

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

Regular Session

Tuesday

February 27, 2024

All Supervisors Present

Pledge of Allegiance to the Flag

Invocation was given by Jose Sabala with City Ministry Network.

Marcie Powell, Salida resident, shared a handout with Board members and voiced concerns regarding the compliance of a proposed warehouse project near Kiernan and Dale Road with the Salida Community Plan development requirements. She requested a programmatic Environmental Impact Report (EIR) be performed.

Norma E. Hernandez voiced concerns regarding the District Attorney Office, Sheriff's Department, and the City of Modesto Police Department.

Leonard Powell also shared concerns regarding a proposed warehouse project near Kiernan and Dale Road not meeting the Salida Community Plan development requirements. He shared the law needs to be upheld for all developments and a programmatic Environmental Impact Report (EIR) needs to be completed for this project.

Shawn Grinolde voiced concerns regarding the closure of the City of Turlock's Navigation Center for the homeless. He asked the Board what steps could be taken to help the homeless in the City of Turlock.

Leon Segars shared concerns regarding the closure of the City of Turlock's Navigation Center and inquired about resources available for the homeless.

B. Condit/C. Condit unan. Adopted the consent calendar

**4.A.1** Approved the minutes of 02/13/2024

**4.A.2** Appointed Randy Crooker to the Stanislaus County Local Task Force on Solid Waste Management 2024-0065

**4.A.3** Accepted the resignation of Kimberly Stokes from the Denair Municipal Advisory Council 2024-0066

**4.A.4** Proclaimed February as Civil Grand Jury Awareness Month in Stanislaus County 2024-0067

**4.A.5** Proclaimed the month of March 2024 as Social Worker Recognition Month in Stanislaus County 2024-0068

**4.B.1** Approved initiating Americans with Disabilities Act (ADA) Improvements at Modesto Reservoir; authorized the GSA Director/Purchasing Agent, or designee, to act as Project Manager; approved a work authorization with Pires, Lipomi & Burkett Architectural Corporation dba RED Inc. Architects, in the amount of \$295,000, to provide a design and construction document for Americans with Disabilities Act improvements needed at Modesto Reservoir; authorized the GSA Director/Purchasing Agent and Director of Parks to sign the work authorization in the amount of \$295,000; authorized the Project Manager to sign amendments to the work authorization for an overall not-to-exceed amount of \$339,250, which includes a contingency of \$44,250; approved an initial project budget of

\$489,250, funded by existing appropriations in the Parks and Recreation 2024 Adopted Budget; directed the Auditor-Controller to increase appropriations and estimated revenue by \$489,250 in the Parks Capital Projects budget unit as detailed in the budget journal, attached to the agenda item; and, authorized the Project Manager to execute contracts and work authorizations for professional services needed in this phase of the project, so long as appropriations are available within the existing project budget and are consistent with the County's Purchasing and Salvage Policy – Parks 2024-0069

- 4.B.2** Approved the purchase of one Caterpillar Model 150JOY-BR Motor Grader and one Caterpillar Model 623K Scraper from Holt of California in the estimated amount of \$1,900,000; authorized the Purchasing Agent to issue a purchase order for the Caterpillar 150JOY-BR Motor Grader and the Caterpillar 623K Scraper using the Sourcewell Cooperative Purchasing Contract No. 032119-CAT; and, authorized an overall budget not-to-exceed \$1,900,000 for the purchase – DER 2024-0070
- 4.B.3** Authorized the Chairman and the CEO to sign the attached 2024 Annual Equal Employment Opportunity/Non-Discrimination Statement – CEO 2024-0071
- 4.B.4** Accepted an update from Stanislaus Equity Partners, Inc. on services provided to disproportionately impacted communities in Stanislaus County – CEO 2024-0072
- 4.B.5** Authorized the Auditor-Controller, on behalf of the GSA, to pay a prior-year invoice in the amount of \$252 for goods received in a prior year – GSA 2024-0073
- 4.B.6** Authorized the Sheriff's Office to offer employment to Patrick Heaney to a Deputy Sheriff I position at step five of the salary range, currently \$45.35 per hour – Sheriff 2024-0074
- 4.B.7** Approved a technical adjustment to Probation's Juvenile Commitment Facility Parking Lot Project; approved a technical adjustment to Probation's Juvenile Facility Generator and Heating, Ventilation, and Air Conditioning Replacement Project; approved a technical adjustment to the Sheriff's Operation Center Heating, Ventilation, and Air Conditioning Replacement Project; authorized the Auditor-Controller to transfer appropriations in Probation's Juvenile Commitment Facility Parking Lot Project totaling \$50,000 from Fixed Assets to Services and Supplies and Intercounty Expenditures, as detailed in the budget journal, attached to the agenda item; authorized the Auditor-Controller to transfer appropriations in Probation's Juvenile Facility Generator and Heating, Ventilation, and Air Conditioning Replacement Project totaling \$25,000 from Fixed Assets to Services and Supplies and Intercounty Expenditures, as detailed in the budget journal, attached to the agenda item; and, authorized the Auditor-Controller to transfer appropriations in the Sheriff's Operation Center Heating, Ventilation, and Air Conditioning Replacement Project totaling \$60,000 from Fixed Assets to Services and Supplies and Intercounty Expenditures, as detailed in the budget journal, attached to the agenda item – GSA 2024-0075
- 4.B.8** Approved a resolution authorizing the sale of tax-defaulted properties starting on or after 05/13/2024, at 8:00 a.m. Pacific Time (PT) for the minimum bids as described on the "List of Properties for Delinquent Tax Sale," pursuant to Sections 3694, 3698, and 3699 of the California Revenue and Taxation Code; authorized the Treasurer-Tax Collector to offer the parcels that did not obtain the minimum bid amount during the previous tax sale at a reduced minimum bid amount deemed appropriate by the Treasurer-Tax Collector pursuant to Sections 3698.5(c) and 3698.7(c) of the California Revenue and Taxation Code; authorized the Treasurer-Tax Collector to re-offer the parcels that do not obtain the minimum bids during the May 2024 tax sale within 90 days after the tax sale at a price which is deemed appropriate by the Treasurer-Tax Collector pursuant to Sections 3692(e), 3698.5(c), and 3698.7(c) of the California Revenue and Taxation Code; and, authorized the Treasurer-Tax Collector to exempt ten parcels which are owned by the Federal and State Government from the Tax Sale as identified on the "List of Properties Exempted from the

Delinquent Tax Sale,” pursuant to Section 202 of the California Revenue and Taxation Code, Article XIII, Section 3 of the Constitution, and Federal Law; exempted four other parcels under the California Revenue and Taxation Code Section 3692(a); and exempted two parcels under active bankruptcy protection each with an automatic stay in place  
– T/TC 2024-0076

- 4.B.9** Authorized the Registrar of Voters to enter into an agreement with the California Secretary of State for HAVA federal reimbursement funds provided by the U.S. Election Assistance Commission for expenses associated with the improvement of the administration of elections up to a maximum amount of \$34,225 for the period of 01/01/2024, through 06/30/2025; authorized the Registrar of Voters to negotiate, award, and execute all corresponding contracts with vendors in connection with HAVA-related activity up to a maximum amount of \$34,225; authorized the Registrar of Voters to expend funds and seek reimbursement from the California Secretary of State; and, authorized the Auditor-Controller to increase appropriations and estimated revenue in the amount of \$34,225, as detailed in the budget journal, attached to the agenda item – Elections 2024-0077
- 4.B.10** Approved the appointment of the Insurance and Claims Manager, as Stanislaus County’s primary representative to Public Risk Innovation, Solutions, and Management (PRISM), formerly known as the CSAC-Excess Insurance Authority; added the Assistant Human Relations Director, as Stanislaus County’s alternate representative, to Public Risk Innovation, Solutions and Management (PRISM), formerly known as the CSAC-Excess Insurance Authority; and, retained the Employee Benefits Manager, as Stanislaus County’s additional alternate representative to Public Risk Innovation, Solutions and Management (PRISM), formerly known as the CSAC-Excess Insurance Authority – CEO 2024-0078
- 4.B.11** Declared the Sheriff’s 1972 Bell Jet Ranger helicopter as surplus; authorized the Sheriff to negotiate the price and terms of the sale of the helicopter with the Merced County Sheriff’s Office; and, authorized the Sheriff and Purchasing Agent to sign the paperwork necessary to finalize the sale to Merced County – Sheriff 2024-0079
- 4.B.12** Authorized the Auditor-Controller, on behalf of the Community Services Agency, to pay one invoice totaling \$504 for services provided in a prior fiscal year by TargetSolutions Learning, LLC dba Vector Solutions – CSA 2024-0080
- 4.B.13** Approved the following changes to the Knights Ferry Municipal Advisory Council (MAC) bylaws: (a) Section I (Formation of the Organization) to update the boundary served by the Knights Ferry MAC; (b) Section IV (Officers & Duties) to update the Secretary duties; and, (c) Other minor changes for clarification purposes and grammar revisions – CEO MAC-1-A-14 2024-0081
- 4.C.1** Accepted the \$5 million allocated for Stanislaus County infrastructure projects in South Modesto, as identified in the 2023-2024 California Budget Bill; allocated the \$5 million for Stanislaus County infrastructure projects in South Modesto to the Parklawn project; approved an increase in the amount of \$1,206,657 to Michael Baker International’s maximum allocation for engineering and design services for Stanislaus County Urban Pockets and County Communities Infrastructure Improvement Projects, bringing the total maximum allocation to \$3,441,115; directed the Auditor-Controller to increase estimated revenue and appropriations by \$1,206,657 in the Public Works Urban Pockets Infrastructure Projects budget unit and the American Rescue Plan Act of 2021 (ARPA) budget unit per the budget journal, attached to the agenda item; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2024-0082
- 4.C.2** Accepted an update on Stanislaus County’s \$55.8 million Investment of American Rescue Plan Act (ARPA) Funding to Community Infrastructure in County Island Communities; allocated an additional \$5.8 million in ARPA funds, previously approved by the Board on

03/23/2023 as a part of its ARPA funding strategy, equally among the five Supervisorial Districts; authorized the Director of Public Works to allocate the additional funding to the community infrastructure projects identified in this report; directed the Auditor-Controller to increase estimated revenue and appropriations by \$1,159,265 in the Public Works Urban Pockets and Infrastructure Project and in the American Rescue Plan Act Budget unit, as detailed in the budget journal, attached to the agenda item; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2024-0083

**4.C.3** Approved Amendment No. 3 to the Professional Design Services Agreement with Biggs Cardosa Associates, Inc. in the amount of \$900,535, with a new, not-to-exceed total of \$6,182,755 and a new contract expiration of 12/31/2025, for the 7th Street Bridge Replacement Project; and, authorized the Director of Public Works to execute Amendment No. 3 with Biggs Cardosa Associates, Inc. in the amount of \$900,535 with a new, not-to-exceed total of \$6,182,755 and a new contract expiration of 12/31/2025, for the 7th Street Bridge Replacement Project – PW 2024-0084

**4.C.4** Approved an Agreement for Acquisition of Property located at 3985 Tim Bell Road, Waterford, CA, for the Tim Bell Road Bridge Replacement Project, Grantor: Darrell E. Hayes and Carolyn Hayes, as Trustees of the D & C Hayes 2011 Trust, APN: 008-001-038 (Partial Acquisition); approved an Agreement for Acquisition of Property located at 3985 Tim Bell Road, Waterford, CA, for the Tim Bell Road Bridge Replacement Project, Grantor: Darrell E. Hayes and Carolyn Hayes, as Trustees of the D & C Hayes 2011 Trust, APN: 008-001-056 (Partial Acquisition); authorized the Chairman to execute the Agreement for Acquisition of Property; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2024-0085

**4.C.5** Authorized the Auditor-Controller, on behalf of the Public Works Department, to pay one invoice totaling \$6,726 for materials provided in a prior year, by PB Loader Corporation – PW 2024-0086

**Recessed to sit as the Stanislaus County IHSS Public Authority at 9:36 a.m.**

Chiesa/Withrow unan. **5.** Adopted the consent calendar

**5.B.1** Approved the minutes for 06/20/2023

**5.B.2** Approved an increase of the In-Home Supportive Services Advisory Committee stipend from \$30 per meeting to \$50 per meeting starting 03/01/2024 – CSA 2024-0087

**Reconvened to sit as the Stanislaus County Board of Supervisors at 9:38 a.m.**

B. Condit/C. Condit unan. **6.1** Opened the public hearing to consider the adoption and waiving of the second reading of Ordinance C.S. 1367 establishing a tax on cannabis business activities within the unincorporated area of the County and adoption of a resolution calling for an election on the ordinance, and **continued** the public hearing to the 03/12/2024 Board meeting – CEO ORD-58-I-2 2024-0088

C. Condit/B. Condit unan. **6.2** Opened the public hearing to consider the Planning Commission's recommendation of approval of Development Agreement Application Number PLN2023-0158 – Lyfted Farms, Inc. - 5271 Jerusalem Court, and **continued** the public hearing to the 03/12/2024 Board Meeting – CEO ORD-58-H-2 2024-0089

C. Condit/B. Condit unan. **6.3** Opened the public hearing to consider the Planning Commission's recommendation of approval of Development Agreement Application Number PLN2023-0159 - Prem Gen Corp., and **continued** the public hearing to the 03/12/2024 Board Meeting – CEO  
ORD-58-I-1 2024-0090

C. Condit/B. Condit unan. **6.4** Opened the public hearing to consider the Planning Commission's recommendation of approval of Development Agreement Application Number PLN2023-0157 – Lyfted Farms, Inc. – 5266 Jerusalem Court, and **continued** the public hearing to the 03/12/2024 Board Meeting – CEO  
ORD-58-H-1 2024-0091

Withdraw/Chiesa unan. **6.5** Conducted a public hearing to consider the approval of Williamson Act Cancellation and Lot Line Adjustment Application No. PLN2023-0007 - Grover-Rumble and 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 and 6230 Stoddard Road and 3780 Ladd Road, between Modesto Irrigation District Main Canal and the Stanislaus River, in the Community of Salida; finds the project is categorically exempt (Section 15305) from the CEQA and ordered the filing of the Notice of Exemption; finds that: (a) the cancellation is consistent with the purposes of the Williamson Act; (b) the cancellation is for land on which a notice of nonrenewal has been served pursuant to California Government Code Section 51245; (c) the cancellation is not likely to result in the removal of adjacent lands from agricultural use; (d) the cancellation is for an alternative use which is consistent with the applicable provisions of the County General Plan; (e) the cancellation will not result in discontinuous patterns of urban development; (f) there is no proximate noncontracted land which is available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land; (g) the cancellation is in the public interest; (h) other public concerns substantially outweigh the objectives of the Williamson Act; accepted the cancellation value of the 2.47± acre portion of APN: 003-021-023 as \$98,800 as determined by the County Assessor; certified to the Auditor-Controller that the cancellation fee, which must be paid as deferred taxes, is an amount equal to 12.5% of the cancellation value, or a total of \$12,350; approved the Tentative Cancellation of a portion of Williamson Act Contract No. 1971-64 subject to payment of the cancellation fee, unless the fee is paid within one year of the filing of the Certificate of Tentative Cancellation, the fee shall be re-computed as provided by state law; directed the Clerk to record a Certificate of Tentative Cancellation within 30 days of this action; directed the Clerk to publish the Notice of the Decision, pursuant to Government Code, and to deliver a copy of the published Notice of the Decision to the Director of the Department of Conservation within 30 days of the Board action; and, approved Lot Line Adjustment Application No. PLN2023-0007 – Grover-Rumble subject to the completion of Williamson Act Cancellation – Planning  
2024-0092

**Corr 1** Referred to the CEO, a request from San Mateo County Supervisor David Canepa requesting that the Stanislaus County Board of Supervisors adopt a resolution declaring loneliness a public health crisis.

**Corr 2** Referred to County Counsel and the Auditor-Controller, a Claim for Refund of Property Taxes filed on behalf of California Northern Railroad, regarding assessments for FY 2020-21 through 2022-23.

**Corr 3** Referred to the BHRS and the CEO, a letter from Farella Braun + Martel to the City of Turlock regarding the Alamo Health Management of Turlock Project located at 1617 Colorado Blvd.

**Corr 4** Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Denair Community Services District regarding the resignation of Matthew Kuffel from their Board of Directors.

**Corr 5** Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: Leonel Rocha Jr. (amended); Jillian Avara; Jenia Maldonado; Tosca Maxie; Joe Lomeli; Leon Manuel Vargas; Sanjay Prasad; Viola Paz; Kenneth Buyan Evitt (amended); and, Jose I. Chavoya.

Supervisor B. Condit reported that the Stanislaus County Commission on Aging is hosting its 3rd Annual Senior Ball on Friday, 06/14/2024 from 5:30 p.m. - 9:30 p.m. at the Veterans Center, 3500 Coffee Road, Modesto. He asked each District Supervisor to prepare a gift basket for the raffle. He also shared if anyone wants to donate a basket, he would be happy to deliver it to the Senior Ball.

Chairman Grewal announced that the State of the County Address will be on Thursday, 04/25/2024 at 5:30 p.m., at the Stanislaus County Modesto Library.

Representative Gavin Cline from Congressman Duarte's Office provided an update on the activities happening in the 13<sup>th</sup> Congressional District.

CEO Hayes reported the State Legislative Analyst's Office released its 2024-2025 budget deficit update. He noted the projected budget deficit increased by \$24 million extending the State deficit from \$58 billion to \$73 billion. He noted there were over 2,100 bills introduced by the deadline for the 2024 Legislative Session and staff will be busy tracking these bills.

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 9:54 a.m.

**12.1** Conferenced with Legal Counsel – Existing litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: Louise Galvan v. County of Stanislaus et al. Case No. 1:21-CV-01641-DAD-BAM. No reportable action taken.

**12.2** Conferenced with Labor Negotiator: Pursuant to Government Code Section 54957.6. Agency Negotiators: Jody Hayes, Tamara Thomas, Jeffrey Sloan, Ryan Leupp, and Joanna Navarro. Labor Organization: California Nurses Association. No reportable action taken.

Adjourned at 11:45 a.m.

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

BY: KELLY RODRIGUEZ, 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.)