

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

Special and Regular Session
All Supervisors Present*
Pledge of Allegiance to the Flag

Tuesday

September 20, 2022

*Pursuant to Government Code §54953(b), this meeting included a teleconference location at Simon and Company, 1660 L Street NW Suite 501, Washington, DC. Supervisor Chiesa attended the Special and Regular meeting via teleconference. The public was allowed the opportunity to address the Board at this teleconference location pursuant to Government Code Section §54954.3. All votes during the teleconferencing session were conducted by roll call vote. The teleconference location was accessible to the public and the agenda was posted at the teleconference location 72 hours before the meeting.

Convened at 5:34 p.m. for Special Session

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

1.1 Conference with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9(d)(1). Two cases: R.S., a minor, by and through GAL Jessica Moreno, et al. v. County of Stanislaus, et al., US District Court Eastern District Case No. 1:20-CV-01170-DAD-SKA; and, Dennis Monterosso, as Trustee of the Dennis Monterosso Living Trust, Joseph Monterosso, an individual v. County of Stanislaus, et al., Superior Court of California County of Stanislaus, Case No. CV-22-003849. No reportable action was taken.

Adjourned at 5:36 p.m. as the Stanislaus County Board of Supervisors

Reconvened at 5:59 p.m. to sit as the Stanislaus County IHSS Public Authority for closed session

2.1 Conference with Labor Negotiator – Pursuant to Government Code Section 54957.6. Agency Negotiators: Jody Hayes, Burke Dunphy, Jennifer Jacquez, Tamara Thomas, Labor Organization: In Home Supportive Services (UDWA). No reportable action was taken.

Adjourned at 6:18 p.m. as the Stanislaus County IHSS Public Authority

Reconvened at 6:36 p.m. for Regular Session

Invocation was given by Pastor Lyn Crase, from Emmanuel Lutheran Church.

Supervisor Grewal recognized John Jacinto as the Iron Valley Powerlifting Champion.

Former County Supervisor Jim DeMartini greeted the Board and shared that he was visiting from out of State.

Joseph Monterosso asked the Board to remind County Counsel that the 30-day time period to reply to the lawsuit he filed against the County concerning the dirt strip adjacent to his property is up this Friday. He shared concerns regarding this dirt strip adjacent to his property.

Recessed at 6:50 p.m.

Reconvened at 7:02 p.m.

CJ Kannusis, IHSS provider, shared concerns regarding the current IHSS wages and proposed wage increase of .75 cents. He noted that IHSS providers should have a living wage.

Irene Cortez, spoke regarding the Relay for Life on 10/08/2022 at 9:00 a.m. - 10/09/2022 at 9:00 a.m. at John Thurman Field, 601 Neece Drive, Modesto. She thanked Chairman Withrow for agreeing to present a proclamation at this event and invited the entire Board to attend this event.

Susan Beasley invited the Board to attend the International Heritage Festival on 10/01/2022 10:00 a.m. to 3:00 p.m. at the Graffiti USA Classic Car Museum, 610 N. 9th Street, Modesto.

Melinda Screeton spoke regarding the UTurn Project in Oakdale and shared it has partnered with the Oakdale Rescue Mission. She asked the Board for help in turning over a piece of property at 525 Center Street to the City of Oakdale to build overnight housing. She thanked Supervisor B. Condit for coming out to Oakdale to learn about this project. She also shared concerns regarding mental health services offered in Stanislaus County.

Rebecca Harrington acknowledged her appreciation for the reminder today of housekeeping rules in the chambers. She shared concerns regarding projects in the community that do not get any action or traction. She commended IHSS providers for the work they do and supports a wage increase for these providers. She requested a proclamation for the Día de Muertos event in Stanislaus County.

Louisa Bryant shared concerns regarding a Mold Inspection Report conducted at her apartment complex provided handouts to the Board.

Terry Walker-Dampier shared concerns regarding fast food workers receiving \$22.00/hr. and asked the Board to please provide IHSS workers a livable contract.

Corie Crowson, IHSS provider in Merced County, shared concerns regarding IHSS wages. She expressed concerns regarding the older adult population growing and the need for IHSS workers. She asked the Board for a benefit package that allows caregivers to keep doing this work.

Teresa Tovar spoke in support of IHSS providers wage increase. She shared concerns regarding AB257 being signed and fast food workers making higher wages than IHSS providers.

Astrid Zuniga, IHSS provider for adult son, shared she attended the Statewide Aging, Disability and Equity Planning Conference today. She shared that every conversation today spoke about investing in our community. She shared concerns regarding current IHSS wages and noted she hopes next week when she attends the IHSS meeting they are presented a better benefit package.

Sebastian Jones, IHSS provider, shared concerns regarding IHSS wages. He requested a \$4.00/hr. wage increase and asked the Board to make this wage increase a priority.

Margarita Enriquez, IHSS provider for her mother, shared concerns regarding being paid for only 20 hours of care for her mother. She expressed concerns regarding paying for personal needs for her mother. She also noted she must work overtime to make a livable wage.

Maria Alonso, IHSS provider for her son, shared concerns regarding the cost of living increases. She expressed that these providers deserve a wage increase.

Matiana Lujan, IHSS provider for her daughter, shared concerns regarding the need to be able to care for her daughter and expressed concerns about having someone else care for her.

Sofia Rodriguez shared concerns regarding unemployment rates for IHSS providers in Stanislaus County versus Alameda County. She expressed concerns regarding current wages and shared that an increase to \$17.00/hr. would still not be high enough wages.

Zenaida Velasquez, IHSS provider for son who is deaf and mute. She expressed \$15.50/hr. is not high enough wages and \$17.00/hr. is not enough either. She asked the Board for livable wages.

Fidelina Canela, shared her daughter provides IHSS services to her. She expressed concerns regarding her daughters' wages. She asked the Board for a wage increase for her daughter.

Cornelius Cisneros, IHSS provider for mother, shared concerns regarding the need for higher wages.

Rebecca Harrington noted that a parent that who provides IHSS services for their child must go through an expensive conservatorship process once the child turns 18 years old.

Howard Carman spoke in support of IHSS providers. He asked the Board to offer these providers prevailing wages.

Chiesa/C. Condit unan. Adopted the consent calendar

7.A.1 Approved the minutes of 09/13/2022

7.A.2 Proclaimed October 2022 as Italian American Heritage Month in Stanislaus County

7.A.3 Appointed Jami Aggers to the San Joaquin Valley Air Pollution Control District Citizens Advisory Committee

7.A.4 Appointed David Costa to the Stanislaus County Child Abuse Prevention Council

7.A.5 Accepted the resignation of John Snoke from the Stanislaus County Parks and Recreation Commission

7.B.1 Approved Contract Number 22-10297 with the CA Department of Public Health Supplemental Nutrition Program for Women, Infants, and Children for the term of 10/01/2022 through 09/30/2025; and, authorized the HSA Managing Director, or her designee, to sign and execute the contract and subsequent amendments – HSA

7.B.2 Authorized the Probation Department to offer employment to Rex Furigay for a Deputy Probation Officer I position at step five of the salary range, currently \$32.41 per hour – Probation

7.B.3 Declared the list of 23 vehicles and equipment as surplus and authorized these assets to be sold at auction; and, directed the Auditor-Controller to deposit all receipts from the sale of these assets, net of General Services Agency – Fleet Services cost, into departmental accounts as appropriate to the fixed asset location of the asset – GSA

7.B.4 Approved a technical adjustment to the Juvenile Commitment Facility Emergency Generator Replacement and HVAC Upgrade Project; and, directed the Auditor-Controller to transfer appropriations totaling \$194,000 from Salaries and Wages and Services and Supplies to

Fixed Assets within the Juvenile Commitment Facility Emergency Generator Replacement and Heating, Ventilation and Air Conditioning Upgrade Project, as detailed in the budget journal, attached to the agenda item – GSA

- 7.B.5** Authorized the General Services Agency Director, or designee, to negotiate and execute an amendment to the lease with Health Plan of San Joaquin for retail commercial space at 10th Street Place to allow the County to occupy 3,624 square feet of office space – GSA
- 7.B.6** Approved the agreement between the County of Stanislaus and George Hills Company, Inc., for Claims and Liability Third Party Administration (TPA) for the period of 10/01/2022 through 06/30/2026; and, authorized the General Services Agency/Purchasing Agent to execute the TPA agreement with George Hills Company, Inc. – CEO
- 7.C.1** Approved the plans and specifications for the Saint Francis Avenue Bridge Replacement Project; awarded a construction contract to Sinclair General Engineering Construction, Inc. for the Saint Francis Avenue Bridge Replacement Project; authorized the director of Public Works to execute a contract with Sinclair General Engineering Construction Inc., in the amount of \$1,384,101; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with 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
- 7.C.2** Approved the First Amendment to the Professional Design Services Agreement with HDR Construction Control Corporation, in the amount of \$1,661,304, for the Crows Landing Road over San Joaquin River Bridge Project; authorized the Director of Public Works to execute Amendment No. 1 with HDR Construction Control Corporation, in the amount of \$1,661,304, 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

Grewal/B. Condit unan. **8.1** Accepted the final recommendations on infrastructure projects to be funded in County islands and County communities; directed the Auditor-Controller to increase estimated revenue and appropriations by \$7,000,000 in the Public Works Urban Pockets Infrastructure Project per the budget journal, attached to the agenda item; directed the Department of Public Works to begin the environmental and project delivery phases of these projects; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW

Recessed at 9:02 p.m.

Reconvened at 9:11 p.m.

B. Condit/Grewal unan. **9.1** Accepted the 2023 adopted budget and 2024 spending plan as presented from the CEO; conducted the scheduled public hearing to receive public comment and input on the recommended operational plan for FY 2023; adopted the 2023 Adopted Budget; authorized the CEO and the Auditor-Controller to make the necessary technical adjustments to implement the 2023 Adopted Budget; directed the CEO and the Auditor-Controller to prepare the Adopted Budget document and supporting schedules in accordance with State law and submit to the State Controller prior to 12/01/2022; amended the salary and position allocation resolution to reflect the recommended changes identified in the 2023 Adopted Budget, as outlined in the Staffing Impacts section of the agenda item, and detailed in attachments 2 and 3 of the agenda item, to become effective the start of the first full pay period beginning on or after 09/24/2022, unless otherwise indicated; approved contracts and/or agreements listed on Attachment 4 of the agenda item, in cumulative amounts of \$200,000 or more as of 07/01/2020, and authorized the General Services Agency Director/Purchasing Agent or previously authorized department head to sign; adopted the updated Board priorities, as detailed in the agenda item; adopted the Building

Community Infrastructure Fund Policy and the updated Community Development Fund Policy, as outlined in the report and detailed in attachments 6 and 7 of the agenda item; approved an increase to the Contingency Reserve Assignment in the General Fund of \$1.3 million over that established in FY 2022, consistent with the Contingency Reserve Policy to retain at least 8% of the average annual Discretionary Revenue receipts from the preceding three fiscal years to mitigate exposures to the General Fund; authorized the Auditor-Controller to release \$958,697 of committed – other fund balance in the General Fund to Unassigned fund balance; and, approved a total appropriations/budgetary limit for annual appropriations of tax revenue for FY 2023 in accordance with the provisions of Propositions 4 and 111, and establish a General Operating Limit of \$490,145,563 using the Population and Inflation Methodology per attachment 8, of the agenda item – CEO

Supervisor Chiesa left at 10:29 p.m.

Grewal/C. Condit (4-0)(Chiesa absent) **9.2** Conducted a public hearing to consider the adoption of the Stanislaus Urban County Fiscal Year 2021-2022 Consolidated Annual Performance and Evaluation Report (CAPER) for the Federal U.S. Department of Housing and Urban Development (HUD) Entitlement Programs; adopted the Stanislaus Urban County Fiscal Year 2021-2022 CAPER and authorize staff to submit the CAPER to the U.S. Department of Housing and Urban Development (HUD); and, authorized the Planning and Community Development Department to incorporate any comments received during the public review period and the public hearing into the adopted CAPER document and to make alterations to the CAPER as directed by HUD, provided alterations are technical in nature – Planning

Corr 1 Acknowledged receipt of claims and referred to the CEO’s Office the following claims: Scott Alexander Williams; Thomas Adams; Antonio Guevara (7 claims); Kathleen Espinoza; Stephanie L. Mendes; Lucia Cervantes; and, Tiffany Leatherman.

Supervisor Chanche Condit reported that he participated in the 7th Crows Landing Community Clean-Up that has been held in the past year. He shared the team was able to fill six large Bertolotti yard waste bins. He thanked the community volunteers, Newman Fire Department, Chief Bowen, and the Orestimba High School Interact Club.

CEO Hayes reported that the Governor signed SB 1338 Community Assistance, Recovery, and Empowerment (CARE) Court Program. He also shared that AB 1951 (Grayson) Sales and use tax: exemptions: manufacturing was vetoed.

Adjourned at 10:41 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.)