



LAND USE PLANNING

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March 11, 2009

Board of Supervisors
County of Stanislaus
1010 10th Street, Suite 6500
Modesto, CA 95354

City Council
City of Modesto
1010 10th Street, Suite 6200
Modesto, CA 95354

RE: Central Valley Ag and Building Permit # BLD2008-02320

Dear Honorable Board Members and Honorable City Council Members:

My firm has been hired by Modesto Empire & Traction, Co. to determine if the Public and Capital Facility fees it recently paid on a soft-sided storage structure were appropriate. Central Valley Agricultural Grinding has been actively engaged in an operation, which has occupied the grounds of the former Valley Inter-Modal. It is our hope that Central Valley Agriculture Grinding continues to grow its business and add additional support buildings and structures. Unfortunately, because of the pressure exerted by the Air Pollution Control District against Central Valley Agricultural Grinding, my client ran out of time to properly communicate with County and City staff about a possible facility fee credit resolution. We have tremendous history with County and City staff officials and I am confident that once our evidence has been shared with you, that this matter can be successfully resolved.

Our legal representative has properly instructed us to preserve our legal rights by filling the attached written protest letter within the statutory time frames. By copy of these letters, I am alerting your respective staff and committees, which deal with facility fee issues so that we might meet to address these issues outside of any court action. It is with sense of cooperation that I forward this correspondence to you directly.

Thank you for your attention to this matter and please feel free to call me at 599-8377 or email me at john@jbandersonplanning.com if you have any questions.

Respectfully,


John E. Anderson

cc: Joseph D. Mackil
County of Stanislaus PFF Committee and PFF Committee Chair
City of Modesto CFF Review Committee and CFF Administrator
George A. Petrulakis, Esq.
Dennis Wister
Tina Rocha

BOARD OF SUPERVISORS
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ATTACHMENTS AVAILABLE
FROM YOUR CLERK