

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

Regular Session

Tuesday

September 30, 2008

Chairman Mayfield absent

Pledge of Allegiance to the Flag

Pamela Mathers spoke regarding the conditions at the Animal Shelter and asked the County to provide a temporary structure to improve conditions until the new shelter is complete. She spoke in support of spaying and neutering as the long term solution and noted that she has attended a few Animal Advisory Board meetings.

James Schunknecht spoke regarding stewardship and the responsibility of citizens for domesticated animals, including cats and dogs. He also spoke in support of spaying and neutering cats.

Pat Padrnos, City of Waterford Parks and Recreation Commissioner, invited the Board to attend the Waterford River Park Family Day on October 11, 2008 between 10 a.m. and 4 p.m. She noted that this is a free event and that there will be educational and activity booths including fly fishing lessons, water safety instructions, and bass fishing demonstrations.

Grover/O'Brien (4-0)(Mayfield absent) Adopted the consent calendar

***A1** Approved the minutes of 09/23/08

***A2** Adopted and waived the second reading of Ordinance C.S. 1045 to amend §11.08.020 of the Stanislaus County Code, amending No Parking Zones on Carpenter Road, Toomes Road, Monte Vista Avenue, Latimer Avenue and Pecos Avenue in the various unincorporated areas – Public Works ORD-55-I-1 2008-681

***A3a** Appointed Hans Wagner to the Woodland Avenue Volunteer Fire Protection District Board of Directors 2008-682

***A3b** Appointed Linda E. White to the In-Home Supportive Services Advisory Committee 2008-683

***B1** Approved updating the Stanislaus County Progressive Employment Program (PEP) to include emancipated foster youth – CEO 2008-684

***B2** Authorized the CEO-Office of Emergency Services to accept the FY 2008/2009 Hazardous Materials Emergency Preparedness Grant; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$20,000 as detailed in the Budget Journal form 2008-685

***B3** Authorized the Chief Probation Officer to accept an Alcohol and Other Drugs Grant from the State Office of Traffic Safety (OTS) for enhanced felony drunk driver probation supervision services, and to sign all necessary documents – Probation 2008-686

***B4** Approved request from the Christian Service Brigade to have exclusive use of the Kiwanis Camp starting on Friday, 10/03/08 at 10:00 a.m. and ending on Saturday, 10/04/08, at 5:00 p.m. for their Father/Son Team Days; directed the Christian Service Brigade to adhere to the requirements set forth by the Department of Parks and Recreation; and, approved the waiver of fees for the exclusive use of the Kiwanis Camp for their Father/Son Team Days – Parks and Recreation 2008-687

- ***B5** Approved the plans and specifications for the emergency power and fire suppression system improvements at the Sheriff’s Operations Center and Public Safety Center facilities prepared by Miller Pezzoni and Associates, Inc.; and, authorized the Project Manager to invite bids from contractors, to set a bid date of Wednesday, 11/05/08 at 2:00 p.m., to modify the bid date if necessary, to open and evaluate bids, and return to the Board to recommend an award to the lowest responsible bidder – CEO 2008-688
- ***B6** Approved the reduction of Fire Protection Facilities Fees only as it pertains to greenhouses for the Hughson Fire Protection District based upon the fee study completed by Willdan Financial Services and upon the recommendation of the Board of Directors of the Hughson Fire Protection District; authorized imposing the revised Fire Protection Facilities Fees on all building permits for greenhouses that are issued in the Hughson Fire Protection District after 09/30/08; and, authorized the imposition of the revised Fire Protection Facilities Fees for building permits for greenhouses in the Hughson Fire Protection District issued to California Winelands, LLC retroactively to 10/24/05 – CEO
DF-4-A-2 M-64-H-13 2008-689
- ***B7** Approved the agreement between Stanislaus County and the California Commission on Peace Officer Standards and Training to provide emergency vehicle operations training; and, authorized the CEO and the Sheriff to sign the agreement on behalf of the County – Sheriff 2008-690
- ***C1** Approved Amendment No. 1 to the McHenry Avenue Widening Agreement with Associated Engineering Group, Inc., to add additional engineering service for the McHenry Avenue Widening Improvement Project; authorized the Director of Public Works to execute the amendment; and, directed the Auditor-Controller to make the necessary budget adjustments per the financial transaction sheet – PW 2008-691

O’Brien/Grover (4-0)(Mayfield absent) **B8** Authorized the Chairman, CEO and the Sheriff to sign a contract for law enforcement services with the City of Waterford – Sheriff C-8-A-6 2008-692

O’Brien/Monteith (4-0)(Mayfield absent) **B9** Authorized the Chairman, CEO and the Sheriff to sign a contract for law enforcement services with the City of Patterson – Sheriff C-4-A-11 2008-693

Recessed at 11:29 a.m.

Reconvened at 11:39 a.m.

Grover/O’Brien (4-0)(Mayfield absent) **9:15 a.m.** Approved the appeal for Use Permit Application No. 2007-27, WAT Cambodian Church located at 1538 Grimes Avenue, Modesto; adopted the Negative Declaration 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-Recorders Office pursuant to Public Resources Code §21152 and CEQA Guidelines §15075; finds that: (A) the establishment, maintenance, and operation of the proposed use or building applied for is consistent with the General Plan designation of “General Agriculture” and will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the use and that it will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. Certain conditions have been added to ensure that the impact from this project is minimal, (B) the establishment as proposed will not be substantially detrimental to or in conflict with agricultural uses of other property

in the vicinity, (C) the parcel on which such use is requested is not located in one of the County's "most productive agricultural areas," as that term is used in the Agricultural Element of the General Plan; or the character of the use that is requested is such that the land may reasonably be returned to agricultural use in the future, (D) the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; **amended** Condition of Approval No. 8 to require the applicant to add a row of landscaping on the north boundary of the subject property; **amended** Condition No. 9 to require parking lots to be on the north side of the property between structure and the north boundary; accepted the applicants offer to eliminate the Meditation Hall, the second school building and the historic Cambodian home exhibit as set forth in the letter from Ron West dated 9/8/08; and, approved Use Permit Application 2007-27 -WAT Cambodian Church, subject to the attached Conditions of Approval as amended – Planning 2008-695

Grover/O'Brien (4-0)(Mayfield absent) **B10** Considered recommendations regarding StanCOG Blueprint Process; approved Staff Recommendation No. 2 approving the development of an Alternate Conceptual Growth Scenario that incorporates a combination of strategies that include incremental increases in housing densities and the use of green technologies; and, **amended** the Recommendation to work in conjunction with the cities – CEO 2008-694

Corr 1 Referred to the Sheriff, District Attorney and Chief Probation Officer, a copy of the Final Report from the California Commission on the Fair Administration of Justice.

Corr 2 Referred to the Department of Planning and Community Development and the Fish and Wildlife Committee, a notice from the U.S. Fish and Wildlife Service regarding new proposal to Designate Critical Habitat for California Red-Legged Frog.

Corr 3 Referred to the Department of Planning and Community Development, a notice from the City of Modesto and the Redevelopment Agency of the City of Modesto regarding a proposed amendment to their Modesto Redevelopment Master Plan.

Corr 4 Referred to the Auditor-Controller, a copy of the West Side Community Healthcare District's Financial Statement for the year ended 06/30/07.

Corr 5 Acknowledged receipt of claims and referred to the CEO-Risk Management Division the following claims: Ramiro Maciel; Roberto Chavez; and, Shelby Bucke.

Supervisor Grover asked Vice-Chairman DeMartini about last week's Retirement Board meeting. Vice-Chairman DeMartini gave a report regarding the Retirement Board's Strategic Planning and Investment Meeting that was held last week. He noted that \$137 million dollars was lost in the last year due to the economy. He stated that the Retirement Board has some significant problems with asset allocation, fund managers that are not performing, and accounting procedures that they currently have concerning excess earnings.

The CEO reported that staff is evaluating the overall impact of the State Budget and the trailer bills. The preliminary analysis shows projected losses in Safe Community budget units (public safety) of \$800,000, Healthy Community budget units at \$2.5 million, and Strong Local Economy budget units of \$600,000. Staff will continue to evaluate the impact to County funding and will keep the Board updated.

Adjourned to closed session at 12:53 p.m. for closed session: Conference with Legal Counsel
- Anticipated Litigation - One Case. Government Code §54956.9(c).

Adjourned at 1:34 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.)