

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

June 14, 2022

Invocation was given by Rev. Eissabake, with St. John Assyrian Presbyterian Church and Chaplain for Memorial Hospital.

Dr. Papasozomenos, Assistant Public Health Director and Lori Williams, Associate Director Public Health, presented a quarterly public health update to the Board.

Blake Seagraves spoke regarding his family cannabis business, Uncle Budd's Nursery. He voiced concerns regarding the different tax rate for cannabis industries vs. non-cannabis industries. He recommended that a sliding scale be used instead of a percentage for tax rates.

Frank Edwards, Owner of Prem Gen Corp., a cannabis nursery (Uncle Budd's Nursery) spoke regarding the development agreement they entered into with the County. He shared that the market is flooded with illegal product which has impacted his business.

Barbara Nunez, IHSS provider, shared that she cares for her 26-year-old disabled daughter. She noted that there is an increased need for home care providers and a difficulty in meeting this need due to their wages. She requested that the Board approve an increase of their wages.

Terry Walker Dampier, member of the UDW, spoke regarding the importance of IHSS providers and the need for a wage increase due to rising costs of living.

Gwendolyn Byrd spoke regarding the salary of the IHSS caregivers and the high cost of rent in this County. She noted the important work IHSS providers perform and spoke in support of a wage increase.

Joni Griep spoke regarding today's Public Health presentation. She referred to a study concerning the natural immunity found in school age children for COVID-19. She noted the increase in COVID-19 cases and shared that the counties with the highest COVID-19 rates also have the highest vaccination rates.

Joseph Monterosso voiced concerns regarding a dirt strip adjacent to his property on Horsehoe Road and provided handouts to the Board. He requested that the County close this dirt strip, and to respond to his request.

Miguel Donoso shared that residents have difficulty attending Board of Supervisors meeting. He spoke regarding the low public attendance at the community meetings being held regarding the \$50 million the County has set aside for infrastructure improvements in unincorporated communities. He voiced concerns regarding the locations of the community meetings and suggested that the County use schools or churches at meeting locations.

Megan Short shared concerns that the suicide rates of children in this County are not being tracked. She noted that we have a mental health crisis and our children are greatly affected by this.

Grewal/C. Condit unan. Adopted the consent calendar after removing from consent items **B5** Approval of the 2022-2027 Comprehensive Economic Development Strategy as Submitted by the Stanislaus County Economic Development Action Committee as Part of the U.S. Economic Development Administration Requirement for Application of Federal EDA Funding – Chief Executive Office; and, **D1** Approval to Rescind a Portion of Williamson Act Contract Nos. 1971-0398 and 1972-0509, Located South of Yosemite Boulevard, East of the Oakdale Waterford Highway, and West of Roberts Ferry Road, in the Waterford Area; and Approval of a New Contract, Pursuant to Lot Line Adjustment Applications No. PLN2021-0116, PLN2021-0117, and PLN2021-0118 - Joe Ruddy Corp Nos. 1-3 – Yosemite Boulevard

5.A.1 Approved the minutes of 05/24/2022

5.A.2 Adopted and waived the second reading of Ordinance C.S. 1324 to amend section 4.34.010 of the Stanislaus County Code to eliminate an existing fee associated with the social security number truncation program and implement a new fee to support and maintain the electronic recording delivery act for the County Clerk-Recorder

ORD-57-R-2 2022-0270

5.A.3 Adopted and waived the second reading of Ordinance C.S. 1317 to establish new fees for the Sheriff's Office related to the Local Emergency Medical Services Agency

ORD-57-O-1 2022-0271

5.A.4 Adopted the amended bylaws of the Eastside Water District to expand their Board of Directors from seven to nine members

DW-12-22 2022-0272

5.A.5 Appointed Edward E. Tobias to the Stanislaus County Water Advisory Committee

2022-0273

5.B.1 Allocated the payment of unsecured possessory interest tax bill (ASMT 860-000-576-000) in accordance with Section 104.13 (c) of the California Streets and Highways Code; allocated State Highway Property Lease Revenue for FY 2020-2021 to the City of Modesto in accordance with Section 104.10 of the California Streets and Highways Code; and, allocated State Highway Property Lease Revenue for FY 2020-2021 to the Stanislaus County Road Fund in accordance with the provision in 104.10 of the California Streets and Highways code that its spending be limited to mass transit or streets and highways purposes – A/C

2022-0274

5.B.2 Approved agreements with Catholic Charities, Diocese of Stockton, the Senior Advocacy Network, Taher, Inc., and G.A. Foods, Inc., effective 07/01/2022, for FY 2022-2023 to support the following programs: (a) Catholic Charities, Diocese of Stockton for the Long-Term Care Ombudsman and Elder Abuse Prevention Programs, (b) The Senior Advocacy Network for the Senior Law Project, (c) Taher, Inc. for the Congregate Meals Program, and (d) G.A. Foods, Inc. for the Home-Delivered Meals Program; and, authorized the County Purchasing Agent and the Director of the Department of Aging and Veterans Services, or their designees, to sign the agreements and any subsequent amendments for FY 2022-2023, budget permitting – AAA

2022-0275

5.B.3 Approved the agreements and amendments with service providers for Behavioral Health and Recovery Services effective 07/01/2022, for FY 2022-2023, as reflected in the item attached to the agenda; authorized the Behavioral Health Director, or designee, to sign the agreements and amendments for FY 2022-2023 identified in Attachment 1 and Attachment 2 of the agenda item; authorized the Behavioral Health Director, or designee, to negotiate and sign amendments to agreements discussed in this agenda item, as Attachment 1, to add services and payment for services up to \$200,000 per agreement, budget permitting, throughout FY 2022-2023; and, authorized the Behavioral Health Director, or designee, to negotiate and sign amendments to agreements discussed in Attachment 2 of the agenda

- item, to add services and payment for services up to \$100,000 per agreement, budget permitting, throughout FY 2022-2023 – BHRS 2022-0276
- 5.B.4** Authorized the Auditor-Controller, on behalf of the Department of the Public Defender, to pay prior year invoices totaling \$23,810 for services provided – PD 2022-0277
- 5.B.6** Approved an amendment to the lease with the State of California General Services Department for use of 2,970 square feet of office space for the California Department of Agriculture at the Stanislaus County Agricultural Center; and, authorized the General Services Agency Director or designee to execute the amendment and any subsequent amendments to the lease – GSA 2022-0279
- 5.B.7** Approved Amendment No. 2 to the agreement with Applications Software Technology, LLC (AST) to adjust the not-to-exceed limit of the agreement from \$3,026,980 to \$3,476,980; and, authorized the Purchasing Agent to sign Amendment No. 2 and any subsequent amendments to the agreement without an increase to the adjusted not-to-exceed amount of \$3,476,980 – A/C 2022-0280
- 5.B.8** Approved a contract with Thomson Reuters in the amount of \$389,790 covering the period of May 2022 through May 2027 for access to the Westlaw legal research platform; and, authorized the GSA Director/Purchasing Agent to finalize and execute the contract – DA 2022-0281
- 5.B.9** Adopted the Mental Health Services Act (MHSA) Annual Update for FY 2022-2023, updating the program and expenditure plan for FY 2022-2023 and reporting actual results from FY 2020-2021; authorized the Behavioral Health Director, or designee, to sign and submit the MHSA annual update for FY 2022-2023 to the California Department of Health Care Services (DHCS) and the Mental Health Services Oversight and Accountability Commission (MHSOAC); and, authorized the Auditor-Controller, or designee, to sign the MHSA county fiscal accountability certification certifying that the fiscal requirements have been met – BHRS 2022-0282
- 5.B.10** Approved the 2022 agreement between the 38th District Agricultural Association – Stanislaus County Fair Board and Stanislaus County for the Sheriff to provide security at the fair; and, authorized the CEO to sign the agreement on behalf of the County – Sheriff 2022-0283
- 5.B.11** Approved proceeding with the County Center III facility improvements-upgrade project; approved an initial project budget of \$1 million, funded by appropriations in the General Services Agency’s FY 2021-2022 budget; Directed the Auditor-Controller to increase revenue and appropriations in the GSA County Center II facility improvement capital project budget in the amount of \$1 million, as detailed in the attached budget journal; Designated the GSA Director/Purchasing agent, or designee, to act as project manager; authorized the GSA Director/Purchasing agent, acting as the project manager, to procure professional services, execute contracts and procure goods and services needed for the project, so long as they are within the existing budget; and, authorized the project manager to sign change orders up to \$25,000, consistent with the County’s Change Order Policy – GSA 2022-0284
- 5.B.12** Amended the salary and position allocation resolution assigned to Stanislaus Animal Services Agency to add one Manager I/II to serve as the agency’s operations manager, effective 07/02/2022 – SASA 2022-0285
- 5.B.13** Approved Stanislaus Regional 9-1-1 to offer employment to Tracy Cook for an Emergency Dispatcher II position at step five of the salary range, currently \$35.92 per hour – SR911 2022-0286
- 5.B.14** Adopted the revised 2022 purchasing and salvage policy manual, effective 07/01/2022 – GSA 2022-0287

- 5.B.15** Accepted the emergency abatement report by the Department of Environmental Resources regarding a hazardous and unsafe condition that existed at 1700 Kenneth Street, Modesto; approved the cost of the emergency abatement of 1700 Kenneth Street, Modesto that includes the demolition of the dwelling and illegal structures, removal of all vegetation, removal of all junk/garbage/debris, and installation of a temporary fence around the perimeter of the parcel. Total cost associated with this abatement is \$21,954.00; and, approved placing a Notice of Abatement Lien on the property and use all other means approved by law and state and county codes to recover the cost incurred by Stanislaus County for this emergency abatement – DER 2022-0288
- 5.B.16** Set a public hearing on 07/12/2022, at the 9:00 a.m. meeting, to consider the adoption of the Amended Northern and Central Delta-Mendota Region Groundwater Sustainability Plan – DER 2022-0289
- 5.B.17** Adopted the revised Stanislaus County Groundwater Well Siting and Construction Guidelines, dated 05/27/2022; authorized the Director of Environmental Resources to make future revisions to the Stanislaus County Groundwater Well Siting and Construction Guidelines, as necessary, to maintain compliance with California well standards and other data/information as warranted; adopted the revised addendum to the program environmental impact report discretionary well permitting and management program, dated 05/27/2022, pursuant to California Environmental Quality Act (CEQA) guidelines section 15164 for discretionary well permitting and management, adopted in 2018; and, directed the Department of Environmental Resources 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 15094 – DER 2022-0290
- 5.B.18** Authorized the Auditor-Controller, on behalf of the Chief Executive Office and Department of Public Works, to pay prior-year invoices totaling \$9,029.71 for services provided in prior years – CEO 2022-0291
- 5.B.19** Set a public hearing on 07/12/2022, at the 9:00 a.m. meeting to consider the adoption of the amended Eastern San Joaquin Groundwater Subbasin Groundwater Sustainability Plan – DER 2022-0292
- 5.C.1** Approved a resolution adopting a list of projects for FY 2022-2023 funded by SB 1: The Road Repair and Accountability Act of 2017 – PW 2022-0293
- 5.C.2** Approved an agreement with the California State Department of Resources Recycling and Recovery for pelletized rubber demonstration project services in an amount not to exceed \$550,000; authorized the Director of PW to sign the agreement and any extensions deemed necessary and mutually beneficial; and, authorized the Director of PW to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0294
- 5.C.3** Appointed Deputy County Surveyor Chad Johnson as the County Surveyor with full authority accorded by the law of the County Surveyor in those duties related to land survey, effective 07/14/2022 – PW 2022-0295

Grewal/B.Condit (3-0)(Withrow and Chiesa abstained) **5.D.1** Rescinded a portion of Williamson Act Contract Nos. 1971-0398 and 1972-0509, located south of Yosemite Boulevard, east of the Oakdale Waterford Highway, and west of Roberts Ferry Road, in the Waterford Area, 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 adjustments, 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 adjustments will not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract, or contracts; (f) the lot line adjustments are not likely to result in the removal of adjacent land from agricultural use; (g) the lot line adjustments do 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; Rescinded a portion of Williamson Act Contract Nos. 1971-0398 and 1972-0509, located south of Yosemite Boulevard, east of the Oakdale Waterford Highway, and west of Roberts Ferry Road, in the Waterford area, APNs: 008-005-010, 008-006-004, 008-006-005, 008-006-006, 008-010-053, 008-010-022, 008-010-042, 008-010-044, 008-010-045, 008-010-052, 008-010-047, 008-010-049, 008-010-048, 008-010-050, 008-010-023, and 008-010-046; approved a new contract(s), pursuant to Lot Line Adjustment Applications No. PLN2021-0116, PLN2021-0117, and PLN2021-0118 – Joe Ruddy Corp Nos. 1-3 – Yosemite Blvd.; and, authorized the Director of Planning and Community Development to execute a new contract(s), pursuant to lot line adjustment Nos. PLN2021-0116, PLN2021-0117, and PLN2021-0118 Joe Ruddy Corp Nos. 1-3 – Yosemite Blvd – Planning 2022-0296

Grewal/B. Condit unan. **5.B.5** Approved the 2022-2027 Comprehensive Economic Development Strategy as submitted by the Stanislaus County Economic Development Action Committee as part of the U.S. Economic Development Administration (EDA) requirement for application for Federal EDA grant funding – CEO 2022-0278

B. Condit/Grewal unan. **Authorization for an Item Too Late For Agenda A** – Pursuant to Government Code section 54952.2(b)(2) finds that: there is a need to take immediate action to consider canceling the Stanislaus County Board of Supervisors meeting previously scheduled for June 21, 2022; the need for action came to the attention of the County on Monday, 06/13/2022, after the Board agenda was already posted; and, approved adding an item too late for agenda and placed the item on this agenda titled “Approval to Amend the 2022 Meeting Calendar for the Stanislaus County Board of Supervisors to Cancel the Meeting on June 21, 2022” – CEO 2022-0300

Chiesa/C. Condit unan. **Item Too Late For Agenda B** – Amended the 2022 Meeting Calendar for the Board of Supervisors to cancel the meeting on June 21, 2022 – BOS 2022-0301

Grewal/B. Condit unan. **6.1** Authorized Stanislaus Regional 9-1-1 to rehire Tamara Carmelich as a part-time Emergency Dispatcher III to provide operational support and coverage to the Stanislaus Regional 9-1-1 Department to ensure community safety and to provide staffing coverage as a result of significant dispatcher vacancies in the Department; and, certified that the rehiring of Tamara Carmelich as an Emergency Dispatcher III is necessary prior to completion of the 180-day sit out period pursuant to the California Public Employees’ Pension Reform Act (PEPRA) – SR911 2022-0297

Grewal/C. Condit unan. **6.2** Approved the Master Property Tax Revenue Agreement between Stanislaus County and the County’s nine cities; authorized the CEO to sign and execute the Master Property Tax Revenue Agreement with each of the County’s nine cities upon approval of the agreement by their respective City Councils, with this authority expiring at end-of-business on 07/20/2022, included in this authorization is authority for the CEO to make minor edits to the Agreement deemed necessary by legal counsel representing the County and/or cities; and, authorized the Auditor-Controller to implement the Master Property Tax Revenue Agreement upon signing by the respective cities – CEO C-1-C-6, C-2-D-7, C-3-A-11, C-4-C-6, C-5-G-6, C-6-Q-3, C-7-C-9, C-8-C-5, C-9-C-4 2022-0298

Supervisor Grewal left at 11:22 a.m.

Chiesa/B. Condit (4-0)(Grewal absent) **7.1** Accepted the recommended proposed budget for Budget Year 2022-2023, year one of budget period 2022-2023/2023-2024, from the CEO; conducted the scheduled public hearing to receive public comment and input on the proposed budget for Budget Year 2022-2023, year one of budget period 2022-2023/2023-2024; directed and approved any changes the Board of Supervisors chooses to make and then adopt the 2022-2023 proposed budget; authorized the use of \$153,250 in Stanislaus County Emergency Medical Services system enhancement funds to purchase two new vehicles for the Emergency Medical Services Agency within the Sheriff's Department; authorized the CEO and the Auditor-Controller to make any necessary technical adjustments required to implement the approved proposed budget; considered priorities for a new building and community service investment strategy which will include one-time investment of fund balance from the County general fund with a provision for ongoing annual contribution to a building community infrastructure fund, to be established upon recommendation by the CEO with the 2022-2023 recommended final budget; amended the salary and position allocation resolution to reflect the recommended changes for the 2022-2023 proposed budget, as outlined in the staffing impacts section of this report and detailed in Attachment 2, to become effective at the start of the first full pay period on or after 07/02/2022; approved contracts and/or agreements listed in Attachment 3 in cumulative amounts of \$200,000 or greater since 07/01/2020 and authorize the GSA director/purchasing agent or previously authorized department head to sign; and, directed the CEO to prepare the 2022-2023 recommended final budget for budget period 2022-2023/2023-2024 and set the public hearing for consideration of the final budget on 09/20/2022 – CEO
2022-0299

Corr 1 Referred to the Department of Planning and Community Development, a letter from the Modesto City School regarding the increase of their school facilities fees for residential and commercial/industrial development.

Corr 2 Referred to the Department of Planning and Community Development, a letter from the U.S. Department of Housing and Urban Development regarding the 2022 Fiscal Year allocations for the Community Planning and Development's formula programs which provide funding for housing, community and economic development activities, and assistance for low and moderate-income persons and special need populations.

Corr 3 Acknowledged receipt of letter from the Eastside Water District regarding the resignation of Albert Rossini and the appointment of Dino Rossini, Maryse Suppiger and Carl Evers III to their Board of Directors.

Corr 4 Referred to the Auditor-Controller's Office, a copy of the Stanislaus Local Agency Formation Commission (LAFCO) Fiscal Year 2022-2023 Budget.

Corr 5 Referred to the Health Services Agency a letter from California Chapter of the American College of Cardiology requesting a ban on all vaping and flavored smoking products in Stanislaus County.

Corr 6 Acknowledged receipt of claims and referred to the CEO's Office the following claims: Diana Halcon; State Farm Mutual Automobile Insurance Company a/s/o Frank Amaza; Mark Moreno; Tony Singh (amended); Alfonso Becerra; Rodrigo Padilla; Kelli R. Souza; Budget Rental Car; Farmers

Insurance Exchange a/s/o Ismael Diaz (3 amended claims); Lorena Adamson and S. W., a minor; Octavio Reyna

Chairman Withrow announced that there will be a Board of Supervisors' Tour of Unincorporated Communities / Special Meetings this Wednesday, 06/14/2022 starting at 8:30 a.m. traveling to the Corner of Starr Ave. and N. Mitchell Ave., Turlock; Montana Park, 1001 Montana Ave., Turlock; and, Fairview Park, Corner of Tucson Ave. and Placer Ave., Modesto.

Supervisor B. Condit announced that at yesterday's Commission on Aging meeting he recognized Billie Taylor for her 20 years of service and Mickey Peabody for her 15 years of service. He reported that he did a ride along last with an AMR ambulance. He also went out with the CARE team and he thanked Raul Martinez and Doug Holcomb for sharing what they do. He noted that it was a humbling experience and he was impressed with the good work the CARE team does with our homeless community.

Supervisor Chiesa reported that he served on the Election Observer Panel on behalf of the Board of Supervisors and he congratulated the County elected Department Heads upon their successful election. He noted that there was a homeless encampment cleared yesterday in Turlock and he thanked the CARE team for all the work they do with the homeless community.

The CEO reported that the County is waiting for final approval of the State Budget.

The CEO announced that there will be a Board of Supervisors' special meeting/tour of unincorporated communities on 6/15/2022 starting at 8:30 a.m. traveling to the Kenwood Ave. Neighborhood, corner of Starr Ave. and N. Mitchell, Turlock; Montana Park, 1001 Montana Ave., Turlock; and, Fairview Park, corner of Tucson Ave. and Placer Ave., Modesto.

Prior to adjourning into Closed Session an opportunity was given to the public to address matters listed under Closed Session.

Recessed as the Stanislaus County Board of Supervisors at 1:01 p.m.

Reconvened at 1:56 p.m. to sit as the Stanislaus County IHSS Public Authority for closed session

14.1 Conference with Labor Negotiator: Pursuant to Government Code Section 54957.6. Agency Negotiators: Jody Hayes, Burke Dunphy, Keira Vink, Tamara Thomas, Labor Organization: In Home Supportive Services (UDWA). No reportable action taken.

Adjourned at 2:10 p.m. as the Stanislaus County IHSS Public Authority

Reconvened at 2:11 p.m. as the Stanislaus County Board of Supervisors for closed session

13.1 Conference with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: Scenic Faculty Medical Group, Inc. v. County of Stanislaus, et al., Stanislaus Superior Court, CV-21-004188. No reportable action taken.

13.2 Conference with Labor Negotiator: Pursuant to Government Code Section 54957.6. Agency Negotiators: Jody Hayes, Tamara Thomas, Keira Vink, Ryan Leupp. Labor Organizations: Stanislaus Regional Emergency Dispatchers' Association (SREDA), AFSME Local 10, Stanislaus County Employees' Association (SCEA), California Nurses Association (CNA), County Attorneys Association (CAA), Service Employees International Union (SEIU Local 521), Stanislaus County District Attorney

Investigators' Association (SCDAIA), Stanislaus County Probation Corrections Officers Association (SCPCOA), Stanislaus County Deputy Probation Officers Association (SCDPOA), Deputy Sheriffs' Association (DSA), Stanislaus Sworn Deputies Association (SSDA), Stanislaus Sheriff's Supervisor Association (SCSSA), Stanislaus Sheriff's Management Association (SCSMA). No reportable action taken.

Adjourned at 2:37 p.m. as the Stanislaus County Board of Supervisors

ATTESTED: ELIZABETH A. KING, Clerk
of the Board of Supervisors
of the County of Stanislaus
State of California

BY: PATRICIA GONZALEZ, Deputy 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.)