

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

April 25, 2023

A moment of silence was held for Stanislaus County Community Services Agency employee Cherise Babb.

Invocation was given by Pastor Stuart Welch with Life Connection Church.

County Librarian Sarah Dentan and members of the Stanislaus County Library Foundation gave a presentation regarding proclaiming 4/23/2023 - 4/29/2023 as Library Week in Stanislaus County.

Tom Stadelmaier, StanCERA Executive Director, gave a presentation to the Board regarding Stanislaus County Employees' Retirement Association (StanCERA).

Chairman C. Condit 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.

Jose Espindola voiced concerns regarding the Sheriff's Department raiding his property in Merced County.

Withdraw/B. Condit unan. Adopted the consent calendar

6.A.1 Approved the minutes of 04/18/2023

6.A.2 Approved the Amended Conflict of Interest Code for the Keyes Union School District

2023-0169

6.B.1 Proclaimed May 2023 as Mental Health Awareness Month in Stanislaus County – BHRS

2023-0170

6.B.2 Proclaimed May 2023 as Older Americans Month in Stanislaus County to acknowledge the contributions of older persons in Stanislaus County – Aging and Veteran Services

2023-0171

6.B.3 Approved the Agreement 22-20140 with the California Department of Health Care Services for the provision of specialty mental health services retroactive to 07/01/2022 through 06/30/2027; and, authorized the BHRS Director, or designee, to sign Agreement 22-20140 retroactive to 07/01/2022 through 06/30/2027, and any subsequent amendments required during the term of the Agreement – BHRS

2023-0172

6.B.4 Adopted the retirement contribution rates for Budget Year 2024 as contained in the Stanislaus County Employees' Retirement Association Actuarial Valuation as of 06/30/2022, and as recommended by the Stanislaus County Employees' Retirement Association Board; and, directed the Auditor-Controller to change the employer and employee retirement contribution rates for Budget Year 2024 in accordance with the Actuarial Valuation of 06/30/2022, in the first full pay period in July 2023 – CEO

2023-0173

- 6.B.5** Accepted the Multi-Department Contracts and Agreements Reports for the periods of 07/01/2019 through 06/30/2020, 07/01/2020 through 06/30/2021, and 07/01/2021 through 06/30/2022 – GSA 2023-0174
- 6.B.6** Authorized the DA, or designee, to retroactively accept an award from the U.S. DOJ, Office of Justice Program, Bureau of Justice Assistance Prosecuting Cold Cases using DNA Grant in the amount of \$500,000 for the period of 10/01/2022, through 09/30/2025; authorized the DA, or designee, to sign and execute all related agreements, contracts, amendments, or other documentation for the implementation of the grant; and, authorized the Auditor Controller to increase estimated revenue and appropriations in the FY 2023 DA Criminal legal budget unit to cover anticipated expenditures through 06/30/2023, as detailed in the budget journal, attached to the agenda item – DA 2023-0175
- 6.B.7** Authorized the DA’s Office to offer employment to two candidates, Anthony Souza and Cameron Cromwell, to Criminal Investigator II positions at step five of the salary range, \$50.33 per hour – DA 2023-0176
- 6.B.8** Declared an emergency in accordance with Public Contract Code Section 22050 to contract for emergency repairs at the Fink Road Landfill; authorized the Director of DER to negotiate and execute an agreement with Judge Netting, Inc., of Costa Mesa, CA, to replace 400 linear feet of perimeter litter barrier fencing at the Fink Road Landfill in compliance with Public Contract Code Section 20134(a); pursuant to Public Contract Code section 22050(b), authorized the Director of DER to take any additional action directly related to or required by this emergency; pursuant to Public Contract Code Section 22050(a)(2), finds that this emergency will not permit delay resulting from a competitive solicitation for bids, and this action is necessary to respond to the emergency; and, required the Department of DER to report to the Board on the status of the emergency project at its next regularly scheduled meeting and every 14 days thereafter until the repairs are completed, as required by Public Contract Code section 22050(c)(1) – DER 2023-0177
- 6.B.9** Authorized the Sheriff’s Office to offer employment to Enedina Mendez to a Crime Analyst position at step five of the salary range, currently \$38.90 per hour – Sheriff 2023-0178
- 6.B.10** Ratified an ordinance passed by Salida Fire Protection District adopting and amending the 2022 California Fire Code; and, authorized the Stanislaus County Fire Warden’s Office to file a copy of the finding with the California Department of Housing and Community Development as prescribed by Health and Safety Code (§13869.7 (c)) – Sheriff- OES/Fire Warden DF-10-B-12 2023-0179
- 6.B.11** Introduced and waived the first reading of Ordinance C.S. 1345 amending Title 3 CHAPTER 3.48 “HOLIDAYS”, SECTIONS 3.48010,3.48.020, 3.48.030 of the Stanislaus County Code Relating to Holidays; and, authorized the CEO to negotiate and execute agreements harmonizing the relevant portions of MOU and the County Code, pertaining to holidays, with 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 Local 521, Stanislaus Regional Emergency Dispatchers Association, and Stanislaus Sworn Deputies Association – CEO ORD-58-C-1 2023-0180

- 6.C.1** Approved the Agreement for Acquisition of Property located at 433 South 7th Street, Modesto, CA, for the 7th Street Bridge Replacement Project, Grantor: Sunrise MHC, LLC, a California limited liability company, APN: 038-003-015 (partial acquisition); authorized the Chairman to execute the Purchase Agreement for Acquisition of Fee Interest in Real Property; authorized the Public Works Director to pay any and all relocation costs associated with this property acquisition in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2023-0181
- 6.C.2** Approved the Memorandum of Agreement (MOA) between Merced County and Stanislaus County (Counties) for the Right-of-Way and Utility Relocation Phase of the Hills Ferry/River Road Bridge Project (Project); authorized the Chairman to execute the MOA between the Counties for the Project; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2023-0182
- 6.D.1** Rescinded all of Williamson Act Contract Nos. 2008-19 and 2008-20, located at 8436 Kiernan Avenue, between Dunn Road and the Stanislaus River, in the Salida area, APN: 012-002-016 and 012-002-017; 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 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 No. PLN2022-0128-Rodarakis; and, authorized the Director of Planning and Community Development to execute a new contract(s) – Planning 2023-0183
- 6.D.2** Rescinded all of Williamson Act Contract Nos. 1975-1868 and 1996-4316, located East of Armstrong Road, between Moran and Crows Landing Roads, in the Crows Landing area, APN: 027-004-021 and 027- 004-022; 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 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 No. PLN2021-0092-Escobar-Maring; and, authorized the Director of Planning and Community Development to execute a new contract(s) – Planning 2023-0184

6.D.3 Finds that the condition and contingencies of the Tentative Certificate of Cancellation of a 0.66-acre portion of Williamson Act Contract No. 1974-1663, located at 6232 and 6248 Carver Road, between Ladd and Costner Roads, in the Modesto area, have been satisfied; and, directed the Clerk of the Board to execute and record the Certificate of Cancellation within 30 days of passage – Planning 2023-0185

Grewal/B. Condit unan. **8.1** Finds that the public interest and necessity require the North County Corridor Phase 1 Project (Project); 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 interests in the property, (APN's: 083-002-001 & 083-002-016), sought to be acquired and described in the attached Resolution of Necessity are necessary for the Project; finds that the offer required by section 7267.2 of the Government Code has been made to the owner, Martin Family Holdings, LLC; adopted a Resolution of Necessity in the form, Attachment 1, attached to the agenda item; and, authorized County Counsel to initiate eminent domain proceedings to acquire the property interest described in the agenda item – PW 2023-0186

Chiesa/B. Condit unan. **8.2** Finds that the public interest and necessity require the North County Corridor Phase I Project (Project); 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 interests in the property, (APN: 083-002-028), sought to be acquired and described in the attached Resolution of Necessity are necessary for the Project; finds that the offer required by section 7267.2 of the Government Code has been made to the owner, Pacific West Development Corporation; adopted a Resolution of Necessity in the form, Attachment 1, attached to the agenda item; and, authorized County Counsel to initiate eminent domain proceedings to acquire the property interest described in the agenda item – PW 2023-0187

Chiesa/B. Condit unan. **8.3** Accepted the 2021-2022 Annual Performance Outcomes Report – CEO 2023-0188

B. Condit/Grewal unan. **8.4** Accepted a report from the Health Services Agency on COVID-19 and other public health priorities – HSA 2023-0189

Corr 1 Referred to OES, the Department of Planning and Community Development, and the Department of Public Works, a letter from the Federal Emergency Management Agency regarding the temporary suspension of processing applications for Letters of Map Revision and Conditional Letters of Map Revision based on Fill in Stanislaus County effective 07/01/2023.

Corr 2 Referred to the Department of Workforce Development, a letter from Entekra, LLC regarding the layoff of 138 employees at its facility located in Patterson, CA.

Corr 3 Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: Donald Warren; Michael E. Murphy; Danny Millsap; Reed A. and Margaret E. Countryman; Allbrie Byrne Porter; and, Antonio Guevara.

Supervisor Grewal reported that he and Chairman C. Condit this past weekend attended the GI Forum Dinner and the Sikh Temple's 6th Annual Viasakhi.

Supervisor Chiesa reported that he and Chairman C. Condit were in Washington D.C. last week on behalf of transportation issues, advocating for \$5 million for Design Phase 2 and 3 for SR132.

Chairman C. Condit thanked the Public Works Director, David Leamon and staff for the phenomenal job of maintaining the palm tree debris on Las Palmas Ave. in Patterson. He shared this past weekend he attended the Annual Cherokee Nation At-Large Pow Wow in Suisun City.

Representative Gavin Cline from Congressman Duarte's Office provided an update on the activities happening in the 13th Congressional District.

Representative Justin Farkas from Assemblymember Juan Alanis' Office provided an update on the activities happening in the 22nd Assembly District.

CEO Hayes announced in accordance with Government Code Section 54953(c)(3), the appointment of Eric McLoughlin to serve as the Stanislaus County Chief Information Officer/Information Technology Center (ITC) Director at a starting salary of \$169,000 annually, plus Department Head benefits.

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 10:54 a.m.

13. Conferenced with the County Security Manager - Threat to Public Services: Pursuant to Government Code section 54957(a), the Board will confer with the County Security Manager regarding matters posing a threat to the security of public buildings and to the security of essential public services and the public's access to public services or facilities. No reportable action taken.

Adjourned at 12:55 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.)