

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 2, 2021

Invocation was given by Pastor Jim Applegate with Redeemer Church.

Jon D. Reeser from General Services Agency; Kimberly Martinez from Community Services Agency; and, Teresa Clayton from Stanislaus County Employees' Retirement Association received their 25-year Employee Service Award.

Public Health Officer Dr. Vaishampayan and Director of the Health Services Agency Mary Ann Lily-Tengowski provided an update of the 2019 Novel Coronavirus (COVID-19) Emergency and Essential Services in Stanislaus County.

Chairman Chiesa 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.

Miguel Donoso spoke regarding the percentage of the Hispanic community that are vaccinated and the need for increased outreach. He recommended that the County hold more meetings regarding redistricting in the evening and go to different areas in the community. He voiced concerns regarding the low community involvement and suggested holding two more meetings in District 1 and District 5.

Steven Morrow noticed that there are various closed sessions at the end of the Board of Supervisors meetings. He noted the need for some information to be kept confidential in government operations and asked when the public receives an update. County Counsel responded that he will follow-up with Mr. Morrow to answer his questions.

Yvonne Reynolds spoke regarding the September Gubernatorial Recall Election results in Stanislaus County and stated that the majority of Stanislaus County voters disagree with the decisions made by the Governor. She voiced concerns regarding the California Health and Human Services Agency COVID-19 Action Plan and the Governor's vaccine mandate for school age children. She spoke in opposition to vaccine mandates and noted that California is the only State where the Governor has required vaccines for school age children.

Tim Benefield, a pastor, voiced concerns regarding the vaccine for children. One of his oppositions is due to religious reasons and the way the vaccine was created. He encouraged the Board to protect the children.

Madalynn Baker shared concerns regarding the County not having close contact COVID-19 data from schools and wondered if other counties have this information. She shared a letter from a local 10-year-old and their experience with what they believe is a vaccine injury. She asked the Board to write a letter to the Governor in support of parents having the choice to give their children the COVID-19 vaccine, like the parents of all the other states.

Kent Higgins apologized to the health officials for comments he made at last week's Board of Supervisors meeting. He spoke regarding an article in the Lancet which states that the efficacy of the COVID-19 vaccine is 1%. He quoted Robert Malone, inventor of the MRNA technology, who said that you cannot vaccinate your way out of the pandemic.

Melinda Screeton, representing the UTURN Project, a newly licensed non-profit in Oakdale, spoke of the need for substance abuse rehabilitation services in the Oakdale area. She shared her difficulty in seeking substance abuse services for a homeless 16-year-old and her mother. She stated she would like to see money spent helping people on the streets and those with mental health issues and asked the Board for help in funding her proposal for the UTURN Project.

Daniel Chavez said a prayer and shared concerns regarding informed consent regarding the COVID-19 vaccine.

Yemen Zokari, a respiratory therapist, spoke in opposition to the Governor's vaccine mandate. She voiced concerns about vaccine side effects including blood clots, tremors, and heart attacks.

Rebecca Yonan, a nurse, voiced concerns about a non-medical person advocating for a vaccine. She spoke regarding the importance of informed consent. She noted that Dr. Ben Carson has stated that long term implications of vaccines for children are unknown. She spoke regarding the lawsuit against Pfizer for Chantix a medication that was recalled. She asked the Board to consider placing on the agenda a COVID-19 vaccine passport ban.

Rosey Cole voiced concerns regarding the experimental vaccine and the characterization of the COVID-19 virus. She spoke regarding the lively scientific disagreement of the vaccine for the last 18 months. She asked the Board to consider concerns voiced regarding a vaccine mandate in our County.

Samuel Boshart shared concerns of COVID-19 testing based on vaccination status. He shared a website ivmmeta.com that has analysis regarding Ivermectin. He spoke in support of increasing the use of monoclonal antibodies. He requested that the County adopt a COVID-19 vaccine passport ban.

Grewal/C. Condit unan. Adopted the consent calendar after removing from consent item **6.B.4** Approval to Adopt a Resolution Recognizing the Integrity and Relationship of Merced County and Stanislaus County in the Redrawing of Legislative and Congressional District Boundaries by the California Citizens Redistricting Commission – CEO

6.A.1 Approved the minutes of 10/26/2021

6.A.2 Appointed in lieu of Landowner Election Scott Cole and Devin Gioletti to the Reclamation District 2091 Board of Trustees 2021-0524

6.A.3 Appointed Vee Hooper to the Patterson Cemetery District Board of Trustees 2021-0525

6.B.1 Approved the Second Amendment to a lease between the Judicial Council of CA for use of 250 square feet of space at 2215 Blue Gum Avenue, Modesto, CA; and, authorized the CEO to finalize and execute the lease – GSA 2021-0526

6.B.2 Authorized the Director of DER to temporarily double-fill the Water Resources Manager position, allocated as a Manager IV, for up to, but not to exceed, three months; authorized the use of \$36,789 in appropriations for contingencies to temporarily double-fill the Water Resources Manager positions; and, directed the Auditor-Controller to make the budget adjustments as reflected in the budget journal – DER 2021-0527

6.B.3 Approved a lease for the use of the Empire Migrant Center-Winter Shelter between the CSA and the Stanislaus Regional Housing Authority; and, authorized the CSA, or her designee,

to sign the Empire Migrant Center-Winter Shelter lease with the Stanislaus Regional Housing Authority – CSA 2021-0528

- 6.C.1** Approved the purchase and sale agreement to acquisition of fee interest in real property located adjacent to State Route 99 and Pirrone Road, near the State Route 99/Hammett Road Interchange in the Salida Area for road purposes, Grantor: Grover Family Trust, APN: 003-014-008 and 003-014-009; authorized the Director of Public Works to execute the purchase and sale agreement for acquisition of fee interest in real property and to take any appropriate action necessary to carry out the purpose and intent of these recommendations; directed the Auditor-Controller to recognize operating transfers out by \$115,500 in the Public Works Kaiser Voluntary Funds (Road Infrastructure) budget unit and Operating Transfers in by \$115,500 in the Public Works Road and Bridge budget unit; and, directed the Auditor-Controller to increase appropriations for Fixed Assets – Land by \$115,500 and decrease appropriations for Other Charges by \$115,500 in the Public Works Road and Bridge budget unit – PW 2021-0530
- 6.D.1** Rescinded a portion of Williamson Act Contract No. 2012-12 and all of Williamson Act Contract Nos. 2005-4584, and 2003-4535, located at 12161 Delaware Road, between the Tuolumne River and Delaware Road, in the Waterford area, APNs: 080-008-049, 080-010-018, and 080-010-031; finds that 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 Stanislaus 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 Application No. PLN2021-0014 – Frantz Family; and, authorized the Director of Planning and Community Development to execute a new contract(s) – Planning 2021-0531
- 6.D.2** Set a public hearing on 12/07/2021, at the 9:00 a.m. meeting, to consider the Planning Commission’s recommendation of approval for rezone application number PLN2015-0030 – Blue Diamond, a request to amend the zoning designation of two parcels totaling 42.99± acres from Limited Industrial (L-M), General Agriculture (A-2-10), and Planned Development (P-D) (43) to a new P-D to allow for future expansion of an existing almond processing and storage facility, and to consolidate existing operations into one zoning district, located at 4800 Sisk Road, 4498 Kiernan Avenue, and 4743 Nutcracker Lane, on the southeast corner of Kiernan Avenue and Sisk Road, in the Salida area, and adoption of a negative declaration; and, authorized the Clerk of the Board to publish a notice of public hearing as required by law – Planning ORD-57-L-2 2021-0532

6.D.3 Set a public hearing on 12/07/2021, at the 9:00 a.m. meeting, to consider approval of Substantial Amendment No. 1 to the Stanislaus Urban County's FY 2021-2022 Annual Action Plan (AAP) – Planning 2021-0533

6.D.4 Adopted a resolution to authorize the Director of Planning and Community Development to participate in the 2021 State of CA Emergency Solutions Grants (CA-ESG) program; authorized the County to accept, if awarded, the 2021 CA-ESG program funding and authorized the Director of Planning and Community Development to execute an Administrative Entity Standard Agreement with the CA Department of Housing and Community Development (HCD); and, authorized the Director of Planning and Community Development to execute any related program agreements, contracts, certifications or other documentation required for implementation of the 2021 CA-ESG program funding awarded to Stanislaus County by HCD, this authorization includes the use of any program income in accordance with applicable program guidelines – Planning 2021-0534

Grewal/Withdraw (4-1) (C. Condit opposed) **6.B.4** Adopted a resolution recognizing the integrity and relationship of Merced County and Stanislaus County in the redrawing of Legislative and Congressional District boundaries by the CA Citizens Redistricting Commission – CEO 2021-0529

Corr 1 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Joe and Angela Nunes; Sailaja Rajappan; and, Clifton Williams Jr.

Supervisor B. Condit congratulated the Waterford High School varsity football team on winning the championship game. He reminded everyone that the Hickman Bridge will be closed 11/08/2021-11/22/2021.

Assistant Executive Officer Mendez shared that the redistricting process is continuing and the first public hearing of the four public hearings will be on Monday, 11/08/2021 at 6:00 p.m. in the Basement Chambers at 1010 10th Street, Modesto, CA.

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 11:04 a.m.

13.1 Conference with Legal Counsel - Anticipated Litigation: Pursuant to Government Code section 54956.9 (d)(4): One Matter. No reportable action taken.

13.2 Conference with Legal Counsel - Significant Exposure to Litigation Pursuant to Government Code section 54956.9(d)(2) or (3): One Case. No reportable action taken.

Adjourned at 12:37 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
from the Clerk of the Board's Office.) THE BOARD OF SUPERVISORS