

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

Regular Session

Tuesday

May 2, 2023

All Supervisors Present*

Pledge of Allegiance to the Flag

*Pursuant to Government Code §54953(b), this meeting included a teleconference location at The Inn at the League, 1450 Sansom, Philadelphia, PA. Supervisor Grewal attended the Regular Session and Closed Session 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.

Invocation was given by Pastor Lonnie Skiles, with Big Valley Grace Community Church.

Tony Vartan, Behavioral Health Director for BHRS, gave a presentation on Mental Health Awareness Month.

Sheriff Dirkse provided an update regarding the local emergency due to the winter storms and flooding.

James Costello spoke regarding the formation of the Modesto Citizens Action Group which is focused on addressing the need for interim supportive housing for the homeless. He thanked Supervisor Withrow for meeting with them yesterday and sharing the County's efforts to address homelessness. They intend to meet with all county supervisors and city council members.

Ruben spoke regarding a 150-page County report and requested that it be translated into Spanish, to add housing information for low-income families, and to extend the public comment period for three weeks.

John X Mataka with Grayson Neighborhood Council expressed the need for the Comprehensive Economic Strategy for 2023-2028 to be translated into Spanish, and the public comment period of 30 days to start once the report is provided in Spanish. He recommends outreach to all nine cities and unincorporated areas, providing technical assistance to help understand the report, and incorporating more information regarding the housing issue. He hopes the Sheriff's office will provide the announcements regarding flooding in Spanish and place them on the radio for the Spanish speaking community.

Miguel Donoso attended the recent Economic Development Action Committee (EDAC) meeting which considered the Draft Comprehensive Economic Strategy Report for 2023-2028. He has four issues and requests regarding this report: translate the report into Spanish, include the housing issue, include demographic information, and provide more than 30 days in English and Spanish due to complexity of the report. He also shared that low-income families are not represented on EDAC.

Evelyn Landeros shared the need for racial equity and diversity, low-income housing, and documents translated into Spanish and interpreters at public meetings. She noted that she likes the new programs by Behavioral Health and Recovery Services, but voiced concerns that they cannot hold anyone against their will. She also shared concerns regarding the poor quality of the roads.

Noe Paramo with California Rural Legal Assistance spoke regarding the lack of affordable housing. He shared that in September 2022 the West Modesto Community Collaborative held a housing summit, and shared that economic development is interconnected with housing. He noted the Draft Comprehensive Economic Strategy for 2023-2028, the 2030 plan, the Farmworker Resource Center, and the Community Economic Resiliency Plan “Thrive” all have their own governance structure, and we need to ensure that there is access, equity, diverse representation, and a safety net for vulnerable residents. He spoke regarding the migration from the Bay Area to the Central Valley and that these individuals are competing for housing with the local population which has lower income and lower education levels. He also noted that the lack of affordable housing impacts home childcare.

Chiesa/B. Condit unan. Adopted the consent calendar

- 5.A.1** Approved the minutes of 04/25/2023
- 5.A.2** Appointed Neill Callis to the Stanislaus County Planning Commission
- 5.A.3** Approved moving Larry Bolton from an At Large Representative Seat to a Supervisorial District Four Seat on the Stanislaus County Behavioral Health Board with a term ending on 12/31/2025
- 5.A.4** Authorized the Registrar of Voters to provide specified services to conduct a Special Election on 08/29/2023 to consider the imposition of a Special Tax to fund Fire Protection and Emergency Medical Services for the West Stanislaus Fire Protection District
- 5.A.5** Adopted and waived the second reading of Ordinance C.S. 1345 amending Title 3 of the Stanislaus County Code relating to County holidays
- 5.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
- 5.B.2** Approved Grant Agreement Number 22-10692 with the California Department of Public Health for the Public Health Emergency Preparedness Program, Hospital Preparedness Program, and State General Fund Pandemic Influenza Program in the total amount of \$4,002,977 retroactively from 07/01/2022 through 06/30/2027; and, authorized the HSA Managing Director, or designee, to sign and execute the grant agreement and any subsequent amendments – HSA
- 5.B.3** Authorized the Sheriff to accept a grant award in the amount of \$369,997 from the California Board of State and Community Corrections for Officer Wellness and Mental Health; and, directed the Auditor-Controller to increase appropriations and estimated revenue by \$5,000 in the Sheriff’s Operations Legal Budget Unit as detailed in the budget journal, attached to the agenda item – Sheriff
- 5.B.4** Adopted the Property Tax Administration Cost Recovery Plan for use in FY 2022-2023; approved the calculation of the Property Tax Administration Fee from FY 2021-2022 and the proportion of recoverable costs attributable to incorporated cities and other jurisdictions; and, authorized the collection of said costs pursuant to the provisions of the Revenue and Taxation Code Sections 95.3 and 97.75, and Stanislaus County Ordinance Code Section 4.44.010 – Auditor-Controller
- 5.B.5** Authorized the Sheriff, or his designee, to enter into a retroactive agreement with the City of Turlock for the Automated License Plate Reader Program; authorized the Purchasing Agent, or designee, to enter into a five-year agreement with Intellisite, LLC dba EPIC iO Technologies, Inc. for Automated License Plate Reader System services; and, directed the Auditor-Controller to increase estimated revenue and appropriations in the Sheriff’s Operations budget unit by \$79,785 as detailed in the budget journal, attached to the agenda item – Sheriff

- 5.B.6** Approved a five-year lease with one two-year option with Westland, Development Company, LLC for 2,631 square feet of space at 1200 I Street in Modesto for the DA's Office; and, authorized the GSA Director/Purchasing Agent or designee to negotiate, sign and execute the lease and any lease amendments – DA
- 5.B.7** Approved the commendations for Stanislaus County Outstanding Senior Citizens of the Year – Aging and Veterans
- 5.B.8** Approved the Megabyte Property Tax System Maintenance Agreement (MPTS) with Megabyte Systems, Inc. for \$357,033; approved the Megabyte Property Tax System Test Server Support Service with Megabyte Systems, Inc. for an additional \$10,344; and, authorized the GSA Director/Purchasing Agent, upon the recommendation of the Assessor, Auditor-Controller, and the Treasurer-Tax Collector to sign the agreement – Assessor
- 5.B.9** Approved an emergency update in accordance with Public Contract Code Section 22050 for emergency repair and replacement of 400 linear feet of perimeter litter barrier fencing at the Fink Road Landfill; and, affirmed the emergency declaration remains necessary and authorized staff to proceed with needed repairs to the perimeter litter barrier fence – DER
- 5.B.10** Approved the Stanislaus County Job Order Contracting Program Year-Three Bid Package and authorized the GSA Director/Purchasing Agent or designee to issue a Notice Inviting Bids to prospective bidders; authorized the GSA Director/Purchasing Agent to set a bid due date of 05/30/2023, and adjusted the date as necessary for the following Job Order Contracts: (a) General Contractors, Class B-License; (b) Mechanical Contractors (HVAC), C-20-License; (c) Roofing Contractors, C-39-License; (d) Plumbing Contractors, C-36 License; (e) Electrical Contractors, C-10 License; directed staff to return to the Board to recommend award of contracts for these services; and, approved adding additional projects to year two of the program – GSA
- 5.C.1** Approved the MOU for City Utility Relocation Due to Construction of the Golden State Boulevard, Golf Road, Berkeley Avenue Intersection Project; and, authorized the CEO to execute the MOU for City Utility Relocation Due to Construction of the Golden State Boulevard, Golf Road, Berkeley Avenue Intersection Project – PW
- 5.D.1** Set a public hearing on 05/23/2023, at the 9:00 a.m. meeting, to consider the approval of the Planning Commission's recommendation of approval for Rezone Application No. PLN2018-0057- Kamir Incorporated, a request to rezone a 5.15± acre parcel from General Agriculture (A-2-10) to Planned Development (P-D) to allow for development of a fueling stop, convenience store, and two quick-service restaurants to serve the traveling public, located at East Keyes Road, between North Golden State Boulevard and State Route 99, in the Community of Keyes, and adoption of a Mitigated Negative Declaration; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning
- 5.D.2** Accepted the Annual Progress Report for the Stanislaus County Housing Element for the calendar year 2022 – Planning
- 5.D.3** Authorized a MOU between Stanislaus County and the City of Patterson for Development Standards applicable to development of the Zacharias and Baldwin Ranch Master Plan; approved the finding that the City of Patterson's Sphere of Influence (SOI) expansions is logical and orderly subject to the City of Patterson's execution of the MOU with Stanislaus County for development standards; and, authorized the CEO to execute the MOU with the City of Patterson and to notify the Stanislaus Local Agency Formation Commission of the County's agreement with the SOI expansion request – Planning

Withdraw/B. Condit unan. **6.1** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1342 to establish new fees and amend or eliminate existing fees for the Department of Environmental Resources

B. Condit/Chiesa unan. **6.2** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1343 to amend existing fees for planning services – Planning

Chiesa/B. Condit unan. **6.3** Conducted a public hearing; and, introduced and waived the first reading of Ordinance C.S. 1344 to amend existing fees for the Department of Public Works

B. Condit/Withdraw unan. **6.4** Closed the 30-day public review period and conducted a public hearing; approved the filing of a Notice of Exemption finding that the proposed approvals are exempt under provisions of the California Environmental Quality Act (CEQA) pursuant to State Guidelines; approved the FY 2023-2024 Annual Action Plan (AAP) and amendment to the Citizen Participation Plan (CPP) for the Stanislaus Urban County and the Stanislaus HOME Consortium for submittal to the U.S. Department of Housing and Urban Development (HUD); authorized the Director of Planning and Community Development to sign and submit to HUD the applications for Federal Assistance (SF-424, SF-424B and SF-424D), and Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), and HOME Investment Partnerships (HOME) program certifications; authorized the CEO to sign the FY 2023-2024 Annual Allocation Agreements with each Stanislaus Urban County member; authorized the CEO to sign the FY 2023-2024 Stanislaus HOME Investment Partnerships (HOME) Consortium Annual Allocation Agreement with each Stanislaus HOME Consortium member; authorized the Director of Planning and Community Development to execute any related program agreements, contracts, or other documentation required for implementation of CDBG, ESG, HOME, Neighborhood Stabilization Program (NSP), and any other programs identified in the Annual Action Plan, this authorization includes the use of any program income in accordance with applicable program guidelines; and, authorized the Planning and Community Development Department to incorporate any comments received prior to the close of the public review period and during the public hearing in the final documents and to make alterations to the documents as directed by HUD, provided alterations are technical in nature and do not alter the approved programs or funding allocations – Planning

Chiesa/B. Condit unan. **7.1** Certified that the rehiring of Tina Von Stade in an extra-help part-time capacity as a Manager III is necessary to provide critical operational and administrative support prior to the passage of the 180-day period; and, authorized the Auditor-Controller to rehire retiree Tina Von Stade as an extra-help part-time Manager III, prior to the 180-day sit out period, as required by the Public Employees' Pension Reform Act of 2013 – Auditor-Controller

Withdraw/B. Condit unan. **7.2** Approved the designation of approximately \$28.7 million in Opioid Settlement Funds (OSF) from the Janssen Pharmaceuticals, Inc. and Distributors settlement agreement and approximately \$1 million from the Mallinckrodt PLC settlement agreement to BHRS for use in allowable opioid abatement activities; authorized the Behavioral Health Director to develop a spending plan for the OSF to expand Substance Use Disorder (SUD) services and perform other allowable opioid abatement activities and return to the Board for final approval; and, amended the Salary and Position Allocation Resolution to reflect the recommended changes outlined in the Staffing Impacts section of the agenda item, effective the first full pay period after Board approval – BHRS

Corr 1 Referred to the Department of Workforce Development a letter from Entekra, LLC regarding the layoff of employees at its facility located in Modesto, CA.

Corr 2 Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: Reyes Rios; and, Luis Teixeira.

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Representative Gavin Cline from Congressman Duarte's Office provided an update on the activities happening in the 13th Congressional District.

Representative Abigail Pendleton from Assemblymember Juan Alanis' Office provided an update on the activities happening in the 22nd Assembly District.

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CEO Hayes reported that the Governor's May Revised Budget is expected to be released on 5/10/2023.

CEO Hayes announced that the State of the County Address by Chairman Chance Condit will take place on Tuesday, 5/16/2023, at 6:30 p.m. in the Board Chambers.

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 12:25 p.m.

12.1 Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). Two cases: Donnie Woodral v. County of Stanislaus, et al., United States District Court Eastern District Case No. 1:20-CV00372-NONE-BAM; and Lisa Marie Gil, et al v. County of Stanislaus, et al., Superior Court of the State of California Case No. CV-20-002901. No reportable action taken.

Continued to a future meeting the Closed Session Matter **12.2** Conference with Legal Counsel – Initiation of Litigation pursuant to Government Code section 54956.9 (d)(4): One Case.

Adjourned at 1:57 p.m.

ATTESTED: ELIZABETH A. KING, Clerk
of the Board of Supervisors
of the County of Stanislaus
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(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.)

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