

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

April 5, 2022

Invocation was given by Deacon Jose Reyes, Parish Life Coordinator, with St. Stanislaus Catholic Parish.

County Librarian Sarah Dentan and Friends of the Library Pat Portwood and Susan Thomas gave a presentation regarding proclaiming 04/03/2022 - 04/09/2022 as Library Week in Stanislaus County.

Chairman Withrow 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.

Jim Bishop shared concerns regarding the Sheriff's Department plane flying the past three days interrupting his neighborhood.

Martha Villasenor, South Modesto MAC member, shared that there is a meeting this evening at 6:00 p.m. to talk about getting support for this area.

Miguel Donoso voiced concerns regarding the resignations of the Director of the Continuum of Care and the CSA Director, and the impact this will have on the Community System of Care (CSOC) Board.

Eileen Martinho with Maas Energy Works, a dairy digester developer and operator, provided information regarding their projects and the impacts in the community. She requested a letter of support from the Board.

Joni Griep shared concerns regarding the Public Health Officer and various bills the State legislature is proposing. She asked the Board to consider the ramifications.

Grewal/B. Condit unan. Adopted the consent calendar after removing from consent Item **5.B.8** Approval to oppose SB 871 (Senator Pan) which would prohibit the governing authority of a school or other institution from unconditionally admitting any person as a pupil of any public or private elementary or secondary school, childcare center, day nursery, nursery school, family day care home, or development center, unless prior to their admission to that institution they have been fully vaccinated against COVID-19 – CEO

5.A.1 Approved the minutes of 03/29/2022

5.A.2 Approved changing the representation of Charmaine Monte and Kathy Marie Rupe from Supervisorial District Three to Supervisorial District Five on the Stanislaus County Behavioral Health Board 2022-0138

5.A.3 Appointed Margie Johnson to the Stanislaus County Behavioral Health Board 2022-0139

5.B.1 Approved the Certification Statements for the California Children's Services and Child Health and Disability Prevention Programs for FY 2021-2022; and, authorized the Chairman to sign the Certification Statements for the California Children's Services and Child Health and Disability Prevention programs – HSA 2022-0140

- 5.B.2** Adopted the Property Tax Administration Cost Recovery Plan for use in FY 2021-2022; approved the calculation of the Property Tax Administration Fee (PTAF) from FY 2020-2021 and the proportion of recoverable costs attributable to incorporated cities and other jurisdictions; and, authorized the collection of said costs pursuant to the provisions of the Revenue and Taxation (R&T) Code Sections 95.3 and 97.75, and Stanislaus County Ordinance Code Section 4.44.010 – Auditor-Controller 2022-0141
- 5.B.3** Authorized DER to purchase a 2022 Chevrolet Silverado 2500 Truck to utilize available grant funding for illegal roadside disposals; and, directed the Auditor-Controller to reduce appropriations in Salaries and Benefits and increase appropriations in Fixed Assets – Equipment by \$51,000 – DER 2022-0142
- 5.B.4** Proclaimed the week of April 17-23, 2022, as Stanislaus County Volunteer Week in Conjunction with National Volunteer Week; and, accepted the County Volunteer Program Annual Report for Calendar Year 2021 – CEO 2022-0143
- 5.B.5** Approved Amendment No. 7 to the Agreement with Mead and Hunt Inc. for professional services related to the Crows Landing Industrial Business Park project; and, authorized the Purchasing Agent to sign the amendment – CEO 2022-0144
- 5.B.6** Finds that two County-owned properties located at 9633 Crows Landing Road, Crows Landing (APN 022-036-006) and 6519 Bradbury Road, Turlock (APN 058-031-022) are currently occupied by the Mountain View Fire Protection District (“Fire District”) and are not required for use by the County; finds that these two properties each have an operating fire station located on them and are required for Fire District use; finds that these recommended actions are exempt from the provisions of the CEQA according to Section 15312 and Class 12 of the CEQA Guidelines (surplus government property sales) and authorized the County to file the Notice of Exemption; and, authorized execution of the Quitclaim Deeds by the Chairman and authorized the Public Works Director, or his designee, to take necessary actions to complete the transfer process and execute any other documents necessary to complete the transfer of County’s interest in the two properties currently occupied by the Fire District at 9633 Crows Landing Road, Crows Landing (APN 022-036-006) and 6519 Bradbury Road, Turlock (APN 058-031-022) to the Fire District – PW DF-11-A-5 2022-0145
- 5.B.7** Approved the initiation of the Sheriff’s Firearms Training Facility Project; approved an initial project budget of \$350,000, funded by appropriations in the General Services Agency’s FY 2021-2022 budget, to fund a conceptual design and project estimate; directed the Auditor-Controller to increase revenue and appropriations in the General Services Agency Sheriff’s Firearms Training facility Capital Project budget in the amount of \$350,000, as detailed in the budget journal attached to the agenda item; and, authorized the General Services Agency Director/Purchasing Agent, acting as the Project Manager, to issue work authorizations and execute contracts for professional services needed for the project, so long as they are within the project budget – GSA 2022-0146
- 5.B.9** Set a public hearing on 04/26/2022, at the 9:00 a.m. meeting, to introduce and waive the first reading of an ordinance to establish new fees and eliminate an existing fee for the Library; and, authorized the Clerk to publish notice as required by law – Library ORD-57-N-2 2022-0148
- 5.B.10** Set a public hearing on 04/26/2022, at the 9:00 a.m. meeting, to introduce and waive the first reading of an ordinance to establish new fees for the Sheriff’s Office as they relate to Single-County Emergency Medical Services; and, authorized the Clerk to publish notice, as required by law – Sheriff ORD-57-O-1 2022-0149
- 5.B.11** Set a public hearing on 04/26/2022, at the 9:00 a.m. meeting, to introduce and waive the first reading of an ordinance to establish new fees and amend or eliminate existing fees for DER; and, authorized the Clerk to publish notice as required by law – DER ORD-57-O-2 2022-0150

- 5.B.12** Set a public hearing on 04/26/2022, at the 9:00 a.m. meeting, to introduce and waive the first reading of an ordinance to amend existing fees for the Department of Public Works as they relate to development permits, grading permits, building permits, encroachment permits, and other projects involving construction activities in Stanislaus County; and, authorized the Clerk to publish the notice as required by law – PW ORD-57-P-1 2022-0151
- 5.B.13** Set a public hearing on 04/26/2022, at the 9:00 a.m. meeting, to introduce and waive the first reading of an ordinance to establish new fees and amend existing fees for the Agricultural Commissioner; and, authorized the Clerk to publish the notice as required by law – Ag Commissioner ORD-57-P-2 2022-0152
- 5.B.14** Set a public hearing on 04/26/2022, at the 9:00 a.m. meeting, to introduce and waive the first reading of an ordinance to amend existing fees for building permit services; and, authorized the Clerk to publish notice as required by law – Planning ORD-57-Q-1 2022-0153
- 5.B.15** Set a public hearing on 04/26/2022, at the 9:00 a.m. meeting, to introduce and waive the first reading of an ordinance to amend existing fees for planning services; and, authorized the Clerk to publish notice as required by law – Planning ORD-57-Q-2 2022-0154
- 5.B.16** Set a public hearing on 04/26/2022, at the 9:00 a.m. meeting, to introduce and waive the first reading of an ordinance to amend and eliminate existing fees for the Department of Parks and Recreation; and, authorized the Clerk to publish notice as required by law – Parks and Recreation ORD-57-R-1 2022-0155
- 5.C.1** Approved the plans and specifications for the Pavement Rehabilitation – Phase M, Albers Road and Hickman Road Project, Federal Aid Project No. STPL-5938(266); awarded a contract for construction services to George Reed, Inc. for the construction of the Pavement Rehabilitation – Phase M, Albers Road and Hickman Road Project; authorized the Director of Public Works to execute a contract with George Reed, Inc. in the amount of \$1,599,874 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 take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0156
- 5.C.2** Approved Professional Design Services Master Agreements with Dewberry Engineers, Inc., MNS Engineers, Inc. and NV5, Inc. to provide On-Call Construction Management Services for various Public Works projects through 04/05/2025, with each agreement in an amount not to exceed \$4,000,000; authorized the Director of Public Works to sign the agreements and any extensions up to two years if deemed necessary and mutually beneficial, including any amendments to the agreement, not-to-exceed 10%; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0157
- 5.D.1** Set a public hearing on 05/03/2022, at the 9:00 a.m. meeting, to consider the approval of the FY 2022-2023 Annual Action Plan for the Stanislaus Urban County and the Stanislaus HOME Consortium for U.S. Department of Housing and Urban Development Entitlement Programs – Planning 2022-0158

B. Condit/Chiesa unan. **5.B.8** Authorized the Chairman to sign, on behalf of the Board, a formal letter of opposition to SB 871, authored by Senator Dr. Richard Pan (D-Sacramento) regarding the proposed legislation; and, directed County staff to distribute the letter of opposition to the authors, co-authors, appropriate committee and local state representatives – CEO 2022-0147

Chiesa/C. Condit unan. **7.1** Approved the agreement between the County of Stanislaus and California Forensic Medical Group, Inc. for Inmate Health Care Services; authorized the Chairman to sign the agreement for the period of 05/01/2022 – 06/30/2027, reserving the right to extend for two additional one-year periods; authorized the use of \$188,000 in Appropriations for Contingencies; and, directed the Auditor-Controller to increase appropriations and estimated revenue in the Sheriff's Adult Detention Expansion budget unit, increase appropriations in the Sheriff's Detention budget unit, and increase appropriations in the Probation Youth Offender Block Grant budget unit – Sheriff 2022-0159

B. Condit/Grewal unan. **7.2** Authorized the Public Defender to establish an Alternate Defender Office for clients in which the Public Defender is unable to provide representation due to a conflict of interest; authorized the Public Defender to negotiate and execute a site lease and any agreements necessary to establish an Alternate Defender Office; amended the Salary and Position Allocation Resolution to reflect the recommendations as outlined in the Staffing Impacts section of the agenda item, to be effective the first full pay period following the Board's approval; and, authorized budget transferability between the Public Defender's two general fund budget units to ensure the general fund budgets will end in a positive position – Public Defender 2022-0160

B. Condit/Grewal unan. **7.3** Finds that the public interest and necessity require the North County Corridor Project – Phase 1; finds that the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; finds that the subject property, APN 075-024-012, described in the resolution, attached to the agenda item, is necessary for the project; finds that the offer required by section 7267.2 of the Government Code has been made to the parcel owners, Paz Gutierrez of the property to be acquired; adopted a Resolution of Necessity in the form, attached to the agenda item; and, authorized County Counsel to initiate eminent domain proceedings to acquire the subject property – PW 2022-0161

Chiesa/B. Condit unan. **7.4** Finds that the public interest and necessity require the North County Corridor Project – Phase 1; finds that the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; finds that the subject property, APN 083-002-038, described in the resolution attached to the agenda item, is necessary for the project; finds that the offer required by section 7267.2 of the Government Code has been made to the parcel owners, Heirs or Devisees of A. Wayne Gilbert c/o Kory L. Gilbert and Connie S. Gilbert of the property to be acquired; adopted a Resolution of Necessity in the form, attached to the agenda item; and, authorized County Counsel to initiate eminent domain proceedings to acquire the subject property – PW 2022-0162

B. Condit/C. Condit unan. **7.5** Finds that the public interest and necessity require the North County Corridor Project – Phase 1; finds that the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; finds that the subject property, APN 083-002-037, described in the resolution, attached to the agenda item, is necessary for the project; finds that the offer required by section 7267.2 of the Government Code has been made to the parcel owners, Kory L. Gilbert and Connie S. Gilbert of the property to be acquired; adopted a Resolution of Necessity in the form, attached to the agenda item; and, authorized County Counsel to initiate eminent domain proceedings to acquire the subject property – PW 2022-0163

B. Condit/Chiesa unan. **7.6** Finds that the public interest and necessity require the North County Corridor Project – Phase 1; finds that the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; finds that the subject property, APN 075-025-019, described in the resolution, attached to the agenda item, is necessary for the project; finds that the offer required by section 7267.2 of the Government Code has been made to the parcel owners, Can L. Lu and Phuong K. Lu, Revocable Living Trust of the property to be acquired; adopted a Resolution of

Necessity in the form, attached to the agenda item; and, authorized County Counsel to initiate eminent domain proceedings to acquire the subject property – PW 2022-0164

B. Condit/C. Condit unan. **7.7** Adopted the Stanislaus County Groundwater Well Siting and construction guidelines; adopted an addendum to the Program Environmental Impact Report Discretionary Well Permitting and Management Program pursuant to CEQA Guidelines Section 15164 for Discretionary Well Permitting and Management, adopted in 2018; and, directed the DER to file a Notice of Determination with the Stanislaus County Clerk Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15094 – DER 2022-0165

Corr 1 Referred to the Fish and Wildlife Committee, a letter from the California Fish and Game Commission regarding proposed changes in regulations relating to Central Valley sport fishing.

Corr 2 Acknowledged receipt of claims and referred to the CEO's Office the following claim: Brady DeHart.

Supervisor B. Condit reminded everyone that the Oakdale Rodeo is this weekend.

CEO Hayes announced in accordance with Government Code Section 54953(c)(3), that Christine Huber has been appointed to serve as the Community Services Agency Director, effective 04/16/2022, at a starting salary of \$82.16 hour, plus Department Head benefits.

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 12:59 p.m.

12.1 Conferenced with Labor Negotiator: Pursuant to Government Code Section 54957.6. Agency Negotiators: Jody Hayes, Tamara Thomas, Burke Dunphy and Shannon Esenwein. Labor Organization: United Domestic Workers Association. No reportable action taken.

12.2 Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). Two cases: Michael R. O'Neal, Rhonda Bieseimeier and Dennis J. Nasrawi v Stanislaus County Employees' Retirement Association, et al., Stanislaus County Superior Court Case No 683548. The House Modesto v County of Stanislaus. Stanislaus County Superior Court Case No 2027505. No reportable action taken.

Adjourned at 2:12 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.)