

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

September 26, 2023

Invocation was given by Reverend Scott Elliot with Big Valley Christian School.

A presentation was given by Carolina Alfaro, Director of the CSUS Stanislaus Warrior Cross Cultural Center, regarding 09/15/2023-10/15/2023 as Hispanic Heritage Month in Stanislaus County. Chairman C. Condit recognized and presented Director Alfaro and members of the community with the proclamation.

Bill Johnson, former Chair of the Veterans Advisory Committee, thanked the Board for all their support they have given the veterans and implementing the Veterans of the Year awards.

Jose Espindola voiced concerns regarding the Sheriff's Department raiding his property in Merced County and asked for an apology from the Sheriff's Department.

Anamiria Madrigal 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.

Anabel Morales spoke in support of the Madrigal family celebrations. She shared the Madrigal family is large and has many celebrations. She voiced concerns and asked the Board to reach out and address the family regarding a resolution.

Rebecca Harrington invited the community to attend the 7th Annual Día de Los Muertos celebration on Saturday, 10/21/2023 at 11:00 a.m. on 10th and J Street.

Chiesa/Grewal unan. Adopted the consent calendar after removing from the agenda item **5.D.2** Approval to set a public hearing on 10/31/2023, at the 9:00 a.m. meeting, to consider the Planning Commission's recommendation of approval of the cancellation of the Development Agreement, for Central Valley Growers - Howard Road III, allowing for Mixed Light Commercial Cannabis Cultivation, Nursery, and Distribution Activities, located at 3735 Howard Road, between the California Aqueduct and the Delta Mendota Canal, in the Westley Area, APN: 016-037-039 – Planning

5.A.1 Approved the minutes of 09/12/2023

5.A.2 Appointed Eric Feichter to the Knights Ferry Municipal Advisory Council 2023-0470

5.A.3 Accepted the resignation of John Snoke from the Stanislaus County Parks and Recreation Commission 2023-0471

5.A.4 Proclaimed October 2023 as Italian American Heritage Month in Stanislaus County 2023-0472

5.A.5 Proclaimed September 2023 as Service Dog Month in Stanislaus County 2023-0473

5.A.6 Proclaimed 10/02/2023 as Custodial Worker Day in the Stanislaus County 2023-0474

- 5.B.1** Authorized the BHRS Director, or designee, to accept the Substance Abuse and Mental Health Services Administration (SAMHSA) Community Funded Projects (CFP) grant for Mobile Crisis Services in the amount of \$711,690 for the period of 09/30/2023 through 09/29/2024; authorized the BHRS Director, or designee, to sign and execute all SAMHSA related agreements, contracts, amendments, or other documentation required for implementation of the SAMHSA CFP Mobile Crisis Services grant; and, amended the Salary and Position Allocation Resolution to reflect the recommended changes outlined in the Staffing Impacts section of the report, effective the first full pay period after Board approval – BHRS 2023-0475
- 5.B.2** Approved an amendment to the participation agreement with California Mental Health Services Authority (CalMHSA) for the Central Regional Partnership Office of Statewide Health Planning and Development (OSHPD) Workforce, Education and Training (WET) Grant for an additional share of grant funding for the term of 09/15/2020, through 06/30/2026, requiring a \$15,631 increase in County match funds funded with Mental Health Services Act funding; authorized the BHRS Director, or designee, to sign and execute the amendment to the participation agreement with CalMHSA for an additional share of grant funding for the term of 09/15/2020, through 06/30/2026; authorized the BHRS Director, or designee, to sign and execute all related agreements, contracts, amendments, or other documentation required for implementation of the Central Regional Partnership OSHPD WET grant; and, authorized the BHRS Director, or designee, to accept additional grant funding, if made available, for additional services for up to \$200,000, budget permitting, throughout the term of the agreement – BHRS 2023-0476
- 5.B.3** Approved an agreement with GHC Anberry, LLC, dba Anberry Nursing and Rehabilitation Center for the provision of skilled nursing facility services in the amount of \$616,500 for the term of 10/01/2023, through 06/30/2024; authorized the BHRS Director, or designee, to sign and execute the agreement for the provision of skilled nursing facility services in the amount of \$616,500 for the term of 10/01/2023, through 06/30/2024; and, authorized the BHRS Director, or designee, to sign amendments for additional services and payments for services up to \$200,000, budget permitting, throughout the term of the agreement –BHRS 2023-0477
- 5.B.4** Approved a resolution declaring 3.948 acres of property at 1500 Robertson Road in the City of Modesto as exempt surplus; approved a Purchase and Sale Agreement among the City of Modesto, City of Ceres, and County of Stanislaus to the Stanislaus Regional Housing Authority for construction of an affordable housing development; and, authorized the CEO, or designee, to execute the Purchase and Sale Agreement, and all related documents required to complete the transaction and close of escrow – CEO C-6-R-4, C-2-E-2 2023-0478
- 5.B.5** Approved the agreements with the California Department of Health Care Services for the Intergovernmental Transfer of Funding for Specialty Mental Health Services and Drug Medi-Cal Organized Delivery System services retroactive to 07/01/2023 through 12/30/2026; and, authorized the BHRS Director, or designee, to sign the agreements retroactive to 07/01/2023 through 12/30/2026, and any subsequent amendments required during the term of the agreement – BHRS 2023-0479
- 5.B.6** Approved the Stanislaus County Refugee Service Plan for Federal FY 2024-2026 – CSA 2023-0480
- 5.B.7** Amended the Stanislaus County Library Regulations Governing Special Purpose Rooms – Library 2023-0481

- 5.B.8** 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
2023-0482
- 5.B.9** Approved a fee-for-service agreement with Doctor’s Medical Center of Modesto, Inc., for the provision of inpatient psychiatric services for the term of 09/29/2023, through 06/30/2026; and, authorized the BHRS Director, or designee, to sign and execute the fee-for-service agreement for the provision of inpatient psychiatric services for the term of 09/29/2023, through 06/30/2026 – BHRS
2023-0483
- 5.C.1** Approved Amendment No. 6 to the Dewberry Engineers, Inc. professional design services agreement for the Golden State Boulevard, Golf Road, Berkeley Avenue Intersection Project, in the amount of \$291,316; with a new, not-to-exceed, total contract amount of \$1,185,948; authorized the Director of Public Works to execute Amendment No. 6 with Dewberry Engineers, Inc., in the amount of \$291,316, and to sign necessary documents; authorized the Director of Public Works to extend the Professional Design Services Agreement expiration date to 06/01/2025; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW
2023-0484
- 5.C.2** Approved the Plans and Specifications for the 2023 Chip Seal Trucking Project; awarded a contract for Independent Contractor Services to Bob Harkrader & Sons Trucking, of Ceres, California for the 2023 Chip Seal Trucking Project; authorized the Director of Public Works to execute a contract with Bob Harkrader & Sons Trucking in the amount of \$900,000 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
2023-0485
- 5.C.3** 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
2023-0486
- 5.D.1** Set a public hearing on 10/31/2023 at the 9:00 a.m. meeting, to consider the approval of the Planning Commission’s recommendation of approval of the cancellation of Development Agreements for seven commercial cannabis operations of various types located throughout the unincorporated area of Stanislaus County, including the following sites: APN 004-094-017, located at 485 Bitritto Way, in the Modesto area (GPA REZ UP & DA No. PLN2018-0093 – The Genezen Project); APN 048-014-009, located at 2036 Almond Avenue, in the Patterson area (UP & DA No. PLN2018-0129 – Mission Nurseries); APN 036-008-052, located at 2841 Nathan Avenue, in the Modesto area (UP & DA No. PLN2018-0151 – Prem Gen Corp – Nathan Avenue); APN 016-004-028, located at 1837 Welty Road, in the Vernalis area (UP & DA No. PLN2018-0159 – Stockton Business Strategies); APN 009-014-025, located at 778 Albers Road, in the Modesto area (UP & DA No. PLN2018-0163 – Blue Oak Naturals); APN 135-043-031, located at 4100 Bangs Avenue, in the Community of Salida (UP & DA No. PLN2019-0092 – Pacific Botanicals, LLC.); APN 044-036-006, located at 2201 S. Daubenberger Road, in the Turlock area (UP & DA No. PLN2019-0133 – Legacy Nursery – S. Daubenberger Road); and, authorized the Clerk to publish a notice of public hearing as required by law – Planning
2023-0487

5.D.3 Approved Amendment No. 1 to an agreement between the Stanislaus County Planning Department and the We Care Program-Turlock for Emergency Shelter Operations Support to decrease the awarded amount by \$150,000; approved Amendment No. 1 to an agreement between the Stanislaus County Planning Department and the United Samaritans Foundation for Shelter Rehabilitation to decrease the awarded amount by approximately \$110,662; authorized the Stanislaus County Planning Department and the County's CSA to enter into a MOU for Homeless Management Information System (HMIS) Support in the amount of approximately \$210,662; authorized the Stanislaus County Planning Department and the County's CSA to enter into an agreement for Emergency Shelter Operations Support for the County Access Center Emergency Shelter in the amount of \$50,000; authorized the Director of Planning and the Director of CSA to execute an MOU and a new Agreement, or to amend an existing MOU or Agreement, as authorized by this agenda item; and, authorized the Director of Planning to execute any related program agreements, contracts, certifications, or other documentation required for the amending and implementation of the Federal Emergency Solutions Grants Coronavirus Aid, Relief, and Economic Security Act Allocation Funding as described in the agenda item – Planning
C-5-G-11 2023-0489

5.D.4 Approved Amendment No. 1 to an agreement between the Stanislaus County Planning Department and the County's Department of BHRS for Street Outreach services to decrease the awarded amount by \$140,000; approved Amendment No. 1 to an agreement between the Stanislaus County Planning Department and the City of Riverbank for Street Outreach services and Emergency Shelter Operations Support to decrease the awarded amount by \$519,534; approved Amendment No. 2 to an agreement between the Stanislaus County Planning Department with the County's CSA for Emergency Shelter Operations Support for the County Access Center Emergency Shelter to increase the awarded amount by \$359,534; approved Amendment No. 1 to an agreement between the Stanislaus County Planning Department and Cambridge Academies for Emergency Shelter Operations Support for Naomi's House Shelter to increase the awarded amount by \$150,000; approved Amendment No. 1 to an agreement between the Stanislaus County Planning Department and Cambridge Academies for Emergency Shelter Operations Support for the HOST House Shelter to increase the awarded amount by \$150,000; authorized the Directors of Planning, BHRS and CSA to execute the amendments to agreements; and, authorized the Director of Planning to execute any related program agreements, contracts, certifications, or other documentation required to implement the reallocation in California Emergency Solutions Grants Coronavirus Aid, Relief, and Economic Security Act Allocation Funding as described in the agenda item – Planning
C-1-C-7 2023-0490

B. Condit/Withrow (4-0)(C. Condit abstain) **5.D.2** Set a public hearing on 10/31/2023, at the 9:00 a.m. meeting, to consider the Planning Commission's recommendation of approval of the cancellation of the Development Agreement, for Central Valley Growers – Howard Road III, allowing for mixed light commercial cannabis cultivation, nursery, and distribution activities, located at 3735 Howard Road, between the California Aqueduct and the Delta Mendota Canal, in the Westley Area, APN: 016-037-039; and, authorized the Clerk of the Board to publish a notice of hearing as required by law – Planning
ORD-56-Y-2 2023-0488

Grewal/B. Condit unan. **6.1** Accepted the 2024 Adopted Budget as presented from the CEO; conducted the scheduled public hearing to receive public comment and input on the recommended operational plan for FY 2024; adopted the 2024 Adopted Budget; authorized the CEO and the Auditor-Controller to make the necessary technical adjustments to implement the 2024 Adopted Budget; directed the CEO and the Auditor-Controller to prepare the Adopted Budget document and supporting schedules in accordance with

State law and submit to the State Controller prior to 12/01/2023; amended the Salary and Position Allocation Resolution to reflect the recommended changes identified in the 2024 Adopted Budget, as outlined in the Staffing Impacts section of the report, and detailed in Attachment 2 of the agenda item, to become effective the start of the first full pay period beginning on or after 10/07/2023, unless otherwise indicated; approved contracts and/or agreements listed on Attachment 3, of the agenda item, in cumulative amounts of \$200,000 or more as of 07/01/2021, and authorized the GSA Director/Purchasing Agent or previously authorized Department Head to sign; adopted the updated Building Community Infrastructure Fund policy as outlined in the report and detailed in Attachment 5, of the agenda item; and, approved a total appropriations/budgetary limit for annual appropriations of tax revenue for FY 2024 in accordance with the provisions of Propositions 4 and 111 and established a General Operating Limit of \$509,292,119 using the Population and Inflation Methodology per Attachment 6, of the agenda item – CEO

2023-0491

Corr 1 Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: Aquilino Villena Oretto Jr.; Julita Alipio; Penafrancia Mariano Corpuz; Liliana Montes (amended); Carolyn Ann Freeman; Axel Salamanca; Maria Mendoza Garcia; Ariana Salamanca; Antonio Stabile III; Thomas Diamond; and, Tracy Shaw.

Supervisor Chiesa reported that last week he was in Washington, D.C. on behalf of the Regional Policy Council through Stanislaus Council of Governments (StanCOG). He shared they spoke about issues affecting San Joaquin Valley such as air quality, rail, transportation, inland ports, moving goods and services, and water.

Chairman C. Condit noted he attended the Rural County Representatives of California (RCRC) Annual meeting last week.

Supervisor B. Condit recognized Bill Johnson for serving as the Chair of the Veterans Advisory Committee this past year and thanked him for his leadership.

Supervisor Withrow noted he was in Washington, D.C. last week on unofficial business but visited Congress members Duarte and McClintock.

Supervisor Grewal noted that last week he attended the long-awaited Modesto's 150th Anniversary Gala in downtown Modesto hosted by Modesto Sister Cities.

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

CEO Hayes reported that the legislature is in recess until January. He noted there are several important bills still sitting on the Governor's desk and the County continues to advocate on those bills.

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 11:18 a.m.

12. Conferenced with Legal Counsel - Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One Case: Maria Ruiz Perez, et al., v. Oakdale Irrigation District and County of Stanislaus, et al., Stanislaus County Superior Court Case No. CV-19-004901. No reportable action taken.

Adjourned at 12:09 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.)