

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 26, 2022

Invocation was given by Pastor Michael Douglass, with Advancing Vibrant Communities.

A moment of silence was held for former Stanislaus County Parks Director William (Bob) Gregory.

Christine Huber, Director of CSA and Lori Schumacher, Program Director for the Center for Human Services, gave a presentation regarding April 2022 as Child Abuse Prevention Month in Stanislaus County.

Rick Santos, StanCERA Executive Director, gave a presentation to the Board regarding the Stanislaus County Employees' Retirement Association (StanCERA).

Katherine Borges voiced concerns regarding a variety of topics including: the status of a public records request concerning the Salida Sheriff's Substation, the need for the County to improve communication with the community, sex trafficking occurring in Salida, weeds along highway 99, and illegal dumping. She requested another sign for the Salida Substation and to fix the County sign located by the Salida Library.

Debra Harper spoke regarding her suspension from the County Libraries, and that her phone was stolen.

Steven Morrow spoke regarding StanCERA's presentation and shared that six figure pensions are not common. He stated that inflation is the cruelest tax of them all.

Grewal/C. Condit unan. Adopted the consent calendar after removing from consent Item: **6.B.10** Approval of an MOU with Modesto Children's Museum, Inc. for the purpose of providing a \$250,000 contribution for the Capital Campaign – CEO; and, after removing from the agenda Item **6.C.5** Approval to set a Public Hearing on 06/21/2022, at the 6:30 p.m. meeting to conduct a ballot procedure in compliance with Proposition 218 to form CSA 31 - Crows Landing Industrial Business Park and authorize the levy of an Annual Assessment – PW CSA-31-2 2022-0191

6.A.1 Approved the minutes of 04/05/2022

6.A.2 Appointed Dale Boucher to the Stanislaus County Planning Commission 2022-0166

6.A.3 Appointed Larry Bolton and Marjorie Sturdy to the Stanislaus County Behavioral Health Board 2022-0167

6.A.4 Appointed John Snoke to the Stanislaus County Parks and Recreation Commission 2022-0168

6.A.5 Adopted and waived the second reading of Ordinance C.S. 1315 related to solid waste and food recovery requirements to repeal and replace chapters 9.02 ,9.04, 9.08, 9.09, 9.10, 9.12, and adopted a new chapter 9.11 to the Stanislaus County Code to comply with the Requirements of SB 1383 ORD-57-N-1 2022-0169

- 6.B.1** Authorized the Sheriff to accept funding in the amount of \$300,000 from the California Department of Parks and Recreation, Division of Boating and Waterways; authorized the Sheriff to sign all quarterly reimbursement claims and other required documents for the State Department of Boating and Waterways; and, approved a formal resolution as required by the State to receive this grant – Sheriff 2022-0170
- 6.B.2** Authorized the Sheriff to retire one (1) canine from the Sheriff’s Department service and enter into a Canine Retirement Contract with Jefferson Working Dogs – Sheriff 2022-0171
- 6.B.3** Authorized the HSA Managing Director, or her designee, to accept the \$320,000 award for the U.S. Consumer Product Safety Commission Pool Safety Grant Program, retroactively from 12/28/2021 through 12/27/2023; and, authorized the Auditor-Controller to make the necessary budget adjustments, as detailed in the budget journal – HSA 2022-0172
- 6.B.4** Approved the award of a three-year contract to e-Builder, Inc. for a Project Management Information System for the GSA, Capital Facilities Division in the amount of \$348,220; authorized the GSA Director/Purchasing Agent to sign the agreement and any subsequent amendments to the scope of work as long as it is within the approved budget; directed the Auditor-Controller to decrease appropriations in the amount of \$150,000 in GSA Administration budget unit funded by General Fund contribution, as detailed in the budget journal; and, directed the Auditor-Controller to increase appropriations in the amount of \$150,000 in GSA Plant Acquisition budget unit funded by General Fund contribution, as detailed in the budget journal – GSA 2022-0173
- 6.B.5** Authorized the CEO to approve a five percent (5%) assignment pay for elected official Kashmir Gill, Stanislaus County Auditor-Controller, to lead and provide support to the Enterprise Resource Planning (ERP) Project team working on the Oracle Financial Management Systems implementation, for duties consistent with the assignment pay policy adopted for management employees; and, authorized the CEO to approve and extend ongoing assignment pay for Ms. Gill every six months pursuant to this board item as provided for by County policy or until completion of the ERP Project, aligned with Oracle Cloud implementation targeted for 10/01/2022 – CEO 2022-0174
- 6.B.6** Accepted the donation of a mural to the Nick W. Blom Salida Regional Library from the Friends of the Salida library – Library 2022-0175
- 6.B.7** Approved Amendment No. 4 to the Independent Contractor Services Master Agreement with Jorgensen & Sons, Inc. dba Jorgensen Company for countywide fire extinguisher inspection, testing, and maintenance services, and adjust the not-to-exceed limit of the agreement from \$350,000 to \$475,000; and, authorized the Purchasing Agent to sign Amendment No. 4 and any subsequent amendments to the agreement – GSA 2022-0176
- 6.B.8** Approved the Area Agency on Aging’s FY 2022-2023 Area Plan Update; and, authorized the Chairman to sign the Transmittal Letter to the California Department of Aging – AAA 2022-0177
- 6.B.9** Authorized the DER Director, to apply for and accept, if awarded, the SB 1383 Local Assistance Grant from the California Department of Resources Recycling and Recovery (CalRecycle); adopted a resolution to authorize the DER Director to apply for and administer the SB 1383 Local Assistance Grant; and, authorized the DER Director to sign the grant agreement and documents, as well as amendments, related to the SB 1383 Local Assistance Grant, if awarded – DER 2022-0178
- 6.B.11** Accepted the Report of Donations received by the County of Stanislaus for the Second Quarter of FY 2021-2022 – Auditor-Controller 2022-0180
- 6.B.12** Authorized the Stanislaus County Fire Warden or designee, to accept the FY 2021 Homeland Security Grant Program award from the California Governor’s Office of Emergency Services to enhance local emergency management and homeland security efforts – Sheriff 2022-0181

- 6.B.13** Proclaimed May 2022 as Mental Health Awareness Month in Stanislaus County – BHRS
2022-0182
- 6.B.14** Adopted the retirement contribution rates for Budget Year 2022-2023 as contained in the StanCERA Actuarial Valuation as of 06/30/2021, and as recommended by the StanCERA Board; and, directed the Auditor-Controller to change the employer and employee retirement contribution rates for Budget Year 2022-2023 in accordance with the Actuarial Valuation of 06/30/2021, in the first full pay period in July 2022 – CEO 2022-0183
- 6.B.15** Authorized the Sheriff’s Department to offer employment to Levi Crain for a Deputy Sheriff I position at step five of the salary range, currently \$40.51 per hour – Sheriff 2022-0184
- 6.B.16** Authorized the Sheriff to purchase a Lenco Bearcat Armored Vehicle at a cost of \$450,000, for use by tactical teams for operational safety; approved the use of \$354,000 in County Appropriations for Contingencies; and, authorized the Auditor-Controller to make the necessary budget adjustments, as detailed in the budget journal attached to the agenda item, which will increase fixed assets spending authority by \$450,000 in the Sheriff Operations Legal Budget Unit, funded by \$96,000 from the Sheriff OES-Homeland Security Grant, along with County General Fund support of \$354,000 through transfer from County Appropriations for Contingencies – Sheriff 2022-0185
- 6.B.17** Approved a resolution to comply with DOJ requirements to allow the Local Emergency Medical Services Agency access to criminal record information for EMS certification, accreditation or renewal purposes – Sheriff 2022-0186
- 6.C.1** Approved the Agreement for Acquisition of Property located at and near 513 South 7th Street, Modesto, CA, for the 7th Street Bridge Replacement Project, Grantor: Ricardo Garcia, APN: 038-002-001 (partial acquisition) and 038-003-007 (full acquisition); authorized the Chairman to execute the Purchase Agreement for Acquisition of Fee Interest in Real Property; authorized the PW Director to pay any and all relocation costs associated with this property acquisition in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act; and, authorized the Director of PW to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0187
- 6.C.2** Adopted the Mitigated Negative Declaration for the Faith Home Road and Garner Road Expressway Project pursuant to CEQA Guidelines Section 15074(B), by finding, on the basis, of the whole record, including the Initial Study and any comments received, there is no substantial evidence the project will have a significant effect on the environment and that the MND reflects Stanislaus County’s independent judgment and analysis; directed the Department of Public Works to file a Notice of Determination for the Faith Home Road and Garner Road Project with the Stanislaus County Clerk Recorder’s Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; and, authorized the Director of PW to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0188
- 6.C.3** Approved an Agreement for Construction Management Services with NV5, Inc. for the McHenry Avenue Widening from Ladd Road/Patterson Road (SR 108) to the South End of McHenry Bridge; authorized the Director of PW to execute a contract with NV5, Inc. in the amount of \$1,164,840.12 and to sign necessary documents, including any amendments to the agreement not to exceed 10%; and, authorized the Director of PW to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0189

6.C.4 Pursuant to Street and Highway Codes 8334(b), 8335, and 8340: finds based on the reasons stated in the report, this portion of road described herein, is not required for street and highway purposes; finds a public utility easement will be retained for the benefit of in-place public utility facilities and canal access; a private ingress/egress easement will be retained for the benefit of the existing parcels; adopted the resolution, vacating that portion of the road located between Wellsford and Albers Roads north of Yosemite Boulevard, east of the Community of Empire as described in Exhibits “A” and “B”, attached to the agenda item; and, directed the Department of Public Works to record the resolution with the County Clerk-Recorder – PW 2022-0190

Chiesa/Grewal) (Withrow abstained) **6.B.10** Authorized the CEO, or his designee, to execute a MOU with Modesto Children’s Museum, Inc. for the purpose of providing a \$250,000 contribution for the capital campaign – CEO 2022-0179

C. Condit/B. Condit unan. **7.1** Rescheduled the public hearing from the 04/26/2022, 9:00 A.M. meeting, to the 05/03/2022, 9:00 A.M. meeting, to consider an ordinance to establish new fees for the Sheriff’s Office related to the Local Emergency Medical Services Agency – CEO ORD-57-O-1 2022-0192

Chiesa/C. Condit unan. **7.2** Conducted the public hearing; **amended** the proposed Department of Parks and Recreation Fee Schedule to remove the increase for the senior discount level; and, introduced and waived the first reading of Ordinance C.S. 1323 to amend and eliminate existing fees for the Department of Parks and Recreation per the fee schedule as amended – Parks and Recreation ORD-57-R-1 2022-0193

Chiesa/B. Condit unan. **7.3** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1316 to establish new fees and eliminate an existing fee for the Library ORD-57-N-2 2022-0194

B. Condit/Chiesa unan. **7.4** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1318 to establish new fees and amend or eliminate existing fees for the Department of Environmental Resources ORD-57-O-2 2022-0195

B. Condit/C. Condit unan. **7.5** Conducted a public hearing; and, introduced and waived the first reading Ordinance C.S. 1319 to amend existing fees for the Department of Public Works ORD-57-P-1 2022-0196

Chiesa/B. Condit unan. **7.6** Conducted a public hearing; and, introduced and waived the first reading Ordinance C.S. 1320 to establish new fees and amend existing fees for the Agricultural Commissioner ORD-57-P-2 2022-0197

C. Condit/B. Condit unan. **7.7** Conducted a public hearing; and, introduced and waived the first reading Ordinance C.S. 1322 to amend existing fees for planning services – Planning ORD-57-Q-2 2022-0198

B. Condit/C. Condit unan. **7.8** Conducted a public hearing; and, introduced and waived the first reading Ordinance C.S 1321 to amend existing fees for building permit services – Planning ORD-57-Q-2 2022-0199

Corr 1 Referred to the Fish and Wildlife Committee, a letter from the U.S. Fish and Wildlife Service regarding their intent to conduct a Species Status Review of the western ridged mussel.

Corr 2 Referred to the Department of Environmental Resources, a notice from the Eastern San Joaquin Groundwater Authority regarding their intent to adopt an Amended Groundwater Sustainability Plan for the Eastern San Joaquin Subbasin.

Corr 3 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Miller Stokes; Sarah Deaton; Jannessa Aaron; Diana Halcon; Ashley Candia (2 claims); Julie Ramos; Teresa Vaca; Branden S. Mize; Farmers Insurance aso Richard Tracy (amended claim); and, Alejandro Estevan Mercado.

Supervisor Chiesa shared that he has no disqualifying conflicts of interest with agenda Item **6.C.4**, which is property owned by his brother's father-in-law.

Supervisor Chiesa reported that yesterday the Sheriff's Office conducted illegal cannabis enforcement in Hickman. He shared that Public Works fixed a pothole that he reported by using the new Stan Connect app. He also shared that the San Joaquin Valley Air Pollution Control District is having a Free Smog Repair Event at John Thurman Field, 601 Neece Drive, Modesto, CA 95351 this Saturday, 04/30/2022 from 8:00 a.m. – noon.

Chairman Withrow reported he, along with Supervisors Chiesa and B. Condit attended the Grand Opening of the Salida Sheriff's Substation on Saturday, 04/16/2022. Yesterday, he attended the Governor's CARE Court roundtable at the Capitol.

Supervisor B. Condit reported that he participated in the Valley Home community clean-up on Saturday, 4/16/2022 and two dumpsters were filled.

Supervisor Grewal reported that he hosted the Gregori High School Prom at his property this past weekend.

CEO Hayes reported that the Board sent a letter of opposition regarding AB 2201, which concerns groundwater extraction and noted that staff is tracking this bill. He spoke regarding AB 481, which concerns the acquisition and use of military equipment by local law enforcement agencies, and reported that the County has begun the approval process to comply with this legislation. He shared that the County is working on identifying this equipment and will come before the Board by the end of the year for consideration.

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 11:14 a.m.

13.1 Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: Jamie Coston, et al v. Stanislaus County, et al., Stanislaus County Superior Court Case No. 2016561. No reportable action taken.

13.2 Conferenced with Legal Counsel – Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2) or (3): One matter. No reportable action taken.

Debra Harper shared concerns regarding homeless and getting accurate counts of homeless.

Adjourned at 12:18 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.)