

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 25, 2022

Invocation was given by Reverend Edward Eissabake, with St. John's Assyrian Evangelical Presbyterian Church.

CEO Hayes, Public Health Officer Dr. Vaishampayan, Director of the Health Services Agency Mary Ann Lily-Tengowski, and CEO of Emanuel Hospital Dr. Murali Naidu, MD, 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.

Steve Allen expressed concerns regarding the state of the justice system and specifically the officer involved shooting of Trevor Seever. He asked the Board to consider public safety as the goal.

Samuel Bosshardt read definitions of emergencies and shared concerns about calling COVID-19 an emergency for a long time.

Sarah Short shared personal medical experiences and losses during this emergency. She stated we cannot get basic care and the emergency needs to end so we can say goodbye to our loved ones.

Joni Griep shared concerns regarding the Public Health Officer. She expressed the toll this state of emergency has put on teens.

Milo Shelly, Stanislaus County resident for 42 years, shared concerns over the recent garbage rate increases.

Jan Higgins, Registered Respiratory Therapist for children, expressed concerns for children wearing masks and the affects it has on their breathing. She also shared concerns regarding the COVID-19 vaccine.

Kent Higgins shared concerns regarding the COVID-19 vaccine versus natural immunity and Polymerase Chain Reaction (PCR) testing. He stated that he appreciates the First Amendment.

Charles Shetron spoke regarding the Great Barrington Declaration. He shared that there was a rally at the Capitol against vaccine mandates. He spoke about the number of deaths since the inception of COVID-19.

Madi Short shared concerns for our constitutional rights by forcing vaccine mandates.

Yvonne Reynolds spoke about an article in the Washington Examiner that advises we take El Salvador’s Coronavirus advice that focuses on healthy lifestyles. She stated it’s time to change the narrative and return to a sense of normalcy. She shared concerns regarding public schools, social media, and politicians.

Madalynn Baker requested that when public health shares information with medical offices they be inclusive and include multiple providers. She shared that everyone should be able to make their own choices regarding vaccination of their children. She believes in mask choice.

Adam Corkins spoke about the blood shortage and importance of blood donations. He expressed concerns regarding the COVID-19 vaccine, side effects, and requirement of vaccination to keep his job. He shared that medical decisions should be made yourself and with your medical provider.

Aaron Noriega, works in law enforcement, shared the importance of early intervention of medication for COVID-19 symptoms. He voiced concerns regarding false positive PCR testing and the use of PCR testing to create policy as a reason to move forward with mandates. He expressed opposition to the only way out of this pandemic being vaccination. He shared that people should have the ability to choose.

Kandace Weyhrauch stated that she is impressed by what she has seen today. She asked that we end the state of emergency. She has been attending the Patterson Joint Unified School District and Patterson City Council meetings and spoke regarding a high school math teacher who is the Mayor. She expressed concerns regarding COVID-19 hospital statistics. She does not think extending the emergency, keeping her kids away from their friends or closing businesses, is the answer to the problem we are facing.

Keryn Whitlow spoke about the local state of emergency. She expressed concern for hospitals and feels they are almost in disaster mode. She asked that we end the local state of emergency.

Elizabeth Steinry inquired about long term plans and asked if any guidelines have been set to remove mandates. She asked the Board to look into what the criteria is to remove these mandates.

Richard McGee shared concerns regarding the Public Health Officer. He voiced concerns over the mask mandate and asked the Board to do the right thing and take action.

Vanessa Santos asked the Board to end the state of emergency. She shared our kids need a better environment and community and that masks are not working. She asked the Board to end the mask mandate.

Chiesa/B. Condit unan. Adopted the consent calendar after removing from consent Items: **5.C.2** Approval to Allow Right-of-Way Acquisition by the City of Turlock for the Intersection Improvements at Taylor Road at Walnut Road Project – PW; and, **5.D.3** Approval of a Technical Amendment to the Award of the Second Release of California Emergency Solutions Grants Coronavirus Aid, Relief, and Economic Stimulus Act Round 2 Funding for Street Outreach and Engagement Services and to Negotiate and Execute an Amendment to an Agreement with Turning Point Community Program, Inc., Garden Gate Respite, to Provide Street Outreach and Engagement Services – Planning

5.A.1 Approved the minutes of 01/11/2022

5.A.2 Appointed Debby Schneider and Karen Gorne to the Salida Municipal Advisory Council
2022-0021

5.A.3 Appointed Melissa Kelly to the Tuolumne River Regional Park Citizens Advisory Committee
2022-0022

5.A.4 Appointed Nicholas Colbert to the Fire Code Board of Appeals
2022-0223

- 5.A.5** Accepted the resignation of Maggie Mejia from the Commission on Aging 2022-0024
- 5.A.6** Accepted the resignation of Brian Herd from the Mountain View Fire Protection District
2022-0025
- 5.A.7** Accepted the resignation of Mary Ann Riner from the Denair Municipal Advisory Council
2022-0026
- 5.A.8** Accepted the resignation of Nancy Warren Patton from the Knights Ferry Municipal Advisory
Council 2022-0027
- 5.A.9** Approved changing the representation of Maryn Pitt on the Workforce Development Board
from Economic Development to Business 2022-0028
- 5.B.1** Approved Professional Services Agreements for On-Call Inspector of Record Services for the
General Services Agency Capital Facilities Division; authorized the General Services
Agency Director/Purchasing Agent to finalize and execute the On-Call Inspector of Record
Agreements on behalf of the County with: (a) Consolidated CM, a California Corporation;
and, (b) 4LEAF, Inc.; approved three Professional Services Agreements for Legal Services
for the General Services Agency; and, authorized the General Services Agency
Director/Purchasing Agent to finalize and execute the Legal Services Agreements on
behalf of the County with: (a) Burke, Williams & Sorensen, LLP; (b) Lozano Smith, LLP;
and, (c) Rein & Rein, APC – GSA 2022-0029
- 5.B.2** Authorized the Sheriff’s Department to offer employment to Andrew Weber for a Deputy
Sheriff I position at step five of the salary range, currently \$39.32 per hour – Sheriff
2022-0030
- 5.B.3** Authorized the Stanislaus County Chief Probation Officer to accept the ELC Detection and
Mitigation of COVID-19 in Confinement Facilities grant funding in the amount of \$21,285
from the California Department of Public Health; authorized the Stanislaus County Chief
Probation Officer to execute related grant documents with the California Department of
Public Health; and, authorized the Auditor-Controller to increase estimated revenue and
appropriations in the Probation Institutions budget unit by \$21,285 as detailed in the
Budget Journal – Probation 2022-0031
- 5.B.4** Authorized the Chairman and the CEO to sign the 2022 Annual Equal Employment
Opportunity/Non-Discrimination Statement – CEO 2022-0032
- 5.B.5** Approved a five-year County-wide Cisco products agreement with Telcion Communications
Group for the purchase of Cisco hardware, software and maintenance and support services;
authorized the General Services Agency/Purchasing Agent to enter into agreement with
Telcion Communications Group for the purchase of Cisco hardware, software and
maintenance and support services and to sign any necessary documents; and, authorized
the General Services Agency/Purchasing Agent to execute any amendments and extensions
– ITC 2022-0033
- 5.B.6** Approved and accepted the Stanislaus County 2020-2021 Annual Report – CEO 2022-0334
- 5.B.7** 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 2022-0035
- 5.B.8** Accepted an update on the Stanislaus Emergency Rental Assistance Program; approved the
Voluntary Reallocation of Federal Emergency Rental Assistance Program 1 funding to the
U.S. Department of the Treasury to be Reallocated to the State of California to administer
on behalf of Stanislaus County; and, authorized the CEO, or his designee, to execute and
amend, if necessary, any related program agreements, contracts or other documentation
required to allow the California Department of Housing and Community Development
(HCD) Department to administer Federal Emergency Rental Assistance Program 1 funds
on behalf of Stanislaus County – CEO 2022-0036

- 5.C.1** Adopted the Environmental Impact Report for the Kilburn Road Bridge over Orestimba Creek Project pursuant to CEQA Guidelines Section 15092 by finding on the basis of the whole record, including any comments received, that the project will have significant effect on the environment and that some effects can be mitigated, and the Environmental Impact Report reflects Stanislaus County’s independent judgement and analysis; directed the Department of Public Works to file a Notice of Determination with the Stanislaus County Clerk Recorder’s office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15092; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations
– PW 2022-0037
- 5.D.1** Rescinded a portion of Williamson Act Contracts No. 1972-624 and 1972-656, located east of Los Cerritos Road, South of the T.I.D. Canal, in the La Grange Area, APN 020-008-040 and 020-008-037, 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 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 PLN2021-0002; and, authorized the Director of Planning and Community Development to execute a new contract(s), pursuant to Lot Line Adjustment application No. PLN2021-0002 Gaylord Family Trust - Diego Ranch Stanislaus LP- Lake Road
– Planning 2022-0039
- 5.D.2** Authorized the Director of Planning and Community Development to execute an agreement with the City of Modesto for the construction costs and services associated with the Rouse-Colorado Neighborhood - Colorado Avenue Sewer Fly-Line Phase for a total amount not to exceed \$898,560 – Planning C-6-P-13 2022-0040
- 5.D.4** Approved the award of U.S. Department of Housing and Urban Development (HUD) Emergency Solutions Grants (ESG) Coronavirus Aid, Relief, and Economic Security (CARES) Act Round Two (CV2) funding to ESG Round One (CV1) recipients, as outlined in the attachment of the agenda item; and, authorized the Director of Planning and Community Development to execute any related program agreements, contracts, certifications, or other documentation required for the awarding of Stanislaus Urban County ESG CV2 funding, this authorization includes the use of any program income in accordance with applicable program guidelines and the reallocation of funds among the recipients, if needed, to address timely expenditure of the funding – Planning 2022-0042

Chiesa/C. Condit unan. **5.C.2** Approved the Right-of-Way Acquisition within the unincorporated area of Stanislaus County by the City of Turlock, for the Intersection Improvements at Taylor Road and Walnut Road Project; authorized the Director of Public Works to sign the Consent Form to allow Right-of-Way Acquisition by the City of Turlock; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW

C-5-G-5 2022-0038

Chiesa/B. Condit unan. **5.D.3** Approved an amendment to the award of the second release of California Emergency Solutions Grants Coronavirus Aid, Relief, and Economic Stimulus Act Round 2 Allocation (CA-ESG CV2) and reallocate funds for Street Outreach and Engagement Services from CSA to BHRS and Probation Departments; authorized the BHRS Director, or designee, to negotiate and execute a second amendment to the agreement with Turning Point Community Programs, Inc. Garden Gate Respite, in the amount of \$1,180,826, for the provision of Street Outreach and Engagement services, for an amended not-to-exceed amount of \$2,423,175; directed the Auditor-Controller to decrease appropriations and estimated revenues by \$2,276,789 in the CSA Housing and Homeless Services legal budget unit, as detailed in the budget journal; directed the Auditor-Controller to increase appropriations by \$613,471 and estimated revenue by \$948,180 in the Probation Community Corrections Partnership legal budget, as detailed in the budget journal; and, directed the Auditor-Controller to increase appropriations and estimated revenue by \$1,328,609 in the BHRS legal budget unit, as detailed in the budget journal – Planning 2022-0041

Grewal/B. Condit unan. **7.1** Acknowledged the partnership between Behavioral Health and Recovery Services (BHRS), Stanislaus County Affordable Housing Corporation (STANCO) and the City of Modesto to acquire, rehabilitate and develop a property located at 835 California Avenue, Modesto (California Avenue Project) to create seven permanent supportive housing units; approved the dedication of No Place Like Home (NPLH) Noncompetitive Allocation funds to STANCO, in the amount of \$2.3 million, for the California Avenue Project; approved an interest-bearing loan to STANCO of an amount not to exceed \$1,438,886 from the County General Fund; authorized the Auditor-Controller to release the funds when they receive the executed promissory note in the amount of \$1,438,886 and the deed of trust for the interest-bearing loan to STANCO due on 06/30/2023; and, authorized the Auditor-Controller to extend the date for repayment of the \$1,438,886 interest-bearing loan from the County General Fund to STANCO as provided in the promissory note Section 1(b), in the event the NPLH Noncompetitive Allocation funding disbursement is delayed – BHRS C-6-Q-1 2022-0043

Corr 1 Referred to the Department of Workforce Development, a Worker Adjustment and Retraining Notification letter regarding the temporary layoff of employees from Ten Pin Fund Center, LLC located on Countryside Drive in Turlock.

Corr 2 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Noble Rider LLC, INNOV8 Partner & The Hanover Insurance Group; Donaldo Alberto Santos; Stephanie Hays; Richard Dale Tracy; Christian Espinoza; Jorge Jesus; Steven Roots; and, Timothy Lamont Rhiney Jr.

Supervisor Chiesa spoke about the transition of the City of Modesto's and Stanislaus County's transit services to the new Stanislaus Regional Transit Authority and acknowledged that it has not been as smooth as hoped and asked for the public's patience during this transition.

CEO Hayes reported that he is expecting significant legislation at the State level to be introduced in the next couple of months. He noted there is a grievance at the State level regarding COVID payments to employees who are missing work, and that staff will continue to monitor this issue.

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 12:17 p.m.

12.1 Conference with Legal Counsel – Existing litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: Matthew Ford v. Stanislaus County, et al., Stanislaus County Superior Court Case No. CV-21-000017.

Closed Session Announcement: Chairman Withrow/Chiesa (unan.) Conference with Legal Counsel – Existing litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: Matthew Ford v. Stanislaus County, et al., Stanislaus County Superior Court Case No. CV-21-000017, the Board authorized County Counsel to file an appeal of the ruling of the Superior Court in the case of Matthew Ford, et al. v. Stanislaus County, et al., Stanislaus County Superior Court Case No. CV-21-000017, ordering the Department of Child Support Services to remove Petitioner’s names from the Child Abuse Central Index, and to appeal any award of attorney fees in favor of Petitioners.

12.2 Conference with Labor Negotiator: Pursuant to Government Code Section 54957.6. Agency Negotiators: Jody Hayes, Tamara Thomas, Keira Vink, Burke Dunphy. Labor Organization: Service Employees International Union, Local 521. No reportable action taken.

Adjourned at 1:40 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.)