

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

October 12, 1999

Grace Cox spoke regarding the problem with the tire fire and quoted an article from the Modesto Bee. She complemented the Board on how it has been handled thus far and requested that the Board continue exploring every possible means available for putting out the tire fire.

David Keller spoke regarding continuing the effort to put out the tire fire and looking at all possible solutions and avenues to extinguish the fire.

Karen Cox spoke regarding the winter season and the impact that the winter season will have on the tire fire. She had the Board view a video regarding a special foam that is different from the foam that is currently being used to fight the fire and requested that the Board consider doing a demo offsite to test the use of the product to determine its effectiveness.

Rich Dodds spoke and complemented the Board on how they have handled the tire fire to date and discussed the EPA's role. He asked the Board to contact our elected officials in Sacramento and Washington to request that an allowance be made to test the new foam presented in the video provided by Karen Cox.

P/C unan. Adopted the consent calendar (1-1740

Approved minutes for 10/5/99

Adopted and waived the second reading of Ordinance C.S. 705 relating to an amendment of provisions to enforce the Stanislaus County Code 1999-793 ORD-54-D-5

Accepted the resignation of Patricia A. Kelly from the Animal Advisory Committee and directed staff to post the vacancy and send a certificate of appreciation to Ms. Kelly 1999-794

Accepted the resignation of William Killian from the Denair Municipal Advisory Board and directed staff to post the vacancy and to send a Certificate of Appreciation to Mr. Killian 1999-795

Proclaimed 10/23-31/99, as Red Ribbon Week in Stanislaus County

Commended Barrett Meiselman upon his retirement from the Stanislaus County Probation Department 1999-796

Ac Accepted grant of \$106,345 from the Office of Criminal Justice Planning for construction of a Police Sally Port at Juvenile Hall; authorized Kaplin, McLaughlin, Diaz (KMD) Architects to proceed with design development, construction documents and contract administration for a Sally Port entrance to Juvenile Hall; authorized the Contract Administrator to negotiate a Change Order with Acme Construction not to exceed \$93,161 for a Police Sally Port entrance to Juvenile Hall and exclude the fence and electric gate now in the design; authorized staff to negotiate contract modifications with KMD Architect and URS

- Greiner, the Construction Manager, for added scope of service; directed the Auditor-Controller to create a Project Fund to track Revenue and Expenditures of the Sally Port Project with a budget of \$118,161; and, directed the Auditor-Controller to transfer \$11,816 from Contingency in the Juvenile Hall Expansion Project to the new fund 1999-798
- A Approved a Contract Amendment with U.S. Money Order, Inc. for Food Stamp Coupon Issuance Services to extend the ending date to 12/1/2000 and to increase the transaction fee effective 1/1/2000; and, authorized the Director of CSA, or his Assistant Director Designee, to sign the amended agreement and any additional amendments not to exceed the transaction fee amounts as agreed to this date 1999-799
- Approved participation in Educational Stipend Program for hard to recruit positions at CSA 1999-800
- Approved submission of Reaccreditation Update form to the Council on Accreditation and authorized the Chair and the Director of CSA, or his Designee, to sign the update form 1999-801
- Authorized the Director of DER to apply, contract for and receive grant funds from the California Integrated Waste Management Board Used Oil Opportunity Grant Program; approved the 28-Month Grant Budget; authorized the Auditor-Controller to make any necessary adjustments based on the final grant amount within the existing Environmental Resources Fund and Organization Account and roll forward Unexpended Appropriations into FY 00/01 and 01/02; authorized the Auditor-Controller to set up a Project Number for this grant if funding is received; and, authorized the Director of DER to contract with Ecology Action, Inc. and the City of Ceres as specified in the Grant Budget 1999-802
- Approved the list of providers who are being Credentialed by the Managed Care Services Division of the Department of Mental Health as Behavioral Health Panel Providers for National Health Plans; approved the list of providers who are being Credentialed by the Managed Care Services Division of the Department of Mental Health as Mental Health Panel Providers for Medi-Cal; and, authorized the Chair to sign the Provider Panel Form 1999-803
- Continued the Local Emergency Proclamation issued by the Director of Emergency Services on 9/22/99 due to the Westley tire fire and directed all appropriate action be taken relative to the Local Emergency 1999-804
- Approved a full day holiday for 12/24/99 and authorized the closure of County offices on Friday, 12/24/99 1999-805
- Authorized the Auditor-Controller to transfer from the Sheriff's State Asset Forfeiture Trust to the Sheriff's Dedicated Revenues Budget \$32,000 as outlined on the Transfer Form; authorized the Sheriff to purchase a Protective Bomb Technician Suit and accessories up to a total cost of \$16,000; authorized the Sheriff to purchase three trained canines and expend the necessary money for the transportation to Stanislaus County, up to \$16,000; and, authorized the Sheriff to transfer any unused funds back into the State Asset Forfeiture Trust 1999-806
- Approved the FY 1999/00 USDA Agreement and authorized the Agricultural Commissioner to sign the agreement 1999-807

- Approved Program Supplement No 149, a Funding Agreement for the preliminary engineering for improvements at the intersection of Finch Road and Mariposa Road; authorized the Chair to execute Program Supplement No. 149; and, approved funding allocations for preliminary engineering as detailed on the Financial Sheet 1999-808
- Approved the abandonment and disposition of County property located along Taylor Court near Turlock and authorized the Chair to sign the enclosed Grant Deed to Toy Russell Fields, Jr. and Tamara Fields 1999-809
- Adopted a Resolution to Summarily Vacate portions of Avenue "A" in the Curtis Tract lying between Faith Home Road and Washington Road 1999-810
- Found that all subdivision improvements, required for Gibbs Ranch by the Subdivision Improvement Agreement, executed by Harrison L. Gibbs and the Stanislaus County Board of Supervisors on 8/12/97, and recorded on 8/13/97, as Document No. 97-0062427-00, Stanislaus County Records, have been constructed to the satisfaction of Stanislaus County; accepted all streets, avenues, roads, and the drainage system within Gibbs Ranch, for maintenance by Stanislaus County; authorized, pursuant to Section 66499.7(A) of the Subdivision Map Act, the release of Performance Bond No. BA 2341 that was issued by Contractors Bond and Insurance Company, Inc. in the amount of \$350,000 for Faithful Performance of the Subdivision Improvement Agreement; and, authorized pursuant to Section 66499.7(B) of the Subdivision Map Act, the release of Labor and Materials Bond No. BA2341 that was issued by Contractors Bond and Insurance Company, Inc. in the amount of \$350,000 for payment of Labor and Materials 1999-811

P/C unan. Accepted the Status Report on the Stanislaus County Hazardous Materials Response Team 199-812 (1-2920)

P/C unan. The Board ordered the filing of a Mitigated Negative Declaration based upon the Initial Study, staff reports, testimony received and other project amendments and information submitted by the applicant and commenting agencies; finds that all significant impacts have been mitigated to insignificant levels; finds specifically that the land at this location, at this time, is not considered prime agricultural land as it is a high water usage parcel and has some problems that have been described by Board members in the past about issues and productivity; Board also finds that the proposed General Plan amendment is consistent with the overall goals and policies of the Land Use Element of the County General Plan, and the overall General Plan, and that this use is compatible with surrounding uses; Board approved the General Plan Amendment No. 99-05 to change the general plan designation and rezone a 23-acre parcel from Agriculture (A-2-40) to Planned Development (PD) to allow construction of a 232,000 square foot mini-storage facility on approximately 15.4 acres of this site with the remainder of the site remaining undeveloped at this time, a 2,400 square foot caretaker's residence and office building, and a 3.7 acre outdoor RV storage area located at the northwest corner of Kiernan and Tunson Roads, in the Modesto area for Derrel A. Ridenour; finds that the proposed PD zoning is consistent with Planned Developed General Plan designation and specifically finds that all the findings set forth in the staff report can be and, are, made; finds the project will intensify the use of the site, thereby necessitating dedications and improvements; and, approved Rezone Application No. 99-11 and adopted and waived the reading of Ordinance C.S. 706, subject to the Development Standards set forth in the staff report and amended by the Planning Commission (1-2980)

Recessed at 10:47 a.m.

Reconvened at 10:52 a.m.

B/M unan. Adopted General Plan Amendment No. 99-08, a text change to the “zoning” paragraph of the “Agricultural” designation in the General Plan in order to clarify the uses that may be zoned Planned Development (PD) in the Agriculture land use designation 1999-815 (2-2887

Acknowledged receipt of claims and referred to the CEO/Risk Management the following claims: Lassen Gold Mining, Inc.; Diana Esquivel; Bryan Walters Jr.; Nathan L. Fulton; Ruth O. Sita; and, Richard Wall.

Supervisor Mayfield commented on how the Assessor’s Notice of Evaluation did not explain, directly on the notice, the mistake they had made in calculating the property taxes; however, he noted that it had been published three consecutive days in the Modesto Bee.

The CEO informed the Board that the Governor signed SB 29 which returns Tobacco Tax Revenue to Stanislaus County and thanked Gary Condit and the Governor for making this a reality. Also thanked Supervisor Caruso and Supervisor Paul on all their efforts including the many phone calls they made to the State regarding this issue.

The CEO spoke on the progress of the tire fire in Westley and discussed the cost issue of fighting the fire and the importance of the EPA’s willingness to fund the expense. He expressed that he sympathizes with Ms. Cox’s opinion on how the issue should be handled regarding the use of the alternate foam.

Supervisor Paul requested Chief Richards to explain the issues regarding the use of the alternate foam by the EPA. Chief Richards informed the Board of his opinions on the use of the alternate foam, but noted that he doesn’t deal directly with the EPA. He noted that the Williams Company has made significant progress on the slope areas of the fire which has been a real concern. They are currently bulldozing the mountains behind the slopes down onto the top of the slopes to help control and extinguish the fire. The CEO mentioned that he doesn’t want anyone thinking that the County is sitting back and letting the EPA single-handedly run the show. He wants it to be clear to everyone that the County is in daily contact with the EPA regarding the handling of the tire fire. The CEO noted that staff will do everything possible to put pressure on the EPA to try the new alternative foam. He noted that at the Patterson High School meeting that there were 244 questions which included the winterization of the tire fire area. George Stillman informed the Board that Public Works is working with the EPA to develop a winterization plan for the pond and to prevent any clear water run off from becoming contaminated by the tire fire site.

Adjourned at 11:45 a.m.

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

BY: Lillie L. Farriester, 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.)