. Approval and Acceptance of the Subdivision Improvements for Victoria Park Subdivision ([View Item](#))
- * 7. Approval of Plans and Specifications and Authorization to Set the Bid Opening for the Robertson Road Area Sanitary Sewer Project for April 20, 2005, at 3:00 p.m. ([View Item](#))
- 8. Approval to Support the Designation of the Claribel Corridor (Claribel Road) as the Preferred Alternative Route for State Highway 108 ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Rescind All or a Portion of Williamson Act Contract No. 1972-0754 (Church Street and Milnes Road, Modesto Area) and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2004-75 (William Rossi, Jr.) ([View Item](#))

E. County Counsel

- 1. Appeal of Bid Protest Decision Regarding Concrete Picnic Tables for Woodward Reservoir ([View Item](#))

VI. Scheduled Matters

- 9:25 a.m. Public Hearing to Consider an Appeal of Planning Commission Condition of Approval No. 29 for Use Permit Application No. 2002-24 - Silveira Organic Materials Located on 10 Acres at 8337 Milnes Road. Project was Approved by the Planning Commission to Allow Continued Operation of Facility Accepting Cow Manure for Processing then Redistribute Material in Bag and Bulk for Agricultural Use ([View Item](#))
A Written Request has been Received to Reschedule this Matter to April 5, 2005 at 9:20 a.m.

VII. Correspondence

1. This Board has received a letter from the California State Controller regarding the reporting requirements to Counties that receive funds for programs that enhance the capacity of local law enforcement and prosecutors to deter, investigate, and prosecute vehicle theft crimes. (Recommendation: Refer to the District Attorney, Sheriff Department, Auditor-Controller and Chief Executive Officer.) ([View Item](#))

2. This Board has received the following claims: Allstate Insurance on behalf of their insured Cresencio Linarez; Brian Marcella; Allied Insurance for their insured Wayne Whitfield; Yolanda Ortiz; Destiny Loreda; Savanna Duchala; Ronnie B. Melton; Norma Gray, Penelope Gray and Lorrie Gray; Joshua Warmerdam; Scott Leslie Weidman; and, Bobby Huffstetter. (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 - Existing Litigation: Montpelier Farming Corporation vs. Hashem Naraghi, et al., Stanislaus County Superior Court Case No 346438. Government Code Section 54956.9(a). Conference with Legal Counsel - Existing Litigation: Leap Wireless International, Inc., and Cricket Communications, Inc. vs. California State Board of Equalization, et al., United States Bankruptcy Court, Southern District of California Case Nos. 03-03470-A11 through 03-03535-A11. Government Code Section 54956.9(a)