

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

April 15, 2008

Special Session convened at 5:30 p.m.

Recessed to Closed Session at 5:31 p.m. for conference with Legal Counsel-Existing Litigation: Tiffany Bradford vs. County of Stanislaus, et al., Stanislaus County Superior Court Case No. 378121. Government Code §54956.9(a); Conference with Real Property Negotiator: Property: El Viejo Post Office, 12th and I Streets, Modesto, CA. Agency Negotiator: Richard Robinson. Seller Negotiator: U.S. General Services Administration. Under Negotiation: Price and Terms of Sale. Government Code §54956.8.

Reconvened at 6:30 p.m. for Regular Session

Vanessa Czopek, Librarian, gave a presentation regarding National Library Week in Stanislaus County.

Jan Viss and Kim Wood-Hiatt of the Child Abuse Prevention Council gave a presentation regarding Child Abuse Prevention Month in Stanislaus County.

Debra Harper read a continuation of the Universal Declaration of Human Rights into the record.

Miguel Donoso spoke regarding the picture in the Modesto Bee of the Sheriff with Senator Denham. He requested the resignation of the Sheriff. He also expressed his concerns regarding the increase in gang violence in Stanislaus County and the need for better solutions to this problem. Supervisor O'Brien stated that he believes the Sheriff is doing a good job with the resources he has.

Monteith/DeMartini unan. Adopted the consent calendar

- *A1 Approved the minutes of 4/8/08
- *A2 Accepted the resignation of Tom Ott from the Woodland Avenue Volunteer Fire Protection District Board of Directors 2008-255
- *A3a Appointed Ka Yang to the Stanislaus County Children's Council 2008-256
- *A3b Appointed Travis Hawkins to the Oakdale Rural Fire Protection District Board of Directors 2008-257
- *A4a Proclaimed May 2008 as Asthma Awareness Month 2008-258
- *A4b Proclaimed April 28 through May 2, 2008 as Stanislaus County Volunteer Week 2008-259
- *B1 Revised the reimbursement rates for the Safety Shoes Reimbursement Program pursuant to County Code §2.60.020(d)(3); authorized Department Heads to pay up to \$180 per employee, per year, for the safety shoe features added to the safety shoe; directed Department Heads to establish a list of safety shoe features required, within the job categories under their jurisdiction; and, authorized Department Heads to exceed the one pair of safety shoes per year, per employee, whenever it is determined that the safety shoe has worn out before the year end time period due to on the job wear – Risk Mgt 2008-260

- ***B2** Introduced and waived the first reading of Ordinance C.S. 1040 to establish the Stanislaus Family Justice Center Commission; and, directed the Auditor-Controller to establish a budget/accounting structure in accordance with County policy – DA
ORD-55-H-2; BD-84-1 2008-261
- ***C1** Awarded the transit operations contract for the County's intercity public transit service, Stanislaus Regional Transit (StaRT), to Storer Transit Systems; and, authorized the Director of Public Works to sign and execute all necessary documents – PW 2008-262
- ***C2** Adopted the results of the ballot procedure (Support votes: 208.54 Protest votes: 140.89; Incomplete ballot votes: 12.36) for the formation of CSA No. 26 - Keyes and dissolution of CSA No. 6 - Raymond Tract, CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates in compliance with Proposition 218; effective 7/1/09, formed CSA No. 26 - Keyes and confirmed the boundary of the district as being those described on Exhibits “A” and “B”, which are made a part of the record of the proceedings thereof and dissolved CSA No. 6 - Raymond Tract, CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates; authorized the institution of the proceedings for the formation of CSA No. 26 Keyes and dissolution of CSA No. 6 - Raymond Tract, CSA No. 13 - La Jolla, and CSA No. 17 - Sunray Estates in compliance with Proposition 218, conditioned upon approval of LAFCO; authorized the Auditor-Controller to levy the FY 2009-2010 annual assessment for CSA No. 26 based upon the engineer's report as approved by property owners within the district; and, recommended that LAFCO waive fees associated with conducting authority proceedings – PW
CSA-26-2; CSA-6-12; CSA-13-10; CSA-17-4 2008-263

O'Brien/Grover unan. **6:40 pm** Considered Planning Commission's recommendation for approval of GPA #2007-05, Rezone Application #2007-08, and Lot Line Adjustment #2007-25, Frantz Landscaping, a request to adjust the boundaries of two existing parcels (14.7 acres and 15.9 acres); to amend the General Plan and rezone five acres of the entire 30.6 acre site from Agriculture to a Planned Development (PD); and to construct a retail landscape business in two (2) phases, located at 12741 Riverview Road, on the west side of Hickman Road, in the Hickman area; adopted the Negative Declaration pursuant to California Code of Regulations §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 general plan amendment will maintain a logical land use pattern without detriment to existing and planned land uses, (B) 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, (C) the amendment is consistent with the General Plan goals and policies, (D) the proposed planned development zoning is consistent with the Planned Development General Plan designation, and (E) the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; approved GPA #2007-05, Rezone Application #2007-08, and Lot Line Adjustment 2008-25, Frantz Landscaping, subject to the attached Development Standards and Schedule as approved by the Planning Commission; **amended** the Conditions of Approval to add Condition No. 51 to read as follows: "The monument sign be no higher than six (6) feet high."; and, introduced, waived the reading and adopted Ordinance C.S. 1030 for the approved Rezone Application #2007-08 – Planning
ORD-55-G-4 2008-265 & 2008-266

Monteith/Grover (4-1)(O'Brien opposed) **B3** Approved the recommended approach, Option 2: Reuse and Expansion Plan for the replacement of the existing Animal Services Facility located at 2846 Finch Road, Modesto; authorized the CEO to issue a RFP for professional architectural design services for the Shelter replacement project and to return to the Board of Supervisors with a recommendation to retain a

Design/Architectural/Engineering firm; authorized the CEO to prepare a qualification package for Contractors to be considered for this project; authorized the Planning Department to initiate environmental review as required by CEQA; directed the CEO to negotiate new agreements with each of the partner cities for cost sharing for the Shelter Reuse and Expansion Plan as well as for revised cost sharing for the provision of animal services; authorized the CEO to negotiate professional agreements necessary to manage the project such as plan code review, estimating, and construction management, as long as the agreements are within the project budget; and, authorized the transfer of \$50,000 from the General Fund Plant Acquisition budget to the Animal Services Capital Projects budget and increase appropriations in the Animal Services Capital Project by the same \$50,000 along with the transfer of expenditures and appropriations spent to date to the project budget – CEO 2008-264

Corr 1 Referred to the Department of Aging and Veterans Services, a letter from the State Department of Veterans Affairs regarding the FY 2006-2007 veteran funds received from the United States Department of Veterans Affairs.

Corr 2 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Miguel Guitron; and, Rob Cosmero and Crystal Cosmero.

Adjourned at 8:20 p.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.)