

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

Regular Session

Tuesday

September 12, 2023

Supervisor Chiesa Absent

Pledge of Allegiance to the Flag

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

Rosio Gutierrez from the Auditor-Controller's Office, Tracy Blueford from BHRS, Bertha P. Gutierrez from CSA, Gloria Rios from HSA and Kirk Nichols from ITC received their 25-year Employee Service Award. Mark A. Montgomery from the Assessor's Office received his 35-year Employee Service Award. Katherine Johnson from the Public Defender's Office received her 40-year Employee Service Award.

Miguel Donoso shared concerns regarding the Housing Summit being held in Stanislaus County.

Animaria Madrigal shared a handout with the Board. She shared concerns regarding an issue she has been trying to resolve with the Board, County Counsel and several County departments and hopes to get resolution.

Miguel Madrigal, father of Animaria Madrigal, asked the Board to help resolve the problem his daughter is having with the County.

Jose Ramirez, cousin of Animaria Madrigal, shared concerns regarding the property at 4600 E. Service Road and would like to see this issue resolved soon.

Withdraw/B. Condit (4-0)(Chiesa absent) Adopted the consent calendar after removing from the agenda item **5.C.4** Approval of a Retroactive Extension Agreement for Professional Design Services with Wood Rodgers, Inc. for the Crows Landing Industrial Business Park Phase 1A Infrastructure Project – PW

5.A.1 Approved the minutes of 08/29/2023

5.A.2 Appointed Lisa Schut to the Stanislaus Child Development Local Planning Council

2023-0446

5.A.3 Approved a request to consolidate the Del Puerto Health Care District's Election to fill a vacant seat on their Board of Directors with the Presidential Primary Election to be held on 03/05/2024

2023-0447

5.A.4 Proclaimed 09/15/2023 – 10/15/2023 as Hispanic American Heritage Month in Stanislaus County

2023-0448

5.B.1 Set the date of 10/17/2023, at the 6:30 P.M. meeting, to receive a report from the Sheriff's Office and hold a Community Forum regarding Immigration and Customs Enforcement access, pursuant to Government Code Section 7283.1(d); and, authorized the Clerk to publish the public notice as required by law – Sheriff

2023-0449

5.B.2 Approved the increase of the election volunteer stipend to \$150 a day and \$235 for Election Day – Clerk Recorder

2023-0450

5.B.3 Accepted the June 2023 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

2023-0451

- 5.B.4** Approved Grant Agreement Number 23-10353 with the California Department of Public Health for Supplemental Nutrition Assistance Program – Education, in the amount of \$3,222,749 for the term of 10/01/2023 through 09/30/2026; and, authorized the HSA Managing Director or her designee to sign the Grant Agreement and any subsequent amendments – HSA 2023-0452
- 5.B.5** Approved the award of an Independent Contractor Services Agreement for emergency vehicle equipment upfitting to Jason C. Brown, dba as Jay’s Tires; and, authorized the GSA Director/Purchasing Agent, or designee, to sign and execute the agreement and any subsequent amendments on behalf of the County – GSA 2023-0453
- 5.B.6** Approved the second amendment to a lease between the County of Stanislaus and the State of California for 16,114 square feet of space at 1100 I Street in Modesto, California, extending the term of the agreement retroactively from 07/01/2023 until 12/31/2027; and, authorized the Assistant Director of the GSA, or designee, to finalize and execute this amendment, retroactive to 07/31/2023, and any subsequent amendments to the lease on behalf of the County – GSA 2023-0454
- 5.B.7** Authorized the CEO to execute an agreement with SEIU Local 521 to implement all provisions of the Emergency Response On-Call process for Social Workers at the Community Services Agency – CSA 2023-0455
- 5.B.8** Approved the agreement with the Healthy Aging Association for the CalFresh Healthy Living Program in the amount of \$203,843 for the term of 10/01/2023, through 09/30/2024; and, authorized the Purchasing Agent, or their designee, to sign the agreement and any subsequent amendments – Aging and Veteran Services 2023-0456
- 5.B.9** Authorized the CSA Director, or designee, to accept the Providing Access and Transforming Health (PATH) Justice Involved Capacity Building Guidance Round 2 grant funds, under the California Advancing and Innovating Medi-Cal initiative, in the amount of \$311,938.61 from the Department of Health Care Services to plan for the implementation of the Medi-Cal application and suspension processes for justice involved individuals; and, authorized the CSA Director, or designee, to sign and execute all related agreements, contracts, amendments, or other documentation required for the PATH Justice Involved Round 2 grant funding – CSA 2023-0457
- 5.B.10** Approved an emergency update in accordance with Public Contract Code Section 22050 for emergency repairs and replacement of 400 linear feet of perimeter litter barrier fencing at the Fink Road Landfill; and, affirmed the emergency declaration remains necessary and authorized staff to proceed with needed repairs to the perimeter litter barrier fence – DER 2023-0458
- 5.B.11** Adopted the 1% Ad Valorem Tax rate authorized by Sections 93(b) and 135 of the Revenue and Taxation Code; adopted tax rates that are "...needed to make annual payments for the interest and principal on general obligation bonds or other indebtedness approved by the voters" to be levied pursuant to Revenue and Taxation Code 93(a) and 93(c); adopted the Countywide Unitary, Operating Non-unitary, and Pipeline Tax rate of 1.517486% as calculated and authorized by Section 100 of the Revenue and Taxation Code; adopted the Countywide Unitary-Railroad Tax rate of 1.108000% (California State Board of Equalization [BOE] benchmark rate) as authorized by 49 U.S.Code Section 11501(b)(3) and per court decision; and, adopted the 0.8714% tax rate for the territory formerly served by the Lower San Joaquin Levee District – Auditor-Controller 2023-0459
- 5.B.12** Approved an extension of a lease between Stanislaus County and the United Samaritans Foundation for an additional five years for use as the Hughson Branch of the Stanislaus County Library with a new cumulative lease value of \$309,600; and, authorized the GSA Director/Purchasing Agent, or designee, to execute the County’s option to extend the lease for a five-year period – GSA 2023-0460

- 5.C.1** Approved an increase to the construction budget for the Measure L Sidewalk Project Airport Neighborhood Active Transportation Connectivity and Safety Project from \$4,211,419 to \$4,452,659; approved Contract Change Order No. 9 to the Construction Agreement with George Reed, Inc. for curb ramp modifications in the amount of \$139,240 for the Measure L Sidewalk project; authorized the Director of Public Works to execute Contract Change Order No. 9 with George Reed, Inc. in the amount of \$139,240 and to sign necessary documents; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2023-0461
- 5.C.2** Approved the Plans and Specifications for the 2023 Chip Seal Aggregate Project; awarded a Construction Agreement to George Reed, Inc. of Modesto, California for the 2023 Chip Seal Aggregate Project; authorized the Director of Public Works to execute a contract with George Reed, Inc. in the amount of \$268,593 and to sign necessary documents; authorized the Director of Public Works to execute change orders not to exceed 10%, in accordance with Public Contract Code Section 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 2023-0462
- 5.C.3** Approved the Plans and Specifications for the Pirrone & Sisk Road Traffic Signal Project; awarded a Construction Agreement to St. Francis Electric, LLC for the Pirrone & Sisk Road Traffic Signal Project; authorized the Director of Public Works to execute a Construction Agreement with St. Francis Electric, LLC in the amount of \$697,386 and to sign necessary documents; authorized the Director of Public Works to execute change orders, not to exceed 10%, in accordance with Public Contract Code Section 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 2023-0463
- 5.C.5** Approved the Second Amendment to the Professional Design Services Agreement with Dewberry Engineering, Inc. in the amount of \$1,645,067 for additional design, environmental, right-of-way and public outreach support services for the North County Corridor-Claribel Road Extension Project; authorized the Director of Public Works to execute the Second Amendment to the Professional Design Services Agreement with Dewberry Engineering, Inc. in the amount of \$1,645,067 and to sign necessary documents; approved an additional allocation of \$1,645,067 in Public Facility Fee (PFF) funds for the North County Corridor Phase 1 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 2023-0465
- 5.C.6** Approved the First Amendment to the Legal Services Agreement with Nossaman LLP, in the amount of \$875,000 for additional services for the North County Corridor Phase 1 Project; authorized the Director of Public Works to execute the First Amendment with Nossaman LLP, in the amount of \$875,000 and to sign necessary documents; approved the additional use of Public Facility Fees (PFF) Regional Transportation Impact Fees for the North County Corridor Phase 1 Project in the amount of \$16,653,500; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2023-0466
- 5.C.7** Approved the Plans and Specifications for the 2023 Chip Seal Oil Project; awarded a contract for Construction Services to VSS International, Inc. dba VSS Emultech of West Sacramento, California for the 2023 Chip Seal Oil Project; authorized the Director of Public Works to execute a contract with VSS International, Inc. dba VSS Emultech in the amount of \$1,254,880 and to sign necessary documents; authorized the Director of Public Works to execute change orders not to exceed 10%, in accordance with Public Contract Code Section 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 2023-0467

5.C.8 Approved an emergency update in accordance with Public Contract Code Section 22050 for emergency temporary repairs to Del Puerto Canyon Road 13 Miles west of Interstate 5; and, affirmed the emergency declaration remains necessary and authorized staff to proceed with needed repairs to Del Puerto Canyon Road 13 Miles west of Interstate 5 – PW 2023-0468

B. Condit/Grewal (4-0)(Chiesa absent) **5.C.4** Approved a Retroactive Extension Agreement with Wood Rodgers, Inc. for Professional Design Services associated with the Crows Landing Industrial Business Park Phase 1A Infrastructure Project for the period 01/02/2023 through 12/31/2026; authorized the Director of Public Works to execute the Extension Agreement with Wood Rodgers, Inc. and to sign necessary documents; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW 2023-0464

Grewal/B. Condit (4-0)(Chiesa absent) **6.1** Conducted a public hearing to consider the adoption of the Stanislaus Urban County FY 2022-2023 Consolidated Annual Performance and Evaluation Report (CAPER) for the Federal U.S. Department of Housing and Urban Development (HUD) Entitlement Programs; adopted the Stanislaus Urban County FY 2022-2023 CAPER and authorized staff to submit the 2022-2023 CAPER to HUD; and, authorized the Planning Department to update the 2022-2023 CAPER to reflect the closing of the public comment period and to incorporate any comments received during the public review period and the public hearing into the adopted 2022-2023 CAPER document and to make alterations to the 2022-2023 CAPER as directed by HUD, provided alterations are technical in nature – Planning 2023-0469

Corr 1 Referred to the Sheriff - Office of Emergency Services and Workforce Development, a letter from the Governor's Office of Emergency Services regarding the U.S. Small Business Administration's disaster declaration for certain counties, including Stanislaus County, due to losses caused by severe winter storms, flooding, landslides and mudslides that occurred 12/27/2022 through 01/31/2023.

Corr 2 Referred to the Fish and Wildlife Committee, a letter from the U.S. Fish and Wildlife Service regarding their intent to provide Endangered Species Act protections to the foothill yellow-legged frog.

Corr 3 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 4 Referred to the Department of Workforce Development, two Worker Adjustment and Retraining Notification (WARN) letters from Silgan Containers Manufacturing regarding the temporary layoff of employees at its facilities located at 430 Doherty Avenue and 567 South Riverside Drive in Modesto.

Corr 5 Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: George Maldonado; Fredy Gallegos; Gabriel C. Mariscal Navarro; Jillian Avara; Robert G. Jones on behalf of RGJ Construction Inc.; Cory Souza & Stephanie Souza; Abdullah Azizi; Liliana Montes (amended); Oscar Vega Cruz, Andres Vega, and Luis Vega as successors in interest for decedents Armando Vega Hernandez, Maria Cruz Alvarez, and Jesus Vega Cruz; Mercury Insurance aso Tamur Dickinson; Eleazar Ramirez Rodriguez; Marie Pinheiro; Raul Ramirez and Farmers Insurance; Brianna Margarita Santellano; and, Jose Valencia.

Supervisor Grewal shared that yesterday he attended the September 11th Memorial Ceremony at the City of Modesto Fire Department Station 1.

CEO Hayes reported there are only a few days left in the 2023 Legislative Session in Sacramento. He shared the County continues to advocate in support of or against the same bills that have been mentioned in prior meetings.

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 10:09 a.m.

12. Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: People of The State of California v. Ysela Madrigal and Anamiria Madrigal, Stanislaus Superior Court Case No. CV-22-004600. No reportable action taken.

Adjourned at 11:04 a.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.)