

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

November 5, 2024

Invocation was given by Pastor Scott Elliott with Big Valley Grace.

Ryan Kegley, Veteran's Services Officer, received a resolution proclaiming November 2024 as Veterans and Military Families Month in Stanislaus County.

Commendations were presented to Timothy E. Gilbert (District 1); Kelley M. Coelho (District 2); Robert C. Bagley (District 3); John A. Jeffries (District 4); Freddy Morales (District 5) as the 2024 Supervisorial District's Veterans of the Year; and, David Thompson and Christopher J. Watts as the 2024 At-large Veterans of the Year.

Chairman Grewal 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.

Kelley Coelho announced there will be a Veteran's Symposium on Saturday, 11/09/2024 at the Hammon Senior Center, 1033 W. Las Palmas Ave., Patterson, CA 95363 from 9:00 a.m. to noon. She also shared the evening before there will be a Welcome Social, with speaker SFC Richard Stayskal, at the Dust Bowl Brewing Company, 3000 Fulkerth Road, Turlock, CA 95380 from 6:00 p.m. - 8:00 p.m.

B. Condit/Withrow unan. Adopted the consent calendar

- 5.A.1 Approved the minutes of 10/29/2024
- 5.A.2 Appointed John Macedo Jr. to the Denair Community Services District Board of Directors
- 5.A.3 Appointed Patrice Hoffman to the Salida Municipal Advisory Council
- 5.A.4 Appointed Tony Bravo and Joao Sandoval to the Westley Community Services District Board of Directors
- 5.A.5 Appointed Todd Heinrich to the Wood Colony Municipal Advisory Council
- 5.A.6 Appointed Miguel Monteon to the Crows Landing Community Services District Board of Directors
- 5.A.7 Appointed Jerry Tyrone McKinney, Susan Stransky, and Urbana Silveira to the Monterey Park Tract Community Services District Board of Directors
- 5.A.8 Appointed Diana Culwell-Caro to the Riverdale Park Tract Community Services District Board of Directors
- 5.A.9 Appointed Gary Marchy to the Ceres Fire Protection District Board of Directors
- 5.A.10 Appointed Anne Stokman to the Del Puerto Health Care District Board of Directors
- 5.A.11 Appointed James Cox to the West Stanislaus Irrigation District Board of Directors
- 5.A.12 Appointed Shannon Parker to the Commission on Aging
- 5.A.13 Appointed Marty Martinez to the Stanislaus Child Development Local Planning Council
- 5.A.14 Approved the 2025 Meeting Calendar for the Stanislaus County Board of Supervisors
- 5.B.1 Approved participation in the Sourcewell Cooperative Agreement for Fuel Card Services with WEX Bank Inc., in an Amount Not-to-Exceed \$1,973,400 effective 11/06/2024 through

- 09/07/2025; authorized the GSA Purchasing Agent, or designee, to execute the Addendum to the Fuel Card Services Agreement between WEX Bank Inc., and Sourcewell, and any subsequent amendments and extensions; and, authorized the GSA Purchasing Agent, or designee, to execute the optional EV Charging En Route Solution Enrollment Form as needed, and any subsequent amendments and extensions – GSA
- 5.B.2** Authorized the CSA Director, or designee, to accept the Elder Justice Innovation Grant from the Department of Health and Human Services Administration for Community Living in the amount of \$1,004,516, retroactively for the term of 09/01/2024, through 08/31/2026; and, authorized the CSA Director, or designee, to sign and execute related agreements required for implementation of the Elder Justice Innovation grant and amendments, modification and/or extensions to the grant agreement, budget permitting and consistent with the County Purchasing Policy – CSA
- 5.B.3** Authorized the use of \$9,625 in Appropriations for Contingencies; and, directed the Auditor-Controller to increase appropriations by \$9,625 in the County Operations – Airport legal budget unit, funded by Appropriations for Contingencies, as detailed in the budget journal, attached to the agenda item – CEO
- 5.B.4** Authorized the Sheriff to accept the Selective Traffic Enforcement Program grant funding in the amount of \$70,000 from the California Office of Traffic Safety retroactively for the grant period of 10/01/2024, through 09/30/2025, to support efforts to reduce vehicle collisions due to impaired driving; authorized the Sheriff to sign the retroactive grant agreement, amendments, reimbursement claims, and other required documents for the Selective Traffic Enforcement Program; and, directed the Auditor-Controller to increase appropriations and estimated revenue by \$70,000 in the Sheriff’s Operations budget – Sheriff
- 5.B.5** Approved the MOU with the California Department of State Hospitals, retroactive for the term of 07/01/2023 through 06/30/2025; authorized the GSA/Purchasing Agent, or designee, to sign and execute the retroactive MOU with the California Department of State Hospitals; approved the Participation Agreement with the California Mental Health Services Authority retroactive for the term of 07/01/2023 through 06/30/2025; and, authorized the GSA/Purchasing Agent, or designee, to sign and execute the retroactive Participation Agreement with the California Mental Health Services Authority – BHRS
- 5.B.6** Approved to reimburse Telecare Corporation \$148,988 for costs incurred due to a water intrusion event at the Psychiatric Health Facility on 08/09/2023 – BHRS
- 5.B.7** Accepted the Stanislaus County 2026 Performance Visioning Plan – CEO
- 5.B.8** Approved the closure of the Newman Library for a period of five months for renovation beginning on 12/02/2024, and reopening May 2025 – Library
- 5.B.9** Authorized the DA to implement Community Corrections Partnership funded services for support staff in the Clerical and Prosecution Divisions; 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; and, directed the Auditor-Controller to increase appropriations and estimated revenue by \$484,440 in the District Attorney Criminal budget, as detailed in the budget journal, attached to the agenda item – DA
- 5.B.10** Authorized the DA, or designee, to sign and submit an application to the California Governor’s Office of Emergency Services and, if awarded, accept awards for Elder Abuse Program in the amount of \$217,444 and Unserved/Underserved Victim Advocacy and Outreach Program in the amount of \$196,906 for the grant term of 01/01/2025, through 12/31/2025; and, authorized the DA, or designee, to sign and execute all related agreements, contracts, amendments or other documentation required for the Elder Abuse Program and Unserved/Underserved Victim Advocacy and Outreach Program grants – DA

Recessed at 10:54 a.m.

Reconvened at 10:58 a.m.

Withdraw/B. Condit unan. **6.1** Conducted a public hearing to consider the Planning Commission's Recommendation of denial for Rezone Application No. PLN2023-0065 – Caloy Company, LP, a request to rezone 14.64± acres from Planned Development (P-D) (312) and General Agriculture (A-2-40) to a new P-D, to allow for the expansion of an existing nut oil and cattle feed processing facility, located at 5425 Montpelier Road, between E Keyes Road and E Monte Vista Avenue, in the Denair area; adopted the Negative Declaration pursuant to the CEQA Guidelines Section 15074(b), by finding that on the basis of the whole record, including the Initial Study, and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Negative Declaration reflects Stanislaus County's independent judgment and analysis; ordered the filing of a Notice of Determination with Stanislaus County Clerk-Recorder's Office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075; finds, based on the discussion in the agenda item, and the whole of the record that: (a) the project is consistent with the overall goals and policies of the Stanislaus County General Plan; (b) finds that the proposed Planned Development zoning is consistent with the Agriculture General Plan designation; (c) the alternative to the Agricultural Buffer Standards applied to this project provides equal or greater protection than the existing buffer standards; (d) that the project will increase activities in and around the project area, and increase demands for roads and services, thereby requiring dedication and improvements; **amended** Development Standard No. 16.b. to read as follows: "Up to two (2) wall signs, one not exceeding 32 square feet in size on the Cold Storage building, and one "CALOY" identification sign on the Bottling building facing south and not exceeding 45 square feet in size, in the expansion area, the signs shall be limited to one (1) sign per building"; approved Rezone Application No. PLN2023-0065 – Caloy Company, LP, subject to the development standards as amended and development schedule in Attachment 7 of the agenda item; and, introduced, waived the reading, and adopted Ordinance C.S. 1383 for the approved Rezone Application No. PLN2023-0065 – Caloy Company, LP – Planning

Chiesa/Withdraw unan. **7.1** Accepted the HSA Public Health Division 2023 Annual Report and Health Initiative update; 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; and, directed the Auditor-Controller to increase appropriations by \$534,792 in the HSA Public Health budget unit – HSA

Corr 1 Referred to the Fish and Wildlife Committee, a notice from the California Fish and Game Commission regarding proposed regulations relating to listing of endangered and threatened species.

Corr 2 Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: Fernando Garcia (amended); Terry A. Crumpacker; Paul Bettencourt; and, Brian Elliott, O.D.

The Board reminded everyone to vote.

CEO Hayes reported the County sent letters of support for the San Joaquin Regional Rail Commission grant applications for several projects including the Tuolumne River Bridge and Track Extension, North Lathrop Transfer Station, and the Ceres and Modesto Stations. He noted the California State Association of Counties (CSAC) Legislative Advocacy Team is coming to Stanislaus County next week to meet with departments and leadership. He reminded everyone to please visit stanvote.com website for information about vote centers, ballot drop box locations, and for the election results after 8:00 p.m., following the close of the polls.

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 11:52 a.m.

12.1 Conferenced with Legal Counsel - Significant Exposure to Litigation Pursuant to Government Code section 54956.9(d)(2) or (3): Two Matters.

12.1a Closed Session Announcement: Chiesa/C. Condit unan. Conference with Legal Counsel - Significant Exposure to Litigation Pursuant to Government Code section 54956.9(d)(2) or (3), One Matter, the Board authorized the CEO to sign the service termination agreement and release agreement with Reworld, formerly known as Covanta Stanislaus, for the early closure of the waste-to-energy facility located at the Fink Road Landfill. The agreement requires Reworld to pay a total of \$4 million to the City of Modesto and County for the early closure of the facility. These two termination agreements are available from the Clerk of the Board and contain the terms of the early closure including payment and terms for decommission of the site.

12.1b No reportable action taken.

Adjourned at 12:58 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.)