

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

July 27, 2021

Invocation was given by Lance Lowell, from Neighborhood Church.

Baljit Atwal, Director of Child Support Services, and Lisa Clifton, Assistant Director, gave a presentation regarding August 2021 as Child Support Awareness Month in Stanislaus County.

Stephen Bratset voiced concerns regarding excessive noise occurring on Finny and Covert roads in Salida. He provided documents to the Board regarding these issues.

Holly Vincula spoke regarding the problems with mosquitos in the Valley Home area.

Petra Nebel voiced complaints regarding problems on Finny and Covert roads in Salida, including loud music and illegal behavior. She asked the Board to spend some time and see what they are experiencing.

Sheriff Dirkse responded to the above public comments and reported that he has recommended an increase in Sheriff's staffing in the Salida area, and that he will reach out to the CHP to coordinate efforts.

DeAna Kier shared concerns with speeding and dangerous driving on Sisk and Kiernan roads. She noted that the trees in front yards have been hit by cars going too fast around the corner. She stated that it is not safe for the children to walk to and from school. She hopes that the CHP and Sheriff's departments work together to address this issue.

Withdraw/Grewal unan. Adopted the consent calendar

5.A.1 Approved the minutes of 07/13/2021

5.A.2 Appointed John Jeffries to the Stanislaus County Hazardous Waste Management Advisory Committee 2021-0343

5.A.3 Appointed Austin Grant to the Stanislaus County Parks and Recreation Commission 2021-0344

5.A.4 Appointed Rosa Escutia-Braaton and Jenny Kenoyer to the Stanislaus County Local Task Force on Solid Waste Management 2021-0345

5.A.5 Declared a vacancy on the Stanislaus County Parks and Recreation Commission 2021-0346

5.B.1 Approved an agreement with the CA Department of Social Services (CDSS) for the purpose of establishing the responsibilities of the CDSS and the County in the provision and receipt of certain services, including legal consultation and legal representation in administrative action appeals associated with the Resource Family Approval (RFA) program, and to investigate all complaints made against resource families; and, authorized the CSA Director, or her designee, to sign the agreement and any future amendments with the CDSS for the provision and receipt of certain services, including legal consultation and legal representation in administrative action appeals associated with the RFA program, and investigating all complaints made against resource families – CSA 2021-0347

5.B.2 Authorized the Sheriff to accept funding in the amount of \$84,751 from the CHP; authorized the Sheriff to sign the agreement, all reimbursement claims and other required documents

- for the CHP grant; and, approved a formal resolution as required by the State to receive this Grant – Sheriff 2021-0348
- 5.B.3** Approved to retroactively enter into a MOU with the City of Modesto to provide Special Operations Emergency Response services Countywide for the period of 02/01/2021 to 01/31/2024; and, authorized the Sheriff, or his designee, to sign the Special Operations Emergency Response MOU with the City of Modesto for the period of 02/01/2021 to 01/31/2024 – Sheriff C-6-P-12 2021-0349
- 5.B.4** Approved a contract for \$913,298.95 with Leaders in Community Alternatives, Inc. (LCA), for the period of 07/01/2021 through 06/30/2023 to provide programming to Justice-Involved Youth; and, authorized the Purchasing Agent to sign the contract with LCA, including any subsequent amendments or extensions – Probation 2021-0350
- 5.B.5** Authorized the GSA Director/Purchasing Agent to complete and execute a three-year lease with R&L Restaurant Group, LLC. (dba Graffiti Dogs), for 1,380 square feet of retail and commercial space on the first floor of the 10th Street Place Building – GSA 2021-0351
- 5.B.6** Adopted a resolution declaring a portion of the property owned by Stanislaus County at 2209 Blue Gum Avenue in Modesto, CA to be Exempt Surplus Land in accordance with the State of CA’s Surplus Land Act; and, authorized the CEO to complete and execute, 31-days after the resolution has been delivered to the CA Department of Housing and Community Development, two leases between Stanislaus County and SCOE for the purposes of the new Valley College High School Program, which is a collaborative program between SCOE and MJC, relating to agricultural programs for classroom space and dry farming – CEO 2021-0352
- 5.B.7** Accepted the May 2021 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 2021-0353
- 5.B.8** Approved an update on the emergency repairs to the Public Safety Center West, Minimum Housing Unit 1, and Support Services Facility’s fire-life safety, security electronics, and video surveillance systems along with the abatement of water damage found in the mechanical chases at the Public Safety Center West facility – GSA 2021-0354
- 5.C.1** Approved the plans and specifications for the 2021 Chip Seal Project; awarded a construction contract to VSS International, Inc., for the 2021 Chip Seal Project; authorized the Public Works Director to execute a contract with VSS International, Inc., in the amount of \$1,076,428 and to sign the necessary documents, including any amendments to the agreement not to exceed 10 percent in accordance with Public Contract Code Sections 20137 and 20142; approved the purchase of hot mix asphalt material from local, closest-nearby vendors for the 2021 Chip Seal Project in the amount of \$630,000; approved the purchase of chip aggregate rock material from F.T.G. Construction Materials, Inc., for the 2021 Chip Seal Project; authorized the Public Works Director to execute a contract with F.T.G. Construction Materials, Inc., in the amount of \$500,254.50 and to sign the necessary documents; and, authorized the Public Works Director to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2021-0355
- 5.C.2** Approved the Agreement for Acquisition of Property for the Golden State Boulevard/Golf Road and Berkeley Avenue Intersection Improvement Project, Grantors: Jesus Esparza, Esperanza Esparza, Luis Estrada and Erika Sarmiento, APN 043-020-002 (portion); 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 2021-0356

- 5.C.3** Approved the Professional Design Services Master Agreements with Dewberry Drake Haglan, Dokken Engineering, GEI Consultants, and NCE to provide on-call environmental services for various Department of Public Works and Department of Planning and Community Development projects through 07/26/2024, each at an amount not to exceed \$400,000, for a total amount not to exceed of \$1,600,000; authorized the Public Works Director and Planning and Community Development Director to execute the agreements with Dewberry Drake Haglan, Dokken Engineering, GEI Consultants, and NCE, and to sign all necessary documents including any amendments to the agreement not to exceed 10%; and, authorized the Public Works Director and/or the Planning and Community Development Director to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2021-0357
- 5.C.4** Approved a resolution to levy FY 2021-2022 benefit assessment rates for the following Lighting Districts: Airport Neighborhood, Almond Wood, Beard Industrial, Country Club – Zone A, Country Club – Zone B, Crows Landing, Deo Gloria, Denair, Empire, Fairview, Fruit Yard, Gibbs Ranch, Gilbert Road, Golden State Zone A and Zone B, Hillcrest, Kenwod Park, Mancini Park Homes, Marshall, Monterey, North Oaks, North McHenry, North McHenry #2, Olympic, Peach Blossom, Richland, Salida, Schwartz Baize, Sunset Oaks, Sylvan Village, and Tempo Park; and, directed the Auditor-Controller to add the assessments to the 2021-2022 tax roll – PW 2021-0358
- 5.D.1** Set a public hearing on 08/17/2021, at the 6:30 p.m. meeting, to consider the Planning Commission’s recommendation for General Plan Amendment, Rezone, and Vesting Tentative Parcel Map application number PLN2021-0009 – WPD Homes, INC., a request to amend the General Plan and Denair Community Plan designations of a 1.32± acre parcel from Low-Density Residential to Medium-Density Residential and zoning designation from R-A (Rural Residential) to Planned Development (P-D), and to subdivide the project site into three parcels to allow for development of five duplexes on proposed parcel one and residential development consistent with the Medium Density Residential (R-2) district on proposed parcels two and three, located at 4800 Kersey Road between N. Gratton Road and Story Road, in the community of Denair; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning
ORD-57-H-1 2021-0359
- 5.D.2** Set a public hearing on 08/17/2021, at the 6:30 p.m. meeting, to consider the Planning Commission’s recommendation of approval for General Plan Amendment and Rezone application number PLN2020-0014 – Gonzales Ready-Mix and Landscaping Supply, a request to amend the Denair Community Plan designation from Estate Residential to Commercial and the zoning designation from expired Planned Development (256) to a new Planned Development, to allow for a landscaping and concrete supply and delivery service on two parcels totaling 1.79 acres in size, located on Monte Vista Avenue, at the southeast corner of E. Monte Vista Avenue and N. Santa Fe Avenue, in the community of Denair; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning
ORD-57-H-2 2021-0360
- 5.D.3** Set a public hearing on 08/17/2021, at the 6:30 p.m. meeting, to consider the Planning Commission’s recommendation of approval for General Plan Amendment and Rezone application number PLN2018-0081 – Libitzky Management Corporation, a request to amend the General Plan and zoning designation of a 17.16 acre site, from Urban Transition and A-2-10 (General Agriculture) to Planned Development, to allow the construction of a 300,000 square-foot building for various light industrial uses, located at 1224 Kiernan Avenue (SR 219), at the southeast corner of Tully Road and Kiernan Avenue, in the Modesto area; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning
ORD-57-I-1 2021-0361

5.D.4 Set a public hearing on 08/17/2021, at the 6:30 p.m. meeting, to consider the Planning Commission’s recommendation of approval for General Plan Amendment and Rezone application number PLN2021-0001 – Park Place RV Storage, a request to amend the General Plan and zoning designation of two parcels, totaling 19.2 acres in size, from Agriculture and A-2-40 (General Agriculture) to Planned Development (P-D) to allow for the development of a recreational vehicle (RV) parking facility, located at 5150 McHenry Avenue (SR 108), between Kiernan Avenue and Charity Way, in the Modesto Area; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning
ORD-57-I-2 2021-0362

5.D.5 Set a public hearing on 08/17/2021, at the 6:30 p.m. meeting, to consider the Planning Commission’s recommendation of approval for General Plan Amendment and Rezone application number PLN2019-0079 – Cal Sierra Financial, Inc., a request to amend the General Plan and zoning designation of a 9.6 acre site, from Commercial and Salida Community Plan General Commercial (SCP C-2) to Planned Development, to allow for development of a convenience store/community market, gas station, restaurant, retail building, and mini-storage facility to be developed on approximately four acres of the site, located on Pirrone Road, on the east side of Pirrone Road and Hammett Road intersection, east of Highway 99, in the community of Salida; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning
ORD-57-J-1 2021-0363

Withdraw/B. Condit unan. **6.1** Finds that the notice of public hearing was published in compliance with Section 6066 of the Government Code; conducted a public hearing to receive comments regarding the FY 2021-2022 annual assessments; set the FY 2021-2022 annual assessments as shown on “Attachment 1,” attached to the agenda item, for Various County Service Areas, Landscape Assessment District and Landscape and Lighting Districts; made the Engineer’s Reports a part of the record of this proceeding; and, authorized the Auditor-Controller to add the annual assessments to the 2021-2022 Tax Roll – PW
2021-0364

Recessed at 12:15 p.m.

Reconvened at 12:21 p.m.

Withdraw/B. Condit unan. **7.1** Accepted an update from the County Public Health Officer on the COVID-19 emergency response and the CA Department of Public Health guidance to schools for the 2021/2022 School Year; and, directed the Chairman to send a letter to the CA Department of Public Health, on behalf of the Board of Supervisors, expressing support for the policy issues brought forward by the Modesto City School’s Board of Education letter dated 07/26/2021 – CEO
2021-0365

Corr 1 Referred to the Department of Workforce Development a Worker Adjustment and Retraining Notification letter from Varni Brothers Corporation regarding the closure and the termination of employees at the Distribution Divisions in Stockton and Modesto including the 215 Hosmer Ave., Modesto location.

Corr 2 Referred to the Department of Planning and Community Development a letter from the U.S. Department of Housing and Urban Development regarding the Community Development Block Grant Program noncompliance with timely expenditure requirements.

Corr 3 Acknowledged receipt of claims and referred to the CEO’s Office the following claims: Ronda Nunes; Stacia Shephard, individual, heir and/or successor in interest to Randi Elizabeth Shephard, decedent; Raymond Shephard, individual, heir and/ or successor in interest to Randi Elizabeth Shephard, decedent; Comcast; Thomas Crum; and, Juan Carlos Martinez De La Cruz.

Supervisor B. Condit reported that he attended the 13U PONY Baseball World Series hosted by Bel Passi Baseball. He noted that he and Supervisor Withrow went on a tour of the OID last week.

Chairman Chiesa announced the Dedication Ceremony for the Turlock Public Library will be Monday, 08/09/2021 at 9:30 a.m., located at 550 N. Minaret Avenue, in Turlock, CA.

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 12:50 p.m.

13.1 Conferenced with Labor Negotiator: Pursuant to Government Code Section 54957.6. Agency Negotiators: Jody Hayes, Tamara Thomas, Keira Vink, and Burke Dunphy. Labor Organizations: Stanislaus County Employees Association, American Federation of State, County & Municipal Employees Local 10; Service Employees International Union, Local 521; Deputy Sheriff's Association; Stanislaus County Probation Corrections Officers' Association; Stanislaus County Sheriff's Management Association; and, Stanislaus County District Attorney Investigators Association. No reportable action taken.

13.2 Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d) (1). One Case: Erin Kiesel, D.O.; Anita Whitaker, N.P. v. Miguel Mascorro and Sarah Mascorro, Stanislaus County Superior Court Case No. CV-20-004420. No reportable action taken.

Adjourned at 2:01 p.m.

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

BY Patricia Gonzalez, Deputy 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.)