



**BOARD OF SUPERVISORS**

**William O'Brien**, 1<sup>st</sup> District  
**Thomas W. Mayfield**, 2<sup>nd</sup> District  
**Jeff Grover**, 3<sup>rd</sup> District  
**Dick Monteith**, 4<sup>th</sup> District  
**Jim DeMartini**, 5<sup>th</sup> District

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

**AGENDA**

April 17, 2007

**Special Meeting  
5:30 P.M.**

**Regular Meeting  
6:30 P.M.**

Chambers – Basement Level  
1010 10<sup>th</sup> Street  
Modesto, California

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.

**BOARD AGENDAS AND MINUTES:** Board agendas, Minutes, and copies of items to be considered by the Board of Supervisors are typically posted on the Internet on Friday afternoons preceding a Tuesday meeting at the following website: [www.co.stanislaus.ca.us/BOS/AgenMin.htm](http://www.co.stanislaus.ca.us/BOS/AgenMin.htm)

**AUDIO/VIDEO BROADCAST:** All Board meetings are normally broadcast live and replayed on local cable television. A list of cable channels and broadcast times are available at the following website: [www.co.stanislaus.ca.us/BOARD/broadcastingsched.htm](http://www.co.stanislaus.ca.us/BOARD/broadcastingsched.htm). In addition, a live audio/video broadcast of this meeting can be heard/seen via the World Wide Web at: [www.co.stanislaus.ca.us/referencemov/bosaudio.htm](http://www.co.stanislaus.ca.us/referencemov/bosaudio.htm).

**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.

**Special Meeting  
5:30 P.M.**

- I. Closed Session: Conference with Labor Negotiator - Agency Negotiator: Richard Robinson. Labor Organization: United Domestic Workers. Government Code Section 54957.6

**Regular Meeting**  
**6:30 P.M.**

II. Pledge of Allegiance to the Flag

- III. Presentation:     A.     Recognition of the Child Abuse Prevention Council Art Contest Winners
- B.     April 15-21, 2007 as the National Library Week in Stanislaus County

IV. Public Comment Period

V. Consent Calendar

VI. Agenda Items

A. Miscellaneous

- \* 1.    Approval of the Minutes for April 3, 2007 ([View Item](#))
- \* 2.    Approval to Adopt and Waive the Second Reading of Ordinance C.S. 996 Amending Chapter 11.28 of the Stanislaus County Code Pertaining to the County's Abandoned Vehicle Abatement Program and Updating all Referenced Responsibility to the Director of Environmental Resources or Designee ([View Item](#))
- \* 3.    Acceptance of the Resignations of:
  - a.    Constance Gustafson from the Stanislaus County Child Abuse Prevention Council ([View Item](#))
  - b.    Caroline Mitton from the Stanislaus County Local Task Force on Solid Waste Management ([View Item](#))
- \* 4.    Approval of Appointments of:
  - a.    Kurt Spycher to the Stanislaus Economic Development and Workforce Alliance ([View Item](#))
  - b.    Charles Turner to the Stanislaus Consolidated Fire Protection District Board ([View Item](#))
  - c.    Charlotte Kollmeyer to the Housing Authority of Stanislaus County ([View Item](#))
- \* 5.    Approval to Proclaim April 22 – 28, 2007 as Safety Seat Checkup Week in Stanislaus County ([View Item](#))
- \* 6.    Approval to Authorize the Chairman of the Stanislaus County Board of Supervisors to Sign the Salida Fire Protection District Property Owner Assessment Ballots in Support of the Fire Suppression Assessment for those Properties Owned by Stanislaus County ([View Item](#))
- \* 7.    Approval of Requests from:
  - a.    HobieCat Division 3 for Use of Woodward Reservoir on May 19-20, 2007 for their 16<sup>th</sup> Annual Regatta ([View Item](#))
  - b.    Chris Ricci Presents, Inc. for Use of the Courthouse Lawn for the Xclamation Festival on Saturday, July 21, 2007 ([View Item](#))
  - c.    Stanislaus County Superior Court for Use of the Courthouse Lawn for "Law Day on the Lawn" on Tuesday, May 1, 2007 ([View Item](#))

B. Chief Executive Office

- \* 1.    Approval to Adopt the Recommendations of the Nuisance Abatement Hearing Board (Environmental Resources) Regarding the following Properties:
  - a.    117 Church Street, Empire, CA, CE No. 06-763 ([View Item](#))
  - b.    5328 7th Street, Keyes, CA, CE No. 06-837 ([View Item](#))

- c. 8511 Highway 33, Westley, CA, CE No. 07-14 ([View Item](#))
- d. 1513 El Dorado Avenue, Modesto, CA, CE No. 06-752 ([View Item](#))
- e. 411 Kerr Avenue, Modesto, CA, CE No. 06-447 ([View Item](#))
- f. 1513 Modoc Avenue, Modesto, CA, CE No. 06-680 ([View Item](#))
- \* 2. Approval to Authorize the Stanislaus County Department of Parks and Recreation to Hold the Twelfth Annual Fireworks Celebration on July 4, 2007, at Woodward Reservoir Regional Park ([View Item](#))
- \* 3. Approval to Enter into a Right-of-Way Contract with the State of California for the Acquisition of Right-of-Way in Front of the Salida Library for the State Route 219 Widening Project - Chief Executive Office ([View Item](#))
- \* 4. Approval to Authorize the Appointment of Michael Wilkinson to the Position of Deputy Fire Warden/Deputy Director of the Office of Emergency Services Above the Midpoint of Salary Band D (\$91,034.22 annually) ([View Item](#))
- \* 5. Approval to Appoint a Part-Time County Veterinarian for Animal Services at a Salary of \$51.20 per hour which Exceeds the Mid-Point of Band E ([View Item](#))

#### C. Department of Public Works

- \* 1. Approval to Hold a Traditional Cinco de Mayo Parade on Portions of Crows Landing Road, El Paso Avenue and Whitmore Avenue on May 5, 2007 ([View Item](#))
- \* 2. Approval to Enter into an Agreement with McClatchy Newspapers, Inc., for the Distribution of the Modesto Bee on the Buses of Stanislaus County's Intercity Public Transit Operation, Stanislaus Regional Transit ("StaRT") ([View Item](#))

#### D. Department of Planning and Community Development

#### E. County Counsel

### VII. Scheduled Matters

- 6:35 p.m. Public Hearing to Consider Rezone Application No. 2006-07 - Golden State Commercial Center, to Rezone a 2.55 Acre Site from A-2-10 (General Agriculture) to a Planned Development to Allow for a Variety of Commercial Businesses. The Property is Located East of the Highway 99 On-Ramp and West of N. Golden State Boulevard, in the Turlock Area. A Negative Declaration Will Be Considered ([View Item](#))
- 6:40 p.m. Public Hearing to Consider Rezone Application No. 2004-11 and Parcel Map Application No. 2004-30, Valley Lexus, a Request to Rezone 9.07 Acres from A-2-10 (General Agriculture) to PD (Planned Development) to Allow a New Automobile Dealership, and as Yet Unspecified Commercial Uses at the Rear of the Property Located at 4701 McHenry Avenue (State Route 108), South of Kiernan Avenue (State Route 219), Modesto. The Property is to Be Split into Four Parcels Sized from 0.18 Acres to 4.67 Acres with the Auto Dealership Occupying the Largest Parcel. A Negative Declaration Will Be Considered ([View Item](#))
- 6:45 p.m. Public Hearing to Consider the Qualifications and the Appointment of Matthew Joseph Machado, P.E., as the Stanislaus County Road Commissioner ([View Item](#))
- 6:50 p.m. Public Hearing to Consider the Approval to Introduce, Waive the Reading and Adopt as an Urgency Measure, an Ordinance Adding Chapter 6.74 "Junk Dealers and Scrap Metal Recyclers" to the Stanislaus County Code ([View Item](#))

6:55 p.m. Public Hearing to Consider General Plan Amendment Application No. 2007-01 - Update of the Stanislaus County Agricultural Element of the General Plan. A Negative Declaration Will Be Considered ([View Item](#))

#### VIII. Correspondence

1. This Board has received a letter from E.R. Vine & Sons, Inc., regarding the effects of the CalTrans 219 Project on the existing commercial center on Kiernan Road in Salida. ([View Item](#))  
(Recommendation: Refer to the Chief Executive Officer and the Department of Public Works.)
2. This Board has received a letter from the State of California Department of Veteran Affairs regarding the funding of the County Veterans Service Office. ([View Item](#))  
(Recommendation: Refer to the Chief Executive Officer and Department of Aging/Veteran Services.)
3. This Board has received a letter from the Crows Landing Community Services District requesting support for a loan from the Stanislaus County Redevelopment Agency to pay for repairs to their Well #4. ([View Item](#))  
(Recommendation: Refer to the Department of Planning and Community Development.)
4. This Board has received the following claims: Esther Knobel; Brenda Russell; Allyn R. Bell; Donna Hartshorn; Margarito Mendoza; Juan Leon; Michael Pedro; Kimberly Ann Winchester; and, Robert Cathcart.  
(Recommendation: Acknowledge receipt of claims and refer to the Chief Executive Office - Risk Management Division.)

#### IX. Board of Supervisors' Reports

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

- A. Approval to Adopt Official County Position on Pending Legislative Bills and/or State Budget Issues Including AB 70 (Jones), AB 83 (Lieber), AB 151 (Berryhill), AB 1634 (Levine), SB 215 (Denham), SB 217 (Cogdill), SB 262 (Runner), SB 315 (Cogdill), SB 424 (Denham), SB 662 (Wiggins), SB 893 (Cox), Adult Protective Services Funding (Budget), S 524 (Boxer)  
([View Item](#))

#### XI. Adjournment