

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 11, 2022

Invocation was given by Imam Ahmad Kayello with Islamic Center of Modesto.

Chiesa/Grewal unan. Elected Supervisor Withrow as the Chairman and Supervisor C. Condit as the Vice-Chairman of the Stanislaus County Board of Supervisors for 2022. 2022-0001

Chairman Withrow recognized Supervisor Chiesa as the 2021 Chairman of the Board and thanked him for his leadership.

Jan Schmidt presented the Stanislaus County Law Library 2020-2021 Annual Report.

CEO Hayes, 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 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.

Steven Morrow shared his experience with the launch of the START real time bus information and stated that the first week was a little bumpy but this week it had improved. He shared concerns regarding the proposals and funding for a new downtown ballpark, however he supports any zoning variance that needs to be approved.

Yvonne Reynolds read an article that was published in the SFGATE that discussed why the City of Oroville, CA declared their city as a constitutional republic. She spoke about the constitution and shared concerns regarding elected officials not listening to the constituents. She read the definition of a State of Emergency and stated she was confused why we are still in a State of Emergency.

Janet Betcher spoke regarding the invocation given and stated those words were important and meaningful. She shared she was impressed with the CEO's remarks this morning. She acknowledged the HSA staff and stated they must be really stressed out.

Joni Griep spoke on behalf of her kids and all kids. She stated that CA was the last state to reopen schools and the only state that is requiring vaccine mandates for schools. She shared concerns regarding policies and guidance from the California Department of Public Health (CDHP). She also expressed concerns for children masking for eight hours a day.

Ashley Miguel expressed concerns regarding the lack of education in our community regarding COVID-19. She stated we should not be testing anyone and everyone. She shared that the emergency rooms are strained, and that doctors' offices are not accepting COVID-19 patients. She thinks more can be done.

Keryn Whitlow shared she brought copies of the constitution with her today. She stated she was happy to hear CEO Hayes talk about a new COVID-19 phase today. She shared concern about children's mental health and asked when people are going to talk about it. She said she hopes in Phase 3 we can bring long term solutions, not reactionary. She believes at a local level we can do more.

Janet Rocha thanked Supervisor Grewal for helping her recently with a situation. She shared concerns regarding an article she read from the SF Bay Area about healthcare workers that are COVID-19 positive but asymptomatic being able to return to work. She asked the Board to listen to the community.

Maritza Romero, mother of 8, shared concerns regarding our youngest being the most vulnerable population. She read an article from the Thomson Reuters collection from 12/28/2021 regarding vaccine affects on children. She stated that children are helping to make herd immunity and children are the least likely to contract it.

Emerson Drake shared concerns regarding people not masking and the unvaccinated. He stated that people come to this Country for stronger laws.

Joni Griep stated that freedom of speech is so important, and that discrimination is ugly.

Grewal/C. Condit unan. Adopted the consent calendar

- 7.A.1** Approved the minutes of 12/09/2021, Special Meeting
- 7.A.2** Approved the minutes of 12/13/2021, Special Meeting
- 7.A.3** Approved the minutes of 12/14/2021, Regular Meeting
- 7.A.4** Reappointed Jeff Dirkse to the Earl Pride Scholarship Committee 2022-0002
- 7.A.5** Appointed Sam Rush, Michael Buck, Chris Ricci, Rosa Escutia-Braaton, Kathryn Reyes, Perfecto Millan, Lonnie Statzer, and Joseph Ewing, III to the Stanislaus County Local Task Forced on Solid Waste Management 2022-0003
- 7.A.6** Corrected the term ending date for Patrick Cerutti and Edward Rocha on the Hills Ferry Cemetery District Board of Trustees 2022-0004
- 7.A.7** Accepted the resignations of Thomas Burns and Leng Power from the Salida Municipal Advisory Council 2022-0005
- 7.A.8** Accepted the resignation of Jarod Lara from the West Stanislaus Resource Conservation District 2022-0006
- 7.A.9** Accepted the resignation of Raul Mendez from the Stanislaus County Workforce Development Board 2022-0007
- 7.A.10** Approved a request to consolidate the Special Municipal Election for the City of Oakdale with the Statewide Direct Primary Election to be held on 06/07/2022 2022-0008
- 7.A.11** Approved the 2022 Stanislaus County Board of Supervisors' Committee Assignments 2022-0009
- 7.B.1** Authorized the Stanislaus County Chief Probation Officer to accept the Youth Programs and Facilities Grant funds in the amount of \$152,571 from the Board of State and Community Corrections; authorized the Stanislaus County Chief Probation Officer to negotiate and execute related grant documents and the MOU with the Board of State and Community Corrections for acceptance of the Youth Programs and Facilities Grant; and, authorized the Auditor-Controller to increase estimated revenue and appropriations in the Department of Juvenile Justice Realignment Block Grant budget unit by \$152,571 – Probation 2022-0010
- 7.B.2** Approved emergency update in accordance with Public Contract Code Section 22050 for emergency roof repairs and asbestos abatement at the Public Health building located at 820 Scenic Drive in Modesto – GSA 2022-0011

- 7.B.3** Accepted the October 2021 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 – T/TC 2022-0012
- 7.B.4** Accepted the November 2021 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 – T/TC 2022-0013
- 7.B.5** Ratified the CEO’s actions and directions to enter into an agreement with California State University Stanislaus for use of university facilities to provide COVID-19 vaccination clinics during the COVID-19 pandemic emergency – HSA 2022-0014
- 7.C.1** Adopted the resolution, Attachment 1 of the agenda item, summarily vacating that portion of Cloutier Drive, as described in Exhibits A and B, of the agenda item; finds, based on the reasons stated in the report, that the portion of Cloutier Drive, in the community of Salida, described herein is not required for street or highway purposes; finds that easements for the existing in-place public utilities will be retained; finds that the underlying real property or interest therein belonging to the County is no longer necessary for County purposes; authorized the Public Works Director to sign the Quitclaim Deeds as submitted, conveying the fee title portion to the adjoining landowners, Attachment 2 of the agenda item, said conveyance shall be provided on the condition that the adjacent landowner/grantee concurrently file a document of merger; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0015
- 7.C.2** Approved Amendment No. 5 to the Siegfried Engineering, Inc. professional services agreement for additional all-inclusive engineering services for the Measure-L Sidewalk Project, in the amount of \$148,625, with a new not-to-exceed contract amount of \$1,292,130; authorized the Director of Public Works to execute the amendment with Siegfried Engineering, Inc. in the amount of \$148,625 and to sign necessary documents; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0016
- 7.C.3** Approved Amendment No. 5 to the Dewberry Engineers, Inc. professional design services agreement for the Golden State Boulevard, Golf Road, Berkeley Avenue Intersection Project, in the amount of \$33,692 with a new, not-to-exceed, total contract amount of \$894,632; authorized the Director of Public Works to execute the amendment with Dewberry Engineers, Inc. in the amount of \$33,692 and to sign necessary documents; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0017
- 7.C.4** Approved the use of non-competitive negotiated consultant selection and award a contract for Legal Services to Nossaman, LLP for legal support services associated with the Seventh Street Bridge Project; authorized the Public Works Director to execute a contract with Nossaman, LLP in the amount of \$718,675 and to sign necessary documents, including any amendments to the agreement not-to-exceed 10%; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0018
- 7.C.5** Approved a resolution establishing Stop Sign Traffic Controls on Anna Avenue at Amaryllis Way in Keyes and McCauly Avenue at Salluce Drive in Denair; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0019

7.D.1 Authorized the Auditor-Controller, on behalf of Planning and Community Development, to pay total of \$547.57 in mileage and stipend for ALUC Commissioner Richard Jorgensen for a claim received more than one year from the date services were provided; and, authorized the Auditor-Controller, on behalf of Planning and Community Development, to pay a total of \$443.94 in mileage and stipend for ALUC Commissioner Jeff Broumas for a potential claim more than one year from the date services were provided – Planning
2022-0020

Corr 1 Acknowledged receipt of report from the Community Services Agency’s FY 2020-2021 Annual Audit of the Child Care and Development Alternate Payment Program Stage 2 and 3 Contracts.

Corr 2 Acknowledged receipt of a letter from the Reclamation District 2063 regarding the resignation of Verl “Butch” Watkins and the appointment of Michael Brasil to their Board of Directors.

Corr 3 Referred to the Department of DER, a letter from the Riverdale Park Tract Community Services District regarding chemicals in their water system exceeding the notification levels.

Corr 4 Acknowledged receipt of a letter from the Hughson Fire Protection District regarding the resignation of Randy Sullivan and the appointment of Mark Hughes to their Board of Directors.

Corr 5 Acknowledged receipt of claims and referred to the CEO’s Office the following claims: Peter Dean Conservator Diane Dean; Subro Claims; Inc obo Geico Ins a/s/o Michael Seibel; Dan Domeier; Clifton Williams Jr.; Rose Ann Gomes; Ramon Magdaleno (2); Lucas Elliot Tobin; Crispin Solorio Arellano; Rosalinda Solorio Arellano; Juan Guzman; Barbreana E. Bojorquez and Eduardo Estrada; Barbreana Bojorquez; Eduardo Estrada; and Alejandro Madrigal.

Supervisor Chiesa and Chairman Withrow wished everyone a Happy New Year.

CEO Hayes recognized Dan Rosas from CSA for helping with the legislative and PIO responsibilities in the CEO’s Office and shared our previous PIO, Amy Carroll, has moved on to new ventures. He reported that the Governor’s January Proposed Budget was released yesterday. The CEO provided an update on the priorities of the spending plan and stated that County staff are reviewing the proposed budget.

Supervisor Chiesa shared that January is always a hard month for the Animal Shelter and that dogs over 40 lbs. are \$22.00 and cats over 10 lbs. are \$10.00. He asked everyone to please consider pet adoption.

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 11:13 a.m.

14.1 Conference with Legal Counsel – Existing litigation: Pursuant to Government Code Section 54956.9 (d)(1). Two cases: Angelina Nunes and Emanuel Alves, et al v. County of Stanislaus, et al. US District Court Eastern District, 1:17-cv-00633-DAD-SAB; and Angelina Nunes, Emanuel Alves, D.X., and L.X. v. Carrie Stephens, et. al. US District Court Eastern District, 1:19-cv-00204-AWI-BAM. No reportable action taken.

Chairman Withrow congratulated Tina Rocha on her promotion to Assistant Executive Officer and thanked Deputy Austin for attending the meeting.

Adjourned at 12:45 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.)