

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

Regular Session

Tuesday

June 6, 2000

All Supervisors Present

Pledge of Allegiance to the Flag

Grace Cox spoke regarding her concerns about the cleanup efforts at the Westley tire fire site and asked if a specific County employee is responsible for site visits and monitoring of the cleanup effort to insure proper compliance.

John Mataka asked the Board to make a request to the appropriate agency for well water testing at Grayson schools. He also voiced his concerns regarding the Hispanic representation on the Proposition 10 Children and Families First Commission and stated that he would like to see a representative of the West Side be appointed to the commission.

P/M unan. Adopted the consent calendar

Approved minutes for 5/23/00

Authorized the Chairman of the Board to vote in support of increased assessments on Proposition 218 ballots regarding increased assessment of County properties located in the Salida Lighting District 2000-423

Authorized the Chairman of the Board to vote in support of increased assessments on Proposition 218 ballots regarding increased assessment of County properties located in the Crows Landing Lighting District, the Empire Lighting District, the Fairview Tract Lighting District and the Olympic Tract Lighting District 2000-424

Authorized the Chairman to vote in support of the increased assessments in County Service Area No. 10 for each of the nine parcels owned by Stanislaus County 2000-425

Proclaimed 6/10/00 as the Day of Portugal in Stanislaus County 2000-426

Appointed Rob Ellett to the Economic Development Action Committee 2000-427

Appointed Nancy M. Smith to the Animal Advisory Committee 2000-428

Approved commendation for Bette Belle Smith as the recipient of the 2000 Governor's Exemplary Older Worker Award 2000-429

Approved and authorized the Chairman to sign the revised FY 1999/00 Pest Detection Contract with the California Department of Food and Agriculture – Agricultural Commissioner 2000-430

Set a public hearing on 7/11/00 at 9:40 a.m. to consider an amendment to Chapter 7.32, Section 7.32.180 of the Stanislaus County Code to approve the mandatory microchipping of bite dogs and directed the Clerk of the Board to advertise the public hearing – Animal Services ORD-54-F-3 2000-431

- Set a public hearing on 7/11/00 at 9:45 a.m. to consider an addition, Section 7.20.015, to the Stanislaus County Code for the purpose of increasing Dog License Fees and directed the Clerk of the Board to advertise the public hearing – Animal Services
ORD-54-F-3 2000-432
- Set a public hearing on 7/11/00 at 9:50 a.m. to consider the addition of Stanislaus County Code Section 7.32.190 to Chapter 7.32 – Fine for Impounded Nonspayed or Unneutered Dog(s) – to allow the Department of Animal Services to collect an additional fine for unaltered impounded dogs, pursuant to the mandate of Section 30804.7 of the California Department of Food and Agriculture Code and, directed the Clerk of the Board to advertise the public hearing ORD-54-F-4 2000-433
- Authorized the Public Works Department and Fleet Services Department to purchase Compressed Natural Gas (CNG) vehicles collectively totaling \$1,039,000 in value and authorized the Auditor-Controller to make the necessary appropriations adjustments 2000-434
- Appointed Lyndalee Whipple to serve as an Alternate on the Dispatch/Response Task Force for Jeff Jue and accepted the verbal resignations of John Wilson, Consumer Representative and Randy Pirtle, Community Representative, from the Dispatch/Response Task Force – Health Services Agency 2000-435
- Approved the renewal of the agreements between the County of Stanislaus and Scenic Faculty Medical Group to provide both administrative and teaching related services at Stanislaus County Health Services Agency and authorized the HSA Managing Director, or her Designee, to sign the agreements with Scenic Faculty Medical Group, Inc., for the period from 1/1/00 through 6/30/02 2000-436
- Approved the CEO's guidelines for the new Stanislaus County Logo 2000-437
- Amended the Salary and Position Allocation Resolution to add one Office Systems Specialist to the Family Law Facilitator Budget Unit, effective 5/22/00, for statistical gathering in the Family Law Facilitator Program; and, directed the Auditor-Controller to increase appropriations in the Family Law Facilitator Budget Unit – Superior Court 2000-438
- Approved contract CO #1 for the rail modification of Las Palmas Avenue Bridge at San Joaquin River Project contracted with PC&N Construction, Inc., of Brentwood, CA and authorized the Purchasing Department to increase the contract amount for an estimated total contract cost of \$203,826 2000-439
- Approved contract CO #1 for the rail modification of Shiloh Road Bridge at Tuolumne River Project, contracted with PC&N Construction, Inc., of Brentwood, CA and authorized the Purchasing Department to increase the contract amount for an estimated total contract cost of \$163,908 2000-440
- Approved the Transportation Development Act Claim for FY 2000/2001 and authorized the Director of Public Works to execute and submit it to Stanislaus Council of Governments (StanCOG) 2000-441
- Find that the Final Map for Oakmore Estates Subdivision, Phase 2 is in substantial compliance with the previously approved Tentative Map; find that Stanislaus County has adopted a Specific Plan covering the area proposed to be included within the Final Map; find that the Final Map, together with the provisions for its design and improvement, is consistent with the Specific Plan for the area; that all roads, highways, streets, avenues, alleys, lanes, ways, easements and places not be

accepted at this time, but reserve the right to accept at any future time; authorized the Chairman to sign the Final Map and Subdivision Improvement agreements; and, authorized the Final Map to be filed and recorded as presented 2000-442

S/M unan. Approved authorizing the State Department of Mental Health to withhold and transfer funds in the amount of \$46,920 for FY 2000/2001 to the California Mental Health Directors Association to fund an Administrative Services Organization that will arrange for the provision of Mental Health Services for Medi-Cal eligible children from Stanislaus County who are placed out-of-county and authorized the Mental Health Director to approve similar transfers of funds, not to exceed \$46,920, to the California Mental Health Directors Association in future years – Behavioral Health and Recovery Services 2000-443

M/P unan. Approved, as amended, the request to change the zoning on a 12.07 acre parcel from A-2-10 UT to A-2-3 and to create four (4) three-acre parcels; ordered the filing of a Mitigated Negative Declaration, based on the Initial Study, and subject to the Mitigation Monitoring Plan; find that the project is consistent with the Stanislaus County General Plan and, specifically, the Denair Community Plan; approved Exception Application #2000-02 for Roberta T. Anderson; stated that the findings necessary to grant approval of the exception can be made; approved the Parcel Map Application #2000-04 subject to the approval of the rezone request and subject to the amended Conditions of Approval; approved Rezone Application #2000-05 and adopted and waived the readings of Ordinance C.S. 730 for the rezone; and, amended the item to require the applicant, prior to recording the final map, to develop and record Covenants, Conditions and Restrictions (CC&Rs) to be reviewed by the Department of Planning and Community Development and, that said CC&R shall require that owners of lots within the project area shall be responsible individually and collectively for all repair and maintenance of the private access road serving all four parcels ORD-54-F-5 2000-451 & 2000-452

M/P unan. Authorized the purchase of a mobile surveillance van and related equipment as provided in the Stanislaus Methamphetamine Task Force Grant and directed the Auditor-Controller to transfer the funds – Sheriff 2000-444

B/S unan. Authorized the Sheriff to accept a \$115,550 Office of Criminal Justice Programs (OCJP) Grant under the California Law Enforcement Technology Equipment Purchase Program; directed the Auditor-Controller to increase Estimated Revenues and Appropriations; directed the Auditor-Controller to carry forward any unused funds at Fiscal Year end; and, authorized the purchase of mobile laptop computers 2000-445

Recessed at 10:00 a.m.

Reconvened at 10:05 a.m.

B/M unan. Authorized the District Attorney to accept a \$292,625 OCJP Grant for the Rural Crime Task Force; directed the Auditor-Controller to increase Estimated Revenues and Appropriations; directed the Auditor-Controller to carry forward any unused funds at Fiscal Year end; authorized the purchase of equipment; and, amended the Salary and Position Allocation Resolution to add two Deputy Sheriff-Coroners – District Attorney 2000-446

S/B unan. Approved the final modifications to the Radio System for the City-County Emergency Dispatch Project; authorized the CEO to finalize negotiations and execute contract COs #2 and #6 with Telecom for the backup radio system to include recommended system modifications; and, authorized the CEO and Auditor-Controller to make necessary budget transfers and entries upon execution of the change order 2000-447

B/S unan. Authorized the CEO and Debt Advisory Committee to proceed with the securitization of the County share of the Tobacco Settlement Revenues; authorized the CEO to enter into an agreement with Leifer Capital to provide the work necessary to analyze and structure the financing, obtain bond counsel, disclosure counsel, underwriter, rating agency and other experts needed to complete this financing and authorized the CEO to enter into such agreements as necessary to obtain these services; authorized the CEO and Auditor-Controller to make adjustments in the Financing Authority Budget and to establish such other budgets as needed to complete this financing; authorized the Treasurer-Tax Collector to develop long term investment recommendations for the proceeds from the contemplated financing; authorized the County Counsel to establish a special purpose corporation for the sole purpose of this financing; and, directed the CEO to return to the Board for final recommendations prior to proceeding with the financing 2000-448

S/M unan. Accepted the Status Report of the Animal Services Adoption Center Project and general facility matters 2000-449

Supervisor Paul absent at 11:05 a.m.

B/M unan. (4-0) (Paul absent) Adopted a resolution of support for the retention of the 209 Area Code in Stanislaus County; advise the CPUC that of the existing relief alternatives, the Board supports Alternative 9.A.; advise the CPUC that the "Foster Farms" proposed alternative should be given serious consideration and depending on the "Projected Life" estimate and meeting other CPUC criteria, the Board may approve the Foster Farms proposal as the preferred alternative; authorized County Staff, in conjunction with other coalition members, to contact public agencies, private businesses, and citizens in Stanislaus County to urge the CPUC to retain the 209 area code in Stanislaus County; and, authorized County staff to submit additional supporting documentation to the CPUC advocating the Board's position 2000-450

Accepted report from County Staff regarding the Filbin Tire Pile in Westley, California.

Bill Cox spoke regarding his wish to have the County continue with overseeing the cleanup efforts at the Westely tire fire site.

Karen Cox spoke on behalf of the Westley Citizens Committee's concerns regarding health issues, responsible cleanup, and looking into statewide alternative recycling methods of waste tires already implemented in states such as Hawaii, Arizona, and Minnesota. She requested that a health study be conducted as to the health effects on the children in the three schools affected and that mechanisms be implemented to expedite warnings to the public of the various health effects and dangers in the event of a similar hazard occurring in the future. She also requested

the County to continue encouraging the State to speed the cleanup of the site and to characterize exactly what type of waste product it should fall under.

John Mataka spoke regarding his concerns relating to the thorough cleanup of the buried tires still located at the staging/platform area that was used to burn the tires.

Supervisor Paul returned at 11:20 a.m.

Referred to the Chief Probation Officer a letter from the State Board of Corrections finding that Stanislaus County continues to successfully mitigate the crowded conditions that exist at the juvenile hall by adjustments to the facilities' programs, staffing and operations.

Referred to the DER and to the Agricultural Commissioner the State Water Resources Control Board's Notice of Petition for Temporary Change involving the transfer of 75,000 acre-feet of water to the United States Bureau of Reclamation for use within seven counties, including Stanislaus County.

B/P unan. Accepted report from the U.S. Fish and Wildlife Service regarding the availability for public comment of the draft California Red-legged Frog Recovery Plan and accepted a copy of the plan; and, referred the report and plan to the Agricultural Commissioner 2000-453

P/S unan. Accepted the Stanislaus County 1999-2000 Civil Grand Jury Final Report Part Twelve for the Valley Home Fire Protection District Valley Home Fire Association 2000-454

Supervisor Paul requested that a letter be sent to the Grand Jury Foreman to clarify the division of legislative responsibilities and the rules and regulations that govern this Board's realm of authority over the special districts and elected officials to such boards. The CEO stated that he would follow-up with an appropriate letter.

Referred to the DER and the Agricultural Commissioner letters from the University of California, Davis; California Department of Fish and Game (two letters); and, United States Department of Agriculture regarding their intent to submit a proposal to the CALFED program for funding.

Acknowledged receipt of claims and referred to the CEO-Risk Management the following claims: Angel Herrera, Athena Herrera and Angel Herrera by & through their guardian ad litem Angel Herrera; Thomas Hawkins, Jr.; Jorge Octavio Salcedo Rivas, Jr., a minor; Margaret Gonzalez; Lucy Susan Johnson; and, Albert J. Villarrial.

Supervisor Paul absent at 11:57 a.m.

Supervisor Blom stated that he continues to receive many complaints regarding the limited timeframe set by the Clerk-Recorder for obtaining passports and requested a report be brought back to the Board on how this is progressing.

Supervisor Simon commented on this morning's newspaper article regarding the loss of another major telephone business in the area and SCEDCO's comments about the lack of available buildings to fit the size required for such companies and, inquired as to whether there are contractors who build speculative 50,000 square foot buildings prior to having a buyer/lessee. In addition, he voiced his concern over SCEDCO's statement in the article which seemed to imply that the County doesn't have a fast tracking permit system, and stated that this assumption is inaccurate information that needs to be corrected due to the newspaper being widely read by people willing to locate within the County.

The CEO pointed out that the County has gone through a series of studies and has identified land that is appropriate for industrial zoning and, is currently in the EIR process on the West Side, Salida and Keyes areas in terms of appropriate zoning. He also stated that staff has been directed to look at ways to address the in-ground infrastructure so that in the event someone does want to come in and speculate, all they would need to do is erect a building. He said the County is currently in the process of making this a viable option.

Supervisor Mayfield commented on the article regarding mitigation of pollution in the valley and the expense involved.

B/M (4-0) (Paul absent) Approved sending letters of support for full funding of In Home Supportive Services costs related to AB 1682 and authorized the Chairman to sign the letters
2000-455

Adjourned to Closed Session at 12:05 p.m. Conference with Legal Counsel: Anticipated Litigation Significant Exposure to Litigation - one potential case. Government Code 54954.5(c)

Adjourned at 12:20 p.m.

Attended the dedication of the Stanislaus County Juvenile Hall Expansion at 12:00 noon, located at 2215 Blue Gum Avenue, Modesto.

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

BY: LILLIE L. FARRIESTER, Assistant Clerk to 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.)