

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

November 23, 2021

Invocation was given by Mike Gunnarson from City Ministry Network.

Annette Bedsworth, Animal Services Agency Director, presented the Stanislaus Animal Services Agency's 2020-2021 Annual Report.

Grewal/Withrow unan. **6.1** Received an update on the County's 2021 Redistricting Project; opened the public hearing to receive comments on the Draft Supervisorial District Map Alternative 1 and Visualizations 2 and 3; and, directed staff to make modifications to maps as needed or for purposes of review – CEO
2021-0570

Chairman Chiesa acknowledged receipt of written public comments. He noted that all public comments submitted via email were distributed to the members of the Board of Supervisors.

Steven Morrow shared concerns regarding the new traffic light on Mitchell Road near the new Walmart Supercenter. He asked the Board to have a sign installed warning of the new traffic light when coming off the freeway. He also spoke regarding the Citizen Voting Age Population by Race and Ethnicity (CVAP) and stated it will mean nothing if people do not go out and vote.

Joni Griep spoke in support of the COVID-19 vaccine mandate passport resolution. She voiced concerns regarding COVID-19 and mental health deaths in youth 5-11 years old. She asked the Board to please consider our entire community.

Keryn Whitlow thanked the Board for being so receptive to the community. She corrected a statistic she provided last week regarding COVID-19 death rates. She voiced concerns that there was not a COVID-19 update on the agenda today. She stated we have to stop placing the COVID-19 burden on our children and we have to take the masks off our children.

Yvonne Reynolds shared that she downloaded the petition to recall the governor, stood outside a local grocery store and collected signatures. She shared concerns regarding elected officials no longer listening to the people they serve. She voiced concerns regarding children being bribed to get a vaccination.

Megan Short stated she has questions for the County Public Health Officer. She said she appreciates the COVID-19 vaccine passport resolution on the agenda. She shared concerns regarding incentives for COVID-19 vaccine clinics and voiced concerns regarding parental consent to these vaccinations. She noted there are new mandates regarding sports and believes this new guidance is excessive.

Stephanie Daigre, a nurse, stated she agrees with what Megan said. She shared concerns with the public health officials and the statistics public health is presenting versus what she is seeing. She asked why

hospitals aren't using early intervention to help prevent hospitalization. She asked why the County isn't advertising vitamins, not the COVID-19 vaccination.

Tahiri Palomino, Patterson resident, voiced opposition to the COVID-19 vaccine mandate. She stated you should have the choice to vaccinate children. She shared concerns for the parents that home schooling is not an option. She voiced concerns that it doesn't seem like a choice at all, it seems like an ultimatum. She asked the Board to take a stance and prohibit the mandates trying to be imposed.

Vanessa Santos shared concerns regarding the school vaccine mandate and the unknown possible side effects. She stated all the focus is on vaccinating and we should have the right to choose. She said she is in support of the resolution and asked the Board to take the resolution into consideration.

Elizabeth Steinry stated when there was a flu outbreak in her child's school, they didn't have these extreme measures. She shared concerns regarding the current measures being taken in schools. She asked the Board to think about what it's going to take to get the masks removed.

Maryann Spikes thanked the Board for serving the community. She spoke regarding difficulty in receiving a public records request for the number of deaths for people experiencing homelessness. She shared concerns regarding COVID-19 medications being given to homeless and not being monitored after receiving these drugs. She voiced concerns that there was no COVID-19 update on the agenda this morning.

Camera Bonsack, County mental health worker, shared concerns regarding policies that everyone should be vaccinated or have a medical or religious exemption. She stated that staff are not being tested weekly and are meeting with clients. She shared concerns regarding employees being fearful of testing positive due to quarantine rules. She stated we were born with God given rights and feel that these mandates are not constitutional. She shared her experience with using Ivermectin when having COVID-19.

Withdraw/B. Condit unan. Adopted the consent calendar

- 5.A.1** Approved the minutes of 11/16/2021
- 5.A.2** Appointed Keryn Whitlow to the Stanislaus County Behavioral Health Board 2021-0555
- 5.A.3** Accepted the resignation of Holly Grace Currie from the Stanislaus County Child Abuse Prevention Council 2021-0556
- 5.A.4** Accepted the resignation of Richard G. Hagerty from the Stanislaus County Workforce Development Board 2021-0557
- 5.A.5** Corrected the term ending date for Laurie Daily-Johnson on the Stanislaus Animal Services Agency Advisory Committee 2021-0558
- 5.B.1** Accepted the August 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 – T/TC 2021-0559
- 5.B.2** Accepted the September 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 – T/TC 2021-0560
- 5.B.3** Set a public hearing on 12/14/2021, at the 9:00 a.m. meeting, to consider adjustments to the Stanislaus County Franchise Maximum Rates for Solid Waste Collection Services in order to implement new services to comply with SB 1383 – DER 2021-0561
- 5.B.4** Approved a contract for \$988,840.05 with Axon Enterprise, Inc. for the period of 12/01/2021, through 11/30/2026, to provide tasers and body worn cameras to the Probation Department; and, authorized the Chief Probation Officer to sign the contract with Axon

- Enterprise, Inc., for an amount not to exceed \$988,840.05 including any subsequent amendments or extensions – Probation 2021-0562
- 5.B.5** Approved an agreement with the Public Health Institute retroactively to 11/01/2021 through 01/31/2022 in the amount of \$348,604 for COVID-19 Case Investigation and Contact Tracing Services; and, authorized the HSA Managing Director, or her designee, to enter into the agreement and any subsequent amendments for additional services and payments, budget permitting, throughout the term of the agreement – HSA 2021-0563
- 5.B.6** Approved the Second Amendment for the Jail Medical Services agreement with California Forensic Medical Group with a new expiration date of 02/28/2022; approved the amendment for the Jail Based Competency Treatment program agreement with California Forensic Medical Group with a new expiration date of 02/28/2022 and a new contract maximum of \$3,587,208; authorized the Chairman, to sign the Second Amendment to the Jail Medical Services agreement, for which the Sheriff has approved the content; and, authorized the Sheriff to sign the amendment for the Jail Based Competency Treatment agreement, and to execute any subsequent amendment documents or other related forms as required and without increase to the contract maximum – Sheriff 2021-0564
- 5.B.7** Approved and adopted the Revised Stanislaus County Emergency Operations Plan and Associated Emergency Support Functions – Sheriff-OES/Fire Warden 2021-0565
- 5.C.1** Approved Amendment No. 3 to the Professional Design Services Agreement with T.Y. Lin International for additional environmental services for the Faith Home Road/Garner Road Bridge over the Tuolumne River Project, in the amount of \$132,709.13; with a new not-to-exceed total contract amount of \$2,281,959.13; authorized the Director of Public Works to execute the amendment with T.Y. Lin International in the amount of \$132,709.13 and to sign necessary documents; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2021-0566
- 5.C.2** Approved the Plans and Specifications of the Highway Safety Improvement Program (HSIP) No. 1 Signage Improvements, Federal Aid Project No. HRRRL-5938(245); awarded a contract for Construction Services to Central Striping Service, Inc. for the construction of Highway Safety Improvement Program (HSIP) No. 1 Signage Improvements; authorized the Director of Public Works to execute a contract with Central Striping Service, Inc. in the amount of \$1,542,897.44 and to sign necessary documents, including any amendments to the agreement not to exceed 10%, in accordance with Public Contract Code Section 20137 and 20142; and, authorized the Director of Public Works to accept the completed improvements and perform all the necessary closeout activities upon project completion and to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2021-0567
- 5.C.3** Approved the Plans and Specifications for the Highway Safety Improvement Program (HSIP) No. 2 Signage Improvements, Federal Aid Project No. HRRRL-5938(246); awarded a contract for construction services to Central Striping Service, Inc. for the construction of Highway Safety Improvement Program (HSIP) No. 2 Signage Improvements; authorized the Director of Public Works to execute a contract with Central Striping Service, Inc. in the amount of \$1,443,001.39 and to sign necessary documents, including any amendments to the agreement not to exceed 10%, in accordance with Public Contract Code Section 20137 and 20142; and, authorized the Director of Public Works to accept the completed improvements and perform all necessary closeout activities upon project completion and to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2021-0568

5.D.1 Set a public hearing on 12/14/2021, at the 9:00 a.m. meeting, to consider the Planning Commission's recommendation for General Plan Amendment, Rezone, and Vesting Tentative Parcel Map Application Number PLN2020-0102 – M&B Family Development, a request to amend the General Plan and Zoning designations of a 0.35-acre portion of a 2.82-acre parcel from Agriculture and General Agriculture (A-2-40) to Planned Development (P-D), and to create a 0.35-acre parcel and a 2.47-acre remainder parcel, to legalize an unpermitted parking lot, located at 5045 McHenry Avenue (SR 108), on the northwest corner of the McHenry Avenue and Kiernan Avenue (SR 219) Intersection, in the Modesto area; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-57-M-1 2021-0569

Recessed at 11:20 a.m.

Reconvened at 11:28 a.m.

B. Condit/Withdraw unan. **7.3 Amended** the resolution prohibiting proof of COVID-19 vaccination as a requirement for access to any Stanislaus County facilities, programs and services; and, approved the resolution as amended – CEO 2021-0573

Recessed at 1:07 p.m.

Reconvened at 1:12 p.m.

C. Condit/Grewal unan. **7.1** Accepted an update on the Bonita Pool and Park Project; and, authorized the Project Manager to reject all proposals received from the three pre-qualified design-build firms – GSA 2021-0571

Grewal/Withdraw unan. **7.2** Accepted and update on the Stanislaus County Non-Profit Support Grant Program; and, authorized the CEO to distribute \$1,000,000 of grants funds as recommended and detailed in the staff report – CEO 2021-0572

Corr 1 Referred to the Fish and Wildlife Committee, a letter from the California Fish and Game Commission regarding proposed regulations relating to big game mammal hunting regulations.

Corr 2 Referred to County Counsel and the Auditor-Controller, Claims for Refund of Property Taxes filed on behalf of Sprint Telephony PCS, L.P., Pacific Bell and AT&T Mobility LLC regarding assessments for tax year 2017-2018.

Corr 3 Acknowledge receipt of, a letter from the Rock Creek Water District regarding the election of Wayne McCurley, Anita Moran Slicton, and Robert N. Frobose to their Board of Directors.

Corr 4 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Charles Bailey; Raul Rudy Magana Vargas; Stephen Bratset; Dustyn Slade Graham; Lupe Isela Longoria; Oscar Gavino Longoria; Arturo Vargas Medina Jr.; Teresa L. Fulkerson; and, Elsa Cordova.

Chairman Chiesa announced that yesterday was the groundbreaking for the Hickman Bridge. He noted this bridge connects District 1 and District 2 between Waterford and Hickman.

CEO Hayes reported that the estimated surplus that was released from the legislative analyst yesterday for the 2022-2023 State Budget is estimated at \$31 billion. He shared we will be monitoring to see what the

State can do to support local programs and services to benefit our community. He acknowledged Supervisor C. Condit for his work this week with the legislative advocacy team as he met with the Deputy State Treasurer this week to bring more healthcare facilities to the westside. Prior to adjourning into Closed Session an opportunity was given to the public to address matters listed under Closed Session.

Steven Morrow followed up regarding his concerns he raised at a previous meeting regarding closed session reporting out. He shared he was able to connect with County Counsel Boze and was provided a document regarding closed session. He stated it answered all his concerns and thanked County Counsel.

Maryann Spikes inquired about follow up questions she had previously inquired about. She shared concerns about homeless getting kicked off of the bus after riding it all day. She also shared concerns about possible vaccine mandate passports for homeless preventing warm shelter.

Adjourned to closed session at 1:50 p.m.

12.1 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 taken.

12.2 Conference with Legal Counsel - Significant Exposure to Litigation Pursuant to Government Code section 54956.9(d)(2) or (3): One Matter. No reportable action taken.

Adjourned at 2:54 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.)