

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

Special and Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

August 16, 2022

Convened at 5:30 p.m. for Special Session

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

1.1 Conference with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: R.S., a minor, by and through GAL Jessica Moreno, et. al. v. Stanislaus County, et al, US District Court Eastern District Case No. 1:20-cv-01170-DAD-SKA. No reportable action was taken.

1.2 Conference with Legal Counsel – Significant exposure to Litigation: Pursuant to Government Code section 54956.9(d)(2) or (3): One Matter. No reportable action was taken.

Reconvened at 6:38 p.m. for Regular Session

Invocation was given by John Torres from City Ministry Network.

Chairman Withrow recognized the 2022-2023 Board of Directors for the Stanislaus State Associated Students, Inc.

Ruben Imperial, Director of BHRS, gave a presentation regarding 08/31/2022 as Overdose Awareness Day in Stanislaus County.

Michael Baldwin spoke regarding the Legacy Summer Program he started. He thanked Chairman Withrow, Chief Gillespie and Storer Transportation for their help in supplying buses for youth to attend Summer Camp at Donner Summit.

Kamilah Dyer, IHSS provider for the deaf, shared the need for deaf IHSS providers and would like to see the team of deaf providers grow.

Rebecca Harrington spoke regarding overdose awareness and shared she lost someone close to her due to fentanyl. She expressed the need for law enforcement to do more to prevent these deaths.

Astrid Zuniga, IHSS worker who cares for her adult child, spoke in supports of a wage increase. She voiced concerns regarding the proposed 1% increase for IHSS workers. She expressed she would like to see the IHSS wage agreement come to an agreement soon.

Louisa Bryant shared handouts with Board members regarding a mold inspection report conducted at her apartment complex. She shared concerns regarding the review of this report.

Miguel Donoso voiced concerns regarding the timing of when the Board's agenda was posted. He also voiced concerns with how late the public comment portion of this meeting occurred. He expressed that the Sheriff needs to be accountable for drug related crimes.

Tim Pflueger, IHSS worker, shared he cares for his 37-year-old daughter who was involved in a head on car wreck. He voiced concerns regarding IHSS wages and asked the Board to consider putting a raise on the agenda.

Will Kelly with North Valley Labor Federation spoke in solidarity with IHSS. He asked that fair negotiations be reached. He shared this program helps people keep their dignity to live and stay at home.

Lawana Gadberry, 71-year-old IHSS caregiver since 2002, previously cared for her husband. She shared she lost her husband prior to the pandemic and is currently caring for one client. She voiced concerns regarding IHSS income being unable to compete with other jobs. She expressed she would like to see the contract for a wage increase go forward.

Ramon Rodriguez, shared concerns regarding: the lack of infrastructure in the unincorporated neighborhoods, the stop signs on the Keyes Bridge, and police incidents involving individuals who are suffering from mental health issues. He spoke in support of a wage increase for IHSS workers, and voiced concerns regarding public health. He expressed farm workers right to join the labor union. He also spoke regarding the Frank Raines Dam and asked the Board to invest in our people.

Steve noted that he agrees with the Chairman about the youth being our future, and that apathy is an issue in our community. He voiced concerns about the Chairman's comments at events regarding racial injustice. He also voiced concerns regarding corruption in law enforcement and police violence.

Rebecca Munguia, UDW provider, shared that IHSS workers are lifesaving and deserve a living wage. She asked the Board to hear them out and offer higher wages. She noted they are essential workers.

Pedro Hernandez voiced concerns regarding various police incidents. He shared the need to care for the community and every dollar spent on the community is worth it. He expressed that law enforcement needs to be held accountable. He shared that IHSS workers are serving the community. He spoke in support of funding for care providers and homeless programs and asked for police reform.

Joe Monterosso shared handouts with the Board members regarding his request to close a dirt road adjacent to his property due to safety concerns. He voiced concerns regarding the time it is taking to process his requests.

Recessed at 8:02 p.m.

Reconvened at 8:15 p.m.

Earl Kelly spoke regarding the dirt strip along Horseshoe Road and noted he has 45 years' experience riding on trails. He shared that this road is a maintenance road and was never intended to be a trail. He voiced safety and liability concerns regarding motorized vehicles and horseback riding occurring on the same road.

Charlotte Thiry, 32-year resident on Horseshoe Road, voiced concerns regarding Mr. Monterosso's request to close the dirt strip and invited the Board to visit the site. She has not seen anyone get hurt in the 32 years she has lived there. She shared that 57 homeowners said they do not want it closed.

Gail Altieri thanked the Modesto Bee for a more accurate article published on 08/10/2022 regarding Old Colony Road. She shared that the neighbors want the road that has been there since 1917 to stay open. She voiced concerns regarding the comparison deaths that Mr. Monterosso used in his previous handouts to the Board.

John Mataka from the Grayson Neighborhood Council spoke regarding the lack of drug enforcement in Turlock due to the stigma with drugs. He shared that law enforcement should treat fentanyl the same as marijuana enforcement. He expressed that IHSS workers do a great job and save money by keeping individuals out of rehabilitation facilities.

Jessica Self spoke in support of a wage increase for IHSS workers. She shared IHSS workers should be treated the same as other health care professionals. She spoke regarding the cost savings for in-home care as compared to a care facility.

Grewal/C. Condit unan. Adopted the consent calendar after removing from consent item **6.B.3** Approval of Compensation Changes for Unrepresented Employees and Approval of Labor Agreements with all County Employee Labor Organizations to Implement the County's Employee Recruitment and Retention Strategy – CEO

- 6.A.1** Approved the minutes of 08/09/2022
- 6.A.2** Amended the 2022 meeting calendar for the Stanislaus County Board of Supervisors to cancel the meeting on 11/15/2022 and reinstate the meeting on 11/29/2022 2022-0431
- 6.A.3** Accepted the resignation of Dave Chapman from the Stanislaus County Child Abuse Prevention Council 2022-0432
- 6.B.1** Approved Grant Agreement Number 21-10593 with the California Department of Public Health for implementing the Disease Intervention Specialist Workforce Development grant, for a total of \$890,175 with a term of 07/01/2021, through 12/31/2025; and, Authorized the HSA Managing Director or her designee to sign and execute the grant agreement and any subsequent amendments – HSA 2022-0433
- 6.B.2** Approved and adopted, via resolution, the First Amendment to the First Amended and Restated MOU for Implementation of the Sustainable Groundwater Management Act in the Eastern San Joaquin Groundwater Basin (Eastside GSA); and, authorized the Chairman to sign and execute First Amendment to the First Amended and Restated MOU for implementation of the Sustainable Groundwater Management Act in the Eastside GSA – DER GSA-2-3 2022-0434
- 6.B.4** Accepted the June 2022 Monthly 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 2022-0436
- 6.B.5** Approved the use of \$20,000 from the Community Development Fund as a Grant to Legacy Alliance Outreach to support the Legacy Summer Program; approved the use of \$75,000 from the Community Development Fund as a Grant to assist Opportunity Stanislaus in the evaluation of future economic development and housing opportunities for County-owned properties in downtown Modesto; and, authorized the CEO, or designee, to negotiate and execute an agreement with Opportunity Stanislaus in the amount of \$75,000 for services described in the agenda item, the term of which is effective until the project is complete but no later than 06/30/2023 – CEO 2022-0437

- 6.B.6** Approved the FY 2022-2025 America’s Job Center of California Partner Co-located Infrastructure MOU for Stanislaus County; and, authorized the Chairman to sign the FY 2022-2025 America’s Job Center of California Partner Co-located Infrastructure MOU for Stanislaus County – Workforce Development 2022-0438
- 6.B.7** Approved a lease between Stanislaus County and Rodin Farms LLC, for 1,568 square feet of retail and commercial space at 10th Street Place; and, authorized the GSA Director/Purchasing Agent, or designee, to execute the lease – GSA 2022-0439
- 6.B.8** Approved CSA to apply for the Child Advocacy Center (KC) Grant Program from the California Governor’s Office of Emergency Services, Victim Services Branch; authorized the CSA Director, or designee, to accept, if awarded, KC Subaward Grant Program funding in the amount of \$200,000 for the Grant Subaward term of 04/01/2023 through 03/31/2024; and, authorized the CSA Director, or designee, to sign and execute the grant agreement and any subsequent amendments, modifications and/or extensions to the grant agreement – CSA 2022-0440
- 6.B.9** Authorized the Sheriff’s Office to offer lateral transfer hiring incentives to David Mullins and Brent Fainter – Sheriff 2022-0441
- 6.B.10** Approved temporary cannabis retail and consumption activities at the Dirtybird Campout Event held at the Modesto Reservoir from 10/06/2022 through 10/09/2022; and, authorized the CEO, or designee, to approve CUSP High Freq LLC for a Cannabis Temporary Event Organizer License with the California Department of Cannabis Control – CEO 2022-0442
- 6.B.11** Approved closing CSA StanWORK’s Division lobbies every Wednesday for six months beginning 08/24/2022 through 02/22/2023; approved the reduction of CSA StanWORK’s Call Center hours to 8:00 AM to noon, for the six month period of 08/24/2022, through 02/22/2023; and, approved the CSA StanWORK’s Division to reinstate regular lobby and Call Center hours starting 02/23/2023 – CSA 2022-0443
- 6.C.1** Approved the Plans and Specifications for the Crows Landing Industrial Business Park Well No. 1 Project; awarded a contract for Construction Services to Stonehouse Drilling & Construction, LLC of Reno, Nevada for the Crows Landing Industrial Business Park Well No. 1 Project; authorized the Director of Public Works to execute a contract with Stonehouse Drilling & Construction, LLC in the amount of \$916,902; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with Public Contract Code Sections 20137 and 20142; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW DCS-11-26 2022-0444

6.B.3 Supervisor C. Condit made a **motion that failed for lack of second** to amend Staff Recommendations Nos. 2 and 3 to exclude department heads from the base salary increases; and, to approve Staff Recommendations Nos. 1-6 as amended

Chiesa/Grewal (4-1)(C. Condit opposed) **6.B.3** Approved and executed the provisions contained within the Tentative Agreements reached between the County and Stanislaus County Employee’s Association (AFSCME Local 10), California Nurses Association, County Attorneys Association, Deputy Sheriffs’ Association, Stanislaus County Deputy Probation Officers Association, Stanislaus County District Attorney Investigators Association, Stanislaus County Probation Correction Officers Association, Stanislaus County Sheriff’s Supervisor Association, Stanislaus County Sheriff’s Management Association, Service Employees International Union, Stanislaus Regional Emergency Dispatchers Association, and Stanislaus Sworn Deputies Association; approved a 5% increase in base wage for all unrepresented employee classifications, excluding the CEO, Board of Supervisors, and contract employees, effective the first full pay period after Board approval; approved a 3.5% increase in base wage

for all unrepresented employee classifications, excluding the CEO, Board of Supervisors, and contract employees, effective the first full pay period after 07/01/2024; approved participation in the Employee Choice Bonus Plan for unrepresented employee classifications, excluding the CEO, Board of Supervisors, and contract employees; amended the Salary and Position Allocation Resolution to reflect the recommended changes; and, authorized the Chairman and all County representative to sign the agreements – CEO

2022-0435

Grewal/B. Condit unan. **7.1** Conducted a public hearing to consider the Planning Commission's recommendation of approval for General Plan Amendment and Rezone application No. PLN2021-0108 – James Bates RV and Boat Storage, a request to amend the General Plan and Zoning Designations of 18.5 acres, from Urban Transition (UT) and General Agriculture (A-2-10) to Planned Development (P-D), to allow for development consistent with permitted uses in the Planned Industrial (P-I) Zoning District, located on Litt Road, on the southeast corner of Plainview and Litt Roads, west of Terminal Avenue and the Burlington Northern Santa Fe (BNSF) Railroad, in the Modesto area; adopted the Negative Declaration pursuant to CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; finds that: (a) the General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses; (b) the County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service; (c) the amendment is consistent with the General Plan goals and policies; (d) the alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards; (e) The project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; finds that the proposed Planned Development zoning is consistent with the proposed Planned Development General Plan designation; approved General Plan Amendment and Rezone application No. PLN2021-0108 – James Bates RV and Boat Storage, subject to the Development Standards and Development Schedule attached to the 07/21/2022 Planning Commission Staff Report including the amendments to Development Standards No. 22, 24, and 25 as outlined in the 07/21/2022 Planning Commission memo, and the amendments to Development Standards No. 39 and 40 as outlined in the Board Report; and, introduced, waived the reading, and adopted an Ordinance C.S. 1330 – Planning

ORD-57-U-2 2022-0445 & 2022-0446

Chiesa/Grewal unan. **7.2** Conducted a public hearing to consider the Planning Commission's recommendation of approval for General Plan Amendment, Rezone, and Vesting Tentative Map application number PLN2021-0040 – Lazares Companies, a request to amend the Denair Community Plan designation from Estate Residential (ER) to Low-Density Residential (LDR) and the zoning designation from Rural Residential (R-A) to Planned Development (P-D) on an 18.6± acre parcel, and to subdivide the project site into 72 parcels, located at 3531 and 3549 East Monte Vista Avenue, between North Waring and Lester Roads, in the Community of Denair; ordered the filing of a Notice of Determination with the Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; finds that: (a) the General Plan Amendment will maintain a logical land use pattern without detriment to existing and planned land uses; (b) the County and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service; (c) the amendment is consistent with the General Plan goals and policies; (d) the proposed Planned Development zoning is consistent with the Low-Density Residential General Plan designation; (e) that the proposed map is consistent with applicable general and community plans as specified in Section 65451; (f) the design or

improvement of the proposed subdivision is consistent with applicable general and specific plans; (g) the site is physically suitable for the type of development; (h) the site is physically suitable for the proposed density of development; (i) the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; (j) the design of the subdivision or type of improvements are not likely to cause serious public health problems; (k) the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; (l) the alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards; (m) the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring improvements; approved General Plan Amendment, Rezone, and Vesting Tentative Map Application No. PLN2021-0040 – Lazares Companies subject to the Development Standards attached to the 07/21/2022 Planning Commission Staff Report and with the addition of Development Standard No. 55 as added by the Planning Commission; and, introduced, waived the reading, and adopted an Ordinance C.S. 1329 – Planning
ORD-57-U-1 2022-0447 & 2022-0448

Grewal/C. Condit unan. **8.1** Accepted the Findings and Recommendations Report for Public Engagement in Unincorporated Areas dated June 2022 prepared by NBS of Temecula, CA; approved the Funding Distribution Methodology for the \$50 Million of American Rescue Plan Act of 2021 funds allocated for investment in County Islands and County Communities; and, directed staff to return to the Board on 09/20/2022 with final recommendations on infrastructure projects to be funded in County Islands and County Communities – PW
2022-0449

Corr 1 Referred to the Fish and Wildlife Committee, a letter from the California Fish and Game Commission regarding proposed changes in regulations relating to sport fishing.

Corr 2 Referred to the Department of Workforce Development, a Worker Adjustment and Retraining Notification (WARN) letter from Silgan Containers Manufacturing regarding the temporary layoff of employees at its facility located at 567 S. Riverside Drive in Modesto.

Corr 3 Referred to the Auditor-Controller’s Office a copy of the East Side Mosquito Abatement District’s FY 2022-2023 Budget.

Corr 4 Acknowledged receipt of claims and referred to the CEO’s Office the following claims: Charla Pires (amended); David Anthony Avila; and, Mike and Carlene Valente (amended).

Supervisor Chiesa shared that the ARPA funding agenda item will go before the Board on 09/20/2022 and he will participate remotely since he will be in Washington D.C. on County business on that date.

Adjourned at 10:41 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.