

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA # B-10

Urgent ☐

Routine ☒

AGENDA DATE August 7, 2007

CEO Concurs with Recommendation YES ☐ NO ☐

4/5 Vote Required YES ☐ NO ☒

(Information Attached)

SUBJECT:

Consideration of the Report Regarding the Impact of the Proposed Salida Area Planning, Road Improvement Economic Development and Farmland Protection Initiative, and Approval to Either Adopt the Ordinance or Place the Measure on the November 6, 2007 Ballot.

STAFF RECOMMENDATIONS:

1. Pursuant to Elections Code section 9111, consider the report on the impacts of the proposed Salida Area Planning, Road Improvement, Economic Development and Farmland Protection Initiative.
2. Pursuant to Elections Code section 9116, take one of the following actions:
  - A. Adopt the ordinance without alteration; or
  - B. Order a special election pursuant to Elections Code section 1405 (a), and direct the County Elections Official to consolidate the election with, and place the measure on, the November 6, 2007 election.

FISCAL IMPACT:

County staff and cooperative agency personnel have conducted this review. Additional funding was not requested or utilized to conduct the analysis. Potential fiscal impacts associated with the proposed initiative are identified and discussed at length in the report as attached to this agenda item. The initiative requires the applicants to prepare a Fiscal Impact Analysis to ensure that development fully covers the cost of providing services to the area and that existing County residents are not financially burdened by

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BOARD ACTION AS FOLLOWS:

No. 2007-627

On motion of Supervisor Grover, Seconded by Supervisor Monteith  
and approved by the following vote,

Ayes: Supervisors: Grover, Monteith, and DeMartini

Noes: Supervisors: Mayfield, and Chairman O'Brien

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) ☒ Approved as recommended

2) ☐ Denied

3) ☐ Approved as amended

4) ☐ Other:

MOTION: Pursuant to Elections Code §9116, the Board approved Option "A" in Staff Recommendation No. 2; and, adopted the Initiative without alteration as Ordinance C.S. 1005

ATTEST:

  
CHRISTINE FERRARO TALLMAN, Clerk

File No. ORD-55-C-9

### **FISCAL IMPACT (CONTINUED):**

having to subsidize services to this area. The Fiscal Impact Analysis will cover the additional range of county government services. Costs to fund a special election are estimated at \$1.50 - \$2.00 per voter. With 208,000 active voters in the County, the cost of the special election is estimated at \$312,000 to \$416,000.

### **DISCUSSION:**

On July 10, 2007, the Board of Supervisors accepted the certification of the County Registrar of Voters that sufficient signatures were obtained by the proponents of the Salida Area Planning, Road Improvement, Economic Development, and Farmland Protection Initiative. The Board, pursuant to Elections Code section 9116, reviewed the three options for action on the proposed initiative, and chose to order a report of the impacts in accordance with Elections Code section 9111.

The Board directed the Chief Executive Officer to request appropriate County departments and other offices to review the proposed initiative and provide written comments on the impacts of the proposed initiative. To comply with Elections Code 9111, the report must be presented to the Board no later than the August 7, 2007 Board meeting.

The Overview and Formal Analysis report is the summation of this process and includes input from representatives of multiple disciplines and areas of expertise. The analysis addresses several areas including:

- The Initiative's fiscal impact.
- The Initiative's consistency with the County's General Plan and Specific Plan, including the housing element.
- The Initiative's effect on the use of land, the impact on the availability and location of housing, and the ability of the County to meet its regional housing needs.
- The Initiative's impacts on funding for infrastructure including transportation, schools, parks and open space.
- The Initiative's impacts on the Salida community's ability to attract and retain business and employment.
- The Initiative's impact on the uses of vacant parcels of land.
- Other matters identified by Board members or county staff.

The report begins with an Executive Summary followed by nine different content areas:

Consideration of the Report Regarding the Impact of the Proposed Salida Area Planning, Road Improvement Economic Development and Farmland Protection Initiative, and Approval to Either Adopt the Ordinance or Place the Measure on the Ballot for Voter Consideration  
Page 3

- Summary of the Initiative
- Legal Issues
- Fiscal Impacts
- General Plan Consistency
- Land Use and Housing
- Infrastructure
- Business Attraction and Retention
- Agricultural Perspectives
- Other Impacts

The report is intended to provide an objective review of potential impacts addressing the above items. The value of this report is that it allows the Board to make an informed decision about the proposed initiative. Unlike County-sponsored actions, the proponents of an initiative do not have to prepare an analysis of its potential impacts. The Elections Code authorizes the Board to order a report, which would include detailed information regarding the potential impacts of the proposed initiative if adopted. This report is intended to serve a function similar to environmental analysis and documentation required under the California Environmental Quality Act. The report gives interested parties an opportunity to review the report with regard to impacts and to make comments on the proposed initiative and its potential impacts.

After the Board receives and considers the report on impacts, the Board must take action on the initiative petition. Election Code section 9116(c) provides that when the report is presented to the Board of Supervisors, it shall either adopt the ordinance within 10 days or order a special election. The Board at the conclusion of the report and public comment will have two options:

1. Adopt the ordinance without alteration at the August 7 Board Meeting; or
2. Order a special election pursuant to Elections Code section 1405 (a), and direct the County Elections Official to consolidate the election with, and place the measure on, the November 6, 2007 election.

If the initiative is adopted by the Board, the ordinance would be effective immediately, and would constitute the second of four General Plan Amendments for 2007, permitted under Government Code Section 65358.

#### **POLICY ISSUES:**

Elections Code section 9116(c) and 9111(a) authorized the Board to order a report of impacts associated with the proposed initiative. At the conclusion of the presentation of the report, the Board should determine whether to adopt the ordinance pursuant to Elections Code section 9116 or order an election and

direct the County Elections Official to place the measure on the ballot for a special election not less than 88 days after the date of the order of the election pursuant to Elections Code section 9116.

**STAFFING IMPACT:**

There is no staffing impact associated with this item.

<b>Stanislaus County Overview &amp; Formal Analysis</b>
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<b>Proponent's Statement of Intent</b>
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<b>Summary of the Proposed Initiative by County Counsel</b>
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<b>Initiative Measure to be Submitted Directly to the Voters</b>
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<b>Ordinance C.S. 1005</b>
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