

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

January 9, 2024

Invocation was given by Mike Gunnarson, with the City Ministry Network.

Chiesa/Withrow unan. **3.** Elected Supervisor Mani Grewal as the Chairman and Supervisor Buck Condit as the Vice-Chairman of the Stanislaus County Board of Supervisors for 2024. 2024-0001

Chairman Grewal recognized Supervisor C. Condit as the 2023 Chairman of the Board and thanked him for his leadership.

Supervisor Withrow presented Supervisor Chiesa with his Fifteen Year Employee Service Award.

C. Condit/B. Condit unan. Adopted the consent calendar

- 6.A.1** Approved the minutes of 12/14/2023, Special Meeting
- 6.A.2** Approved the minutes of 12/19/2023, Regular Meeting
- 6.A.3** Appointed Jose Sabala to the Stanislaus County Planning Commission 2024-0002
- 6.A.4** Appointed Nirmal S. Basi to the Commission on Aging 2024-0003
- 6.A.5** Accepted the resignation of Luis Jimenez from the Tuolumne River Regional Park Citizen Advisory Committee 2024-0004
- 6.A.6** Approved the 2024 Stanislaus County Board of Supervisors' Committee Assignments 2024-0005
- 6.B.1** Accepted an update on the Stanislaus County Employee Volunteer Mentor Program; and, adopted a resolution proclaiming January 2024 as Mentoring Awareness Month in Stanislaus County consistent with the National Mentor Month distinction – CEO 2024-0006
- 6.B.2** Appointed the following members to the 2024 term of the Stanislaus County Discipline/Equal Employment Opportunity (EEO) Grievance Appeals Board: (a) Sarah Dentan, County Librarian, as the Department Head Member; (b) Matthew Cantrell, AFSCME Local 10, as the Employee Member; and, (c) David Walker, Local Attorney with Ramsbacher Prokey Leonard LLP, to serve as the Chairperson; and, appointed alternates to the panel as follows: (a) Mark Ferriera, Chief Probation Officer, and Robert Kostlivy, Director of Environmental Resources, as Department Head Alternates; and (b) Richard Ballard, Deputy Sheriff's Association, as the First Alternate Employee Member; Michael Provenzale, County Attorneys Association, as the Second Alternate Employee Member; and Timothy Burns, Stanislaus County Sheriff's Management Association, as the Third Alternate Employee Member – CEO 2024-0007
- 6.B.3** Authorized the GSA Director, or designee, to accept a Property Program Grant award in the amount of \$25,000 from Public Risk Innovation, Solutions, and Management for security services at 625 I Street, Modesto; authorized the GSA Director, or designee, to sign and execute all related documentation required for the Property Program Grant funding; and, authorized the Auditor-Controller to increase revenue by \$25,000 in the FY 2024 GSA – Capital Facilities legal budget unit – GSA 2024-0008

- 6.B.4** Authorized the Sheriff to purchase one bus from Stanislaus Regional Transit Authority for \$1 for use at the Ray Simon Criminal Justice Training Center; and, authorized the Purchasing Agent, or designee, to sign the Release of Liability Agreement with the Stanislaus Regional Transit Authority – Sheriff 2024-0009
- 6.B.5** Authorized the Sheriff’s Office to offer employment to Alexander Garcia and Kody Parks for Deputy Sheriff I positions at step five of the salary range, currently \$45.34 per hour – Sheriff 2024-0010
- 6.B.6** Introduced and waived the first reading of an Ordinance C.S. 1363 amending Stanislaus County Code Chapter 3.40 relating to Bereavement Leave by repealing a portion of section 3.40.010 – CEO ORD-58-G-2 2024-0011
- 6.B.7** Approved proceeding with the Sheriff Public Safety Center Wastewater Improvement Capital Project; approved the Sheriff Public Safety Center Wastewater Improvement Capital Project budget of \$1.7 million; authorized the Auditor-Controller to establish the General Services Agency Sheriff Public Safety Center Wastewater Improvement Capital Project budget in the amount of \$1.7 million, as detailed in the budget journal, attached to the agenda item; approved the award of a Construction Contract to TNT Industrial Contractors, Inc., of Sacramento, California, in the amount of \$1,167,810 for the Public Safety Center Wastewater Improvement Project; authorized the GSA Director/Purchasing Agent, or designee, to act as Project Manager; authorized the Project Manager to procure professional services, issue work authorizations, and execute contracts, as needed, for this project phase so long as they are within the approved project budget; authorized the Project Manager to negotiate Change Orders consistent with the State of California Public Contract Code; and, authorized the Project Manager to complete project closeout activities, including filing Notices of Completion, release of retention, and other items needed to complete the project – GSA 2024-0012
- 6.B.8** 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 01/01/2024, through 01/31/2024; and, authorized the Executive Director of Stanislaus Regional 911 Dispatch Center the option to extend the executed agreement in one month increments up to five times but no later than 06/30/2024 without returning to the Board – CEO 2024-0013
- 6.B.9** Approved the use \$6,284 of Community Development Funds to pay for expenses associated with a community cleanup in the unincorporated area of Ceres held on 11/04/2023 – CEO 2024-0014
- 6.C.1** Approved an Agreement for Acquisition of Property located at 4331 Tim Bell Road, Waterford, CA, for the Tim Bell Road Bridge Replacement Project, Grantor: Zachary B. Perryman and Julia H. Perryman, APN: 008-001-036; authorized the Chairman to execute the Agreement for Acquisition of Property; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2024-0015
- 6.C.2** Adopted the Mitigated Negative Declaration for the Milton Road over Rock Creek Tributary 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 Rock Creek Tributary 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 2024-0016

6.C.3 Approved an emergency update in accordance with Public Contract Code Section 22050 for emergency temporary repairs to Crabtree Road Bridge over Dry Creek; and, affirmed the emergency declaration remains necessary and authorized staff to proceed with needed repairs to the Crabtree Road Bridge over Dry Creek – PW 2024-0017

6.D.1 Authorized the Auditor-Controller, on behalf of the Planning and Community Development Department, to pay prior year invoices totaling approximately \$7,999 for services provided – Planning 2024-0018

B. Condit/Withrow unan. **8.1** Certified that the rehiring of Adolph Lopez 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 Workforce Development to rehire retiree Adolph Lopez 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 – Workforce Development 2024-0019

B. Condit/Chiesa unan. **8.2** Accepted and approved the AB 481 Annual Military Equipment Report for 2023; held a Community Engagement Meeting pursuant to Government Code section 7072 (b); and, finds that the military equipment listed in the annual report has complied with the Sheriff's Office's, District Attorney's Office's, and Probation Department's Military Equipment policies and renew the Military Equipment Use Policy Ordinance C.S. 1336 of the Stanislaus County Ordinance pursuant to Government Code section 7071 (e) – Sheriff 2024-0020

Corr 1 Referred to the Department of Environmental Resources, a letter from the Riverdale Park Tract Community Services District regarding chemicals in their water system exceeding the notification levels.

Corr 2 Referred to the Department of Workforce Development, a Worker Adjustment and Retraining Notification (WARN) letter from Ruan Transport Corporation regarding the layoff of employees at its facility located at 830 W. Glenwood St. in Turlock, CA.

Corr 3 Referred to the Department of Workforce Development, two Worker Adjustment and Retraining Notification (WARN) letters from CalPac Pizza II, LLC, operating as Pizza Hut, regarding the layoff of delivery driver employees at its facilities located at 1047 W. Orangeburg Ave, Modesto; 2401 E. Orangeburg Ave., Modesto; 2600 Mitchell Rd., Ceres; and, 920 Lander Ave., Turlock.

Corr 4 Referred to the Clerk-Recorder and Registrar of Voters, a notice from the Knights Ferry Community Services District regarding the appointment of Jared Krick to their Board of Directors.

Corr 5 Acknowledged receipt of a letter from the Oak Flat Water District regarding the appointment of Justin Reeves and John L. Peterson to their Board of Directors.

Corr 6 Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: M.R-M a minor by and through Mayra Miranda-Urena (amended); Kimberly Fernandez; Cesar Fernandez; Subro Claims, Inc o/b/o Geico Ins a/s/o Qasem Qasem; Amy J. Aguinaga-Mirada; J.O.R.M a minor by and through Mayra Miranda-Urena (amended); B.R-M a minor by and through Mayra Miranda-Urena (amended); Mary Webb; and, Suzan Chahoud.

Supervisor B. Condit wished everyone a Happy New Year.

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

Representative Justin Farkas from Assemblymember Juan Alanis’ Office provided an update on the activities happening in the 22nd Assembly District.

CEO Hayes reported that the Governor’s January Proposed Budget should be released within the next 24 hours.

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 9:40 a.m.

13. Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). Two cases: Estate of Xander Mann, et al. v. County of Stanislaus, et al., US District Court Eastern District Case No. 1:21-CV-01098-AWI-SKO; and, Tiffany Macias, et al. v Stanislaus County, et al., Stanislaus County Superior Court Case No. CV-23-000626. No reportable action taken.

Adjourned at 11:30 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.)