

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

November 8, 2022

Invocation was given by Reverend Scott Elliot, with Big Valley Christian School.

Commendations were presented to William Johnson (District 1); Wardee Bruce (District 2); John Diaz, II (District 3); Richard Edgecomb (District 4); William Hurst (District 5); Melissa Wanty-Osuna (At-Large); and, Michael Rau (At-Large) as the Veterans of the Year.

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 shared concerns regarding a dirt strip adjacent to his property and provided handouts to the Board. He voiced concerns regarding a Halloween hayride, dirt that was added to the dirt strip and requested an update on his public records request that he submitted to the Board on 11/01/2022. He also encouraged everyone to vote.

Joni Griep shared she is grateful for our Veterans. She also shared she is glad her children's school is teaching them about Veterans and encouraged everyone to please vote. She then recited a poem her son will read this Friday at a Veterans luncheon.

Grewal/B. Condit unan. Adopted the consent calendar and after removing from consent agenda item **5.D.2** Approval to Set a Public Hearing on 12/06/2022, at the 9:00 A.M. Meeting, to Consider the Planning Commission's Recommendation of Approval for Rezone and Vesting Tentative Map Application No. PLN2022-0026 - Elmwood Estates, a Request to Rezone a 4.82± Acre Parcel from Rural Residential to Planned Development, to Increase the Maximum Building Site Coverage from 40 to 50 Percent, and to Create 17 Single-Family Residential Lots Ranging in Size from 8,000 to 10,594 Square-Foot and a 13,098 Square-Foot Stormwater Basin, Located at 3700 Story Road, Between East Zeering Road and Walton Street, in the Community of Denair, and Adopt a Negative Declaration – Planning

5.A.1 Approved the minutes of 11/01/2022

5.A.2 Appointed Terri Rodgers to the Riverdale Park Tract Community Services District Board of Directors 2022-0605

5.A.3 Appointed Dorothy Roberts and Cheyenne Sanders to the Empire Municipal Advisory Council 2022-0606

5.A.4 Appointed Vern Wheeland, Lance Perry, and Levurn Berberia to the Crows Landing Community Services District Board of Directors 2022-0607

5.A.5 Appointed Carmen Ard, Rosenda Mataka, and Lilia Lomeli-Gil to the Grayson Community Services District Board of Directors 2022-0608

5.A.6 Appointed Becky Campo to the Del Puerto Health Care District Board of Directors 2022-0609

5.A.7 Appointed John Azevedo to the Patterson Irrigation District Board of Directors 2022-0610

- 5.A.8** Appointed Bobby Yamamoto to the West Stanislaus Irrigation District Board of Directors
2022-0611
- 5.A.9** Accepted the Resignation of Gary Briery from the Knights Ferry Municipal Advisory Council
2022-0612
- 5.A.10** Approved the Amended Conflict of Interest Code for the Patterson Irrigation District
2022-0613
- 5.B.1** Authorized the Sheriff to accept a grant of \$132,451 from the California State Parks and Recreation Off-Highway Motor Vehicle Recreation Division (OHV) Grant program for increased Law Enforcement services at Frank Raines Regional Park and La Grange Park in Stanislaus County; adopted the resolution to accept funding from the California State Parks OHV Grant program; authorized the Sheriff to sign any documents related to the grant and administer the grant provided by the California State Parks Off-Highway Motor Vehicle Recreation Division Grants and Cooperative Agreements Program for the project performance period; and, authorized the Auditor-Controller to increase appropriations by \$21,305 and decrease estimated revenue by \$977 in the Sheriff's Operations legal budget unit, to right-size spending authority, as detailed on the budget journal attached to the agenda item and to align with the grant award – Sheriff
2022-0614
- 5.B.2** Authorized the Sheriff to accept the 2022 Edward Byrne Memorial Justice Assistance Grant funding to enhance criminal justice processes; authorized the Chairman to sign the Memorandum of Agreement between the County of Stanislaus and the City of Modesto for the Justice Assistance Grant (JAG) Program Award; and, authorized the Auditor-Controller to increase appropriations by a total of \$154,333 in the Sheriff JAG and the Sheriff Administration Budget Units and estimated revenue by \$166,300 in the Sheriff JAG Budget Units as described in the fiscal impact and budget journal attached to the agenda item – Sheriff
2022-0615
- 5.B.3** Approved the “California County Assessors’ Information Technology Authority”, a joint powers authority (JPA), joint exercise of powers agreement; delegated authority to the Assessor, or his designee, to execute the agreement and submit an executed copy to the Clerk for filing; and, delegated authority to the Assessor, or his designee, to act on behalf of the Board as a director or officer of the JPA and conduct any other necessary and ordinary administrative duties as the County’s JPA representative – Assessor
2022-0616
- 5.B.4** Adopted the resolution approving the Senior Nutrition Infrastructure Grant Funds for the Area Agency on Aging for FY’s 2022-2023, 2023-2024, 2024-2025; and, authorized the Director of the Department of Aging and Veterans Services, Area Agency on Aging, to sign contract NI-2223-30 with the California Department of Aging in the amount of \$760,004 retroactively for the term of 10/01/2022 through 12/31/2024, and any subsequent amendments – AAA
2022-0617
- 5.B.5** Approved a resolution declaring 1,351.54 acres of the Crows Landing Industrial Business Park as surplus land pursuant to the California Surplus Lands Act, APN: 027-001-057 and 027-003-074; and, directed the CEO, or designee, to issue the Notice of Availability for the surplus properties that is compliant with the Surplus Lands Act, proceed with the Surplus Lands Act process, and return to the Board for further direction – CEO
2022-0618
- 5.B.6** Accepted a report of a local emergency proclaimed in Stanislaus County on 08/27/2022 – Sheriff
2022-0619

5.D.1 Set a public hearing on 11/29/2022, at the 9:00 a.m. meeting, to consider the approval of Williamson Act Cancellation and Lot Line Adjustment Application No. PLN2020-0059 – Foster; request to cancel a 0.66± acre portion of Williamson Act Contract No. 1974-1663 and adjust the lines of two parcels, located at 6232 and 6248 Carver Road, between Ladd and Costner Roads, in the Modesto area; and approval of a new contract for the proposed 11.62± acre parcel; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning 2022-0620

Recessed at 9:54 a.m.

Reconvened at 9:55 a.m.

B. Condit/Grewal unan. **5.D.2** Set a public hearing on 12/06/2022, at the 9:00 a.m. meeting, to consider the Planning Commission’s recommendation of approval for Rezone and Vesting Tentative Map application number PLN2022-0026 – Elmwood Estates, a request to rezone a 4.82± acre parcel from Rural Residential to Planned Development to increase the maximum building site coverage from 40 to 50 percent, and to create 17 single-family residential lots ranging in size from 8,000 to 10,594 square-foot and a 13,098 square-foot stormwater basin located at 3700 Story Road, between East Zeering Road and Walton Street, in the Community of Denair, and adopt a negative declaration; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-57-W-2 2022-0621

Chiesa/Grewal unan. **6.1** Conducted a public hearing to waive the second reading of an ordinance amending Title 16 of the Stanislaus County Code and adopting by reference the 2022 Title 24 California Code of Regulations edition of the California Building Standards Code, and the 2021 International Property Management Code edition; finds that the proposed changes and modifications to the 2022 California Building Standards contained in the proposed ordinance are necessary because of local climatic, geographical, and/or topographical conditions, as detailed in the proposed ordinance; adopted Ordinance C.S. 1333 amending Title 16 of the Stanislaus County Code and adopted by reference the 2022 Title 24 California Code of Regulations edition of the California Building Standards Code, and the 2021 International Property Management Code edition; directed the Building Official to file the adopted ordinance and the Board’s findings with the California Building Standards Commission; and, ordered the Clerk to publish the ordinance in accordance with Government Code section 25124(b) – Planning ORD-57-W-1 2022-0622 & 2022-0623

Corr 1 Referred to County Counsel and the Auditor-Controller, a Claim for Refund of Property Taxes filed on behalf of T-Mobile West LLC, regarding assessments for fiscal year 2018-2019.

Corr 2 Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: Adam Reed; Johnny E. McDowell; and, Tayna Nelson.

Supervisor Chiesa noted that he, along with Supervisors B. Condit, Grewal and C. Condit will attend the California State Association of Counties (CSAC) Conference next week.

Supervisor Grewal reported that he will attend the Modesto’s Veterans Day Parade on Friday, 11/12/2022 at 9:00 a.m. starting at Needham Street to Graceada Park, and he will also attend the Veterans Day Celebration at Community Hospice, 4368 Spyles Way, Modesto, 95356 on Friday, 11/12/2022 at 11:00 a.m.

CEO Hayes reported that Chairman Withrow received a letter from the Governor’s Office regarding direction to withhold Homeless Housing, Assistance, and Prevention Program (HHAP) funding. He shared Chairman Withrow was invited to attend a meeting next week with the Governor on Friday,

11/18/2022 to advocate on our behalf and discuss the effects this would have on homeless services in Stanislaus County.

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 10:14 a.m.

12. Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One Case: 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 taken.

Adjourned at 11:23 a.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.)