

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

Regular Session

Tuesday

January 8, 2008

All Supervisors Present

Pledge of Allegiance to the Flag

Chairman O'Brien presented a Five-Year Employee Service Award to Supervisor Grover.

Chairman O'Brien presented a Fifteen-Year Employee Service Award to Supervisor Mayfield.

**II** Grover/Monteith unan. Elected Supervisor Mayfield as the Chairman and Supervisor DeMartini as the Vice-Chairman of the Board of Supervisors for 2008 2008-1

Chairman Mayfield presented Supervisor O'Brien with a plaque recognizing his service as Chairman of the Board for 2007.

Grover/O'Brien unan. Adopted the consent calendar after removing from consent items **\*B3** Authorization to Apply for a Cal Trans Community-Based Transportation Planning Grant for the Development of a Growth Management Strategy - Chief Executive Office; and, **\*B7** Approval to Implement a Lateral Transfer Hiring Incentives Policy for Hard to Recruit County Positions - Chief Executive Office

**\*A1** Approved the minutes of 12/18/07

**\*A2a** Appointed DeeDee Thomas to the Denair Community Services District Board of Directors 2008-2

**\*A2b** Appointed Roberta Anne Ferraro-Foster to the In-Home Supportive Services Advisory Committee 2008-3

**\*A2c** Appointed Richard Gibson to the San Joaquin Valley Air Pollution Control District Citizens Advisory Committee 2008-4

**\*A3** Accepted the resignation of Mercy Mora from the Crows Landing Community Services District Board of Directors 2008-5

**\*B1** Accepted the Stanislaus County Treasury Pool's November 2007 Monthly Investment Report as prepared by the Treasurer Tax-Collector's Office and reviewed for conformity with the Stanislaus County Treasury Pool Investment Policy by the Treasurer-Tax Collector and has been distributed to the Stanislaus County Treasury Pool Oversight Committee; and, authorized the Chairman to sign on behalf of the Board of Supervisors that the report has been reviewed and accepted – T/TC 2008-6

**\*B2** Approved the Health Services Agency submission of an application for a funding allocation of \$717,467, under the Centers for Disease Control and Prevention (CDC) Base Allocation, CDC Pandemic Influenza and the California State General Fund Pandemic Influenza Comprehensive agreement for FY 2007-2008, for ongoing efforts to enable the local Public Health System to prepare for and respond to bioterrorism, infectious disease outbreaks (including Pandemic Influenza), and other public health threats and emergencies; authorized the HSA Managing Director, or her designee, to sign the agreement and accept the funds; and, authorized the Chairman to sign the non-Supplantation Certificate Form – HSA 2008-7

- \*B4 Approved receiving funds in the amount of \$99, from the California Integrated Waste Management Board, for the 2007/2008 Household Hazardous Waste Discretionary Grant; approved correcting the 2007/2008 Household Hazardous Waste Discretionary Grant term from 9/1/07 through 2/28/09, to 10/01/07 through 06/30/09; authorized the Director of DER, or her designee, to sign the 2007/2008 Household Hazardous Waste Discretionary Grant agreement with the California Integrated Waste Management Board accepting the additional grant funds for a revised total grant amount of \$7,099; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$7,099 as detailed in the Budget Journal form – DER 2008-8
- \*B5 Introduced and waived the first reading of Ordinance C.S. 1024 to amend language of the Stanislaus County Code, Chapters 9.04 and 9.08, §9.04.080 and 9.08.140, to eliminate requiring Department of Environmental Resources approval for reduced service in the exempt collection service area – DER ORD-55-F-3 2008-9
- \*B6 Introduced and waived the first reading of Ordinance C.S. 1025 amending Chapter 16.55 of the Stanislaus County Code, and adopting by reference the California Fire Code, 2007 Edition with certain changes, additions, and modifications thereto; set a public hearing on 1/29/08, at 9:15 a.m., regarding the adoption of the proposed ordinance; and, ordered the Clerk to give notice of the hearing as required by Government Code §50022.6 and 6066 and to publish the ordinance in accordance with Government Code §25124(b) – CEO/OES ORD-55-F-4 2008-10
- \*C1 Approved the installation of an all-way stop to control traffic, under the authorization granted to local authorities in Vehicle Code §21355 at the following location: West Main Street at Mitchell Road to require motorists on all approaches to stop prior to entering the intersection; and, the stop signs shall be located at or near all entrances to the said intersection – PW 2008-11
- \*C2 Approved the purchase agreement to acquire road right-of-way for the Geer Road at Whitmore Avenue Intersection Project, parcel owners Kory Christopher and Jennifer O. Trimble, APN: 018-010-021; authorized the Chairman of the Board to execute the agreement; directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet; and, directed the Auditor-Controller to issue a warrant in the total amount of \$11,500, payable to Fidelity National Title Company, for the purchase amount of \$10,000 and \$1,500 for estimated escrow fees and title insurance – PW 2008-12
- \*C3 Adopted the plans and specifications for the Pirrone Road Canal Crossing Project and set the bid opening date and time for 1/23/08, at 2:00 p.m.; directed the Clerk of the Board to publish notice inviting bids for the project as required by law and set 1/23/08, prior to 2:00 p.m., as the deadline for submission of bids; and, directed the Public Works Department staff to mail a notice inviting bids to trade journals as required by law – PW 2008-13
- \*D1 Accepted the FY 2006/07 Financial Report including the Annual Audit of the Stanislaus County Redevelopment Agency to the Board of Supervisors as Required by Health and Safety Code §33080.1; and accepted the FY 2006/07 Redevelopment Agency Activities Report; and, authorized the submittal to the California State Department of Housing and Community Development – Planning 2008-14
- \*D2 Set a public hearing on 1/29/08, at 9:20 a.m., to introduce, waive the reading and adopt Planning Ordinance Amendment #2007-01 Public Events and Outdoor Entertainment, a request to amend the Stanislaus County Zoning Ordinance, by adding a Chapter that would address public events and outdoor entertainment in the agricultural, urban transition, and residential areas of Stanislaus County; the proposed regulations will apply to the location of any public event in an R-A (Rural Residential), R-1 (Single-Family Residential) or A-2 (General Agriculture) zoning district; this amendment will not apply to A-2 zoned land which is enrolled under a California Land Conservation Contract (Williamson Act

Contract); and, as part of this amendment, both the A-2 (Chapter 21.20.030) and the R-1 (Chapter 21.28.030) zoning districts will be amended to add Public Events and Outdoor Entertainment, under Uses Requiring a Use Permit – PW ORD-55-F-2 2008-15

**\*D3** Adopted the Stanislaus County Economic Development Action Committee Rules and Regulations – Planning BD-18-B-3 2008-16

**\*E1** Finds that Ordinance C.S. 1019 amending Stanislaus County Code §2.06.210 to eliminate and amend certain time limitations with respect to the Redevelopment Plan for the Modesto Redevelopment Project, is not a project subject to CEQA (Public Resources Code §2100 et seq.) pursuant to CEQA Guidelines §15378(b)(2), (4), and (5); and, introduced and waived the first reading of Ordinance C.S. 1019 – County Counsel ORD-55-F-1 2008-17

O’Brien/DeMartini unan. **B8** Approved the Annual Progress Report for the Stanislaus County Employee Mentor Program; and, approved a resolution proclaiming January 2008 as Mentoring Month in Stanislaus County, consistent with the National Mentor Month Distinction – CEO 2008-20

Grover/O’Brien (4-1)(Monteith opposed) **\*B3** Authorized the CEO to submit an application to the California Department of Transportation’s Community-Based Transportation Planning Grant program for \$250,000 for the development of a Stanislaus County Growth Management Strategy; and, approved the resolution – CEO 2008-18

O’Brien/Monteith unan. **\*B7 Amended** the Lateral Transfer Hiring Incentives Policy to delete Incentive No. 1 “Salary Step Placement”; and, approved the Policy as amended – CEO 2008-19

Grover/O’Brien unan. **9:20am** Adopted the Negative Declaration pursuant to CEQA Guidelines §15074(b) for Rezone Application #2007-01, Santa Fe Crossing, a request to rezone a 14.25 acre parcel from P-D 185 (Planned Development) to a new P-D to allow commercial project to be developed in three phases (Phase 1 consists of 435 mini storage units, 50 storage container units, and storage for up to 52 recreational vehicles; Phase 2 consists of a gas station and a 5,065 square foot mini market with a drive-through coffee shop; Phase 3 consists of a 19,250 square foot commercial building) located at 4306 Santa Fe Avenue, at the northwest corner of Geer Road and Santa Fe Avenue, southeast of the City of Hughson, by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County’s independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder’s Office pursuant to Public Resources Code §21152 and CEQA Guidelines §15075; finds that the project is consistent with the overall goals and policies of the County General Plan; finds that the proposed Planned Development zoning is consistent with the Planned Development General Plan description; approved Rezone Application #2007-01, Santa Fe Crossing, subject to the Amended Development Standards and Modified Development Schedule as recommended by the Planning Commission, and **amended** the Development Schedule as follows: “Development Schedule will be limited to five years for all phases, with the ability to come back before the Planning Commission to request an extension of the approved Development Schedule”; and, introduced and waived the reading and adopted Ordinance C.S. 1022 for the approved Rezone Application #2007-01 – Planning ORD-55-E-3; 2008-22 & 2008-23

Grover/DeMartini (2-3)(O’Brien, Monteith, and Mayfield opposed) **B9** The **motion failed** to approve adjusting salaries for six elected department head positions and to establish a salary review process for elected department heads – CEO 2008-21

**Corr 1** Referred to the CEO, a letter from the University of California, Merced requesting a resolution of support for a medical school in the San Joaquin Valley to be sent to the UC Board of Regents.

**Corr 2** Referred to the Department of Planning and Community Development and Stanislaus Council of Governments, a letter from State Senators Cogdill and Denham requesting the County to participate in the 2010 U.S. Census Bureau's Local Update for Census Addresses (LUCA) Program.

**Corr 3** Referred to the Department of Planning and Community Development, a letter from the California Department of Housing and Community Development requesting funding assistance for affordable seasonal rental housing and support services for migrant farm worker families.

**Corr 4** Referred to the Department of Parks and Recreation and the Fish and Wildlife Commission, a notice from the State Fish and Game Commission regarding proposed regulatory action relating to nuisance Canada geese.

**Corr 5** Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Ruselle Kaye Bowen; Donald Kando; Forensic Consultants' Medical Group, Inc.); George E. Bolduc; Ronald J. Manley; David Quinn; Brad W. Prouty; Mark Littlefield; and, David Cox.

Adjourned to closed session at 10:07 a.m. for conference with Legal Counsel-Existing Litigation: Juan Madrigal, Jr., Juan Madrigal, Sr., Lilia Madrigal vs. County of Stanislaus, et al. United States District Court Eastern District of California No. 1:06-cv-000595. Government Code §54956.9(a); conference with Legal Counsel-Existing Litigation: City of Modesto vs. Wade Ramey, et al., Stanislaus County Superior Court Case No. 622916. Government Code §54956.9(a).

Adjourned at 10:38 a.m.

ATTESTED: CHRISTINE FERRARO TALLMAN, Clerk  
of the Board of Supervisors  
of the County of Stanislaus  
State of California

BY: ELIZABETH A. KING, Assistant Clerk of 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.)