

THE BOARD OF SUPERVISORS
OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Regular Session

Tuesday

April 18, 2000

All Supervisors Present

Pledge of Allegiance to the Flag

B/S unan. Adopted the consent calendar

Approved minutes for April 11, 2000

Set a public hearing on 6/27/00 beginning at 9:35 a.m. regarding the 2000-2001 Special Assessments for the following Lighting Districts: Crows Landing Lighting District; Empire Lighting District; Fairview Tract Lighting District; Monterey Park Lighting District; Olympic Tract Lighting District; Reich Lighting District; Richland Tract Lighting District; Salida Lighting District; and, Sylvan Village #2 Lighting District 2000-291

Approved the Senior Award Resolutions for the Department of Aging and Veterans Services/Commission on Aging Senior Awareness Day on 5/6/00 2000-292

Accepted resignation of William B. Frias from Oakdale Rural Fire Protection District 2000-293

Appointed Gregory A. Bibbins and Don Viss to the Stanislaus Consolidated Fire District 2000-294

Amended the by-laws of the Denair MAC 2000-295

Adopted and waive the second reading of Ordinance C.S. 722 amending Title 11 of the Stanislaus County Code, pertaining to no parking zones on County roads
ORD-54-E-5 2000-296

Approved the sale of tax allocation bonds for the Stanislaus/Ceres Redevelopment Commission's Stanislaus-Ceres Redevelopment Project and authorized the Chairman to sign the resolution – Auditor/Controller 2000-297

Approved acceptance of contract amendment #F3AP-9079-02 with the California Department of Education for the administration of the Child Care and Development Block Grant – Stage 3 Federal Fund and authorized the Director of CSA, or his Assistant Director Designee, to sign this contract amendment and any amendment not to exceed the total contract amount of \$1,005,623 – CSA 2000-298

Approved an agreement with PsychResources of Central California Inc. to administer and provision of Behavioral Health Benefits for Stanislaus County employees and eligible dependents with National Health Plans Insurance Coverage and authorized the Mental Health Director, or his Designee, to sign the agreement – Mental Health 2000-299

Approved amendment to the agreement with Valley Pharmaceutical Services for the provide of Psychotropic Medications for individuals hospitalized at Stanislaus Behavioral Health Center and authorized the Mental Health Director, or his Designee, to sign the amendment to the agreement - Mental Health 2000-300

Authorized the closure of the Modesto Library on Easter Sunday, 4/23/00 2000-301

Introduced and waived the first reading of Ordinance C.S. 724 to amend Title 11 of the Stanislaus County Code, pertaining to traffic control to establish speed zones on various County roads and finds that the Ordinance is not subject to CEQA

ORD-54-E-7 2000-302

Approved request by the Knights Ferry History and Museum Association to hold Peddlers' Faire on Covered Bridge Road on Sunday, 4/30/00 and authorized the Director of Public Works to issue a permit for the event 2000-303

Approved Salida Planned Development Park Account expenditure to Kencor Development and authorized the Auditor-Controller to issue a warrant in the amount of \$69,177.09 to Kencor Development 2000-304

B/M unan. Approved contract with Mark Gaffney to design and build our State Fair exhibit at the 2000 California State Fair for \$7,000 and authorized the Chairman to sign contract; approved expenditure for \$3,500 from Cooperative Extension 2000-305

S/B unan. Approved the renaming of the Stanislaus County Department of Mental Health to Stanislaus County Behavioral Health and Recovery Services effective 5/1/00 2000-306

The CEO noted that the FOOD initiative could impact these land use decisions tonight and that he will bring a report to the next Board meeting regarding this initiative.

B/S unan. Based upon the Initial Study and Mitigation Monitoring Plan, and the reduction of the project impacts by connecting to sewer and water service, ordered the filing of a Mitigated Negative Declaration; find that the Proposed General Plan Amendment #99-10 is consistent with the overall Goals and Policies of the Stanislaus County General Plan and with the overall plan as well, and with the Salida Community Plan; find the project to be "de minimis" for the purposes of Fish and Game Codes; approved the General Plan Amendment #99-10; find that the proposed PD Zoning is consistent with the low density residential General Plan designation; find that the project will intensify use of the site, thereby necessitating dedications and improvements; approved Rezone Application #99-18, subject to the Mitigation Monitoring Plan and Modified Development Standards and Conditions of Approval; find that none of the Vesting Tentative Subdivision Map findings that would preclude approval of this map can be made; approved Tentative Map Application #99-10, Astoria Sound subject to the Mitigation Monitoring Plan Development Schedule and Modified Development Plan Development Standards/Conditions of Approval; and, introduced, adopted and waived the readings of Ordinance C.S. 725 regarding Rezone Application #99-18

ORD-54-E-8 2000-307 2000-308

S/P unan. Find that the notice of the public hearing was given, pursuant to Government Code Section 53753(b), Streets and Highway Code Section 22551, and Streets and Highway Code Section 22588; conducted the public hearing to receive comments regarding: the formation of the Howard/McCracken Landscape and Lighting District; the proposed formula for calculating the amount of the annual assessment; and, the levy of an annual assessment to pay for landscape maintenance and street lighting service; a majority protest has not been filed regarding the formula for calculating the annual assessment and levy of the annual assessment to pay for landscape maintenance and lighting and street lighting service; find that the parcels within the Howard/McCracken Landscape and Lighting District will receive benefit from the formation of

the district; formed the Howard/McCracken Landscape and Lighting District and confirmed the boundary of the district as being those described on Exhibits “A” and “B”, which are made a part hereof; directed the Department of Public Works to file the formation with the California State Board of Equalization; ordered the installation of the Landscaping and the Street Lights; confirmed and approved the formula for calculating the amount of the Annual Assessment that will be used to pay for the Landscape Maintenance and the Street Lighting Service; set the 2000-01 Annual Assessment at \$1,940 per benefited parcel; find that the parcels subject to the Annual Assessment are shown on Exhibit “C”, which is made a part hereof; authorized the Auditor-Controller to add the annual Assessment to the 2000-01 Tax Roll; and, made the revised Engineer’s report a part of the record of his proceeding DL-37-2 2000-309

P/B unan. Approved the revocation of Use Permit Application #76-4 - Charles Lyon and find that the Use Permit is in violation of Conditions of Approval (D) and (E) 2000-310

S/B unan. Approved the General Plan Amendment # 2000-01 - Sperry Road/Interstate 5 Interchange; find the General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses; find the County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service; find amendment is consistent with the General Plan Goals and Policies; find overall, the proposal is consistent with the Goals and Policies of the General Plan, and specifically is consistent with Policies 2.4 and 2.5 of this Agricultural Element; find there is evidence on the record to show a demonstrated need for the project based on population projections, past growth rates and other pertinent data; find no feasible alternative site exists in areas already designated for the proposed uses; find the approval of the proposal will not constitute a part of, or encourage, piecemeal conversion of a larger agricultural area to non-agricultural uses, and will not be growth-inducing (as used in CEQA); find that the proposed project is designed to minimize conflict and will not interfere with agricultural operations on surrounding agricultural lands or adversely affect agricultural water supplies; find adequate and necessary public services and facilities are available or will be made available as a result of the development; find the design of the proposed project has incorporated all reasonable measures, as determined during the CEQA Review process, to mitigate impacts to fish and wildlife resources, air quality, water quality and quantity, or other natural resources; and, as a responsible agency, the County adopted the findings included in the “Statement of Overriding Considerations” as shown on Exhibit “A”, Draft Findings of Fact for General Plan Amendment 2000-01, Sperry Road/Interstate 5 Interchange Area, and based on the Environmental Review completed by the Lead Agency (City of Patterson) 2000-311

M/S unan. Certified that the Final EIR for the Keyes Community Plan Update project is complete and in compliance with CEQA; find that the Board has reviewed and considered the information in the FEIR and the FEIR reflects the Agencies independent judgement, approved the Mitigation Monitoring and Reporting Plan with which all future development in the plan area must comply, and find the project to be “de minimis” for the purpose of Fish and Game Codes; adopted the “Findings of Fact” including Statement of Overriding Considerations concerning unmitigated significant impacts; find that the project is consistent with the overall goals and policies of the Stanislaus County General Plan; amended the Stanislaus County General Plan by approving the proposed revisions to the Keyes Community Plan portion of the General Plan; and, amended the

motion to designate APNs 45-52-9, 19, 29 HC (Highway Commercial) to a depth of 400' east of adjacent Golden State Blvd./Keyes Road frontage road 2000-312

Recessed at 10:25 p.m.

Reconvened at 10:32 p.m.

S/P unan. Ordered the filing of a Mitigated Negative Declaration, find the project to be “de minimis” for the purposes of Fish and Game Codes; find that General Plan Amendment #99-11 McHenry Avenue Properties is consistent with the overall goals and policies of the Land Use Element of the County General Plan and the overall General Plan; approved General Plan Amendment #99-11; find that the proposed Planned Development zoning is consistent with the Planned Development General Plan designation; find that the project will intensify use of the site, thereby necessitating dedications and improvements; approved Rezone Application #99-19 subject to the Development Standards; and, introduced, adopted, and waived the readings of Ordinance C.S. 726 regarding Rezone Application #99-19 ORD-54-E-9 2000-313 2000-314

S/B unan. Ordered the filing of a Mitigated Negative Declaration, find the project to be “de minimis” for the purposes of Fish and Game Codes; find that the General Plan Amendment #2000-03- American Chevrolet GEO is consistent with the overall Goals and Policies of the Land Use Element of the County General Plan and the Overall General Plan; approved General Plan Amendment #2000-03; find the proposed Planned Development zoning is consistent with the Planned Development General Plan Designation; find that the project will intensify use of the site, thereby necessitating dedications and improvements; approved Rezone Application #2000-03, subject to the Development Standards; approved Lot Line Adjustment Application #2000-04 subject to the Development; Standards; and, introduced, adopted and waived the readings of Ordinance C.S. 727 regarding Rezone Application #2000-03 ORD-54-E-10 2000-315 200-316

M/B unan. Based upon the Initial Study and Mitigation Monitoring Plan, and the reduction of the project impacts by connecting to public sewer and water service, ordered the filing of a Mitigated Negative Declaration, included herein also find that Denair Community Plan MMRP Mitigation Measure #9 is inappropriate and cannot realistically be implemented for the reason already presented; find that the proposed General Plan Amendment is consistent with the Overall Goals and Policies of the Stanislaus County General Plan and with the overall plan as well, and with the Denair Community Plan; find the project to be “de minimis” for purposes of Fish and Game Codes; approved General Plan Amendment Application #99-01; find that the proposed PD Zoning is consistent with the Planned Development General Plan Designation; find that the project will intensify use of the site, thereby necessitating dedications and improvements; approved Rezone Application #99-01 subject to the Mitigation Monitoring Plan and Development Standards; introduced, adopted and waived the readings of Ordinance C.S. 728 regarding approved Rezone Application #99-01; and, find that none of the Tentative Map findings that would preclude approval of these maps can be made; and, approved Tentative Map Applications #99-01- Naranjo Estates, #99-07- Tuolumne Meadows, #99-08- Runyan Country Estates and #99-09- Monte Vista Meadows are subject to the Mitigation Monitoring Plan, Development Standards, Development Schedule and Conditions of Approval

ORD-54-E-11 2000-317 2000-318

Referred to the Department of Planning and Community Development a copy of the 1998 Important Farmland map and the 1996-98 land use conversion table for Stanislaus County from the Department of Conservation to assist in updating land use conditions to the year 2000

Referred to the Department of Planning and Community Development in order to follow-up with appropriate action, a letter from the National Association of Counties (NACO) requesting the Board to take action to encourage citizens to file the Census 2000 long form because of its importance to counties

Accepted reports from the California Lottery and copies of the California Lottery's 1999 Report to the Public and Lottery Bulletin 2000-1: Problem Gambling Awareness Program

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Joyce Fontana; Ernesto Rodriquez; Renate Andrews and Bert Andrews; and, Rosie Johnson

Supervisor Simon attended an American Farmland Trust meeting regarding farm land use matters. He also noted that the City of Modesto provided \$25,000 to the San Joaquin County Airport for pre-paid tickets. He would like the City of Modesto to consult with the County regarding this issue prior to committing funds to this project because of their partnership in Modesto/County Airport.

Supervisor Mayfield chaired the Waste-to-Energy Committee meeting last week where all issues with the City of Modesto were discussed and he felt that it was a productive meeting. He also wanted to know about a recent e-mail regarding an upcoming Work Place Wellness program.

Supervisor Paul attended the Visioning meeting with all the cities, which have approved the visioning, process. She also attended the meeting of the Youth Advisory Board of the WIB where numerous funds will be available for youth program.

Chairman Caruso attended the San Joaquin Valley Supervisors Association's Spring Conference meeting in Hanford, where water, air and transportation issues were discussed.

Adjourned at 11:03 p.m.

ATTESTED: REAGAN M. WILSON, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: CHRISTINE FERRARO TALLMAN, Clerk to the Board of Supervisors
(The above is a summary of the minutes of the Board of Supervisors. Complete minutes are available from the Clerk of the Board's Office.)