

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 12, 2022

Invocation was given by Imam Ahmad Kayello, with Islamic Center of Modesto.

Presentation regarding July 2022 as Parks Make Life Better month was given, and the Chairman presented a resolution to Tera Chumley, Interim Parks Director.

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.

Joseph Monterosso provided the Board members a handout regarding a dirt strip adjacent to his property on Horseshoe Road which included two freedom of information act requests. He shared concerns regarding this dirt strip and expressed he is doing all he can to get this road closed and will come back before the Board to remind them of this request.

Ramon Rodriguez spoke regarding healthcare freedom specifically abortion rights. He shared concerns for women that are being forced to go out of state for abortion, however in CA it remains legal. He expressed the effects this will have on women of low income or color. He also spoke regarding various police incidents involving individuals who are suffering from mental health issues. He shared the need to start putting in reform and these individuals need to go to a mental health institution, not jail.

He also spoke regarding various police incidents involving individuals who are suffering from mental health issues.

Steven Morrow spoke regarding the recent Election and the upcoming General Election. He congratulated the winners of the recent election. He shared concerns regarding voter turnout and expressed that you should look carefully at who is paying for the campaign mailings.

LaPrice Reynolds, IHSS worker, supports a living wage for IHSS workers and is the father of a disabled child. He shared that a living wage is not just for him but for his child. He asked the Board to make a good decision.

Esther Lombrana, IHSS worker, supports increase in wages. She lives out of town and is the caretaker for her mother and travels 1.5 hours to care for her mother since her brother passed away.

Astrid Zuniga, IHSS worker, expressed that there are individuals in need and not receiving medication and assistance. She shared that on the 4th of July she realized how much care her son needs as he was hospitalized and almost died. She expressed if we are not investing in it, who is going to be there for these people.

Sebastian Jones, IHSS worker, shared that he was an IHSS activist and supporter but now cares for his 87-year-old father. He shared concerns regarding Board members living wages in comparison to IHSS workers living wages. He asked for a living wage increase and stated it's time to make a stand.

May Hicks supports IHSS living wage. She shared that IHSS work is amazing.

Della Corrales supports IHSS living wage. She shared that her grandson was hospitalized for six months and her daughter had to make the decision to send him to a facility or care for him at home. Her daughter brought her son home and is thankful for the IHSS program. Her daughter quit her job of 20 years and shared what is being offered is disappointing. She stated when you know right, you do right.

Jason David spoke in support of IHSS living wage. He shared he has a disabled son and the struggles caregivers endure. He expressed that IHSS workers deserve it and need to be given higher wages.

Joni Griep shared our County is a treasure and her heart is for our children. She expressed that children, elderly and the disabled have experienced the brunt of pandemic policies. She shared the LA County Public Health Officer is reinstating the indoor mask mandate and Sacramento City Unified School District is reinstating a mask mandate for their students too. She asked if there is measurable benefit of mask wearing. She asked the Board to consider a resolution to make mask choice in our County.

Grewal/C. Condit unan. Adopted the consent calendar

- 5.A.1** Approved the minutes of 06/28/2022
- 5.A.2** Appointed Renee D. Cross and Ofelia P. Navarette to the In-Home Supportive Services Advisory Committee 2022-0362
- 5.A.3** Appointed Michael Rau as an At-Large representative to the Stanislaus County Veterans Advisory Commission 2022-0363
- 5.A.4** Appointed Harjit Kaur to the Stanislaus County Equal Rights Commission 2022-0364
- 5.A.5** Accepted the resignation of Robert Elliot from the Salida Municipal Advisory Council 2022-0365
- 5.A.6** Proclaimed August 2022 as Child Support Awareness Month in Stanislaus County 2022-0366
- 5.A.7** Approved the consolidation of the Municipal Election for the City of Patterson with the Gubernatorial General Election to be held on 11/08/2022 2022-0367
- 5.A.8** Approved the consolidation of the Patterson Joint Unified School District's Bond Measure with the Gubernatorial General Election to be held on 11/08/2022 2022-0368
- 5.A.9** Approved the consolidation of the Waterford Unified School District's Bond Measure with the Gubernatorial General Election to be held on 11/08/2022 2022-0369
- 5.A.10** Approved the consolidation of the West Side Community Healthcare District's Ballot Measure regarding the imposition of a Special Tax to fund Ambulance Service with the Gubernatorial General Election to be Held on 11/08/2022 2022-0370
- 5.A.11** Approved the consolidation of the Modesto City High School District's Bond Measure with the Gubernatorial General Election to be held on 11/08/2022 2022-0371
- 5.A.12** Approved the consolidation of the Municipal Election for the City of Modesto and the Modesto City School Board with the Gubernatorial General Election to be held on 11/08/2022 2022-0372
- 5.A.13** Approved the consolidation of the City of Modesto's Ballot Measures regarding the consideration to impose a One-Cent Transactions and Use (Sales) Tax for General City Services and amendment to the City Charter with the Gubernatorial General Election to be held on 11/08/2022 2022-0373

- 5.B.1** Approved Workforce Development acceptance of \$4,977,240 in Grant Funds from California Volunteers or the 2021 Californians For All Youth Workforce Development Program – Workforce Development 2022-0374
- 5.B.2** Adopted the Resolution approving the Older Americans Act Programs of the Area Agency on Aging for FY 2022-2023; and, authorized the Director of the Department of Aging and Veterans Services, Area Agency on Aging, to sign contracts and any subsequent amendments with the California Department of Aging for FY 2022-2023, (a) AP-2223-30: Area Plan (Older Americans Act Programs); and (b) MS-2223-14: Multipurpose Senior Services Program – AAA 2022-0375
- 5.B.3** Accepted the April 2022 Monthly 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 2022-0376
- 5.B.4** Accepted the May 2022 Monthly 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 2022-0377
- 5.B.5** Authorized the Chief Probation Officer to retire one (1) canine from the Probation Department and enter into a Canine Retirement Contract with the canine’s current handler – Probation 2022-0378
- 5.B.6** Authorized the Sheriff to accept funding in the amount of \$122,053 from the California Highway Patrol; 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 2022-0379
- 5.B.7** Accepted the County Clerk-Recorder and Registrar of Voters’ Certified Statement of the Vote of the 2022 Statewide Direct Primary Election held on 06/07/2022; and, declared the results of the election pursuant to the County Clerk-Recorder and Registrar of Voters’ Statement of Vote – Elections 2022-0380
- 5.C.1** Approved Cost Sharing Agreements between the City of Turlock and the County and the City of Ceres and the County for the Urban Pavement Preservation Phase E and American Disability Act Curb Ramps Phase E Projects; and, authorized the CEO to execute and sign the Cost Sharing Agreements between the City of Turlock and the County and the City of Ceres and the County – PW C-5-G-7 & C-2-D-8 2022-0381
- 5.C.2** Approved the Plans and Specifications for the Measure L Sidewalk Project Airport Neighborhood Active Transportation Connectivity and Safety Project; awarded a construction contract to George Reed, Inc. for the Measure L Sidewalk Project Airport Neighborhood Active Transportation Connectivity and Safety Project; authorized the Director of Public Works to execute a contract with George Reed, Inc. in the amount of \$3,170,713, and to sign necessary documents; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with Public Contract Code Sections 20137 and 20142; approved Amendment No. 6 to the Siegfried Engineering, Inc. professional services agreement for construction staking services for Measure L Sidewalk Project Airport Neighborhood Active Transportation Connectivity and Safety Project, in the amount of \$138,000, with a new, not-to-exceed, contract amount of \$1,430,130; authorized the Director of Public Works to execute the amendment with Siegfried Engineering, Inc. in the amount of \$138,000 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 2022-0382
- 5.C.3** Declared the list of equipment and vehicles, attached to the agenda item, as surplus and authorized the sale; directed the Auditor-Controller to deposit proceeds from the sale of the Department of Environmental Resources, Parks and Recreation Department and Public Works equipment and vehicles into their authorized accounts; and, authorized the Director

- of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0383
- 5.C.4** Approved the Plans and Specifications for the Urban Pavement Preservation – Phase E Project; awarded a construction contract to VSS International, Inc., for the Urban Pavement Preservation – Phase E Project; authorized the director of Public Works to execute a contract with VSS International, Inc., in the amount of \$3,312,000 and to sign necessary documents; authorized the Director of Public Works to execute change orders not to exceed 10%, in accordance with Public Contract Code Section 20137 and 20142; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0384
- 5.C.5** Approved Amendment No. 2 to the Professional Design Services Agreement with Biggs Cardosa and Associates in the amount of \$1,279,963, with a new, not-to-exceed total of \$5,282,220, for the 7th Street Bridge Replacement Project; authorized the Director of Public Works to execute Amendment No. 2 with Biggs Cardosa and Associates, in the amount of \$1,279,963 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 2022-0385
- 5.C.6** Approved the Amended and Restated MOA for the preliminary engineering including final design phase of the 7th Street Bridge Project with the City of Modesto; authorized the CEO to execute the Amended and Restated MOA with the City of Modesto; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW C-6-Q-5 2022-0386
- 5.D.1** Set a public hearing on 07/26/2022, at the 9:00 a.m. meeting, to consider the Planning Commission’s recommendation for the request to mutually amend Development Agreement No. PLN2018-0112 – Jayden’s Journey to eliminate the Community Benefit Contribution and modify the payment rates for the Community Benefit Rate for a commercial cannabis retail business, located at 5054 Pentecost Drive, Southeast corner of Bitritto Court and Pentecost Drive, in the Modesto Area and find the project exempt from the CEQA; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-56-R-3 2022-0387
- 5.D.2** Set a public hearing on 07/26/2022, at the 9:00 a.m. meeting, to consider the Planning Commission’s recommendation for the request to mutually amend Development Agreement No. PLN2020-0036 – The People’s Remedy to eliminate the Community Benefit Contribution and modify the payment rates for the Community Benefit Rate for a commercial cannabis retail business, located at 1119 Lone Palm Avenue, between Woodland and Kansas Avenues, west of State Route 99, in the Modesto area, and find the project exempt from the CEQA; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-56-Y-1 2022-0388
- 5.D.3** Set a public hearing on 07/26/2022, at the 9:00 a.m. meeting, to consider the Planning Commission’s recommendation of Rezone Application No. PLN2021-0112 - Top Shelf Mega Storage, a request to rezone a 10-acre parcel from Planned Development (P-D) (261) to a new P-D to allow for development of a Recreational Vehicle (RV) storage facility in two phases, located at 4401 West Barnhart Road, on the northeast corner of West Barnhart Road and North Golden State Boulevard, in the Keyes area, and adoption of a Mitigated Negative Declaration; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-57-S-2 2022-0389

Chiesa/B. Condit unan. **6.1** Conducted a public hearing to consider the approval and adoption of the Amended Northern and Central Delta-Mendota Region Groundwater Sustainability Plan; approved and adopted the resolution regarding the Amended Northern and Central Delta-Mendota Region Groundwater Sustainability Plan; and, authorized the San Luis & Delta Mendota Water Authority, its consultants, and the Plan Manager to take such other actions as may be reasonably necessary to submit the Amended Northern and Central Delta-Mendota Region Groundwater Sustainability Plan to the California Department of Water Resources by no later than 07/20/2022, and implement the purpose of this resolution – DER GSA-3-6 2022-0390

Grewal/C. Condit unan. **6.2** Rescheduled the Public Hearing from the 07/12/2022, 9:00 A.M. meeting, to the 07/26/2022, 9:00 A.M. meeting, to consider the adoption of the Amended Eastern San Joaquin Groundwater Subbasin Groundwater Sustainability Plan – DER GSA-6-3 2022-0391

B. Condit/Grewal unan. **7.1** Approved the 2022-2023 Community Corrections Partnership Plan for 2011 Public Safety Realignment; authorized the Chief Probation Officer or the Sheriff to sign all documents related to 2011 Public Safety Realignment, including operational contracts and amendments; and, amended the Salary and Position Allocation Resolution to add 12 newly allocated Deputy Sheriff-Custodial positions effective the first full pay period after 07/01/2022 – Probation 2022-0392

Chiesa/B. Condit (3-2)(Withrow and Grewal opposed) **7.2** Introduced and waived the first reading of an Ordinance adding Chapter 4.75 to the Stanislaus County Code that will establish, upon approval of a majority of the electors voting at the election, a tax on specified cannabis business activities; and, considered a proposed resolution, which will be brought back to the Board for adoption on 07/26/2022, calling an election for the voters of the County to consider adoption of the Ordinance, imposing a tax on specified commercial cannabis business activities only in the unincorporated area, and consolidating that election with the General Election to be held on 11/08/2022 – CEO 2022-0393

Chiesa/Grewal unan. **7.3** Accepted the report on the 2021 Stanislaus Regional Homeless Strategic Plan; and, considered endorsement of the 2021 Stanislaus Regional Homeless Strategic Plan – CSA 2022-0394

Corr 1 Referred to the Auditor-Controller, Clerk-Recorder, Sheriff, Community Services Agency, and the Chief Executive Office the 2021-2022 Stanislaus County Civil Grand Jury Consolidated Final Report.

Corr 2 Acknowledged receipt of a letter from the Knights Ferry Community Services District regarding the resignation of Nancy Patton from their Board of Directors.

Corr 3 Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Keyes Community Services District regarding the appointment of Michell Bernal to their Board of Directors.

Corr 4 Acknowledged receipt of a letter from the Patterson Irrigation District (PID) Board of Directors regarding the vacancy for PID Board of Directors Division 2.

Corr 5 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Laureano Madrigal and Lilia Betancourt; Joseph Monterosso and The Dennis Monterosso Living Trust; Charla Pires; and, Natalie Camacho.

Supervisor Chiesa shared that he will be in Washington D.C. as a member of the San Joaquin Valley Air Pollution Control District this Sunday, 07/17/2022-Wednesday, 07/20/2022 attending various meetings. He also noted he went to the fair and Homeland Security Team was patrolling the fair.

Supervisor Grewal shared that he attended two 4th of July parades this year along with Supervisor Buck Condit and Supervisor Chiesa in Modesto and Turlock.

CEO Hayes reported that the Board sent an opposition letter regarding AB 1608, which revokes authority for the BOS to combine local duties of the Sheriff with those of the Coroner. He also noted a letter of opposition was sent regarding AB 205/SB 122 which refers to local authority for signing solar and wind projects. He acknowledged the State Budget includes significant local funding for additional commuter rails, specifically the ACE Train, which local contribution of \$57 million is expected to support this project. He also confirmed that the State Budget does include \$3 million for our Parks system which includes funding for the Bonita Pool Project.

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

Recessed as the Stanislaus County Board of Supervisors at 12:57 p.m.

Reconvened at 1:03 p.m. to sit as the Stanislaus County IHSS Public Authority for closed session

13.1 Conferenced with Labor Negotiator: Pursuant to Government Code Section 54957.6. Agency Negotiators: Jody Hayes, Burke Dunphy, Keira Vink, Tamara Thomas, Labor Organization: In Home Supportive Services (UDWA). No reportable action taken.

Adjourned at 1:21 p.m. as the Stanislaus County IHSS Public Authority

Reconvened at 1:22 p.m. as the Stanislaus County Board of Supervisors for closed session

12.1 Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: Taylor Webb, et al v. County of Stanislaus, et al., United States District Court Eastern District of California, Case No. 1:19-cv-01716-DAD-EPG. No reportable action taken.

Adjourned at 1:47 p.m. as the Stanislaus County Board of Supervisors

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.)