

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

October 4, 2022

Invocation was given by Pastor Michael Douglass with Advancing Vibrant Communities.

Louise Nishikawa, President of the Sons of Italy, accepted a resolution proclaiming October 2022 as Italian American Heritage Month in Stanislaus County.

Kamal Bagri, Agricultural Commissioner, presented the 2021 Stanislaus County Agricultural Crop Report.

Birgit Fladager, District Attorney, shared concerns regarding the fentanyl crisis in our community.

Joseph Monterosso spoke regarding his lawsuit against the County concerning the dirt strip adjacent to his property and provided handouts to the Board. He also shared concerns regarding an incident that caused damage to his car and individuals in his neighborhood.

Joni Grieppe thanked the Board for having the District Attorney come today to speak regarding the fentanyl crisis in our community. She shared concerns regarding the need for education and public outreach in our school districts.

Chiesa/B. Condit unan. Adopted the consent calendar and removed from the agenda item **5.D.2** Approval to Set a Public Hearing on October 18, 2022, at the 6:30 P.M. Meeting, to Consider the Planning Commission's Recommendation of Approval for Rezone and Vesting Tentative Map Application No. PLN2022-0026 - Elmwood Estates, a Request to Rezone a 4.82 Acre Parcel from Rural Residential to Planned Development, to Increase the Maximum Building Site Coverage from 40 to 50 Percent, and to Create 17 Single-Family Residential Lots Ranging in Size from 8,000 to 10,594 Square-Foot and a 13,098 Square-Foot Stormwater Basin, Located at 3700 Story Road, Between East Zeering Road and Walton Street, in the Community of Denair, and Adopt a Negative Declaration – Planning

ORD-57-W-2 2022-0559

5.A.1 Approved the minutes of 09/20/2022

5.A.2 Appointed in lieu of election Diane M. Culwell-Caro, Rudy Caro, and Maximina Villano to the Burbank-Paradise Fire Protection District 2022-0513

5.A.3 Appointed in lieu of election Robert Rensted to the Ceres Fire Protection District 2022-0514

5.A.4 Approved appointments in lieu of election where no candidates filed to the Crows Landing Community Services District 2022-0515

5.A.5 Appointed in lieu of election Mark D. Bradley and Matthew Kuffel to the Denair Community Services District 2022-0516

5.A.6 Approved appointments in lieu of election where no candidates filed to the Grayson Community Services District 2022-0517

5.A.7 Appointed in lieu of election Miguel Oseguera, Gus Villarreal, and Mark Hughes to the Hughson Fire Protection District 2022-0518

- 5.A.8** Appointed in lieu of election Ronald Reforma, Johnathon Parker, and Michelle Bernal to the Keyes Community Services District 2022-0519
- 5.A.9** Appointed in lieu of election Tracy Griesner and Cheryl L. Ozbirn to the Knights Ferry Community Services District 2022-0520
- 5.A.10** Appointed in lieu of election Dean Riddle, Shirley Martinez, and Bettie J. Yelder to the Monterey Park Tract Community Services District 2022-0521
- 5.A.11** Appointed in lieu of election Duane Shugart and Rudy Caro to the Riverdale Park Tract Community Services District 2022-0522
- 5.A.12** Appointed in lieu of election Ida Tucker and Ron Hobden to the Westley Community Services District 2022-0523
- 5.A.13** Appointed in lieu of election Tom Bert and Mark Stone to the Salida Fire Protection District 2022-0524
- 5.A.14** Appointed in lieu of election Ed Amador and Ross Lee to the Westport Fire Protection District 2022-0525
- 5.A.15** Appointed in lieu of election Tom Orvis and Brad Deboer to the Oakdale Irrigation District 2022-0526
- 5.A.16** Approved appointments in lieu of election where no candidates filed to the Patterson Irrigation District 2022-0527
- 5.A.17** Appointed in lieu of election Joe Alamo and Ron Macedo to the Turlock Irrigation District 2022-0528
- 5.A.18** Appointed in lieu of election Justin E. Goubert and Kenneth Bays to the West Stanislaus Irrigation District for the 11/08/2022 General Election 2022-0529
- 5.A.19** Appointed in lieu of election Martin Gene Johnson and Julie Davis to the Western Hills Water District 2022-0530
- 5.A.20** Approved appointments in lieu of election where no candidates filed to the Del Puerto Health Care District 2022-0531
- 5.A.21** Appointed in lieu of election Daniel Cummins, Edward Chock, and Frances Krieger to the Oak Valley Hospital District 2022-0532
- 5.A.22** Approved appointments in lieu of election where no candidates filed to the Westside Community Health Care District 2022-0533
- 5.A.23** Approved appointments in lieu of election where no candidates filed to the Empire Municipal Advisory Council 2022-0534
- 5.A.24** Approved appointments in lieu of election where no candidates filed to the Hickman Municipal Advisory Council 2022-0535
- 5.A.25** Appointed in lieu of election Debby Schneider, Karen Gorne, Brad Johnson, and January Astudillo-Patel to the Salida Municipal Advisory Council 2022-0536
- 5.A.26** Appointed in lieu of election Lisa Dovichi-Braden, Lori A. Wolf, and David Jones to the Wood Colony Municipal Advisory Council 2022-0537
- 5.A.27** Appointed in lieu of election Gary Dew and Lana Moore to the Salida Sanitary District 2022-0538
- 5.A.28** Proclaimed 10/02/2022 as Custodial Workers Day – GSA 2022-0539
- 5.A.29** Proclaimed the Week of 10/02/2022-10/08/2022, as Stanislaus County Diversity Awareness Week – CEO 2022-0540
- 5.B.1** Approved the award of an agreement to Cambridge Academies by the Community Services Agency, acting as the administrative entity for the Stanislaus Community System of Care, for the provision of Homeless Housing, Assistance and Prevention Program (HHAP) Innovative Housing Solutions for the Children’s Center at Naomi’s House in the amount of \$350,477, with a term of 10/05/2022, through 04/30/2025; and, authorized the CSA Director, to sign the agreement and any amendments necessary within the contract budget

- authority, to provide the delivery of HHAP Innovative Housing Solutions – CSA
2022-0541
- 5.B.2** Approved a resolution authorizing the CSA to enter into a MOU with the State of California Department of Social Services to provide online employment and wage verification system with Equifax/TALX Corporation for The Work Number; and, authorized the CSA Director, or designee, to sign and execute the MOU for the Work Number Social Services between the County of Stanislaus and State of California Department of Social Services – CSA
2022-0542
- 5.B.3** Authorized staff to accept the Advancing Tobacco Cessation in Community Clinics Project grant from the California Department of Public Health for a total of \$81,000, retroactively with a term of 09/01/2022 through 02/29/2024; authorized the HSA Managing Director, or her designee, to sign the Grant Agreement and any subsequent amendments; and, authorized the Auditor-Controller to increase estimated state revenue in the FY 2023 Clinic & Ancillary budget by \$45,000 to cover anticipated expenditures through 06/30/2023, as detailed in the budget journal, attached to the agenda item – HSA
2022-0543
- 5.B.4** Approved Stanislaus Regional 9-1-1 to offer employment to Amber Andrade for an Emergency Dispatcher II position at step five of the salary range, currently \$37.73 per hour – SR911
2022-0544
- 5.B.5** Authorized the Sheriff’s Office to offer employment to Gerald Cuyle Jr. and Cody Kepler to Deputy Sheriff I positions at step five of the salary range, currently \$42.54 per hour – Sheriff
2022-0545
- 5.B.6** Accepted the Report of Donations received by the County for the Fourth Quarter of FY 2022 – Auditor-Controller
2022-0546
- 5.B.7** Approved the professional services agreement with Journal Technologies for the implementation of a new case management system; approved the three-year software license, maintenance, and support agreement with Journal Technologies; and, authorized the GSA/Purchasing Agent to execute the agreements with Journal Technologies, along with any amendments or extensions – Public Defender
2022-0547
- 5.B.8** Accepted the FY 2021-2022 annual report from the DA’s Office regarding the Real Estate Fraud Prosecution Trust Fund pursuant to California Government Code Section 27388 – DA
2022-0548
- 5.B.9** Approved a resolution proclaiming the intent to participate in the Great California ShakeOut Earthquake Drill and work toward creating strong and safe neighborhoods – Sheriff-OES
2022-0549
- 5.B.10** Approved resolutions commending the following employees on being selected as the 2022 recipients of the Stanislaus County Dale Butler Annual Equal Rights Award: Kelly Alvarado, Manager II, CSA; Janette Newberry, Manager IV, CSA; Donna Riley, Treasurer/Tax Collector, Treasurer/Tax Collector Department; and, approved a resolution commending the following employee on being selected as a recipient of the Stanislaus County Equal Rights Commission Humanitarian Award: Fidel Landeros, Lieutenant, Sheriff’s Office – CEO
2022-0550
- 5.B.11** Adopted the Mental Health Services Act (MHSA) Plan Update for FY 2022-2023 to allow the expenditure of MHSA Funds for the services referenced in the Plan Update; authorized the BHRS Director, or designee, to sign and submit the MHSA Plan Update for FY 2022-2023 to the Department of Health Care Services and the Mental Health Services Oversight and Accountability Commission; and, authorized the Auditor-Controller, or designee, to sign the MHSA County Fiscal Accountability Certification certifying that the fiscal requirements have been met – BHRS
2022-0551

- 5.B.12** Approved a resolution authorizing the HSA to apply for and accept if awarded the Regional Climate Collaboratives Program grant from the California Strategic Growth Council in the amount of \$1,750,000 for the grant term of 01/01/2023 through 12/31/2025; authorized the HSA Managing Director, or designee, to sign a Partnership Agreement for the Collaborative Stakeholder Structure for Stanislaus Sustainable Communities Coalition and to include the agreement in the HSA’s application for the Regional Climate Collaboratives Program grant; and, authorized the HSA Managing Director, or designee, to sign a grant agreement and any subsequent amendments upon award – HSA 2022-0552
- 5.B.13** Adopted a resolution approving the Threfall Ranch Reservoir Project as a Project Management Action (PMA) that is consistent with, and which directly supports the Eastern San Joaquin Groundwater Subbasin Groundwater Sustainability Plan (GSP) to implement the Sustainable Groundwater Management Act (SGMA) in the Subbasin; determined that the Threfall Project Reservoir Project is within the functional scope and intent of the GSP’s in-lieu recharge PMAs and Project 20: Mobilizing Recharge Opportunities, for the purposes of SGMA implementation; and, approved the Eastern San Joaquin Groundwater Authority, its staff, and its consultants to take such actions as may be reasonably necessary to incorporate the Threfall Ranch Reservoir Project into future GSPs, updates, and amendments – DER 2022-0553
- 5.B.14** Approved recommended health insurance rates as provided in Attachment 1, attached to the agenda item, to be charged in the employee medical, dental, and vision self-insurance programs for calendar year 2023 – CEO 2022-0554
- 5.C.1** Approved the Agreement for Acquisition of Property located at 4537 Oakdale Road, Modesto, California, for the North County Corridor Project, Grantor: Stanislaus Community Foundation, APN: 082-004-024; authorized the Chairman to execute the Purchase and Sale Agreement for Acquisition of Fee Interest in Real Property; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0555
- 5.C.2** Approved the Agreement for Acquisition of Property located at 2624 Claribel Road, Modesto, California, for the North County Corridor Project, Grantor: Steven J. Komorowski, Jr., APN: 083-002-020; authorized the Chairman to execute the Purchase and Sale Agreement for Acquisition of Fee Interest in Real Property; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0556
- 5.C.3** Approved the Agreement for Acquisition of Property located at 4938 Terminal Avenue, Modesto, California, for the North County Corridor Project, Grantor: Yvonne Forbus Revocable Trust, APN: 084-001-005; authorized the Chairman to execute the Purchase and Sale Agreement for Acquisition of Fee Interest in Real Property; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2022-0557
- 5.D.1** Set a public hearing on 11/08/2022, at the 9:00 a.m. meeting, to waive the second reading and adopt Ordinance C.S. 1333; finds that the proposed ordinance is exempt under the provision of the CEQA pursuant to CEQA Guidelines section 15061(b)(3); introduced and waived the first reading of Ordinance C.S. 1333 amending Title 16 of the Stanislaus County Code, and adopt, by reference, the California Code of Regulations Title 24, 2022 Edition, of the California Building Code, and the International Property Management Code 2021 Edition; and, authorized the Clerk to publish notice of hearing as required by Government Code sections 50022.6 and 6066 and to publish the ordinance in accordance with Government Code section 25124(b) – Planning ORD-57-W-1 2022-0558

B. Condit/C. Condit unan. **6.1** Conducted a public hearing to adopt Fire Protection Facility Fees for the West Stanislaus Fire Protection District Pursuant to Title 24 of the Stanislaus County Code; approved and adopted the finding set forth in the Public Development Impact Fee Study and in this item, and as required by Section 66001 of the California Government Code; and, authorized imposing the Fire Protection Facility Fees set forth in the fee study and this item on all building permits that are issued in the West Stanislaus Fire Protection District after 01/04/2023, in the fee amount that is in effect at the time the building permit is issued – CEO DF-02-B-9 2022-0560

Chiesa/Grewal unan. **7.1** Authorized the HSA to rehire Lorrie Markum as a part-time Manager III to enable the continuation of supply chain and inventory management subject matter expertise on the countywide Enterprise Resource Management Project management team; and, certified that the rehiring of Lorrie Markum in a part-time capacity is necessary prior to the completion of the 180-day sit out period pursuant to the California Public Employees’ Pension Reform Act (PEPRA) – HSA 2022-0561

B. Condit/Chiesa unan. **7.2** Finds that the public interest and necessity require the North County Corridor Project – Phase I; finds that the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; finds that the subject property, APN 083-002-022, described in the resolution attached to the agenda item is necessary for the project; finds that the offer required by section 7267.2 of the Government Code has been made to the parcel owners, Richard A. Arnold and Rhonda J. Arnold of the property to be acquired; adopted a Resolution of Necessity in the form attached to the agenda item as attachment 1; and, authorized County Counsel to initiate eminent domain proceedings to acquire the subject property – PW 2022-0562

Grewal/C. Condit unan. **7.3** Introduced, waived the first reading, and ordered placement on the 11/01/2022 agenda for adoption of Ordinance C.S. 1335 related to recovery of costs incurred in abatement of unsafe conditions repealing and replacing section 2.92.095(B)4 and 2.92.095(F) – DER ORD-57-X-1 2022-0563

Corr 1 Referred to the Department of Environmental Resources a letter from the Riverdale Park Tract Community Services District regarding chemicals in their water system exceeding the notification levels.

Corr 2 Acknowledged receipt of claims and referred to the CEO’s Office the following claims: Ignacio Anguiano; Desiderio Calzada; Nikkole Scruggs; Monna Soulaka Mrad; and, George Regalo.

Supervisor Chance Condit reported that he and Supervisor Chiesa are holding a Keyes Movie and Community Night this Saturday, 10/08/2022, 7:00 p.m.-10:30 p.m. at Hatch Park, 5506 Jennie Ave., Keyes. He thanked Tera Chumley, Interim Parks Director; Tina Rocha, Assistant Executive Officer; and, Russell Fowler, Field Representative for their work on this event.

CEO Hayes reported that the Governor’s deadline to approve or veto legislation has passed. He noted the Governor signed SB 1127 - Worker’s Compensation: Liability Presumptions, which the County opposed, and AB 1857 - Solid Waste which has a direct impact to the diversion credits related to the waste-to-energy facility. He shared the Governor vetoed AB 1951- Sales and use tax: exemptions: manufacturing, and AB 2550 - regarding oversight of air pollution districts.

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 10:30 a.m.

12.1 Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: Estate of Xander Mann, et al. v. County of Stanislaus, et al., US District Court Eastern District Case No. 1:21-CV-01098-AWI-SKO. No reportable action taken.

12.2 Conferenced with Legal Counsel – Initiation of Litigation: Pursuant to Government Code Section 54956.9(d)(4). One case.

Closed Session Announcement: Chiesa/Chairman Withrow unan. Conferenced with Legal Counsel – Initiation of Litigation: Pursuant to Government Code Section 54956.9(d)(4). One case. The Board authorized County Counsel to initiate litigation to abate nuisance conditions at 4600 East Service Road. The defendant(s) and the other particulars will, once the action is formally commenced, be disclosed to any person upon inquiry.

12.3 Conferenced with Labor Negotiator – Pursuant to Government Code Section 54957.6 Agency Negotiators: Jody Hayes, Tamara Thomas, Ryan Leupp, Cari Griffin. Labor Organization: Service Employees International Union (SEIU Local 521). No reportable action taken.

Adjourned at 12:20 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.)