

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

Regular Session

Tuesday

February 5, 2008

All Supervisors Present

Pledge of Allegiance to the Flag

The 2008 State of the County Address was given by Supervisor Mayfield, Chairman of the Stanislaus County Board of Supervisors.

Grover/DeMartini unan. Adopted the consent calendar

- *A1 Approved the minutes of 01/29/08
- *A2 Adopted and waived the second reading of Ordinance C.S. 1029 to amend §11.08.020 of the Stanislaus County Code, adding a No Parking Zone on “G” Street in the Empire area – PW
ORD-55-G-2 2008-78
- *A3a Appointed Letty Miranda to the Crows Landing Community Services District Board of Directors 2008-79
- *A3b Appointed Dionicio Daniel Cruz to the Stanislaus County Equal Rights Commission 2008-80
- *A4 Accepted the resignation of Shirley Foerster from the Mental Health Board 2008-81
- *A5 Accepted the resignation of Dail Avila and appointed George Schmidt to the West Side Community Healthcare District Board of Directors 2008-82
- *A6a Proclaimed 03/09-15/08 as Portuguese Immigrant Week 2008-83
- *A6b Proclaimed 02/11-15/08, as Stanislaus County Employee Wellness Week 2008-84
- *A7a Approved request from E Clampus Vitus for use of the La Grange Gold Dredge Camp Site for their Fall Event from Friday, 10/17/08 to Sunday, 10/19/08 2008-85
- *A7b Approved request from City of Modesto for use of the Courthouse Lawn for their 13th Annual Family Cycling Festival on Saturday, 05/17/08 2008-86
- *A8 Approved holding a special election for the Oak Valley Hospital to authorize the issuance of General Obligation Bonds on 04/29/08 2008-87
- *B1 Authorized the Director of DER, or her Designee, to execute an amendment to the grazing land lease with Paul Clarot for 760.4 Acres of Rolling Hills adjacent to and west of the Fink Road Landfill, extending the lease from 03/15/08 through 11/03/09 – DER 2008-88
- *B2 Ratified ordinances passed by Burbank-Paradise, Denair, Keyes, Salida, Stanislaus Consolidated, and West Stanislaus Fire Protection Districts adopting and amending the 2007 California Fire Code; and, authorized the Stanislaus County Fire Warden, or his Designee, to file a copy of the findings, with the Building Standards Commission as prescribed by Government Code §17958.7 and 13869.7 - CEO/Fire Warden
DF-6-A-25; DF-13-A-19; DF-15-31; DF-10-B-4; DF-20-A-7; DF-2-B-6 2008-89
- *B3 Approved entering into a contract with API Architects for architectural services for tenant and site improvements for the unfinished County space on the 5th Floor of the 12th Street Office Building; and, authorized the CEO to execute and sign agreements, purchase orders and work authorizations for professional architectural services to manage the project at a cost no greater than \$35,000 – CEO 2008-90
- *C1 Approved the necessary budget adjustments for Federal Aid Project No. STPL-5938(147), titled RSTP Roadway Resurfacing Program FY 2006/2007 (Phase 2); and, directed the

O'Brien/Grover unan. **9:15am** Adopted the Negative Declaration for Rezone Application #2007-05, Denair Lumber, a request to rezone a 1.75 acre parcel from H-1 (Highway Frontage) to a P-D (Planned Development) to allow a lumber yard and retail store to be developed in two phases (Phase 1 consists of a 15,400 square foot "pole building" and a 300 square foot temporary office, and Phase 2 consists of a 4,000 square foot retail sales and "home center" building), located on Fresno Avenue, south of Main Street and north of Village Avenue, in the community of Denair, APN: 024-032-017, pursuant to CEQA Guidelines §15074(b), 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: (a) the project is consistent with the overall goals and policies of the County General Plan, and (b) the proposed Planned Development zoning is consistent with the Commercial General Plan description; approved Rezone Application #2007-05, Denair Lumber, subject to the Development Standards and Development Schedule as approved by the Planning Commission; and, introduced and waived the reading and adopted Ordinance C.S. 1026 for the approved Rezone Application #2007-05 – Planning
ORD-55-F-5; 2008-92 & 2008-93

O'Brien/Monteith unan. **Corr 1** Approved a letter opposing the proposed development of the south side of the Stanislaus River adjacent to Knights Ferry by the Army Corps of Engineers for the benefit of the Chinook Salmon and Steelhead per the request from the Knights Ferry MAC 2008-94

Corr 2 Referred to the Department of Planning and Community Development, a letter from the U.S. Department of Housing and Urban Development regarding FY 2008 allocations for the Community Development Block Grants and Emergency Shelter Grants for Stanislaus County.

Corr 3 Acknowledged receipt of FY 2006/2007 California Lottery Report to the Public from the California Lottery.

Corr 4 Referred to DER, a Certificate of Compliance from Covanta Energy Corporation regarding the Stanislaus Waste-to-Energy Financing Agency, certifying that the company is in compliance with its obligations in the agreement and no events of default have occurred or are continuing.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Linda Yazzie; Sal Perez; and, Tiffany Flores.

Supervisor DeMartini noted that he, along with County staff, will be going to Patterson tonight and Newman next week to discuss the future plans regarding the property surrounding the landfill.

The CEO reported that he and David Jones will travel to Washington D.C. later this week to meet with our Federal Representatives and various agencies regarding Orestimba Creek, Tuolumne River Regional Park, Transportation Initiatives, and Public Safety Interoperability. He gave an update regarding the State budget cuts, and the Governor's proposed cash flow delays for a number of County programs.

Adjourned to closed session at 9:38 a.m. for Conference with Real Property Negotiator: Property: Crows Landing Air Facility, at the intersection of Ike Crow Road and Bell Road in the unincorporated area of Stanislaus County. Agency Negotiator: Richard Robinson. Lessee Negotiator: PCCP West Park LLC.

Under Negotiation: Both Lease Terms and Lease Payments. Government Code §54956.8. Conference with Labor Negotiator: Agency Negotiator: Richard Robinson. Labor Organization: Deputy Probation Officers' Association. Government Code §54957.6.

Adjourned at 11:22 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.)