

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

October 17, 2023

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. Conference with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: William Smith v. Stanislaus County et al., Stanislaus Superior Court Case No. CV-20-005308. No reportable action was taken.

Reconvened at 6:36 p.m. for Regular Session

Invocation was given by David Hansen, Executive Secretary to the Bishop of the El Vista Ward.

Jessica Vaughan, Interim CEO at Second Harvest of the Greater Valley Food Bank, presented an overview of their food bank.

Tera Chumley, Director of Parks and Recreation announced the 2nd Annual Dia de los Muertos Celebration on Saturday, 10/28/2023 from 12:00 p.m. – 3:00 p.m. at Fairview Park.

Frank Mireles, Sr. voiced concerns regarding levels of dust coming from the almond orchard across the street from his house.

Diane Kroeze shared a handout with Board members and spoke regarding homelessness. She invited the Board of Supervisors to attend the City of Modesto’s Workshop regarding homelessness being held on Friday, 10/20/2023 between 9:00 a.m. – 12:00 p.m. at the Modesto Centre Plaza.

Miguel Donoso shared a handout with Board members regarding the 11/04/2021 Economic Development Action Committee (EDAC) meeting where a presentation was given regarding American Rescue Plan Act (ARPA) funds by a representative from the Economic Development Administration (EDA). He shared concerns regarding funds not being used for the underserved population and communities in Stanislaus County.

John Mataka voiced concerns regarding the need for residential and outpatient drug and alcohol services for youth in Stanislaus County.

Chiesa/Grewal unan. Adopted the consent calendar after removing from the agenda item **6.B.2** Approval to Authorize the Chief Executive Officer to Implement the Revised Community Benefit Contribution Program for Commercial Cannabis Businesses in the Unincorporated Area of Stanislaus County – CEO

- 6.A.1** Approved the minutes of 10/03/2023
- 6.A.2** Appointed Christopher Hoem to the Stanislaus County Economic Development Action Committee 2023-0515
- 6.A.3** Appointed Freddy Morales to the Stanislaus County Veterans Advisory Commission 2023-0516
- 6.A.4** Approved a request to consolidate the City of Modesto Municipal Election with the Presidential Primary Election to be held on 03/05/2024 and authorized Election Services for a Run-Off Election for Mayor if necessary on 11/05/2024 2023-0517
- 6.A.5** Approved a commendation for Caroline D. Pham, United States Commodity Futures Trading Commissioner 2023-0518
- 6.A.6** Adopted and waived the second reading of Ordinance C.S. 1349 amending Stanislaus County Code Section 7.20.010 regarding the allocation of funds for spay and neuter programs
ORD-58-E-2 2023-0519
- 6.A.7** Approved the 2024 Meeting Calendar for the Stanislaus County Board of Supervisors 2023-0520
- 6.B.1** Adopted the FY 2024 Stanislaus County Fire Authority Business Plan; authorized the Stanislaus County Chief of Emergency Services to take actions necessary, including signing and executing contracts, to implement the FY 2024 Fire Authority Business Plan; and, directed the Auditor-Controller to increase appropriations by \$588,412 in the Sheriff-OES County Fire Service Fund Legal Budget unit, as detailed in the budget journal, attached to the agenda item – Sheriff 2023-0521
- 6.B.3** Approved the Subordination Agreement with the Stanislaus Regional Housing Authority and Farmers & Merchants Bank of Central California for the permanent supportive housing units of the Kestrel Ridge Project; and, authorized the BHRS Director, or designee, to sign the Subordination Agreement with the Stanislaus Regional Housing Authority and Farmers & Merchants Bank of Central California – BHRS 2023-0523
- 6.B.4** Set a public hearing on 10/31/2023, at the 9:00 a.m. meeting, to introduce and waive the first reading of Ordinance C.S. 1350 to amend, add and eliminate existing fees for the Department of Parks and Recreation; and, authorized the Clerk to publish notice as required by law – Parks
ORD-58-F-1 2023-0524
- 6.B.5** Approved proceeding with the BHRS One Stop Shop for Supportive Services Capital Project; approved the BHRS One Stop Shop for Supportive Services Capital Project initial budget of \$1.5 million; directed the Auditor-Controller to establish the General Services Agency BHRS One Stop Shop for Supportive Services Capital Project budget in the amount of \$1.5 million, as detailed in the budget journal, attached to the agenda item; and, authorized the GSA Director/Purchasing Agent, or designee, to act as the Project Manager to execute contracts and work authorizations for professional services needed in this phase of the project, so long as appropriations are available within the existing project budget – GSA 2023-0525
- 6.B.6** Accepted the July 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 2023-0526
- 6.B.7** Authorized the Sheriff to accept a grant of \$47,409 from the California Department of Parks and Recreation, Division of Boating and Waterways (DBW) for the Boating Safety and Enforcement Equipment Grant Program; adopted a resolution to accept funding from the DBW for the Boating Safety and Enforcement Equipment Grant, as required by the State; directed the Auditor-Controller to increase estimated revenue and appropriations in the Sheriff’s Operations Legal Budget Unit for FY 2024 by \$47,409; and, authorized the Sheriff to sign any documents related to the grant and administer the California

Department of Parks and Recreation, Division of Boating and Waterways (DBW) Boating Safety and Enforcement Equipment Program grant for the project performance period – Sheriff 2023-0527

- 6.B.8** Approved the final 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, authorized the Director of DER to issue any change orders necessary to complete and close out the emergency repairs in accordance with the California Public Contract Code – DER 2023-0528
- 6.B.9** Authorized the BHRS Director, or designee, to accept the Tulare County Office of Education (TCOE) Friday Night Live (FNL) Social Emotional Learning (SEL) grant in the amount of \$200,000 retroactive to 07/01/2023 through 06/30/2024; and, authorized the BHRS Director, or designee, to sign and execute all related agreements, contracts, amendments, or other documentation required for implementation of the TCOE FNL SEL grant – BHRS 2023-0529
- 6.B.10** Approved a Public Works Master Agreement with Tri-Signal Integration, Inc. for countywide fire extinguisher inspections, maintenance, and other related services for a not-to-exceed amount of \$500,000 effective 10/17/2023, through 12/31/2026, with two one-year renewal options; approved a Master Public Works Agreement with Jorgensen & Sons, Inc. dba Jorgensen Company for countywide fire extinguisher inspections, maintenance, and other related services for a not-to-exceed amount of \$500,000 effective 10/17/2023, through 12/31/2026, with two one-year renewal options; and, authorized the Purchasing Agent or designee to sign the Master Agreements and any subsequent amendments to the Master Agreements on behalf of the County – GSA 2023-0530
- 6.B.11** Approved Amendment No. 1 between the County of Stanislaus and George Hills Company, Inc., for Claims and Liability Third Party Administration (TPA) for the period of 10/01/2022, through 06/30/2026; and, authorized the GSA/Purchasing Agent to execute the TPA amendment No. 1 with George Hills Company, Inc. – CEO 2023-0531
- 6.C.1** Approved the Agreement for Acquisition of Property Located at 4940 Claus Road, Modesto, California, for the North County Corridor (NCC) Project, Grantor: Sierra Vista Congregation of Jehovah’s Witness, Modesto, CA, Inc., Assessor’s Parcel Number (APN) 014-001-030; authorized the Chairman to execute the Agreement for Acquisition of Property; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – Public Works 2023-0532
- 6.C.2** 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 – Public Works 2023-0533
- 6.D.1** 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 MDF Farms, a mixed-light commercial cannabis cultivation operation, located at 16218 Sycamore Avenue, between Fig and Orange Avenues, in the Patterson Area, APN: 048-007-002; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning ORD-56-G-1 2023-0534

Chiesa/Grewal unan. **6.B.2** Approved the implementation of the Revised Community Benefit Contribution Program, with compliance confirmed during the annual compliance inspection of each commercial cannabis business; and, authorized that existing and future Community Benefit Contribution Program funds received from Commercial Cannabis Businesses be used to support Stanislaus County

departments providing substance use education; prevention and treatment services; homeless prevention; and child services, including parenting classes or youth activities in Stanislaus County – CEO
2023-0522

B. Condit/Grewal unan. **7.1** Accepted the Sheriff Department’s 2022 Report on Immigration and Customs Enforcement access, pursuant to Government Code Section 7283.1(d); and, conducted a Community Forum pursuant to Government Code Section 7283.1(d) – Sheriff
2023-0535

Grewal/B. Condit unan. **7.2** Acknowledged receipt of request for withdrawal by Appellant, Helder Garcia et. al., of his scheduled appeal of the Planning Commission’s decision of Approval of Use Permit Application No. 2018-0080 – Central Valley Crescent; Appellant requested the withdrawal based upon having reached an agreement with the applicant; and, the Board accepted the withdrawal request of the appeal and canceled the public hearing – Planning
2023-0536

Chiesa/Grewal (4-1)(Withdraw opposed) **8.1** Introduced and waived the first reading of Ordinance C.S. 1351 adding Chapter 4.75 to Title 4 the Stanislaus County Code that would, upon approval of a majority of the voters, establish a tax on cannabis business activities in the unincorporated areas; considered a proposed resolution that calls and orders an election to present to the voters of the County a proposed ordinance establishing a tax on cannabis business activities in the unincorporated areas, including initial activity tax rates, and ordering consolidation of said election with the General Election to be held on 03/05/2024; and, set a public hearing on 11/28/2023, at the 9:00 a.m. meeting – CEO
ORD-58-F-2 2023-0537

Corr 1 Acknowledged receipt of resolution from the City of Waterford regarding their re-appointment of Brandon Rivers to the Stanislaus Consolidated Fire Protection Board of Directors.

Corr 2 Acknowledged receipt of letter from the Eastside Water District regarding the appointment of Richard Gemperle to their Board of Directors.

Corr 3 Referred to the CEO’s office a memorandum from the Stanislaus County Superior Court requesting the Board approve changes to the Stanislaus County Civil Grand Jury Procedures Manual.

Corr 4 Acknowledged receipt of claims and referred to the office of County Counsel the following claims: Alfred Batt II; Zachary Allen Taylor; Julie Silva; Jayson Willer; Aida Rios Pacheco; Rafael Castillo; Linda D. Clayton; Rodrigo Valle Landa; Jose Gonzalez; Candido Rodriguez Torres; Maria Rodriguez; Dorothey Jean Heimback; Evangelina Manzo (3 claims); Efrain Manzo (3 claims); and, Jose A. Gonzalez and Isavela Castro.

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 Governor signed or vetoed all the legislative bills on his desk. He noted he will have an update at a future Board meeting about the impacts to Stanislaus County. The CEO shared there is a Stanislaus County Housing Summit on Saturday, 11/04/2023 from 8:30 a.m. – 12:30 p.m. at MJC West Campus and you can find more information at housingstanislaus.org.

Adjourned at 8:06 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.)