

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

Regular Session

Tuesday

September 28, 1999

All Supervisors Present

Pledge of Allegiance to the Flag

The following individuals made comments regarding the fire at the Westley Tire Plant: Grace Cox, David Keller, Solange Goncalves, Karen Cox, Richard Harriman, and Maria (Carmen) Rico.

P/C unan. Adopted the consent calendar after removing consent item *B-10 Approval of Response from the Stanislaus County Board of Supervisors to the 1999 Final Report of the Stanislaus County Grand Jury from the consent calendar (1-2100)

Approved minutes for 9/21/99

Adopted and waived second reading of an Ordinance C.S. 703 to amend the Stanislaus County Board of Supervisors meeting time and location, Code Section 2.04.010

1999-725 ORD-54-D-3

Proclaimed 11/10/99 as National Philanthropy Day

1999-726

Appointed Rodney Smith to the Adult Day Health Care Planning Council 1999-727

Approved FY 1999/00 contracts with the California Department of Food and Agriculture and the California Crop Improvement Association and authorized the Agricultural Commissioner to sign the contracts for Nematode Control and Seed Certification 1999-728

Approved and authorized the Agricultural Commissioner to sign the following FY1999/00 contracts with the California Department of Food and Agriculture: Petroleum Products, Weighmaster, Seed Enforcement, and Nursery 1999-729

Adopted the 1% 1999/2000 Property Tax Rate authorized by Section 93(b) and 135 of the Revenue and Taxation Code; adopted Tax Rates to be levied pursuant to Revenue and Taxation Code 93(a) and 93 (c) that are "... needed to make a annual payments for the interest and principal on general obligation bonds or other indebtedness approved by the voters."; adopted the Countywide Unitary Tax Rate; adopted the .8714% Tax Rate for the territory formally served by the lower San Joaquin Levee District; and, authorized the Auditor-Controller to make the necessary funds transfer as permitted under State Education Code 46620 to insure adequate funding for bond obligations - Auditor-Controller 1999-730

Approved a resolution to levy the 1999/2000 Lighting District Benefit Assessment Rates and authorized the Auditor-Controller to add the Assessments to the 1999/2000 Tax Roll 1999-731

Approved and authorized the Animal Services Department to close the Animal Center at 5:00 p.m. instead of 7:00 p.m. on Wednesday, 11/24/99, and all day on Saturday, 11/27/99, consistent with the Thanksgiving Holidays 1999-732

Authorized the application for Bureau of Health Professional Training Grant, Department of Health and Human Services and authorized the Managing Director of the Stanislaus County Health Services Agency, or her Designee, to proceed with all activities required for the submission of the Grant Application 1999-733

- Authorized the filing of an application for grant entitled "Non-Motorized Trails Grant" by the Director of Parks and Recreation 1999-734
- Authorized the Sheriff to purchase bullet resistant vests for Deputy Sheriffs in Court Services; authorized the Sheriff to transfer Trust Funds from the Sheriff's Civil Process Fee Trust for the purposes of purchasing bullet resistant vests; and, directed the Auditor-Controller to transfer funds and return any unused funds to the Trust at the end of the Fiscal Year 1999-735
- Authorized the Sheriff to sign a contract with Evercom Inc., and an inmate telephone systems company for maximum of two years and authorized the extension of the original five year agreement for inmate telephone services to a total of seven years - Sheriff 1999-736
- Approved the STP Asphalt Concrete Overlay Project, Phase 9, as a Public Works Project; find and determine that the subject Project is categorically exempt under CEQA as it involves the repair and maintenance of an existing facility; and, authorized the Auditor-Controller to increase appropriations and estimated Federal Revenue in the project account by \$50 to cover the recording fee required by the Clerk 1999-737
- Introduced and waived the first reading of Ordinance C.S. 704 to amend Title 11 of the Stanislaus County Code, pertaining to traffic control to establish speed zones and no parking zones on various County roads and find that the Ordinance is not subject to CEQA 1999-738 ORD-54-D-4
- Approved the request made by Gina Anderson, on behalf of the Muscular Dystrophy Association, to hold a bicycle race on County Roads on 10/2/99 and authorized the Director of Public Works to issue a permit for the event subject to standard conditions 1999-739
- Set a public hearing for General Plan Amendment 99-08 for clarification of existing General Plan Text regarding Planned Development (P-D) Zoning within the Agricultural Designation for 10/12/99 at 9:35 a.m. 1999-740
- Introduced and waived the first reading of an Ordinance C.S. 705 relating to amendment of provisions to enforce the Stanislaus County Code; accepted and adopted the recommendation of the Planning Commission to repeal Chapter 21.116 of the Stanislaus County Code (Zoning Violation Abatement Hearings), as set forth in Section 1 of the proposed ordinance, and to amend Section 21.04.060 of the Stanislaus County Code, as set forth in Section 27 of the proposed ordinance; directed staff to prepare for Board consideration, a proposal to establish an Abatement Hearing Board as called for in Section 2.92.070 of the Stanislaus County Code, as amended by Section 6 of the proposed ordinance; and, find and determined that the resolution is not subject to CEQA 1999-741 ORD-54-D-5
- P/M (4-0)(Caruso Abstained) Accepted as amended the response from the Stanislaus County Board of Supervisors to the 1998-1999 Final Report of the Stanislaus County Civil Grand Jury to include the following in the response: that moving the Tallow Plant was not economically viable, that Staff was going to work with the Air Pollution Control District to evaluate other options to contain odors on site, and that a request for nuisance action by the District Attorney is still an option; that the Board expected appointed members of the Planning Commission to treat members of the public with respect and provide them proper attention during presentations, and that Board members have committed to speak to individual Planning Commission members; and, authorized the Chairman to forward it to the Presiding Judge of the Superior Court and directed the CEO

to ensure that the recommended actions be followed

1999-742 M-39-F-2 (1-2105)

M/P unan. Awarded the construction contract for the Emergency Dispatch Center Building Remodel to the low bidder, Roek Construction, for the base bid, plus alternates 2,3, and 5 in the amount of \$1,268,050; authorized the Project Manager to sign the contract on behalf of the Board, and to issue the Notice to Proceed upon approval of bonds and insurance; authorized the CEO and Auditor-Controller to make the necessary budget transfers and entries; and, authorized the CEO to negotiate and sign contracts for Quality Control Inspection Services for an amount not to exceed \$40,000 1999-743 (1-2900)

B/P unan. Adopted the FY 1999-2000 Annual Assessment Rates for the Del Rio Heights Landscape Assessment District and authorized the transfer of any balances into the General Reserve and/or the system replacement funds (funds shall retain all interest earned) for the Del Rio Landscape District-Parks 1999-745 (1-2520)

C/M unan. Find and determined that the proposed acquisition and purchase is not subject to the CEQA; accepted and adopted the findings of the Stanislaus County Planning Commission that the proposed acquisition and purchase is consistent with the General Plan; approved and authorized the Chairman to execute the agreement to sell and purchase real property adjacent to Frank Raines Regional Park; authorized the Chairman to execute the Grant of Easement; authorized the Director of the Department of Parks and Recreation to open an escrow to conclude the purchase transaction and to take all necessary and reasonable steps required to successfully close the escrow and complete the property acquisition; authorized the Director of Public Works and the Director of Parks and Recreation to take all necessary and reasonable steps to initiate and complete the purchase transaction, including, but not limited to authorization for the Auditor-Controller to issue a warrant in the appropriate amount to be deposited into escrow 1999-746 (1-2580)

B/C unan. Affirmed the Local Emergency Proclamation issued by the Director of Stanislaus County's Emergency Services on 9/22/99 due to the Westley Tire Fire and directed all appropriate action to be taken relative to the local emergency 1999-744 (2-2990)

M/B unan. Board found the State of Emergency Proclamation issued by the Director of Stanislaus County's Emergency Services too late for the agenda as item was requested after the agenda was prepared and that action on the resolution was necessary 1999-747(3-1000)

M/C unan. Affirmed the State of Emergency Proclamation issued by the Director of Stanislaus County's Emergency Services on 9/27/99 due to the Westley Tire Fire and directed all appropriate action to be taken relative to the State of Emergency 1999-748 (3-1050)

Referred to the Health Services Agency a letter from the Partnership for the Public's Health regarding participation with other health departments, communities, policy makers, Partnership staff, the Public Health Institute and The California Endowment in reshaping public health.

Referred to the Department of Parks and Recreation a notice of proposed regulatory action from the California Fish and Game Commission regarding sport fishing regulations in Title 14, California Code of Regulations

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Daniel Watts; George Solkah; Jose Ramos, Alicia Ramos, Jose Ramos, Jr., Jasmine Ramos, and Hector Ramos; Bobby Stanfill; and, Barbarino Benson Lewis

Supervisor Blom said the Heart Walk last Saturday, that Sheriff Weidman and he co-chaired, was a success and he wanted to express their greatest thanks to Lt. Erwin for all the work she did. He noted that the County participation was very excellent with over 800 walkers and the first count was that they made around \$68,000 which was \$20,000 over last year's event.

Supervisor Pat Paul noted that last night the Riverbank City Council adopted the Countywide Vision Plan and on Friday she attended an event that acknowledged the 4-H Club's participation in the construction of the our State Fair Exhibit which took First Place and asked that they be brought to the Board to be thanked

Supervisor Mayfield reported on his trip to Sacramento with Gordon Dewers and the State Director of Parks regarding the Turlock Lake concession. He said that another meeting would be held in late October to further explore a partnership with the State, County and TID.

The CEO noted that the State is about to conclude their legislative session and the Governor is signing or vetoing bills. In thirty days he will bring back a report on the outcome of these bills.

Adjourned at 10:47 a.m.

ATTESTED: REAGAN M. WILSON, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: Elizabeth King, Deputy 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.)