

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

Regular Session
All Supervisors Present
Pledge of Allegiance to the Flag

Tuesday

December 3, 2024

Invocation was given by Pastor Lance Lowell with Neighborhood Church.

The Stanislaus County Office of Education 2024 Red Ribbon Week Best Decorated-Most Spirited School Contest Awards were presented to: Mesa Verde Elementary School, Northmead Elementary School, and Walnut Grove Elementary School; Creekside Middle School, Somerset Middle School, and Dutcher Middle School; and, Elliott Alternative Education High School, Denair High School, and Roselawn High School.

Miguel Donoso voiced concerns regarding flyers being distributed in the Parklawn area and in Ceres with violent hate messages. He shared he'd like the Board and Sheriff's Department to do something regarding this issue.

John X. Mataka, Grayson Neighborhood Council, also spoke regarding the violent hate messages in the Parklawn area and in Ceres and shared it's been going on for several months. He voiced concerns about the County's handling of these cases and requested that the Sheriff hold a meeting in the Parklawn neighborhood regarding this issue. He shared that he believes the Boards' behavior has changed towards Supervisor C. Condit and is concerned with how it may affect the services the Westside receives.

Dan Avila voiced concerns regarding delays and communication problems with the Planning and Community Development Department concerning a Use Permit from 2018.

Elwyn Heinen, the engineer assisting Dan Avila, shared concerns regarding the lack of response when asking for help with the approval of Use Permit from 2018.

Alyssa Leva shared that she witnessed a hate crime and voiced concerns regarding threats and hate speech happening in Stanislaus County. She asked the County to hold the Sheriff's Office accountable.

Speaker 1 voiced concerns regarding threatening and hateful graffiti, stickers, and signs in the Parklawn and Ceres area targeting Latino neighborhoods. She shared that there are similar hate speech and threats directed at Black communities. She voiced concerns about the County's handling of these cases. She read a list of requests for the County including, increased transparency, a public statement condemning these acts of hate, for the Sheriff to attend this Thursday's community meeting in Parklawn, and the implementation of a Civilian Review Board for the Sheriff's Department. She submitted a verbal public records request, asking the County to provide a written response by the end of this week, including the requested transparency and confirmation of the next steps.

Nick Jensen, attorney with California Rural Legal Assistance, shared they have worked with the Parklawn community the past 20 years. He voiced concerns that the sign with the hate message keeps being put back up after being taken down. He spoke regarding the importance of collaboration, communication and

building trust with law enforcement. He shared the community would like law enforcement to regularly attend the monthly meetings in the Parklawn area.

Manuela voiced concerns regarding racist stickers, flyers, and hate speech in the Central Valley. She shared concerns regarding racism towards Mexicans, immigrants, refugees, undocumented individuals, and people of other religious backgrounds. She spoke regarding the City of Turlock efforts to combat racism, and she asked the Sheriff's Office to do something about the racism in the County.

B. Condit/Withdraw unan. Adopted the consent calendar

5.A.1 Approved the minutes of 11/12/2024

5.A.2 Appointed Janet Johnson to the East Stanislaus Resource Conservation District Board of Directors

5.A.3 Declared a vacancy on the Workforce Development Board

5.B.1 Approved an MOU with the City of Modesto in the amount of \$325,000 for the retroactive term of 11/01/2024, through the issuance of the certificate of completion of Dignity Village Modesto for Supplemental Environmental Project Funding related to the wet units located at 402 9th Street referred to as Dignity Village Modesto; authorized the BHRS Director, or designee, to sign and execute the MOU with the City of Modesto in the amount of \$325,000 for the retroactive term beginning 11/01/2024 through the issuance of the certificate of completion of Dignity Village Modesto; and, authorized the BHRS Director, or designee, to sign amendments for additional services and payments up to \$200,000, budget permitting, throughout the term of the agreement consistent with the County Purchasing Policy – BHRS

5.B.2 Approved the agreement with WorkHub Work Health Services, a Professional Medical Corporation, for pre-employment, employee medical, and annual medical screening services for the term of 01/01/2025, through 12/31/2027; and, authorized the Purchasing Agent to sign the agreement and any future amendments not to exceed the maximum agreement amount of \$890,000 – CEO

5.B.3 Approved the amendment to the agreement with the Center for Human Services to provide an additional substance use disorder (SUD) counselor to the youth detained in the Probation Department's Juvenile Institutions in the amount of \$176,019 for a new total of \$351,019 for the retroactive term of 12/01/2024, through 06/30/2026; authorized the GSA Director/Purchasing Agent, or designee, to sign and execute the agreement with Center for Human Services in the amount of \$351,019 for the retroactive term of 12/01/2024, through 06/30/2026, to provide a total of two (2) SUD counselors to the youth detained in the Probation Department's Juvenile Institutions; and, authorized the Chief Probation Officer, or designee, to sign amendments for additional services and payments, budget permitting, throughout the term of the agreement – Probation

5.B.4 Rescheduled the public hearing to consider adoption of the Eastern San Joaquin Groundwater Subbasin 2025 Groundwater Sustainability Plan Update, from the 12/10/2024, 9:00 a.m. meeting to the 01/14/2025, 9:00 a.m. meeting of the Board of Supervisors; and, authorized the Clerk to publish public notice as required by law – DER

5.B.5 Accepted the Report of Donations Received by the County of Stanislaus for the first quarter of FY 2025 – Auditor-Controller

5.C.1 Approved the plans and specifications for the Orchard Removal Project for North County Corridor; awarded a contract for Construction Services to Midland for the Orchard Removal Project for North County Corridor; authorized the Director of Public Works to execute a contract with Midland in the amount of \$476,300, 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 Sections 20137 and 20142;

approved the use of \$544,000 in Regional Transportation Impact Fees (RTIF) of the County's Public Facilities Fees for the North County Corridor Phase 1 Project; directed the Auditor-Controller to increase appropriations and estimated revenue by \$544,000 in the Public Works Road and Bridge budget unit as detailed in the Budget Journal, attached to the agenda item; and, authorized the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations – PW

5.C.2 Approved the declaration of equipment from the Department of Public Works and the Department of Parks and Recreation as surplus; authorized the Public Works Director, in collaboration with the GSA/Director Purchasing Agent, to dispose of surplus equipment and vehicles; and, directed the Auditor-Controller to deposit proceeds from the sale of the Department of Public Works and the Department of Parks and Recreation equipment into their authorized accounts – PW

5.D.1 Set a public hearing on 12/17/2024, at the 6:30 p.m. meeting, to consider the Planning Commission's recommendation of approval for General Plan Amendment and Rezone Application No. PLN2024-0016 – Atwal Properties, a request to amend the General Plan and zoning designations from Agriculture and General Agriculture (A-2-40) to Planned Development, to allow for the development of a truck parking and dispatch facility on 4± acres of a 23± acre parcel, located at 1018 Welty Road, west of Highway 33, south of the Stanislaus and San Joaquin County line, in the Vernalis area, and adoption of a negative declaration; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning

5.D.2 Set a public hearing on 12/17/2024, at the 6:30 p.m. meeting, to consider the Planning Commission's recommendation of denial for General Plan Amendment and Rezone Application No. PLN2021-0052 – Pattar Trucking, a request to amend the General Plan and zoning designations on a 10-acre parcel from Agriculture and General Agriculture (A-2-40) to Planned Development, to permit an 80-space commercial Tractor-trailer parking facility, located at 4325 West Taylor Road, between State Route 99 and North Washington Road, in the Keyes/Turlock area, and adoption of a mitigated negative declaration; and, authorized the Clerk to publish a notice of public hearing as required by law – Planning

Chiesa/B. Condit unan. **6.1** Conducted a public hearing to adopt Fire Protection Facility Fees for the Stanislaus Consolidated Fire Protection District Pursuant to Title 24 of the Stanislaus County Code; approved and adopted the finding set forth in the Public Development Impact Fee Study, and in this item, and as required by Section 66001 of the California Government Code; and, authorized imposing the Fire Protection Facility Fees set forth in the fee study and this item on all building permits that are issued in the Stanislaus Consolidated Fire Protection District after 02/01/2025, in the fee amount that is in effect at the time the building permit is issued – CEO

Corr 1 Referred to the Department of Workforce Development, a Worker Adjustment and Retraining Notification (WARN) letter from Advance Auto Parts regarding the layoff of employees and the permanent closure of their store locations including 1340 McHenry Ave., Modesto.

Corr 2 Referred to the Department of Workforce Development, a Worker Adjustment and Retraining Notification (WARN) letter from Reyes Coca-Cola Bottling LLC, regarding the closure of their 1733 Morgan Road, Modesto facility, and the layoff of employees on or about 01/10/2025.

Corr 3 Referred to the Clerk-Recorder and Registrar of Voters, a notice from the Westside Community Health Care District regarding the resignation of Dennis Brazil from their Board of Directors.

Corr 4 Acknowledged receipt of claims and referred to the Office of County Counsel the following claims: Michael Jerome and Kim Jerome; Sabrina Gates; LPRMS; Eloisa Ceballos; Raymond Santibanez; Christina M. Sparks (amended); Alexis Monique Cabanillas; Josette Fatima Handy; Richard Byron Dixon, by/through his SII, Deanna Marie Dixon; Russell Dixon; Richard Dixon; Deanna Marie Dixon; Ryan Anthony Dixon; Garrison Property and Casualty Insurance Company a/s/o Shaun Hurtado; Lance David; Mayra Najera; L-B.D.N., a minor; M.D.N., a minor; B.D.N., a minor; Monica Alvarado; Lars Enevoldsen; Brandon Evans (amended); David Renteria; Angela Marbley; and, Vanessa Arevalo.

Supervisor Chiesa reported he attended several meetings over the past couple weeks, one of them being the California State Association of Counties (CSAC) conference where he was appointed to the California Statewide Communities Development Authority (CSCDA). He also shared Public Works Director, David Leamon, was sworn in as President of the County Engineers Association of California (CEAC).

Supervisor B. Condit reported that he attended the CSAC conference and that he enjoyed attending and collaborating with fellow County Supervisors.

Chairman Grewal spoke regarding the CSAC conference and shared he was appointed Chair of the Government Finance and Administration (GFA) Policy Committee. He also shared he is on the Homeland Security Committee, as a representative from CSAC, and the National Association of Counties (NACO).

Supervisor C. Condit reported last night he attended the South Modesto Business United Annual Christmas Tree Lighting Ceremony. He recognized Lane Avila, in Code Enforcement, for his quick response and cleanup of an illegal dumping on a canal bank in South Modesto in proximity to the Christmas Tree Lighting Ceremony. He spoke regarding the timeline of community complaints concerning the sign in the Parklawn area and asked about the procedure for these types of reporting. He requested the County release an official public statement denouncing hateful remarks and violence against all forms of people, and work with the Sheriff's department to determine what can be improved in regards to reporting and working in a collaborative fashion.

Supervisor Chiesa also spoke regarding the sign in the Parklawn neighborhood. He shared concerns regarding the pace and procedure of how situations like this are handled. He encouraged the public to call the Sheriff's non-emergency line when they see issues like this at 209-552-2468, or if you don't feel secure doing this, to call the Board Office.

Supervisor B. Condit noted if people are scared to call the Sheriff's Department, they can also call Stanislaus Area Crime Stoppers at 1-866-602-7463 and remain anonymous.

CEO Hayes acknowledged there was public comment made during a recent Board meeting regarding hate graffiti in the Parklawn neighborhood. He will look into this and report back why it was not addressed in a timely manner. He shared staff will prepare a message on behalf of the County denouncing hate speech.

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 10:24 a.m.

12.1 Conferenced with Labor Negotiator: Pursuant to Government Code Section 54957.6. Agency Negotiators: Jody Hayes, Ryan Leupp, and Joanna Navarro. Labor Organizations: Stanislaus Sworn Deputies Association. No reportable action taken.

12.2a Conferenced with Legal Counsel - Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One Case: Beard, et al. v. County of Stanislaus, et al. U.S. District Court Eastern District, Case No. 1:21-cv-00841-JAM-CSK. No reportable action taken.

Removed from Agenda Item 12.2b Conferenced with Legal Counsel - Existing Litigation: Pursuant to Government Code Section 54956.9 (d)(1). One Case: McKenzie Olivares, et al v. County of Stanislaus, et al., US District Court Eastern District Case No. 2:22-cv-00753-DC-CSK.

12.3 Conferenced with Legal Counsel - Significant Exposure to Litigation Pursuant to Government Code section 54956.9(d)(2) or (3): One Matter. No reportable action taken.

Adjourned at 12:44 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.)