

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

November 2, 1999

Vivian Look from the California Healthy Cities and Communities presented a Special Achievement Award to the Community Services Agency, City of Modesto, and United Way of Stanislaus County from the California Healthy Cities and Communities for their Collaborative Community-Based Services Joint Request for Proposals (1-104)

Grace Cox spoke regarding adverse health effects due to the tire fire in Westley and the responsibility of fire prevention at the site. She also thanked the Board for all their efforts in extinguishing the fire.

Karen Cox spoke regarding the shared responsibility of the tire fire cleanup by the County and the Integrated Waste Management Board. She requested that the County share information with the public on the cleanup method to be used at the site and noted that West Side residents do not want the remaining tires to be buried with dirt, but would like to see all the tires removed from the site. She also asked that Stanislaus County assist with extinguishing the tire fire still burning in Tracy. The CEO responded that he would be happy to comply with her request.

Miguel Donoso spoke regarding the increasing use of bicycles by the gang community as a means of transportation for selling drugs and requested the County to implement an ordinance to require a fee for a bicycle permit to help discourage the use of bicycles for this type of activity. He also requested that the County intervene to help control the drug related gang activities in local parks.

John Mataka addressed the Board regarding the hearing held by Assemblyman Cardoza pertaining to the Westley tire fire and the number of tires allowed at the plant during the cleanup effort. He requested the County inform him as to who the owner is of the air quality monitoring equipment that was removed from Patterson High School and requested that the Board form a task force with at least two citizens from the West Side for monitoring the Filbin tire site. The CEO noted that the California Air Resources Board moved the equipment to northern California due to the fires in that area.

(P/B unan.) Adopted the consent calendar after removing from consent item *D-2 - Vesting Tentative Subdivision Map Application No 99-03 - Hillsborough Estates (1-2166)

Approved minutes for 10/26/99

Reappointed Les Detmer to the Hickman Municipal Advisory Council 1999-852

Reappointed Rachel Hicks to the Crows Landing Community Services District 1999-853

Reappointed C. Bruce Orvis and Roy J. Orlando to the Rock Creek Water District
1999-854

Appointed Gregory Petz and reappointed Lee DelDon to the West Stanislaus Irrigation District
1999-855

Adopted and waived the second reading of Ordinance C.S. 707 relating to traffic
violations within highway construction or maintenance areas 1999-856

Accepted resignation of Garland Goesch from the Burbank-Paradise Fire Protection District 1999-857

Appointed Timothy Heyne and Wayne Marcus to the Stanislaus County Groundwater Coordination Advisory Committee 1999-858

Appointed Jennie Santillom to the Empire Sanitary District 1999-859

Set a public hearing on 11/16/99, at 7:45 p.m. to consider an appeal of the Planning Commission's approval of Subdivision Application No. 99-03 for Hillsborough Estates 1999-860

Approved the submission of a grant application by the Agricultural Commissioner to the California Consumer Protection Foundation for purchasing a scanner test gun, software, and for producing a Weights and Measures Consumer Pamphlet 1999-861

Declared 18 County owned vehicles as surplus equipment and authorized these vehicles to be auctioned; and, directed the Auditor-Controller to deposit all receipts from the sale of these vehicles into Fleet Services Account #4600, Sale of Fixed Assets 1999-862

Authorized the CEO to negotiate and execute a one-year Farm Management Contract with Sunflower Management Company, Inc., for the operation and management of the County's agricultural property located adjacent to the Fink Road Landfill; authorized the Treasurer/Tax-Collector to open a Fink Road Landfill (Agricultural Property) Account at the Sanwa Bank (Crows Landing Branch); and, authorized the Auditor-Controller to deposit funds into the Fink Road Landfill (Agricultural Property) Account to cover the cost of operating and maintaining the agricultural property as set forth in the Farm Management Contract 1999-863

Approved two amendments to the Affiliation Agreement between the County of Stanislaus and the Regents of the University of California Davis School of Medicine and authorized the Managing Director of HSA to sign the amendments 1999-864

Authorized the Sheriff to contract with the Office of Education to provide a part-time School Resource Officer and directed the Auditor-Controller to increase Appropriations and Estimated Revenues 1999-865

Authorized a Space Lease Agreement with the California Department of Food and Agriculture (CDFA) at the County's Agriculture Center; authorized the use of existing Appropriations not to exceed \$30,000 in the CEO's Economic Development Budget Index for tenant improvements, to be reimbursed by the California Department of Food and Agriculture; authorized the CEO to sign the necessary construction agreements to complete the necessary tenant improvements; and, authorized the CEO, or his Designee, to sign the Lease Agreement 1999-866

Approved Program Supplement No. 126-R1, a Funding Agreement for the reconstruction of the metal beam guardrail and bridge rail systems on Las Palmas Avenue Bridge at San Joaquin River; and, authorized the Chairman to execute the agreement

Approved Program Supplement No. 128-R1, a Funding Agreement for the reconstruction of the metal beam guardrail and bridge rail systems on the Shiloh Road Bridge at Tuolumne River; and, authorized the Chairman to execute the agreement 1999-867

Approved Program Supplement No. M018, a Funding Agreement for Federal Aid Project No. STPL-938(087), STP AC Overlay Project, Phase 9, covering preliminary engineering, construction, and construction engineering; and, authorized the Chairman to execute the agreement 1999-868

Approved the request by "On Your Mark" to hold a duathlon bicycle/foot race event on Sonora Road and Shuper Road in the Knights Ferry area on 11/6/99; and, authorized the Director of Public Works to issue a permit for the event subject to standard conditions 1999-869

Approved Salida Storm Drain Account expenditure to David Hall Masonry, Inc.; approved Salida Road Account expenditure to O'Dell Engineering; approved Salida Park Account expenditure to Ross F. Carroll, Inc.; authorized the Auditor-Controller to issue a warrant in the amount of \$6,660.00 to David Hall Masonry, Inc.; authorized the Auditor-Controller to issue a warrant in the amount of \$1,560.00 to O'Dell Engineering; authorized the Auditor-Controller to issue a warrant in the amount of \$2,098.53 to Ross F. Carroll, Inc.; and, authorized the Auditor-Controller to issue a warrant for the retention payment in the amount of \$233.17 to Ross F. Carroll, Inc. upon completion of the project and acceptance by the Department of Public Works 1999-870

(B/M unan.) Accepted and approved the Feasibility Study for the Regional Center for the Performing Arts by Knudson-Benson Associates, RDC Project Development and Mitze Productions; directed the CEO to work with the City of Modesto in evaluating financing strategies, contractual and legal strategies including the establishment of a JPA similar to the JPA for 10th Street Place; authorized the CEO to negotiate an agreement in cooperation with the City of Modesto with the Central Valley Center for Performing Arts for the purpose of providing community capital, operations of performing arts facility and participation in project management including architect selection and design; authorized the CEO and the City Manager of Modesto on behalf of the proposed JPA to negotiate an agreement with the Gallo Family regarding terms and conditions of their proposed \$10,000,000 contribution; authorized the CEO in cooperation with the City Manager of Modesto to create a Capital Projects Team; authorized the CEO in cooperation with the City Manager of Modesto to begin the architect and construction management selection process; and, acknowledged that the staff recommendations are for purposes of establishing for the Board and City Council the additional information needed to make a final decision on the project by mid-December 1999 1999-871 (1-2734)

(B/P unan.) Accepted the selection of Centromine and authorized the Mental Health Director, or his Designee, to negotiate a software License Agreement and implementation of the managed care portion of the Care Management System using server equipment managed and maintained by Exodus Communications; authorized staff to continue to collaborate with Solano and San Joaquin counties to develop California-Specific requirements for Centromine Care Management System and to share in the cost of procurement and implementation planning; and, accepted the Department's plan to return to the Board for authorization to proceed with full implementation of the Care Management System after additional cost details are determined 1999-873 (2-2028)

(M/C unan.) Authorized the acceptance of funding from the State Department of Mental Health to expand specialized services to individuals with a serious mental illness who are homeless or at risk of being homeless; authorized the Mental Health Director to execute agreements with existing appropriate partner organizations; and, directed the Auditor-Controller to establish Appropriation and Estimated Revenue 1999-874 (2-1364)

No action was taken on item *D-2 - Vesting Tentative Subdivision Map Application No. 99-03 - Hillsborough Estates which was removed from the consent calendar due to item *A-8 being on the same agenda. 1999-872

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Lester Kincanon; Michael E. Murphy; Bradley J. Davis; and, Jeremy Hernandez.

Supervisor Paul reminded everyone to vote and requested an update from staff on the Tallow Facility. She also requested that a study be done on the County's fees and permit process. The CEO said he would do a new study of the County's fees and permit process and provide the Board with a report.

The CEO said that the County will put together a regulatory history of the tire fire site in Westly which will include documents reflecting the earliest enforcement action pertaining to site. He noted that he will be meeting with the State Waste Management Board and the EPA regarding the responsibility of the cleanup of the site and the winterization of the site. He said that the County has always pursued enforcing its obligations in relation to the PD 91 zoning requirements at the tire fire site. He mentioned that the Health Clinic will continue to operate at the Patterson High School through 11/99 for those continuing to experience health problems. Chairman Simon suggested that a public meeting be held covering all the tire fire issues and the CEO agreed that this should be done.

Counsel Mick Krausnick spoke regarding the inaccuracies of several Modesto Bee articles pertaining to litigation issues involving the Filbin Tire site. He urged all interested parties to read the litigation documents and the 1989 Settlement Agreement which will be provided to the public upon request.

The CEO said that there will be a Board Report on 11/9/99 to provide an update on the Tallow Facility and the future plans to mitigate the odors at the site. He advised the Board that last week President Clinton signed into Public Law 106-82 which conveys 1,582 acres of land from the NASA to the County of Stanislaus for the Crowslanding Air Station. He also noted that today's meeting is the last meeting to be held by Stanislaus County in the 1100 H Street County Administration Building Chambers and that next Tuesday's Board meeting will be held in the new "Tenth Street Place" County/City Administration Building located at 1010 10th Street. He informed the Board that there have been over 920 Board of Supervisors' meetings held in the 1100 H Street County Administration Building Chambers since the building was first occupied by the County in 1976 and that the Board has taken over 27,000 actions embodied in Resolutions.

Supervisor Paul left at 11:00 a.m.

Adjourned at 11:10 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.)