

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

November 16, 2021

Convened at 5:34 p.m. for Special Session

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

1.1 Conference with Legal Counsel – Anticipated Litigation: Pursuant to Government Code Section 54956.9 (d)(4): One Matter. No reportable action was taken.

1.2 Conference with Legal Counsel – Significant exposure to Litigation: Pursuant to Government Code Section 54956.9(d)(2) or (3): One Matter. (Continued this closed session item to the end of the meeting following the regular session)

1.3 Conference with Labor Negotiator: Pursuant to Government Code Section 54957.6 Agency Negotiators: Jody Hayes, Tamara Thomas, Keira Vink, Burke Dunphy. Labor Organization: Service Employees International Union, Local 521. No reportable action was taken.

Recessed from Closed Session at 6:20 p.m.

Reconvened at 6:38 p.m. for Regular Session

Invocation was given by Pastor Lance Lowell from Neighborhood Church.

A commendation was presented to Tim Gutierrez as the 209 Beatdown Mixed Martial Arts Champion.

Rebecca Harrington, South Modesto resident, voiced concerns regarding the abundance of wrecking yards in this area. She shared concerns of particulates and oil getting into the river and storm drains from the wrecked vehicles after the Tuolumne River flooded. She expressed concerns regarding sewer costs in this area and requested the Board research and have this area added to the City of Modesto's sphere of influence.

Keryn Whitlow, a Co-Founder of Take a Stand Stanislaus, asked the Board to approve a resolution to ban COVID-19 vaccine mandates. She voiced concerns regarding the State of Emergency reaching almost two years. She also shared concerns regarding the COVID-19 data on the County's website. She stated that together we can take a stand.

Madalynn Baker shared a handout with Board Members regarding COVID-19 data in regard to close contact for K-12 schools. She asked the Board if the County is keeping data on K-12 schools close contact. She requested close contact tracking in acute settings. She stated it is important to not only vaccinate but to look at data.

Megan Short, parent and concerned citizen, explained that her business was closed due to not being considered essential. She shared concerns regarding the COVID-19 passports and asked the Board to consider businesses and shut the vaccine mandates down. She also passed out a petition that was started on 11/13/2021 against vaccine mandates.

Madison Short, 13 years old, voiced concerns regarding the COVID-19 response and vaccine mandates and its effects on children and adults. She noted she has been studying the U.S. Constitution and this vaccine mandate takes away her constitutional right and will cause children to be unable to go to school due to these mandates. She stated she opposed the vaccine mandate.

Reid Johnson provided handouts regarding constitutional petitions and liberty examination questions. He read some of the liberty examination questions to the Board.

Janet thanked those who helped remove the mask mandate. She shared concerns with vaccination passport mandates and the requirement to ask people to show their passports and identification. She noted that money should be spent on low income communities instead of mandates.

Joseph Day, a Data Scientist, noted that the key data to look at is deaths broken down by age. He expressed concerns of child vaccination and child mask wearing. He stated that natural immunity is most important.

Melissa Kelley spoke in response to Rebecca Harrington's comments. She shared concerns of storm drains draining into the Tuolumne River. She also spoke regarding the statistics on COVID-19 death cases and requested updated statistics. She stated that division is not the right way to go and people should have the choice to get vaccinated.

Samuel Boshardt shared that he was glad the mask mandate was lifted but that it was lifted for the wrong reasons. He requested breakdowns of vaccinated/unvaccinated/partially vaccinated/fully vaccinated statistics. He stated that a Town Hall Meeting and public participation could be helpful. He thanked the Board for their time and consideration.

Courtney Peters shared concerns of the COVID-19 vaccine. She read sections of the Nuremberg Code and suggested everyone look into violating this code.

Deborah Harper spoke in memory of her mother. She shared prayers for everyone that has lost someone and prays that everyone finds Christ.

B. Condit/Withrow unan. Adopted the consent calendar after removing from consent item **7.B.7** Approval of Agreements for the Sheriff to Retire Two Canines from the Sheriff's Canine Unit – Sheriff

7.A.1 Approved the minutes of 11/02/2021, Regular Meeting

7.A.2 Approved the minutes of 11/08/2021, Special Meeting

7.A.3 Approved the Appointment of Gary Briery to the Knights Ferry Municipal Advisory Council

7.B.1 Adopted a resolution authorizing the CSA director, or their designee, to apply for, and accept if awarded, the FY 2021-2022 Transitional Housing Program allocation awarded by the California Department of HCD; and, authorized the CSA Director, or her designee, to sign, enter into, execute, and deliver any and all documents required or deemed necessary to be awarded the Transitional Housing Program allocation award, and all amendments – CSA

7.B.2 Adopted a resolution authorizing the CSA Director, or her designee, to apply for, and accept if awarded, the FY 2021-2022 Housing Navigator Program Allocation awarded by the California Department of Housing and Community Development; and, authorized the CSA

Director, or her designee, to sign, enter into, and deliver any and all documents required or deemed necessary to be awarded the Housing Navigator Program Allocation award and any amendments to such documents – CSA

- 7.B.3** Approved the Basic Needs Fund Grant with the Stanislaus Community Foundation to provide support and improve service outcomes for high-risk pregnant and parenting women and their families, and authorized the HSA Managing Director, or their designee, to sign the Basic Needs Fund Grant Agreement, retroactive to 09/01/2021 through 08/31/2022, and any needed amendments; and, authorized the Auditor-Controller to make the necessary budget adjustments as detailed in the Budget Journal, attached to the agenda item – HSA
- 7.B.4** Amended the Stanislaus County Behavioral Health Board (SCBHB) Bylaws to implement changes to the SCBHB Committee structure to align with the BHRS Strategic Plan – BHRS
- 7.B.5** Authorized the CSA Director, or their designee, to accept the grant award for the Elder Justice Innovation Grants, Adult Protective Services – Community Transitions from the Administration for Community Living (ACL) in the amount of \$494,048, retroactively, for the period of 09/01/2021 through 08/31/2022; authorized the CSA Director, or their designee, to sign and execute any subsequent amendments to the grant award letter up to \$200,000, sign and execute related agreements, contracts, or other documentation required for implementation of the Elder Justice Innovation Grants for Adult Protective Services – Community Transitions grant activities; and, directed the Auditor-Controller to increase estimated revenue and appropriations by \$494,048 in the CSA Program Services and Support budget unit – CSA
- 7.B.6** Amended the Denair Municipal Advisory Council Bylaws, Section III, to change the members from elected members to appointed members; approved the changes to Section V regarding meetings and Section VI regarding its Committees; approved the changes to Section IX of the Bylaws to allow the Board of Supervisors to appoint members, if a vacancy occurs; approved the deletion of the sections titled *Execution of Deposits and Funds* and *Membership Inspection Rights* to maintain uniformity between all the MACs and their respective Bylaws; and, approved other minor changes for clarification purposes and grammar revisions – CEO
- 7.B.8** Authorized the Sheriff’s Department to offer employment to Michael Beavers, Tyler Caldwell, Dustin Espinoza, Jared Silva, and Reece Wallace to Deputy Sheriff I positions at step five of the salary range, currently \$39.32 per hour – Sheriff
- 7.B.9** Amended the South Modesto Municipal Advisory Council Bylaws, Section III, to change the members from elected members to appointed members; approved the changes to Section V regarding meetings and Section VI regarding its Committees; approved the changes to Section IX of the Bylaws to allow the Board of Supervisors to appoint members, if a vacancy occurs; approved the addition of the Sections X, XI, and XII to maintain uniformity between all the MACs and their respective Bylaws; and, approved other minor changes for clarification purposes and grammar revisions – CEO
- 7.B.10** 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
- 7.B.11** Approved the Declaration of Emergency, in accordance with California Public Contract Code Sections 20134 and 22050 in order to make the immediate repairs at the Public Health building located at 820 Scenic Drive in Modesto; made the following findings: (a) repair of the facility is necessary to ensure the safety and continued operation of essential county services; and, (b) the emergency will not allow for the delay that would result if the project were competitively bid, and the action to immediately replace and repair the system is

necessary; directed the GSA Director/Purchasing Agent to serve as Project Manager for all aspects of the project; and, authorized the Project Manager to negotiate and execute a contract with Belfor Group USA, Inc. and take any action necessary for abatement and remediation of hazardous materials and water damage at the facility; and, required the GSA to report to the Board on the status of the emergency project at its next regularly scheduled meeting and every 14 days thereafter, as required by the Public Contract Code, until the repairs are completed – GSA

7.B.12 Approved the extension of the current Health Insurance Agreement for the period of 01/01/2022 through 12/31/2022 between Stanislaus County and Service Employees International Union (SEIU), Local 521; approved the provisions contained within the Tentative Agreement reached with SEIU, Local 521; and, authorized the CEO, or designee, and all parties to sign the agreement – CEO

7.B.13 Accepted the CEO's First Quarter Financial Report for FY 2021-2022; authorized the CEO and the Auditor-Controller to make the necessary adjustments as recommended in the First Quarter Financial Report; authorized the use of \$1,269,423 in Appropriations for Contingencies as recommended in the First Quarter Financial Report; authorized the CEO and Auditor-Controller to reassign facility operations and administration, including all budget and finance responsibilities, for Stanislaus Veterans Center from the General Services Agency to Aging and Veterans Services; amended the Salary and Position Allocation Resolution to reflect the recommendations included as part of the First Quarter Financial Report, as outlined in the Staffing Impacts section of the agenda item and detailed in Attachment 2, to be effective the start of the first full pay period beginning on or after 11/20/2021, unless otherwise noted; and, approved contracts and/or agreements listed on Attachment 3, of the agenda item, in cumulative amounts of \$200,000 or greater since 07/01/2019, and authorize the GSA Director/Purchasing Agent or previously authorized Department Head to Sign – CEO

7.C.1 Approved a resolution establishing Stop Sign Traffic Controls on Elm Avenue at Walnut Avenue, Grayson Road at Vivian Road and Keyes Road at Vivian Road; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW

7.D.1 Approved the Third Release of California Emergency Solutions Grants (CA-ESG) Coronavirus Aid, Relief, and Economic Stimulus (CARES) Act Round 2 Allocation (CV2) (CA-ESG CARES CV2) funding recommendations; approved the allocation of the remaining CA-ESG CARES CV2 funding to grantees Awarded First, Second, and Third Release funding; and, authorized the Director of Planning and Community Development to execute any related program agreements, contracts, certifications or other documentation required for the awarding and implementation of CA-ESG CARES CV2 funding – Planning

Grewal/Withrow (4-0)(B. Condit abstained) **7.B.7** Authorized the Sheriff to retire two (2) canines from the Sheriff's Department service and enter into Canine Retirement Contracts with each of the canines' respective current handlers – Sheriff

Withrow/Grewal unan. **8.1** Accepted the Sheriff Department's 2020 Report on Immigration and Customs Enforcement access, pursuant to Government Code Section 7283.1(d); and, conducted a Community Forum pursuant to Government Code Section 7283.1(d) – Sheriff

Withrow/C. Condit unan. **9.1** Accepted the report on the 2020 Community Health Assessment and the Community Health Improvement Plan from the HSA - Public Health division – HSA

Grewal/B. Condit unan. **9.2** Accepted the report on Progress and Accounting for the use of Coronavirus Aid, Relief, and Economic Security (CARES) Act Coronavirus Relief Fund (CRF) allocations for the period ended 09/10/2021 – CEO

Corr 1 Referred to the County Counsel and the Auditor-Controller, a Claim for Refund of Property Taxes filed on behalf of T-Mobile West LLC, regarding assessments for tax year 2017-2018.

Corr 2 Referred to the DER, a letter from the Department of the Army regarding notification and safety education activities concerning munitions-related concerns at formerly used defense sites.

Corr 3 Referred to the Stanislaus County Superintendent of Schools, the San Joaquin County Office of Education FY 2021-2022 Annual Report regarding the John B. Allard Community School and the Stanislaus Military Academy as required by the Williams Settlement.

Corr 4 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Harold Lynn Earnest; Elliott Auto Supply; L.G., a minor, by and through Lue Saechao; Anthony Hernandez; Matt Rey; Eduardo Pelayo; Clifton Williams Jr; and, Luis Benitez.

Reconvened to Closed Session at 9:28 p.m.

Continuation of Closed Session **1.2** Conference with Legal Counsel – Significant exposure to Litigation: Pursuant to Government Code Section 54956.9(d)(2) or (3): One Matter. No reportable action was taken.

Adjourned at 10:50 p.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.)