

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

February 13, 2024

Invocation was given by Reverend Scott Elliott with Big Valley Grace Community Church.

Chairman Grewal presented a commendation to Caroline D. Pham, U.S. Commodity Futures Trading Commissioner.

Tony Vartan, Director of BHRS, gave an update related to the Behavioral Health Adult Residential Facility Provider Network and an agreement with A&A Health Services, LLC, for the provision of adult residential program services.

Debbie Martinez, founder of We Are La Raza Parents Union, Latino Community Roundtable Educational Liaison, and a member of the CRLA Education Committee, spoke in opposition to the Behavioral Health Adult Residential Facility being located near a junior high school in Turlock. She shared concerns regarding the school to prison pipeline, misused funding, and the time it took to open a family resource center in Turlock. She also spoke regarding a grievance with SCOE concerning a child who broke his finger.

Grady Welch spoke regarding the Behavioral Health Adult Residential Facility presentation on today's agenda. He noted that while he worked for the California Department of Corrections for 27 years, he dropped off hundreds of parolees at adult residential facilities, mostly out of county. He shared that if the County does not fill these beds, the beds will be filled with parolees which will be a burden to resources in the DA's office. He agrees with Supervisor Withrow that these programs are needed. He voiced concerns that the prisons no longer have these programs since AB 109 was passed, and how this has impacted parolees with untreated addictions and homelessness. He is concerned with having this facility near schools.

Betty Dominici, CEO and Co-Founder of A&A Health Services, shared that the only contract they have is with Stanislaus County and that a Parole Officer cannot drop someone off at their facility. They are heavily regulated and licensed by the Department of Social Services and have never had an incident with any of their clients. She shared her family's experience with mental health issues. She noted that A&A Health Services is seeking a license for 84 beds, not 120 beds as reported by the media. She shared that they want to be a good partner with the County and the City of Turlock and that they are here to educate, provide services, and help people.

Karlha Arias shared she is in active recovery and has been free of alcohol for 3.5 years. She used a 12-step program to get her there. She noted that addiction affects us all, not just those that are homeless, and placing people in rehab and places like that is needed. She applauds the effort everyone is putting towards this. She shared that people have to want to change, and that these investments need to be bigger and come from the lens of those that have been in recovery.

Jim Gildea shared information regarding Correspondence item 9.2 on today’s agenda. He spoke in support of the proposed names of “Curran Canyon” and “Curran Creek,” for two features that are officially named Kern Canyon and Kern Creek in Stanislaus County.

B. Condit/Withrow unan. Adopted the consent calendar after removing from consent item **6.B.1** Acceptance of an Update on the Investment of American Rescue Plan Act Funds into Stanislaus 2030 Investment Blueprint Strategies – CEO

- 6.A.1** Approved the minutes of 02/06/2024
- 6.A.2** Appointed Patricia Davis to the Stanislaus County Behavioral Health Board 2024-0050
- 6.A.3** Appointed Jessica Hill to the Stanislaus County Workforce Development Board
2024-0051
- 6.A.4** Appointed Garth Jolliff to the East Side Mosquito Abatement District Board of Trustees
2024-0052
- 6.B.2** Accepted the December 2023 Investment Report for the Stanislaus County Treasury Pool; and, authorized the Chairman to sign on behalf of the Board that the report has been reviewed and accepted – Treasurer / Tax Collector 2024-0054
- 6.B.3** Authorized the Chairman to sign the Annual Medi-Cal Cost Avoidance Program and Annual Subvention Program Certificates of Compliance issued by the California Department of Veterans Affairs for FY 2024-2025 – Aging and Veteran Services 2024-0055
- 6.B.4** Accepted the Report of Donations received by the County of Stanislaus for the Second Quarter of FY 2024 – Auditor-Controller 2024-0056
- 6.B.5** Approved an agreement with Health Management Associates, Inc. to support the development of the California Advancing and Innovating Medi-Cal (Cal AIM) Providing Access and Transforming Health (PATH) Justice Involved (JI) Round 3 implementation plan for the term of 02/13/2024, through 06/30/2024, in the amount of \$417,482; authorized the Purchasing Agent, or designee, to execute the agreement, including any subsequent amendments or extensions, with Health Management Associates in the amount of \$417,482 for the period of 02/13/2024, through 06/30/2024, to provide support and technical assistance on the development of the PATH JI Round 3 implementation plan; and, authorized the Auditor-Controller to increase estimated revenue and appropriations in the Probation and Sheriff’s Office budget units as detailed in the budget journal, attached to the agenda item – Probation 2024-0057
- 6.C.1** Approved the Memorandum of Agreement (MOA) between Merced County and Stanislaus County for the Construction Phase of the Hills Ferry/River Road Bridge Project (Project); authorized the Chairman to execute the MOA between the Counties for the project; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2024-0058
- 6.D.1** Set a public hearing on 02/27/2024 at the 9:00 a.m. meeting, to consider the approval of Williamson Act Cancellation and Lot Line Adjustment application number (No.) PLN2023-0007 – Grover-Rumble, a request to cancel a 2.47± acre portion of Williamson Act Contract No. 1971-64 in order to allow for approval of a lot line adjustment of three parcels, located at 6290, 6224, and 6230 Stoddard Road and 3780 Ladd Road, between the Modesto Irrigation District Main Canal and the Stanislaus River, in the Community of Salida; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning 2024-0059

B. Condit/Withrow unan. **6.B.1** Accepted an update on the investment of American Rescue Plan Act Funds into Stanislaus 2030 Investment Blueprint Strategies – CEO 2024-0053

Recessed at 10:44 a.m.

Reconvened at 10:55 a.m.

C. Condit/Chiesa (4-1)(Withdraw opposed) **8.1** The Board incorporated Attachment No. 3 from public hearing items 7.1 and 7.3 as attachments to item 8.1; **amended** the item to add Staff Recommendation No. 4; approved Staff Recommendations Nos. 1-4 as amended as follows: (1) introduced and waived the first reading of an Ordinance C.S. 1367 adding Chapter 4.75 to Title 4 of the Stanislaus County Code that would, upon approval of a majority of the voters, establish a tax on cannabis business activities in the unincorporated areas; (2) considered a proposed resolution that calls and orders an election to present to the voters of Stanislaus County a proposed ordinance establishing a tax on cannabis business activities in the unincorporated areas, including initial activity tax rates, ordering consolidation of said election with the General Election to be held on 11/05/2024; (3) set a Public Hearing on 02/27/2024, at the 9:00 a.m. meeting; and, (4) directed County Counsel, in coordination with the CEO's office, to prepare proposed amendments to the ordinance and the proposed resolution that would allow this and future Boards the flexibility to calculate the method of tax for cultivation at either a maximum of 8% of gross receipts or to a maximum of \$8 per square foot and to bring those amendments with the alternative initial rates for both methods back to the Board at the 02/27/2024 meeting – CEO
ORD-58-I-2 2024-0063

Chiesa/B. Condit (4-1)(Withdraw opposed) **7.1 Continued** the public hearing to 2/27/2024 to consider the Planning Commission's recommendation of approval of Development Agreement Application Number PLN2023-0158 – Lyfted Farms, Inc., a request to adopt a new Development Agreement for Use Permit PLN2018-0094, a previously permitted commercial cannabis operation, located at 5271 Jerusalem Court, north of Kiernan Avenue, in the Modesto area, APN: 004-065-023; and, approved a 30-day extension of the current Development Agreement for Use Permit PLN2018-0094 – Planning
ORD-58-H-2 2024-0060

Chiesa/B. Condit (4-1)(Withdraw opposed) **7.2 Continued** the public hearing to 2/27/2024 to consider the Planning Commission's recommendation of approval of Development Agreement Application Number PLN2023-0159 – Prem Gen Corp, a request to adopt a new Development Agreement for Use Permit No. PLN2018-0110, a previously permitted commercial operation, located at 536 El Roya Avenue, south of Yosemite Avenue (Highway 132), in the Modesto area, APN: 036-008-033; and, approved a 30-day extension of the current Development Agreement for Use Permit No. PLN2018-0110 – Planning
ORD-58-I-1 2024-0061

Chiesa/C. Condit (4-1)(Withdraw opposed) **7.3 Continued** the public hearing to 2/27/2024 to consider the Planning Commission's recommendation of approval of Development Agreement Application Number PLN2023-0157 – Lyfted Farms, Inc. – 5266 Jerusalem Court, a request to adopt a new development agreement for Use Permit No. PLN2018-0095, a previously permitted commercial cannabis operation, located at 5266 Jerusalem Court, north of Kiernan Avenue, in the Modesto area, APN: 004-065-018; and, approved a 30-day extension of the current Development Agreement for Use Permit No. PLN2018-0095 – Planning
ORD-58-H-1 2024-0062

Withdraw/C. Condit unan. **8.2** Accepted an Implementation Plan update for changes to Welfare and Institutions Code Section 5008 as required by Senate Bill 43 with an expedited target implementation date of 01/01/2025 – BHRS
2024-0064

Corr 1 Referred to the Department of Environmental Resources, a letter from the Lazy B Mobilehome Park regarding chemicals in their water system exceeding the notification levels.

Corr 2 Referred to the Chief Executive Office, Department of Planning and Community Development, and the Department of Public Works, a request from the U.S. Board on Geographic Names seeking input

on two proposed names, “Curran Canyon” and “Curran Creek,” for two features that are officially named Kern Canyon and Kern Creek.

Corr 3 Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: Kenneth Buyan Evitt; Aurora Torres Armas; John Robert Hoskins; and, Brian Castillon.

CEO Hayes reported that the County sent a letter of support for the San Joaquin Regional Rail Commission’s grant application, done in partnership with CalTrans, for federal discretionary grant funding for the North Lathrop Transfer Station project.

Prior to adjourning into Closed Session an opportunity was given to the public to address matters listed under Closed Session.

Adjourned to closed session at 12:36 p.m.

13. Conferenced with Legal Counsel – Existing litigation: Pursuant to Government Code Section 54956.9 (d)(1). Three cases: Estate of Alejandro Sanchez, et al., v. County of Stanislaus, et al; US District Court Eastern District; 1:18-cv-00977-DAD-BAM; Kenneth L. Thornberry, et.al, v, County of Stanislaus et. al. Stanislaus Superior Court Case No. CV-22-001046; and, County of Stanislaus v. Paz Gutierrez, et al., Stanislaus County Superior Court, Case No. CV-22-002565. No reportable action taken.

Adjourned at 2:04 p.m.

ATTESTED: ELIZABETH A. KING, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: ELIZABETH A. KING, 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.)