



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

April 5, 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. United States Department of Justice "Weed and Seed Program"

B. Employee Service Awards

Those Honored for Thirty Years of Service:

- Kristy Feliciano - Department of Employment and Training
- Edwin Espinosa - Department of Environmental Resources
- Ignacio Ocegueda - Department of Environmental Resources

Those Honored for Twenty-Five Years of Service:

- Arlene Hamrick - Auditor-Controller's Office
- Albert Suelzle - Clerk-Recorder's Office

III. Public Comment Period

IV. Consent Calendar

V. Agenda Items

A. Miscellaneous

- * 1. Approval of the Minutes for March 29, 2005 ([View Item](#))
- * 2. Approval of Appointments of:
 - a. Warren Brumley to the Stanislaus County Parks and Recreation Commission ([View Item](#))
 - b. John Fantazia to the Economic Development Action Committee ([View Item](#))
 - c. Jeffrey McCardia and Michael Thompson to the Advisory Board on Substance Abuse Programs ([View Item](#))
- * 3. Approval of Request from the Stanislaus County Bar Association and California State University, Stanislaus for Use of the Courthouse Lawn on Monday, May 4, 2005 for a Law Day Event ([View Item](#))
- * 4. Approval of Request from Chris Ricci Presents, Inc. for Use of the Courthouse Lawn on Saturday, July 23, 2005 for the Xclamation Festival ([View Item](#))
- * 5. Acceptance of the Resignations of Martin Petersen and Tammy Felix from the Children and Families Commission ([View Item](#))
- * 6. Approval to Proclaim April 2005 as Child Abuse Prevention Month and April 22, 2005 as Children's Memorial Day in Stanislaus County ([View Item](#))
- * 7. Approval to Proclaim April 10-16, 2005 as Safety Seat Checkup Week in Stanislaus County ([View Item](#))

B. Chief Executive Office

- * 1. Approval of the Appointment of a Manager II at the Stanislaus County Children & Families Commission at a Salary Rate Above Mid-Point of Band B ([View Item](#))
- 2. Approval of a Community Services Agency Collaborative Outstation in Riverbank to be Located at the Community Casa ([View Item](#))
- 3. Approval of the 2005 Community Health Report for Stanislaus County ([View Item](#))
- 4. Approval of the Board of Supervisors' Priorities ([View Item](#))

C. Department of Public Works

- * 1. Approval of Amendment to the Agreement with Universal Building Services for Janitorial Services for the Agricultural Center ([View Item](#))

D. Department of Planning and Community Development

- * 1. Approval to Set a Public Hearing Regarding the Community Development Block Grant Draft Consolidated Plan Update and Annual Action Plan for May 10, 2005 at 9:25 a.m. and Release the Draft Plans for a 30-day Public Comment Period ([View Item](#))
- * 2. Approval to Rescind All or a Portion of Williamson Act Contract #1973-1482 and #1973-1483 (McCracken Road, Westley Area), and Approve a New Contract Pursuant to Minor Lot Line Adjustment 2004-66 (Sarbijit & Satwant Athwal) and Authorize the Planning Director to Execute a New Contract ([View Item](#))

E. County Counsel

VI. Scheduled Matters

- 9:20 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 Approved to Allow Continued Operation of Facility Accepting Cow Manure for Processing then Redistribute Material in Bag and Bulk for Agricultural Use. (Continued from March 1, 2005) ([View Item](#))
- 9:25 a.m. Public Hearing to Consider the Approval of Specific Plan Amendment No. 2005-01, Diablo Grande and Vesting Tentative Subdivision Maps No. 2004-02, The Legends; No. 2004-03, The Vineyards I; No. 2004-04, The Vineyards II; and, No. 2004-05, The Cottages. Requests to Modify the Text and Percentage of Various Land Uses Within the Phase One Preliminary Development Plan of Diablo Grande. Concurrent with the Plan Amendment We Are Considering Four Tentative Subdivision Maps Creating a Total of 504 Residential Lots on 151.3 Acres. A Negative Declaration Will Be Considered for this Project. APNs: 025-010-007, 025-011-008, 025-015-006, 025-023-012, 025-023-018, 025-023-019 ([View Item](#))

VII. Correspondence

1. This Board has received a letter from the Chairman of the Orange County Board of Supervisors requesting support of Assembly Bill 1033 which would establish a formula that allows low property tax counties to keep a larger portion of their property tax revenue growth that is in excess of the state average property tax revenue growth. ([View Item](#))
(Recommendations: Refer to the Chief Executive Officer.)
2. This Board has received a copy of the Report on the Actuarial Valuation as of June 30, 2004 from the Stanislaus County Employees' Retirement Association. ([View Item](#))
(Recommendation: Acknowledge receipt of the report.)
3. This Board has received the following claims: Robert Martin; Larry Cupit; Roberta Garcia; and, Vera McElraine.
(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 Litigation – Significant Exposure to Litigation. One Potential Case. Government Code 54954.5(c). Public Employment: Performance Evaluation – County Chief Executive Officer. Government Code Section 54954.5(e).