

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

August 30, 2022

Invocation was given by Pastor Jeff Woods, with Barnabas Leadership Foundation.

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 noted that the County was served with a lawsuit yesterday. He requested that the Board help speed up the process of resolving the issue with a dirt road adjacent to his property. He spoke regarding veterans and shared that if the County put together a small fund for deserving veterans that he would match it dollar for dollar. He voiced concerns about the safety of the dirt trail next to his property and the potential for a child to drown in his pool. He noted that he is waiting for County Counsel to respond to two public records requests.

Michelle Burke shared that her neighbors recently met regarding the Old Colony Road trail and feel that the road is safe and should not be gated off. She noted that a neighbor who has lived on Horseshoe Road for 75 years does not think there has ever been an incident on the trail. She voiced concerns regarding an anonymous letter that neighbors received from The Oakdale Project which stated neighbors were misled about the safety of the trail and she provided a copy of the letter to the Board.

Gail Altieri spoke regarding taxpayer money that was spent due to the Sheriff's office responding to numerous calls over 2-3 weeks regarding Old Colony Road.

Jim Bishop shared that a 4-year-old boy was injured by a driver hit-and-run on Donald Street located in the Robertson Road neighborhood. He noted there is no stop sign on Donald Street. He requested that the County section off Donald Street at Marlow St. and Hancock St., install plastic bollards to stop traffic, and add bolt down speed bump to create a safer neighborhood.

Blanca Rivera, IHSS provider, requested that the Board approve a wage increase. She spoke regarding the vacancy rate for County employees and the recent raise given to employees. She noted that IHSS providers spend their wages locally.

Chuck Walker, Sr., shared that IHSS providers care for low-income seniors and individuals with disabilities in our community which makes it possible for them to stay in their homes. He spoke regarding the 5% raise and bonuses approved by the Board for all County employees. He noted that IHSS providers are essential workers and are asking for: a \$2.11 wage increase, one-time hero bonus, expanded access to dental and vision care, and life insurance benefits. He mentioned that the County pays 16% of the IHSS provider wages. He shared there are not enough providers in the County and spoke regarding a 2019 audit of the Stanislaus County IHSS program which reported that approximately 500,000 hours of needed care is going unmet. He asked the Board to pay IHSS providers a livable wage.

Josephine Carson noted that she and her husband are both members of the California Alliance for Retired Americans. She spoke in support of a wage increase for the UDW employees / IHSS providers. She

spoke regarding the challenges of caring for a disabled individual and shared her family's experience of caring for her grandmother. She noted that seniors want to live independently in their homes and that it is less expensive and better for their well-being. She shared that IHSS providers save the government money and they are essential workers.

Miguel Donoso voiced concerns regarding the job description of the new Diversity, Equity, and Inclusion (DEI) Manager position. He spoke regarding the importance that the individual hired for this position should be familiar with the needs of the low-income residents who live in the underrepresented and underserved minority communities.

Cynthia Homen, Patterson City Council member, noted that her mother was a caregiver. She spoke in support of a raise for the UDW employees and the IHSS providers.

Astrid Zuniga, care provider for her adult child, noted that she is participating in the Stanislaus 2030 meetings. She spoke regarding redefining economic success and that homecare workers are not part of the inclusion. She shared caregivers are the fastest growing workforce in the nation, and that we do not have the means to care for all the seniors and people with disabilities in the community. She noted that many of the IHSS providers are women of color, and they should be respected for the work they do with a living wage.

Stacy Garcia spoke regarding the difficulty in caring for her disabled mother. She shared her niece makes more money than her working at Olive Garden. She spoke regarding the increased cost of groceries and spoke in support of a wage increase.

Will Kelly, Executive Director of the North Valley Labor Federation, spoke regarding the current labor negotiations with UDW for IHSS providers and noted it is about dignity and respect. He spoke in support of a wage increase for IHSS providers and noted the important life-giving work they do.

Mike Thiry spoke regarding public comments made at the 8/16/2022 Board meeting concerning the danger of motorized vehicles and horses being on the same road. He noted that horses are used by many law enforcement agencies for crowd and traffic control. Horses are used at the Oakdale Rodeo and used in New York City as mounted police. He shared that there have been hayrides on Halloween for many years in the dark on Old Colony Road and there has never been a recorded accident. He noted that this road is a great asset to their community.

Debbie Martinez spoke regarding children being victimized in schools. She shared children deserve safe, secure, and peaceful schools. She spoke regarding a teenager who recently drowned at Turlock High School. She also spoke regarding the school to prison pipeline and noted that she will continue to fight for the disadvantaged student population.

Sebastian Jones noted that everyone is getting older and we will all need a caregiver at some point. He spoke regarding the pay raise given to County employees and spoke in support of a wage increase for UDW members.

Terry Walker-Dampier spoke in support of a living raise for UDW caregivers. She noted that the wages they receive they spend in the County. She spoke regarding the important work that UDW caregivers provide.

Yesenia Cuevas with the California Alliance for Retired Americans, a senior advocacy organization, noted that by 2030 older adults will comprise 25% of the population in California. She spoke

regarding the important work performed by IHSS providers and the increased number of caregivers who will be needed in the future. She asked the Board to do what is right by the IHSS workers and give them a raise.

Tim Pflueger, IHSS worker, shared that he cares for his daughter. He noted that being in a nursing home is not the same as being cared for at home.

Dela Perales gave examples of how everyone needs help, and we all need to work together. She shared that IHSS providers do all the work themselves. She spoke in support of a living raise for the IHSS providers.

Teresa Tovar, IHSS caregiver, spoke regarding the bill going to the Governor regarding fast food worker rights and she asked about the caregiver rights. She shared the important work that IHSS providers perform. She asked the Board to respect their work and the rights of the elderly and disabled.

Grewal/B. Condit unan. Adopted the consent calendar

4.A.1 Approved the minutes of 08/16/2022

4.A.2 Approval of appointment of Anthony Tobar Jordan to the First 5 Stanislaus Commission
2022-0450

4.A.3 Proclaimed September 2022 as Library Card Sign-up Month in Stanislaus County
2022-0451

4.A.4 Proclaimed September 2022 as National Preparedness Month in Stanislaus County
2022-0452

4.A.5 Proclaimed 09/15/2022-10/15/2022 as Hispanic American Heritage Month in Stanislaus County
2022-0453

4.A.6 Proclaimed 10/08/2022-10/09/2022, as Relay for Life Days in Stanislaus County 2022-0454

4.B.1 Approved the Participation Agreement with the California Mental Health Services Authority for the Semi-Statewide Enterprise Health Record in the amount of \$6,863,385, plus contingency of \$992,008, for a maximum amount of \$7,855,392 for the term of 07/01/2022 through 03/18/2029; and, authorized the BHRS Director, or designee, to sign the Participation Agreement and any subsequent amendments for additional services and payments for services up to \$200,000, budget permitting, for each FY of the agreement – BHRS
2022-0455

4.B.2 Approved Professional Services Agreements for On-Call Civil Engineering Services for the General Services Agency Capital Facilities Division; authorized the General Services Agency Director/Purchasing Agent or designee to finalize and execute the On-Call Civil Engineering Services Agreements on behalf of the County with: a.) NorthStar Engineering Group, Inc.; b.) O'Dell Engineering, Inc.; and, c.) Siegfried Engineering, Inc.; approved Professional Services Agreements for On-Call Architectural Services for the General Services Agency Capital Facilities division; and, authorized the General Services Agency Director/Purchasing Agent, or designee, to finalize and execute the On-Call Architectural Services Agreements on behalf of the County with: a.) Dewberry Architects, Inc.; b.) Hellmuth, Obatta & Kassabaum, Inc.; c.) LDA Partners, Inc.; d.) Lionakis; e.) Pires, Lipomi & Burkett Architectural Corporation (dba Red Inc. Architects) – GSA
2022-0456

4.B.3 Authorized the Sheriff to accept funding in the amount of \$30,600 from the California Office of Emergency Services (Cal OES), and authorized the Sheriff to sign the agreement, all reimbursement claims and other required documents related to this funding for the Cal OES – Sheriff
2022-0457

- 4.B.4** Authorized a retroactive increase to the Employee Mileage Reimbursement Rate to 62.5 cents per mile, effective 07/01/2022; and, authorized staff to revise the County Travel Policy to align with the IRS Standard Mileage Rates to automate and ensure timely implementation of updates to the rate – Auditor-Controller 2022-0458
- 4.B.5** Approved to rescind Tax Default Auction sale of APN: 075-020-008-000, also known as 5631 Terminal Avenue, Riverbank, CA; authorized the Treasurer-Tax Collector to sign the Rescission of Tax Deed to Purchaser of Tax Defaulted Property; and, approved the refund of Purchaser interest and expenses of up to \$3,100 – T/TC 2022-0459
- 4.B.6** Approved Amendment No. 4 to the Independent Contractor Services Master Agreement with Tri-Signal Integration, Inc., for countywide fire alarm services, and adjust the not-to-exceed limit of the agreement from \$600,000 to \$775,000; approved Amendment No. 3 to the Independent Contractor Services Master Agreement with Clark Pest Control, Inc., for countywide pest control services, and adjust the not-to-exceed limit of the agreement from \$573,000 to \$725,000; approved Amendment No. 4 to the Independent Contractor Services Master Agreement with Mountain View Environmental for countywide certified asbestos, mold, and lead services, and adjust the not-to-exceed limit of the agreement from \$400,000 to \$550,000; and, authorized the Purchasing Agent, or designee, to sign amendments identified above, and any subsequent amendments to the Master Agreements on behalf of the County – GSA 2022-0460
- 4.B.7** Approved a contract with Del Puerto Water District for water service on County-owned land within the Del Puerto Water District which is being leased for the development of a solar farm; and, authorized the Chairman to sign the agreement – CEO
DW-17-15 2022-0461
- 4.B.8** Approved the award of four Job Order Contract Agreements for general construction to Ardent General Inc., Aztec Consultants Inc., Mark Scott Construction Inc., and T&S Intermodal Maintenance Inc.; approved the award of one Job Order Contract Agreement for mechanical construction to Champion Industrial Contractors Inc.; approved the award of one Job Order Contract Agreement for roof construction to DK Enterprises Inc.; authorized the General Services Agency Director, or designee, to execute the agreements; and, authorized the General Services Agency Director to process and approve job orders under these job order agreements – GSA 2022-0462
- 4.B.9** Approved Stanislaus Animal Services Agency to offer employment to Lisa Coble for an Animal Care Specialist III position at step five of the salary range, currently \$25.36 per hour – SASA 2022-0463
- 4.B.10** Amended the salary and position allocation resolution assigned to the Stanislaus Animal Services Agency to add one Account Clerk III and one Accounting Technician, effective the first full pay period following Board approval – SASA 2022-0464
- 4.C.1** Adopted the resolution, attachment 1 of the agenda item, summarily vacating that portion of Kiernan Court, as described in Exhibits A and B, of the agenda item; finds, based on the reasons stated in the report, that the portion of Kiernan Court, in the Community of Salida, described herein, is not required for street or highway purposes; finds that easements for the existing in-place public utilities will be retained; finds that the underlying real property or interest therein belonging to the County is no longer necessary for County purposes; authorized the Public Works Director to sign the Quitclaim Deed as submitted, conveying the fee title portion to the adjoining landowners, attachment 2 of the agenda item, said conveyance shall be provided on the condition that the adjacent landowner/grantee concurrently file a document of merger; and, authorized the Director of Public Works to take appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0465

- 4.C.2** Approved the plans and specifications for the North County Corridor Structure Security, Hazardous Material Assessment, Mitigation and Demolition Project; awarded a construction contract to SVG, Inc. of Morgan Hill, California for the North County Corridor Structure Security, Hazardous Material Assessment, Mitigation and Demolition Project; authorized the Director of Public Works to execute a contract with SVG, Inc. in the amount of \$236,907 and to sign necessary documents, including any amendments to the agreement not to exceed 10%, in accordance with the Public Contract Code, Sections 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
2022-0466
- 4.C.3** Approved the plans and specifications for the Pelletized Asphalt Rubber Overlay Test Section Project; awarded a construction contract to George Reed, Inc. for the Pelletized Asphalt Rubber Overlay Test Section Project; authorized the Director of Public Works to execute a contract with George Reed, Inc. in the amount of \$475,000 and to sign necessary documents, including any amendments to the agreement not to exceed 10%, in accordance with the Public Contract Code Sections 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
2022-0467
- 4.C.4** Adopted the Mitigated Negative Declaration for the Milton Road over Hoods Creek Bridge Replacement 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 Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis; directed the Department of Public Works to file a Notice of Determination for the Milton Road over Hoods Creek Bridge Replacement 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 Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW
2022-0468
- 4.C.5** Adopted the Mitigated Negative Declaration for the Pioneer Avenue over Lone Tree Creek Bridge Replacement 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 Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis; directed the Department of Public Works to file a Notice of Determination for the Pioneer Avenue over Lone Tree Creek Bridge Replacement 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 Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW
2022-0469
- 4.C.6** Approved the Plans and Specifications for the Del Puerto Canyon Road Improvements Project; awarded a construction contract to American Pavement Systems, Inc., of Modesto, CA for the Del Puerto Canyon Road Improvements Project; authorized the Director of Public Works to execute a contract with American Pavement Systems, Inc., in the amount of \$712,760 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
2022-0470

- 4.C.7** Approved the Plans and Specifications for the 2022 Chip Seal Oil Project; awarded a contract for Construction Services to Talley Oil, Inc. of Madera, CA for the 2022 Chip Seal Oil Project, authorized the Director of Public Works to execute a contract with Talley Oil, Inc. in the amount of \$1,384,421 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; approved the purchase of chip rock material from local vendor, Granite Materials, for the 2022 Chip Seal Project; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0471
- 6.D.1** Set a public hearing on 09/20/2022, at the 6:30 p.m. meeting, to consider adoption of the FY 2021-2022 Consolidated Annual Performance and Evaluation Report for Federal Housing and Urban Development Funds – Planning 2022-0472

Chiesa/B. Condit unan. **5.1** Rescheduled the public hearing from the 08/30/2022, 9:00 A.M. meeting to the 10/04/2022, at the 9:00 A.M. meeting, to consider adoption of Fire Protection Facility Fees for the West Stanislaus Fire Protection District Pursuant to Title 24 of the Stanislaus County Code – CEO DF-02-B-9 2022-0473

Grewal/C. Condit unan. **6.1** Approved the contract between the County and Center for Human Services for Steering Committee Backbone Support and Community Capacity-Building in an amount not to exceed \$850,000 for the two-year period to be effective 08/30/2022 through 06/30/2024; and, authorized the CEO, or his designee, to sign the contract and any other related documents – CEO 2022-0474

B. Condit/Grewal unan. **6.2** 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 a portion of the subject property, APN: 075-024-001, 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 owner, Celerino Jimenez and Maria Eduvijes Jimenez, of the property to be acquired; adopted a Resolution of Necessity in the form, attached to the agenda item as attachment 1; and, authorized County Counsel to initiate eminent domain proceedings to acquire the subject property – PW 2022-0475

Chiesa/B. Condit unan. **6.3** 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 interest in the subject property, APN: 075-022-032, 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 owner, Nathan Cox of the property to be acquired; adopted a Resolution of Necessity in the form, attached to the agenda item as attachment 1; and, authorized County Counsel to initiate eminent domain proceedings to acquire a road easement in the subject property – PW 2022-0476

C. Condit/B. Condit unan. **6.4** 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: 075-025-018, 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, Jack O. Filippini and Michelle Filippini, trustees of The Filippini Revocable Trust, of the property to be acquired; adopted a Resolution of Necessity in the form, attached to the agenda item as attachment 1; and, authorized County Counsel to initiate eminent domain proceedings to acquire the subject property – PW 2022-0477

B. Condit/Grewal unan. **6.5** 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 interest in the subject property, APN: 075-023-005, 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 owner, Valentin A. Bonilla Chirinos of the property to be acquired; adopted a Resolution of Necessity in the form, attached to the agenda item as attachment 1; and, authorized County Counsel to initiate eminent domain proceedings to acquire a road easement in the subject property – PW 2022-0478

Corr 1 Referred to the CEO and DER, a copy of the 2022 Crows Landing Naval Base Easement Annual Monitoring Report from the West Stanislaus Resource Conservation District.

Corr 2 Referred to the Clerk-Recorder and Registrar of Voters, a letter from the Patterson Irrigation District regarding the appointment of Alan Scheuber to their Board of Directors.

Corr 3 Referred to the Department of Workforce Development, a Worker Adjustment and Retraining Notification (WARN) letter from Silgan Containers Manufacturing regarding the temporary layoff of employees at its facility located at 430 Doherty Ave. in Modesto.

Corr 4 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Progressive West Insurance Company a/s/o Michele Rigney; Steve and Dianne Sbragia; and, Sharon Roche on behalf of J.R., a minor.

Supervisor Chiesa reported that he, along with Supervisor Buck Condit, StanCOG Executive Director Rosa Park, and Modesto City Councilmember Rosa Escutia-Braaton, attended the one-day 2022 Mobility Transportation Summit last week.

CEO Hayes reported that Stanislaus County is included with the first cohort of counties for the SB-1338 Community Assistance, Recovery, and Empowerment (CARE) Court Program and \$26 million has been identified for the first cohort of counties. He also reported that the County sent a letter requesting the Governor veto AB 1951 which would increase tax exemptions for purchases of manufacturing products. The County continues to oppose this bill which would result in a \$2 billion reduction in local revenues throughout the State.

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 11:59 a.m.

11. Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: Robert Trey Cheyenne Fletcher, et al. v. County of Stanislaus, et al., Stanislaus County Superior Court Case No. CV-20-000418. No reportable action taken.

Adjourned at 12:25 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.)