

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 11, 2023

Invocation was given by Pastor Jeffrey Woods with First Christian Church.

Tera Chumley, Director of Parks and Recreation, received a resolution proclaiming July 2023 as Parks and Recreation Month in Stanislaus County.

Jonnie Lan, Director of Central Section of American Planning Association of California, recognized Stanislaus County Public Works as the recipient of the American Planning Association Central California Chapter 2023 Best Practices Award of Excellence.

Miguel Donoso provided a handout to the Board regarding the Economic Development Strategy 2023-2028. He noted he had not received a response to his request regarding the Economic Development Committee. He also voiced concerns regarding the cancellation of the Workforce Development Board meeting.

Debbie Martinez voiced concerns regarding the lack of homeless services for seniors.

B. Condit/Chiesa unan. Adopted the consent calendar

5.A.1 Approved the minutes of 06/20/2023

5.A.2 Appointed Gay Girard to the Stanislaus County Free Library Advisory Board 2023-0330

5.A.3 Appointed John Snoke to the Stanislaus County Parks and Recreation Commission
2023-0331

5.A.4 Reappointed Gordon Heinrich and Jim Mortensen to the Stanislaus County Agricultural
Advisory Board 2023-0332

5.A.5 Reappointed Glenn W. Mount to the Modesto City - County Airport Advisory Committee
2023-0333

5.A.6 Reappointed Jorje Garcia, Eric Anderson, David Costa, Linda Barr, Lori Schumacher, Lisa
Mantarro Moore, and Violeta Cuevas to the Stanislaus County Child Abuse Prevention
Council 2023-0334

5.A.7 Reappointed Daniel Diep to the First 5 Stanislaus Commission 2023-0335

5.A.8 Reappointed Lupe Aguilera and Eileene King to the Commission on Aging 2023-0336

5.A.9 Reappointed Matthew Scott and Mark Swartz to the Denair Fire Protection District Board of
Directors 2023-0337

5.A.10 Reappointed Joseph Oliveira and Gary A. Larson to the Mountain View County Fire
Protection District Board of Directors 2023-0338

5.A.11 Reappointed Karina Jimenez to the Stanislaus Child Development Local Planning Council
2023-0339

5.A.12 Reappointed Gregory Bernardi, Jonathan Goulding, and Steven Stanfield to the Stanislaus
Consolidated Fire Protection District Board of Directors 2023-0340

5.A.13 Reappointed Richard Jorgensen to the Stanislaus County Airport Land Use Commission
2023-0341

- 5.A.14 Reappointed Michael Lynch and Jeff Grover to the Stanislaus County Employees Retirement Board (StanCERA) 2023-0342
- 5.A.15 Reappointed Brad Koehn and Frank Lucas to the Turlock Rural Fire Protection District Board of Directors 2023-0343
- 5.A.16 Reappointed Jarod Lara to the West Stanislaus Fire Protection District Board of Directors 2023-0344
- 5.A.17 Reappointed Robert Ott to the Woodland Avenue Fire Protection District Board of Directors 2023-0345
- 5.A.18 Reappointed William L. Johnson, Melissa Wanty-Osuna, and Christopher Watts to the Stanislaus County Veterans Advisory Commission 2023-0346
- 5.A.19 Reappointed Chris Savage and Jennifer Shipman to the Stanislaus County Workforce Development Board 2023-0347
- 5.A.20 Accepted the resignation of Charles Dossett from the Workforce Development Board 2023-0348
- 5.A.21 Accepted the Resignation of Cheyenne Sanders from the Empire Municipal Advisory Council 2023-0349
- 5.B.1 Approved the award of three Job Order Contract Agreements for general construction to Aztec Consultants Inc., Marvulli 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.; approved the award of one Job Order Contract Agreement for plumbing construction to Champion Industrial Contractors Inc.; approved the rejection of all bids submitted for electrical construction; authorized the GSA Director, or designee, to execute the agreements; and, authorized the GSA Director, or designee, to process and approve job orders under these Job Order Agreements – GSA 2023-0350
- 5.B.2 Accepted the April 2023 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 – Treasurer / Tax Collector 2023-0351
- 5.B.3 Accepted the May 2023 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 – Treasurer / Tax Collector 2023-0352
- 5.B.4 Approved the award of the construction contract for the Geer Road Landfill’s Drainage Repair Project, in the amount of \$327,900, to Ford Construction Company, Inc., of Lodi CA; authorized the Director of DER to execute the contract with Ford Construction Company, Inc., and to sign any necessary documents; authorized the Director of DER to execute change orders not to exceed 10% of the original contract price, in accordance with Public Contract Code Section 20137 and 20142; and, upon project completion, authorized the Director of DER to accept the completed improvements and perform all necessary closeout activities for the project – DER 2023-0353
- 5.B.5 Authorized the County Librarian to apply for and accept, if awarded, new Library grants from various government agencies and nonprofit organizations in FY 2024 not to exceed \$200,000 cumulatively; and, authorized the County Librarian to enter into and sign grant agreements and contracts with various government agencies and nonprofit organizations in FY 2024 not to exceed \$200,000 cumulatively – Library 2023-0354
- 5.B.6 Authorized the Clerk-Recorder to enter into a retroactive Maintenance Agreement with Granicus, Inc. for software support in the amount not to exceed \$780,463, ongoing maintenance and upgrades for the period of 03/31/2023, through 03/31/2028 – Clerk Recorder 2023-0355

- 5.B.7** Approved an emergency update in accordance with Public Contract Code Section 22050 for emergency repairs 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
2023-0356
- 5.B.8** Authorized the GSA Director/Purchasing Agent, or designee, to negotiate and execute an amendment to the Year One Job Order Contract Agreement with Marvulli Inc., to increase the not-to-exceed contract amount from \$3 million to \$3.3 million – GSA 2023-0357
- 5.B.9** Approved the Retroactive First Amendment to the agreement with Intellisite LLC, dba EPIC IO, for security services at the Crows Landing Air Facility to increase the not-to-exceed amount from \$108,697.60 to \$224,128.17 and extend the term of the agreement through 05/31/2024; and, authorized the Purchasing Agent, or designee, to sign the First Amendment – CEO
2023-0358
- 5.B.10** Awarded a contract to Corrections Technology Group for lock and security equipment maintenance services for the Sheriff’s Office for the period of 07/11/2023 through 07/10/2026; and, authorized the Sheriff, or his designee, to sign the agreement and execute any subsequent amendments or other forms as required to operationalize the agreement – Sheriff
2023-0359
- 5.B.11** Authorize the Sheriff to accept Cannabis Tax Fund Grant Program funding in the amount of \$136,477 from the California Highway Patrol for FY 2024; authorized the Sheriff to sign the grant agreement, amendments, reimbursement claims, and other required documents for the Cannabis Tax Fund Grant Program; and, adopted a formal resolution as required by the State to receive the Cannabis Tax Fund Grant Program funding – Sheriff 2023-0360
- 5.B.12** Approved agreements with Taher, Inc., and Trio Community Meals, LLC, for FY 2024 to support the following programs: (a) Taher, Inc. for the Congregate Meals Program in the amount of \$212,628 for the term of 08/01/2023, through 06/30/2024; and (b) Trio Community Meals, LLC, for the Home-Delivered Meals Program in the amount of \$1,170,900 for the term of 08/01/2023, through 06/30/2024; and, authorized the County Purchasing Agent, or their designee, to sign the agreements and any subsequent amendments for FY 2024, budget permitting – Aging and Veteran Services 2023-0361
- 5.B.13** Authorized the CEO to negotiate and execute an agreement with Stanislaus Regional Emergency Dispatchers Association to implement a temporary plan to staff the Stanislaus Regional 911 Dispatch Center from 07/01/2023, through 07/31/2023 – CEO 2023-0362
- 5.B.14** Approved Amendment No. 2 to the agreement with Stanislaus County Police Activities League for FY 2024 Recreational Activities to increase the not-to-exceed amount from \$250,605.71 to \$267,141.93; and, authorized the Director of the Department of Parks and Recreation, or designee, to sign the Amendment No. 2, and any subsequent amendments to the Agreement on behalf of the County, not to exceed 10% of the contract amount – Parks
2023-0363
- 5.C.1** Approved payment of \$615,343.16 to Bob Harkrader and Sons Trucking Inc. for trucking services received during the 2022 Chip Seal Project, including a final payment of \$216,190.50, which includes \$19,654.50 of interest; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of the above recommendation – PW
2023-0364
- 5.C.2** Approved the agreement with the City of Modesto for transfer of ownership from the County of Stanislaus to the City of Modesto upon completion of the constructed sewer system for the West Modesto Sewer Infrastructure Project – Rouse/Colorado Neighborhood; authorized the Director of Public Works to transfer ownership upon completion of the constructed sewer system for the West Modesto Sewer Infrastructure Project – Rouse/Colorado Neighborhood; and, authorized the CEO to sign this agreement – PW
2023-0365

- 5.C.3** Approved an amendment to the General Lease with the CA State Lands Commission for the Las Palmas Avenue over the San Joaquin River Bridge Maintenance Project; authorized the Director of Public Works to sign and execute the Amendment to General Lease with the California State Lands Commission; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2023-0366
- 5.C.4** Approved an emergency update in accordance with Public Contract Code Section 22050 for emergency temporary repairs to Del Puerto Canyon Road 13 Miles west of Interstate 5; and, affirmed the emergency declaration remains necessary and authorized staff to proceed with needed repairs to Del Puerto Canyon Road 13 Miles west of Interstate 5 – PW 2023-0367
- 5.D.1** Rescinded all of Williamson Act Contract Nos. 1972-949 and 1977-2837, located at 2624 E Marshall Road, between Alfalfa Road and Tulip Avenue, in the Crows Landing area, APNs: 048-033-006 and 048-033-007; pursuant to Government Code Section 51257, determined that the following seven findings can be made based on the written evidence submitted by the applicant: (a) the new contract, or contracts, would enforceably restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County’s implementation of AB 1265; (b) there is no net decrease in the amount of the acreage restricted. In cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; (c) at least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts; (d) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Government Code Section 51222; (e) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract, or contracts; (f) the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan; approved a new contract(s), pursuant to Lot Line Adjustment No. PLN2021-0057; and, authorized the Director of Planning to execute a new contract(s), pursuant to Lot Line Adjustment Application No. PLN2021-0057 – Rightsell and Silva Et Al – Planning 2023-0368
- 5.D.2** Rescinded portions of Williamson Act Contract Nos. 1971-396, 1971-397, and 2020-0013, located at 1100 Rushing Road, between Cooperstown Road and the Modesto Irrigation District Main Canal, in the La Grange area, APNs: 008-015-031, 008-015-030, 008-015-034, and 008-034-005; pursuant to Government Code Section 51257, determine that the following seven findings can be made based on the written evidence submitted by the applicant: (a) the new contract, or contracts, would enforceably restrict the adjusted boundaries of the parcels for an initial term for at least as long as the unexpired term of the rescinded contract, or contracts, but for not less than ten years, except as authorized under the County’s implementation of Assembly Bill (AB) 1265; (b) there is no net decrease in the amount of the acreage restricted, in cases where two parcels involved in a lot line adjustment are both subject to contracts rescinded pursuant to this section, this finding will be satisfied if the aggregate acreage of the land restricted by the new contracts is at least as great as the aggregate acreage restricted by the rescinded contracts; (c) at least 90 percent of the land under the former contract, or contracts, remains under the new contract, or contracts; (d) after the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use, as defined in Government Code Section

51222; (e) the lot line adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract, or contracts; (f) the lot line adjustment is not likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the General Plan; approved a new contract(s), pursuant to Lot Line Adjustment No. PLN2022-0061; and, authorized the Director of Planning to execute a new contract(s), pursuant to Lot Line Adjustment Application No. PLN2022-0061-Erickson Trust – Planning 2023-0369

Chiesa/B. Condit unan. **6.1** Finds that the Notice of Public Hearing was published in compliance with Section 6066 of the Government Code; conducted a public hearing to receive comments regarding the revision of load carrying capacity of the Keyes Road Bridge (38C-0225) over the Turlock Irrigation District (TID) Main Canal; and, accepted the revised bridge load rating from the Caltrans Division of Structure Maintenance and Investigations for the Keyes Road Bridge over the TID Main Canal – PW 2023-0370

Withrow/B. Condit unan. **6.2** Conducted a public hearing to adopt Fire Protection Facility Fees for the Salida Fire Protection District Pursuant to Title 24 of the Stanislaus County Code; approved and adopted the finding set forth in the Public Development Impact Fee Study, and in this item, and as required by Section 66001 of the California Government Code; and, authorized imposing the Fire Protection Facility Fees, set forth in the fee study and this item, on all building permits that are issued in the Salida Fire Protection District after 09/09/2023, in the fee amount that is in effect at the time the building permit is issued – CEO DF-10-C-2 2023-0371

Corr 1 Referred to the Department of Workforce Development, an updated Worker Adjustment and Retraining Notification (WARN) a letter from David's Bridal, LLC, regarding a change of date for the layoff of employees at all of their locations, including the store located at 2225 Plaza Parkway in Modesto.

Corr 2 Referred to the Auditor-Controller, CEO, CSA, Registrar of Voters, Sheriff, Probation, and the Stanislaus Animal Services Agency, the 2022-2023 Stanislaus County Civil Grand Jury Final Report. M-39-O-7

Corr 3 Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: Stanislaus County Office of Education; Juana Castillo De Lainez; Terina Nava; Luis Teixeira (amended); Edward R. Rau; Jennifer Gonzalez; Vida M. Barrera; and, Alan Brink.

Supervisor Chiesa reminded everyone that the Stanislaus County Fair is happening now through 07/16/2023.

CEO Hayes reported that the County signed a letter with all Valley Counties in opposition to AB 460 and AB 1337 regarding water rights. He also shared the Board sent a letter in opposition to AB 985 regarding the San Joaquin Valley Unified Air Pollution Control District.

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 10:22 a.m.

12.1 Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). Two Cases: Richard Craig West Sr. et al v. County of Stanislaus, et al., Superior Court of California, County of Stanislaus, Case No. CV_20-004848. Karla Schultz v. Stanislaus County, et al., Superior Court of California, County of Stanislaus, Case No. CV-21-006557. No reportable action taken.

12.2 Conferenced with Legal Counsel – Initiation of Litigation: Pursuant to Government Code Section 54956.9 (d)(4). One case.

Closed Session Announcement: Withdraw/B. Condit unan. **12.2** The Board authorized County Counsel to initiate litigation to abate nuisance conditions at 4524 Milnes Road. The defendant(s) and the other particulars will, once the action is formally commenced, be disclosed to any person upon inquiry.

2023-0372

Adjourned at 12:01 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.)