

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

December 19, 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. Conferenced with Legal Counsel – Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One case: People v.s. Ysela Madrigal and Anamira Madrigal, Stanislaus Superior Court Case No. CV-22-004600. No reportable action was taken.

**Reconvened at 6:32 p.m. for Regular Session**

Invocation was given by Mike Gunnarson with the City Ministry Network.

Alan Lange with Valley Vision gave a presentation on the Housing Stanislaus Report by Valley Vision.

Kevin McClarty voiced concerns regarding the lack of airline services in Stanislaus County. He encouraged the Board to think about creating a Stockton/Modesto Airport hub.

Miguel Donoso spoke regarding the housing presentation and shared concerns regarding the cost of rent and the economic impact on families.

Debbie Martinez, founder of “We "R" La Raza Parents Union”, shared she was homeless last September. She voiced concerns regarding the homeless population and the lack of available services.

Bianca Lopez shared concerns regarding the presentation and documents on housing being offered only in English. She voiced concerns regarding an arrest in Riverbank last weekend and asked the Board to reach out to the City of Riverbank to release the dashcam or bodycam of this incident.

Representative Gavin Cline from Congressman Duarte’s Office provided an update on the activities happening in the 13<sup>th</sup> Congressional District.

Withdraw/B. Condit unan. Adopted the consent calendar after removing from consent Items **6.B.5** Approval of the 2023-2028 Comprehensive Economic Development Strategy as Submitted by the Stanislaus County Economic Development Action Committee as Part of the U.S. Economic Development Administration Requirement for Application of Federal Economic Development Administration Funding – CEO; **6.B.8** Approval to Amend the Memorandum of Understanding with The Salvation Army for Oversight and Operator Services at the Access Center Emergency Shelter in the Amount of \$1,543,855 for the Term of 01/01/2024 through 06/30/2024 – CSA; and, **6.D.1** Approval of the 2024 Williamson Act Contract Applications – Planning

- 6.A.1** Approved the minutes of 12/12/2023
- 6.A.2** Reappointed John Bettencourt to the Assessment Appeals Board 2023-0651
- 6.A.3** Reappointed Ken Cheeseman and Christine Schweininger to the Stanislaus Regional Housing Authority 2023-0652
- 6.A.4** Reappointed James Shade and Robert James Nickerson to the Building Code Appeals Board 2023-0653
- 6.A.5** Reappointed Valerie Mitchell, Renee D. Cross, and Teresa L. Westfall to the In-Home Supportive Services Advisory Committee 2023-0654
- 6.A.6** Reappointed Anna Webb and Ron Greenwood to the East Side Mosquito Abatement District Board of Trustees 2023-0655
- 6.A.7** Reappointed Thomas Boze, Bruce E. Ramsey and Gregory Goodwin to the Law Library Board of Trustees 2023-0656
- 6.A.8** Reappointed Fred Leslie Dolling and Shavon Haskell to the Knights Ferry Cemetery District Board of Directors 2023-0657
- 6.A.9** Reappointed Bobby Yamamoto, Bruce A. Thompson, and Kevin Donlon to the Patterson Cemetery District Board of Directors 2023-0658
- 6.A.10** Reappointed Rhonda Bieseimeier to the Stanislaus County Equal Rights Commission 2023-0659
- 6.A.11** Reappointed Rick Scheuber, Patrick Alves and Steve Amador to the Storm Drain District No. 8 Board of Directors 2023-0660
- 6.A.12** Reappointed Becky Campo to the Stanislaus County Planning Commission 2023-0661
- 6.A.13** Reappointed Rachele Antinetti, Edward Tobias, Jim Mortensen, Sean Roddy, Daniel Bays, Tim Sanders, Vince Dykzeul, and Cooper M. Rossiter to the Stanislaus County Water Advisory Committee 2023-0662
- 6.A.14** Reappointed Syvanna Gilton, Jesse Marchant and Arla Green to the Stanislaus County Local Task Force on Solid Waste Management 2023-0663
- 6.A.15** Reappointed Loren Ann Mannard and Jack Griffith to the Stanislaus County Behavioral Health Board 2023-0664
- 6.A.16** Reappointed Ryan Taylor to the Turlock Mosquito Abatement District 2023-0665
- 6.A.17** Reappointed Chris Savage to the San Joaquin Valley Air Pollution Control District Citizens Advisory Committee 2023-0666
- 6.A.18** Accepted the resignation of Arby Hoobyar from the Stanislaus County Agricultural Advisory Board 2023-0667
- 6.A.19** Authorized the Registrar of Voters to provide specific services to the City of Patterson to conduct a Special Mailed Ballot Election on 04/09/2024 to determine whether the City of Patterson annexes territory located to the North and South of the City 2023-0668
- 6.B.1** Approved a five-year agreement with Axon in the amount of \$2,403,454 for body worn cameras and related items for the period of 01/01/2024, through 12/31/2028; authorized the GSA Director/Purchasing Agent, or designee, to enter into the five-year agreement with Axon for body worn cameras and to sign any necessary documents; and, authorized the GSA Director/Purchasing Agent, or designee, to execute any amendments or extensions – Sheriff 2023-0669
- 6.B.2** Approved an agreement with Community Housing and Shelter Services of Stanislaus County in the amount of \$610,728 which includes \$168,528 for the Homeless Assistance Program and \$442,200 for the Housing Support Program for the term of 01/01/2024, through 06/30/2025; and, authorized the CSA Director, or designee, to sign the agreement and any amendments related to the agreement consistent with the County Purchasing Policy and within budget authority for the term of the agreement – CSA 2023-0670
- 6.B.3** Proclaimed the month of January 2024 as Human Trafficking Awareness Month in Stanislaus County – CSA 2023-0671

- 6.B.4** Approved an agreement with Sierra Vista Child & Family Services for the provision of High-Risk Counseling Services, in the amount of \$399,999 for the term of 01/01/2024, through 06/30/2024; and, authorized the CSA Director, or designee, to sign the agreement and any amendments related to the agreement within the County Purchasing Policy and within budget authority for the term of the agreement – CSA 2023-0672
- 6.B.6** Authorized the Department of Environmental Resources to collect the amended Certified Unified Program Agency General Oversight Surcharge, in the amount of \$94, on behalf of the State of California as required by the California Health and Safety Code, Division 20, Chapter 6.11, Section 25404.5 (b), and the California Code of Regulations, Title 27, Division 1, Subdivision 4, Chapter 1, Section 15240; authorized the Department of Environmental Resources to collect the amended California Accidental Release Prevention Program Surcharge, in the amount of \$370, on behalf of the State of California as required by the California Health and Safety Code, Division 20, Chapter 6.11, Section 25404.5 (b), and the California Code of Regulations, Title 27, Division 1, Subdivision 4, Chapter 1, Section 15240; and, authorized the County to transmit the additional revenue collected from the increased surcharge, estimated at \$245,650 annually, to the California Environmental Protection Agency – DER 2023-0674
- 6.B.7** Approved Agreement Number 23-10288 with California Department of Public Health for the Childhood Lead Poisoning Prevention Program in the amount of \$2,190,695 retroactively for the period of 07/01/2023 through 06/30/2026; and, authorized the HSA Managing Director, or her designee, to sign and execute the agreement and any subsequent amendments consistent with County Purchasing Policy and within budget authority – HSA 2023-0675
- 6.B.9** Authorized the DA to accept the grant award from the California Governor’s Office of Emergency Services Victim/Witness Assistance Program retroactively for Federal FY 2023-2024 in the amount of \$949,108; authorized the DA, or designee, to sign and execute all related agreements, contracts, amendments, or other documentation required for the grant; and, authorized the Auditor-Controller to increase appropriations and estimated revenue in the DA Special Operations budget by \$711,831, as detailed in the budget journal, attached to the agenda item – DA 2023-0677
- 6.B.10** Adopted a resolution authorizing the CSA Director, or her designee, to apply for, and accept if awarded, the Transitional Housing Program Allocation (THP) Round 5 Allocation and the Housing Navigation and Maintenance Program (HNMP) Round 2 by the California Department of Housing and Community Development; and, authorized the CSA Director, or her designee, to sign, enter into, execute, and deliver any and all documents required or deemed necessary to be awarded the THP Round 5 Allocation and the HNMP Round 2 Allocation and any amendments to such documents consistent with the County Purchasing Policy and within budget authority – CSA 2023-0678
- 6.B.11** Approved the Third Amendment to extend the agreement with UMR, Inc. to provide third party administrator services for the County’s self-insured employee health insurance program, for a three-month term from 01/01/2024 to 03/31/2024; authorized the Purchasing Agent or designee to sign the approved amendment and any subsequent amendments not to exceed the existing maximum agreement amount of \$6,500,000; authorized the CEO to negotiate and execute a new agreement with UMR, Inc. to provide third party administrator services for the County’s self-insured employee health insurance program, under the terms as listed; and, authorized the Purchasing Agent, or designee, to sign the newly negotiated Agreement and any subsequent amendments, under the terms as listed – CEO 2023-0679

- 6.B.12** Acknowledged the continued partnership between BHRS, Stanislaus County Affordable Housing Corporation (STANCO), and the City of Modesto to acquire, rehabilitate and develop a property located at 835 California Avenue, Modesto (California Avenue Project) to create permanent supportive housing units; authorized BHRS to pay accrued interest on the promissory note for the California Avenue Project beginning at the time the certificate of occupancy is obtained until STANCO receives permanent funding from the No Place Like Home (NPLH) Noncompetitive Allocation and the full principal is paid to Stanislaus County; retroactively extended the maturity date of the interest-bearing loan to STANCO for the California Avenue Project from 06/30/2023 to 06/30/2030; and, authorized the Auditor-Controller to modify and sign the promissory note for the California Avenue Project to extend the payment deadline as necessary, in the event the NPLH Noncompetitive Allocation funding disbursement is further delayed – BHRS 2023-0680
- 6.B.13** Authorized the GSA Director/Purchasing Agent or designee to execute a Work Authorization with Vanir Construction Management, Inc., under their On-Call Construction Management Services Agreement, in the amount of \$241,985, to support County construction management efforts for various projects as needed – GSA 2023-0681
- 6.B.14** Approved the amended MOU and Bylaws for the Stanislaus County Juvenile Justice Coordinating Council – Probation 2023-0682
- 6.B.15** Approved an amendment to the agreement with Carver Care Residential, LLC, for the provision of adult residential program services in the amount of \$1,203,100 for the term of 12/20/2023, through 06/30/2024; authorized the BHRS Director, or designee, to sign and execute the amendment for the provision of adult residential program services in the amount of \$1,203,100 for the term of 12/20/2023, through 06/30/2024; 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; and, authorized the Auditor-Controller to increase appropriations and estimated revenue by \$1,203,100 to account for the Carver Care Residential, LLC amendment in the Mental Health Services Act budget unit, as detailed in the budget journal, attached to the agenda item – BHRS 2023-0683
- 6.B.16** Authorized Workforce Development to accept a Student Training and Employment Program grant, in the amount of \$393,076, from the California Department of Rehabilitation and the Foundation for California Community Colleges; authorized the Auditor-Controller to increase appropriations and estimated revenue by \$393,076 in the Workforce Development’s legal budget unit, as detailed in the budget journal attached to the agenda item; and, amended the Salary and Position Allocation Resolution to reflect the staffing change outlined in the Staffing Impacts section of the agenda item, effective the beginning of the first full pay period following Board approval – Workforce Development 2023-0684
- 6.B.17** Approved Contract Change Order No. 2 to the Construction Contract with T & S Intermodal Maintenance, Inc., dba T & S West, in the amount of \$311,217, to cover increased transportation costs due to the discovery of additional hazardous materials; directed the Auditor-Controller to increase revenue and appropriations in the amount of \$311,217 in the Parks Capital Projects budget unit, as detailed in the budget journal, attached to the agenda item; authorized the Director of Parks, in partnership with the GSA Assistant Director, to execute Change Order No. 2 with T & S Intermodal Maintenance, Inc., dba T & S West, and to sign necessary documents; and, authorized the Director of Parks to take any appropriate action necessary to carry out the purpose and intent of these recommendations – Parks 2023-0685
- 6.B.18** Accepted the Stanislaus County 2024 Performance Visioning Plan – CEO 2023-0686

- 6.C.1 Approved the Plans and Specifications for the Urban Pavement Preservation - Phase F Part 2 Project; awarded a construction contract to Sinclair General Engineering Construction, Inc. for the Urban Pavement Preservation - Phase F Part 2 Project; authorized the Director of Public Works to execute a contract with Sinclair General Engineering Construction, Inc., in the amount of \$2,760,271, 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 2023-0687
- 6.C.2 Approved an emergency update in accordance with Public Contract Code Section 22050 for emergency temporary repairs to Crabtree Road Bridge over Dry Creek; and, affirmed the emergency declaration remains necessary and authorized staff to proceed with needed repairs to the Crabtree Road Bridge over Dry Creek – PW 2023-0688

C. Condit/Chiesa unan. **Continued Item 6.B.5** regarding the 2023-2028 Comprehensive Economic Development Strategy as submitted by the Stanislaus County Economic Development Action Committee as part of the U.S. Economic Development Administration requirement for application for Federal EDA grant funding; and, directed staff to return this item to the Board once the federal threshold for language translation is defined – CEO 2023-0673

Chiesa/Withdraw unan. **6.B.8** Approved the third amendment to the MOU with The Salvation Army for the oversight and operator services of the Access Center Emergency Shelter (ACES) at 330 9th Street, Modesto in the amount of \$1,543,855 for the term of 01/01/2024, through 06/30/2024; authorized the CSA Director, or designee, to negotiate and execute the third amendment to the agreement for the ACES oversight and operator services in the amount of \$1,543,855 for the term of 01/01/2024, through 06/30/2024; and, authorized the Auditor-Controller to increase appropriations and estimated revenue by \$1,839,901 to account for the third amendment to the MOU, security services, and lease costs in the Housing and Homeless Budget unit, as detailed in the budget journal, attached to the agenda item – CSA 2023-0676

**6.D.1** The Board **amended** this item to take three votes as follows: 2023-0689

First Vote: Chiesa/B. Condit unan. **Amended** Group A of Attachment 1 to exclude four APNs: 009-027-003, 018-004-019, 018-004-021, and 018-004-022; finds that for Group A of Attachment 1: (a) the existing structures located on the parcels requesting enrollment are incidental to the agricultural use of the property; approved the proposed 2024 Williamson Act Contracts (Attachment 1, Group A); authorized the Chairman to sign the listed contracts in Group A of Attachment 1; and, directed the Clerk to forward the listed contracts in Group A of Attachment 1 to the Clerk-Recorder's Office prior to 01/01/2024, for recording – Planning

Second Vote: Withdraw/B. Condit (4-0)(Chiesa recused) **Amended** Group B of Attachment 1 to include the addition of APNs: 009-027-003, 018-004-019, 018-004-021, and 018-004-022; finds that for Group B of Attachment 1: (a) the existing structures located on the parcels requesting enrollment are incidental to the agricultural use of the property; approved the proposed 2024 Williamson Act Contracts (Attachment 1, Group B); authorized the Chairman to sign the listed contracts in Group B of Attachment 1; and, directed the Clerk to forward the listed contracts in Group B of Attachment 1 to the Clerk-Recorder's Office prior to 01/01/2024, for recording – Planning

Third Vote: Withdraw/B. Condit (4-0)(C. Condit recused) Finds that for Group C of Attachment 1: (a) the existing structures located on the parcels requesting enrollment are incidental to the agricultural use of the property; (b) the commercial cannabis cultivation operation on the 53.24 acre parcel requesting enrollment, further identified as Assessor Parcel Number (APN) 016-019-036, is consistent with the Williamson Act Principles of Compatibility; approved the proposed 2024 Williamson Act Contracts (Attachment 1, Group C); authorized the Chairman to sign the listed contracts in Group C of Attachment 1; and, directed the Clerk to forward the listed contracts in Group C of Attachment 1 to the Clerk-Recorder's Office prior to 01/01/2024, for recording – Planning

B. Condit/Withdraw unan. **7.1** Finds that the public interest and necessity require the North County Corridor Phase 1 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 properties sought to be acquired and described in the 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; adopted a Resolution of Necessity in the form attached as Attachment 1, of the agenda item; authorized County Counsel to initiate eminent domain proceedings to acquire the property interest described therein; and, **corrected** Attachment No. 2 to reflect the correct North County Corridor Phase 1 - Plan View – PW  
2023-0690

B. Condit/Withdraw unan. **7.2** Finds that the public interest and necessity require the North County Corridor Phase 1 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 sought to be acquired and described in the 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; adopted a Resolution of Necessity in the form attached as Attachment 1, of the agenda item; authorized County Counsel to initiate eminent domain proceedings to acquire the property interest described therein; and, **corrected** Attachment No. 2 to reflect the correct North County Corridor Phase 1 - Plan View – PW  
2023-0691

**Recessed at 9:22 p.m.**

**Reconvened at 9:33 p.m.**

Chiesa/B. Condit (4-0)(C. Condit recused) **8.1** Conducted a public hearing to consider Planning Commission's recommendation of approval for cancellation of the adopted Development Agreement for PLN2018-0101 - Natural Remedies Consulting, Inc., which allowed for a commercial cannabis retail, distribution, manufacturing, and indoor cultivation operation, located at 5272 Jerusalem Court, north of Kiernan Avenue, in the Modesto area; finds that Natural Remedies Consulting, Inc. is in material breach of the terms of the Development Agreement (DA) for Use Permit (UP) No. PLN2018-0101 – Natural Remedies Consulting, Inc.; cancelled the DA for UP No. PLN2018-0101 – Natural Remedies Consulting, Inc., ordering closure of all components of the operation within 30 days of the repeal of ordinance No. CS 1262, subject to inspection by the County; introduced, waived the reading, and adopted Ordinance C.S. 1362 to rescind the adopted Development Agreement for UP and DA No. PLN2018-0101 – Natural Remedies Consulting, Inc.; and, ordered the filing of a notice of cancellation for the adopted Development Agreement for UP and DA No. PLN2018-0101 – Natural Remedies Consulting, Inc, with the Stanislaus County Clerk Recorder's Office – Planning  
ORD-56-R-2 2023-0692

**Corr 1** Acknowledged receipt of a letter from the Oak Flat Water District regarding vacancies on their Board of Directors.

**Corr 2** Acknowledged receipt of a letter from Del Puerto Water District regarding the election of Daniel Bays to their Board of Directors.

**Corr 3** 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 western spadefoot.

**Corr 4** Referred to the Chief Executive Office and the General Services Agency, a letter from the Stanislaus County Office of Education regarding their intent to sell its property interest in 108 Campus, Way, Modesto, CA.

**Corr 5** Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: Erin O’Roark; and, Mary Webb (duplicate).

CEO Hayes reported he will provide an update on legislative matters at the 01/09/2024 meeting.

Adjourned at 10:05 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.)