



## BOARD OF SUPERVISORS

Rodrigo Espinoza, *District 1*

Lee Lor, *District 2*

Daron McDaniel, *District 3*

Chairman Lloyd Pareira, *District 4*

Scott Silveira, *District 5*

Phone: (209) 385-7366 Fax: (209) 726-7977

### SUMMARY ACTION MINUTES - FINAL

TUESDAY, SEPTEMBER 10, 2019

Closed Session – 9:00 a.m.

Regular Meeting – 10:00 a.m.

Merced County Administration Building

2222 M Street

Board Room, Third Floor

Merced CA 95340

[www.countyofmerced.com](http://www.countyofmerced.com)

***The Board of Supervisors welcomes you to its meetings which are regularly held on a scheduled Tuesday and your interest is encouraged and appreciated.***

**PUBLIC COMMENT PERIOD:** Public opportunity to speak on any matter of public interest within the Board's jurisdiction including items on the Board's agenda, except for those items specifically scheduled as public hearings (testimony limited to three (3) minutes per person).

**The Agenda is divided into three sections:**

- **CONSENT CALENDAR:** These matters include routine financial and administrative action and usually are approved by a single vote.
- **SCHEDULED ITEMS:** These items are noticed hearings, work sessions and public hearings.
- **REGULAR CALENDAR:** These items include significant policy and administrative actions. Immediately after approval of the CONSENT CALENDAR, if the time of the hearing of SCHEDULED ITEMS has not arrived, the REGULAR CALENDAR will be considered.

**CLOSED SESSION:** Is the portion of the meeting conducted in private without the attendance of the public or press to discuss certain confidential matters specifically permitted by the Brown Act. The public will be provided an opportunity to comment on any matter to be considered in closed session prior to the Board adjourning into the closed session.

**ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA:**

Please raise your hand or step to the podium at the time the item is announced by the Board Chairperson. In order that interested parties have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes.

**BOARD AGENDA AND MINUTES:** Board agendas, minutes, and copies of items to be considered by the Board of Supervisors are posted on the Internet at least 72 hours preceding a Tuesday meeting at the following website [www.countyofmerced.com/boardagenda/](http://www.countyofmerced.com/boardagenda/)

**AUDIO/VIDEO BROADCAST:** All Board meetings are normally broadcast live and replayed on local cable television. A list of cable channels and broadcast times are available at the following website: [www.countyofmerced.com](http://www.countyofmerced.com)

**REASONABLE ACCOMMODATIONS:** Persons who require accommodation for any audio, visual or other disability in order to review an agenda, or to participate in a meeting of the Board of Supervisors per the American Disabilities Act (ADA), may obtain assistance by requesting such accommodation in writing. Please address your written request to the Clerk of the Board, 2222 M Street, Merced, CA 95340 or telephonically by calling (209) 385-7366. Any such request for accommodation should be made at least 48 hours prior to the scheduled meeting for which assistance is requested.

*Spanish and Hmong interpreters are available.*

*Interpretes de espanol y hmong estan disponibles.*

*Peb muaj tug paab txhais lug Mev hab Hmoob.*

SCHEDULED ITEMS

9:00 A. M.

**THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA-  
TESTIMONY IS LIMITED TO THREE MINUTES PER PERSON**

**CLOSED SESSION:**

It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957.6 concerning a Conference with County of Merced Staff Negotiators concerning negotiations with: American Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6 and 8; Merced County Law Enforcement Sergeants, Unit 30; Merced County Deputy Sheriff Association (DSA), Unit 10; and Merced County Public Safety Services Unit (MCPSSU), Unit 14. Agency Negotiator: Marci Barrera.

**CLOSED SESSION:**

It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT: County Spring Fair Manager

**CLOSED SESSION - CONFERENCE WITH REAL PROPERTY  
NEGOTIATOR:**

It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator(s) Mark Hendrickson, Director-Community and Economic Development pursuant to Government Code Section 54956.8 as follows:

**Property:** Building 1015 at Castle Commerce Center, located at 3550 Challenger Way.

**Agency Negotiator:** Mark Hendrickson, Director of Community and Economic Development

**Negotiation Parties:** Xing Kong Aviation Services, LLC.

**Under Negotiation:** To request authority to renegotiate lease terms.

**THE BOARD RECESSED AT 9:03 A.M. WITH ALL MEMBERS  
PRESENT AND RECONVENED AT 10:00 A.M. WITH SUPERVISOR  
MCDANIEL NOT PRESENT, AND THE CHAIRMAN ADVISED STAFF WAS  
GIVEN DIRECTION**

**GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA  
ITEMS)**

10:00 A. M.

**INVOCATION led by Lorraine Bocks/PLEDGE OF ALLEGIANCE**

**PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (TESTIMONY LIMITED TO THREE MINUTES PER PERSON)**

**REVIEW BOARD ORDER – SEE PAGE 12**

**APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 9)**

**PUBLIC HEARING/SCHEDULED ITEMS**

**COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING**

To consider Le Grand Community Plan (GPTA16-003/ZC 16-002/CP16-002)

**RECOMMENDATION:**

- 1) Open Public Hearing and receive testimony; 2) Close the Public Hearing; 3) Approve the prepared Water Supply Assessment of the Le Grand Community Plan, adopt the environmental findings pursuant to the California Environmental Quality Act (CEQA), Certify the Environmental Impact Report, adopt the Statement of Overriding Considerations and adopt the Mitigation Monitoring and Reporting Program; and, 4) Adopt the Resolution for the proposed Le Grand Community Plan (CP16-002) including General Plan Text Amendment GPTA16-003; and 5) Adopt the Ordinance for Zone Change ZC16-002 which changes the zoning designations for various properties within the Le Grand Urban Community boundary.

**REVIEW BOARD ORDER – SEE PAGES 12 AND 13**

**COUNTY EXECUTIVE OFFICE - FIRST READING - PURCHASING**

Conduct a First Reading of a proposed Ordinance entitled "An Ordinance repealing and Replacing Chapter 5.12, Title 5, of the Merced County Code Relating to County Purchasing and Purchasing Agent Authority"

**RECOMMENDATION:**

- 1) Introduce and conduct a First Reading of a proposed Ordinance entitled "An Ordinance repealing and Replacing Chapter 5.12, Title 5, of the Merced County Code Relating to County Purchasing and Purchasing Agent Authority"; 2) Waive further Reading of proposed ordinance; and 3) Set a Second Reading and possible adoption of the proposed ordinance for October 1, 2019 at 10:00 a.m.

**REVIEW BOARD ORDER – SEE PAGE 13**

**COUNTY EXECUTIVE OFFICE - FIRST READING - LEASING PROCEDURES**

Conduct a First Reading of an Ordinance entitled "An Ordinance adding Chapter 5.14 to the Merced County code relating to the adoption of an alternative leasing procedure for county-owned real property and designating authority to County officials for various real property transactions"

**RECOMMENDATION:**

1) Introduce and conduct a First Reading of a proposed ordinance entitled an ordinance adding chapter 5.14 to Title 5, of the Merced County Code relating to the adoption of an alternative leasing procedure for county-owned real property and designating authority to County officials for various real property transactions; and 2) Waive further reading of proposed Ordinance; and, 3) Set a second reading and possible adoption of the proposed ordinance for October 1, 2019, at 10:00 AM.

**REVIEW BOARD ORDER – SEE PAGES 13 AND 14**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-9)

**APPROVED AS RECOMMENDED**

**AYES: 1, 2, 4, 5 NOT PRESENT: 3**

Behavioral Health and Recovery Services

1. Approve and authorize the Chairman to sign Amendment Contract No. 2017167 with Creative Alternatives, Inc. for the provision of specialty mental health services to youth clients, adding three new certified sites.
2. Approve and authorize the Chairman to sign Amendment Contract No. 2018272 with Resource Development Associates to develop, implement and evaluate the effectiveness of the Innovative Strategist Network Program and compilation of the final Innovation Report for the Mental Health Services Oversight and Accountability Commission.

Community and Economic Development

3. 1) Approve the revisions to the Golden State Finance Authority (GSFA) Joint Exercise of Powers Agreement that clarify GSFA's authority to finance the construction, acquisition, improvement, and rehabilitation of real property (Amendment Contract No. 2001291) and authorize the Chairman to sign the signature sheet specifically for Merced County; and 2) Adopt the Resolution approving the Proposed Revisions to the Golden State Finance Authority Joint Powers agreement.

**ADOPTED RESOLUTION NO. 2019-79**

Workforce Development

4. Accept Modification one (1) to Workforce Innovation and Opportunity Act Subgrant K7105782 (Amendment Contract No. 2017068) with State of California Employment Development Department to de-obligate unexpended funding in the amount of \$7,688.80 from the Wagner-Peyser Disability Employment Initiative Round 7 Project in grant code 1088 and transfer to PY 2019-2020.

Executive Office

5. Approve and authorize the Chairman to sign Amendment Contract No. 2016201 with George Hills Company to provide general and auto liability claims third party administrator services.

Board Recognition

- 6. Authorize Certificate of Recognition to El Palmar Taqueria for Grand Re-Opening.
- 7. Authorize Certificates of Recognition for completing the LiUNA Infrastructure Construction Boot Camp to Jarrett Sparks, Roberto Lua-Diaz, Jr. Luis Uribe, Benjamin Jordan, Jamie George, Reynaldo Garibay and Brian Valverde Perez.
- 8. Authorize Certificate of Recognition to Violet Barton for being selected as the recipient of the Fulbright Scholarship.
- 9. Authorize Certificate of Recognition for graduation from Merced County Superior Court Drug Court to Robert Sidney Hanson.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

- 10. 1) Consider the proposed Mitigated Negative Declaration for the Merced Falls Road Shoulders Project and comments received during the public review process and find that there is no substantial evidence that the project will have a significant effect on the environment; and, 2) Adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for the Merced Falls Road Shoulders Project, a project to widen the shoulders of an approximately one-mile segment of Merced Falls Road just east of Henderson Park in Merced County.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**REVIEW BOARD ORDER –SEE PAGE 14**

HEALTH

- 11. Approve termination of Contract No. 2019024 with Robert Dimand, MD for Physician Services for the California Children’s Services Program.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

- 12. Ratify amendments to the Merced County Department of Health Emergency Medical Care Committee (EMCC) Bylaws previously approved by the EMCC on July 11, 2019; and adopt the Bylaws as amended.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

- 13. 1) Approve termination of Memorandum of Understanding No. 2008015 in accordance with paragraph 5(n) with the County of San Joaquin and; 2) Approve the software use agreement between EMSystems, LLC Juvare, Inc. and Merced County Department of Public Health for EMSystems software to be used for determining available bed space at area hospitals; and 3) Authorize the Chairman to sign all copies of the software use agreement.

**AUTHORIZED CONTRACT NO. 2019276 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**BEHAVIORAL HEALTH AND RECOVERY SERVICES**

14. Authorize the Behavioral Health and Recovery Services to accept donations for the Annual Toy Drive, with monetary donations to be used for the Toy Drive and for no other purpose; and to conduct Toy Drives on behalf of underserved youth from September 10, 2019 until December 31, 2019.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**HUMAN SERVICES AGENCY**

15. 1) Authorize submission of a grant application to potentially receive funding to operate the Child Abuse Treatment (CHAT) Program; and 2) Authorize the Chairman as the County's representative and the Auditor as the Fiscal Officer to sign the Certificate of Assurance of Compliance and any related documents.

**AUTHORIZED CONTRACT NO. 2019278 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**COMMUNITY AND ECONOMIC DEVELOPMENT**

16. 1) Approve and authorize the Chairman to sign the license agreement with Merced Irrigation District (MID) permitting the district to install, operate and maintain a groundwater monitoring site assembly at the El Nido Fire Station; and 2) Authorize the Department of Public Works Director to sign documents related to the permitting process granting MID permission to construct the monitoring site assembly on County property.

**AUTHORIZED CONTRACT NO. 2019277 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

17. Approve and authorize the Chairman to sign, if required, the notice of intent to adopt the North-Central Delta-Mendota Groundwater Sustainability Plan.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

18. Approve payment to the West Turlock Subbasin Groundwater Sustainability Agency (GSA) for Fiscal Year 2019-2020 GSA membership fee and Groundwater Sustainability Plan development costs.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

19. Approve payment to the East Turlock Subbasin Groundwater Sustainability (GSA) for Fiscal Year 2019-2020 GSA administration, Well Monitoring Program and Groundwater Sustainability Plan development costs.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

20. 1) (a) Approve the request from Xing Kong Aviation Service, LLC (Lessee) to surrender its lease (Contract No. 2014020) with the County of Merced for Building 1015 located at Castle Commerce Center, excusing Lessee from further liabilities under the lease including making further rent payments in the amount of \$7,994.43 monthly plus anticipated escalations through February 2034; and (b) Authorize the Director of Community and Economic Development to sign the written agreement that is required to effectuate the surrender of Lessee's lease after review by County Counsel; OR 2) Reject Lessee's offer to surrender its lease with the County of Merced for Building 1015 located at Castle Commerce Center.

**PULLED – NO ACTION TAKEN**

21. Authorize the Chairman to execute Termination and Release of Agreement Containing Covenants Affecting Real Property form related to the Small Business Incubator Grant Project for which the County received final payment on December 5, 2002 from the Central Valley Opportunity Center.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

22. Interdepartmental Memorandum of Understanding with Department of Community and Economic Development and Human Services Agency related to the Veterans Stand Down and Resource Event at Castle to provide services and assistance to Military Veterans in Merced County on October 4, 2019 from 7:00 a. m. to 5:00 p. m.; and authorize the Directors of Community and Economic Development and Human Services Agency to execute the said Memorandum of Understanding.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**REVIEW BOARD ORDER – SEE PAGES 14 AND 15**

#### ADMINISTRATIVE SERVICES

23. Approve donation of surplus property listed on Exhibit A to Valley Harvest Church of Merced.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

24. Declare assorted vehicles, miscellaneous office furniture, assorted office equipment and miscellaneous supplies, and assorted electronic equipment (listed on Exhibit A) as Surplus Property as recommended.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

#### SPRING FAIR

25. Relieve Spring Fair of accountability for Fixed Assets: 0049045 Red and White Exhibit Tent, 0055218 Metal Detector and 0052988 Laptop; and approve the Auditor Controller Office to remove the items from the Spring Fair's Fixed Asset Inventory.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

#### AUDITOR

26. 1) Adopt the Resolution establishing tax rates, and levying taxes on the secured roll, for the Countywide rate of one percent, voter approved indebtedness, ad valorem taxes for revenue districts, and unitary taxes in Merced County for the Fiscal Year 2019-2020; and 2) Authorize a temporary interest free cash flow loan to the Merced City Schools debt service fund for repayment of bond indebtedness.

**ADOPTED RESOLUTION NO. 2019-80 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

#### DISTRICT ATTORNEY

27. 1) Adopt a Resolution authorizing the District Attorney's participation in the Victim Witness Assistance Program, authorizing the District Attorney to execute the grant award agreement and any modifications, amendments and extensions, and authorizing the District Attorney and Chairman of the Board to sign the Certification of Assurance of Compliance; 2) Ratify the submission of the Victim Witness Program Proposal in the amount of \$677,290 for Fiscal Year 2019/2020 by the District Attorney.

**AUTHORIZED CONTRACT NO. 2019279 AND ADOPTED RESOLUTION NO. 2019-81A AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**PROBATION**

28. Contract with Merced County Jail Ministry to provide educational, counseling and religious services to youth in the Juvenile Justice Correctional Complex.

**AUTHORIZED CONTRACT NO. 2019280 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**SHERIFF**

29. Contract with Behavioral Intervention (B.I.) Incorporated for electronic monitoring services of adult inmates.

**AUTHORIZED CONTRACT NO. 2019281 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

30. Contract with Merced County Jail Ministry to provide religious, counseling and educational services to inmates confined in Merced County Jail facilities.

**AUTHORIZED CONTRACT NO. 2019282 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

31. Memorandum of Understanding with City of Los Banos for inmate transportation services provided by the Sheriff's Correctional Transportation Unit, in exchange for the City of Los Banos not charging Jail Booking Fees for the Westside Deputies when booking prisoners into the Los Banos City Jail.

**AUTHORIZED CONTRACT NO. 2019284A AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**ELECTIONS**

32. 1) Adopt the Resolution to call for the General District Election on November 5, 2019 with Merced Irrigation District (MID) Division 3; and 2) Authorize the Elections Division of the Registrar of Voters/Elections Department to procure and furnish those election services requested by MID as more fully set forth in their Resolution and to submit a cost bill to MID for reimbursement of the election services provided to them.

**ADOPTED RESOLUTION NO. 2019-81 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

33. Approve and Authorize appointments in Lieu of Election for the November 5, 2019 General District Election (UDEL).

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**WORKFORCE INVESTMENT**

34. Accept Subgrant AA011015 initiating Workforce Innovation and Opportunity Act (WIOA) Formula youth funding under grant code 301 for Program year 2019-2020 to provide employment related services to youth and young adults in Merced County.

**AUTHORIZED CONTRACT NO. 2019275 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**



35. Approve and authorize the Chairman to sign the Workforce Innovation and Opportunity Act Memorandum of Understanding with all mandated America's Job Centers of California Partners.

**AUTHORIZED CONTRACT NO. 2019288 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

36. Contract with Merced College to implement a Laborer's International Union of North America (LiUNA) Infrastructure Construction Boot Camp Training.

**AUTHORIZED CONTRACT NO. 2019291 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

#### FIRE

37. 1) Authorize the Merced County Office of Emergency Services to apply for the California Governor's Office of Emergency Services Fiscal Year 2019 Emergency Management Performance Grant (EMPG); 2) Adopt the Resolution authorizing the Office of Emergency Services to execute on behalf of the County of Merced any actions necessary for the purpose of obtaining federal financial assistance provided by the Federal Department of Homeland Security and sub-granted through the State of California; and 3) Direct Fire Chief/Office of Emergency Services Director or designee to return to the Board with the application results and for authorization prior to accepting award.

**ADOPTED RESOLUTION NO. 2019-82 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

38. 1) Authorize the Merced County Office of Emergency Services to apply for the California Governor's Office of Emergency Services Fiscal Year 2019 Homeland Security Program (HSGP); 2) Adopt the Resolution authorizing the Office of Emergency Services to execute on behalf of the County of Merced any actions necessary for the purpose of obtaining federal financial assistance provided by the Federal Department of Homeland Security and sub-granted through the State of California; and 3) Direct Fire Chief/Office of Emergency Services Director or designee to return to Board with the application results and for authorization prior to accepting award.

**ADOPTED RESOLUTION NO. 2019-83 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

39. 1) Authorize the Merced County Office of Emergency Services to seek and apply for grants offered by Federal, State and Private entities, that will support the operations of Merced County Operational Area; 2) Adopt the Resolution authorizing the Office of Emergency Services to execute on behalf of the County of Merced any actions necessary for the purpose of obtaining federal, state or private financial assistance; and 3) Direct Fire Chief/Office of Emergency Services Director or designee to return to Board with the application results and for authorization prior to accepting award.

**ADOPTED RESOLUTION NO. 2019-84 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

#### EXECUTIVE OFFICE

40. 1) Approve the 2019 Legislative Agenda with any revisions as recommended by the Board of Supervisors; 2) Authorize the Chairman and County Executive Officer to periodically provide letters of support or opposition as needed based on any benefit or detriment to the County of

Merced; and 3) Direct staff to forward the 2019 Legislative Agenda to Merced County's legislative representatives and advocates.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

41. Confirm the appointment of Jim Clark as County Spring Fair Manager and approve "A" level benefits effective September 16, 2019.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**REVIEW BOARD ORDER – SEE PAGE 15**

#### **BOARD APPOINTMENTS**

42. Consider Fatima Silveira Rocha and Michele Livak for appointment to the Hilmar Cemetery District until March 1, 2023 and David Anderson, Duane Matheron and Jeff Strom for reappointment to the Hilmar Cemetery District until March 1, 2022.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

43. Appoint Brian Pena to serve as a member of the Behavioral Health Board, representing District Two, filling an unexpired term until June 30, 2021; and appoint Emil Erreca to serve as a member of the Behavioral Health Board, representing District Five, until June 30, 2022.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**REVIEW BOARD ORDER – SEE PAGE 15**

#### **BOARD INFORMATION & POSSIBLE ACTION**

**ACCEPTED AND PLACED ON FILE AYES: 1, 2, 4, 5 NOT PRESENT: 3**

44. Community and Economic Development re: Emergency Public Works project to repair the Castle Commerce Center 14" water main pursuant to California Public Contract Code Section 22050.
45. Merced County Mosquito Abatement District re: General Manager's Report July 16, 2019 through August 20, 2019.
46. Fish and Game Commission re: Notice of Findings regarding to list San Bernardino kangaroo rat (*Dipodomys merriami parvus*) as a candidate species as defined by Section 2068 of the Fish and Game Code. The notice will be published in the California Regulatory Notice Register on August 23, 2019.
47. Fish and Game Commission re: Notice of proposed regulatory action relative to Sections 90 and 704, Title 14, California Code of Regulations, relating to the issuance of experimental fishing permits, published in the California Regulatory Notice Register on August 23, 2019.
48. Fish and Game Commission re: Notice of proposed regulatory action relative to Section 473, Title 14, California Code Regulations, relating to the possession on nongame animals (*Nutria*), published in the California Regulatory Notice Register on August 23, 2019.

**THE BOARD RECESSED TO MEET AS AN IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND RECONVENED TO MEET AS A BOARD OF SUPERVISORS**

**THE BOARD RECESSED TO MEET AS A COUNTY OF MERCED DELTA-MENDOTA GROUNDWATER SUSTAINABILITY AGENCY AND RECONVENED TO MEET AS A BOARD OF SUPERVISORS**

**THE BOARD ADJOURNED THE MEETING AT 11:20 A.M. UNTIL TUESDAY, SEPTEMBER 17, 2019, AT 10:00 A.M**

## **BOARD ORDERS – SUMMARY ACTION MINUTES – SEPTEMBER 10, 2019**

### **10:00 A.M. SCHEDULED ITEM** **2019-09-10 PUBLIC OPPORTUNITY**

Tim Robertson, Director of the North Valley Labor Coalition and representative of United Domestic Workers Union speaks about on-going negotiations with the County. He states that they are the lowest paid union members and that the In-Home Supportive Services program is important.

Kenra Bragonier, Member of the Friends of the Merced County Library speaks in support of evening hours for the libraries.

Hannah Ewing, Merced resident speaks in support for the Merced County Library and requests that the Board consider more funding and hours.

Florence Crosen, United Domestic Workers Member and caregiver for her mother states they have been without a contract for almost 4 years.

Paul Garcia, Delhi resident speaks in support of In-Home Supportive Services workers.

Joyce Dale, United Domestic Workers Member and care provider for her mother states that it is demanding work but she enjoys it and further states that caregiving is a real profession.

Pacapo Saelee, United Domestic Worker states that she takes care of her mom and dad at home and requests the Boards help.

Fernando Aguilerra, Business owner, reminds the Board of the Mexican Independence Day Celebration on Sunday, September 15, 2019 in downtown Merced.

John Balestrery, reads letter dated October 15, 2013 regarding his loyalty bonuses.  
Present: Pareira, Espinoza, Lor, Silveira  
Absent: McDaniel

### **10:00 A.M. SCHEDULED ITEM** **2019-09-10 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING**

The time and date previously scheduled to consider the Le Grand Community Plan (GPTA16-003/ZC16-002/CP16-002).

Mark Hendrickson, Director of Community and Economic Development reviews the staff report.

Brian Guerrero, Planner III gives powerpoint presentation covering: What is a Community Plan, Le Grand Overview, Le Grand Community Plan, Population Projection, Challenges & Resident Concerns, Proposed Land Use Map, Land Use Plan Comparison, Proposed Zoning Designations, Circulation Chapter, Community Collaboration, Priority Sidewalks & Bike Transit, Community Design Chapter, Environmental Review and Recommendation.

The Chairman opens the Public Hearing. The following speak:

Lorriane Thiner Bocks, Le Grand Municipal Advisory Council member states that she has gone through the plan with the committee and that the township of Le Grand should decide what they want in their community. She further states that James Holland and Brian Guerrero have done a great job with this plan and they accept this current update today.

Paul Garcia, Delhi resident states he has been to the Le Grand Municipal Advisory Council meetings and that they didn't reflect what the previous speaker stated.

The Chairman closes the Public Hearing.

Supervisor Espinoza comments that the only thing the update is lacking is a little more park space.

Upon motion of Supervisor Silveira, seconded by Supervisor Lor, duly carried, the Board approves the prepared Water Supply Assessment of the Le Grand Community Plan, adopts the environmental findings pursuant to the California Environmental Quality Act (CEQA), certifies the Environmental Impact Report, adopts the Statement of Overriding Considerations and adopts the Mitigation Monitoring and Reporting Program. Upon motion of Supervisor Silveira, seconded by Supervisor Lor, duly carried, the Board adopts Resolution No. 2019-78 for the proposed Le Grand Community Plan (CP16-002) including General Plan Text Amendment GPTA16-003; and adopts Ordinance No. 1973 for Zone Change ZC16-002 which changes the zoning designations for various properties within the Le Grand Urban Community boundary.

Ayes: Pareira, Espinoza, Lor, Silveira

Absent: McDaniel

**10:00 A.M. SCHEDULED ITEM**

**2019-09-10 COUNTY EXECUTIVE OFFICE – FIRST READING – PROPOSED ORDINANCE**

The time and date previously scheduled to conduct a first reading of an ordinance entitled "An Ordinance Repealing and Replacing Chapter 5.12, Title 5, of the Merced County Code Relating to County Purchasing Agent Authority".

Mark Cowart, Director of Administrative Services reviews the staff report and gives an overview of the Ordinance.

Supervisor Silveira states that he is happy to see this item come forward.

Paul Garcia, Delhi resident questions the changes.

Upon motion of Supervisor Silveira, seconded by Supervisor Espinoza, duly carried, the Board waives further reading of the proposed ordinance and sets a second reading and possible adoption of the proposed ordinance for October 1, 2019 at 10:00 a.m.

Ayes: Pareira, Espinoza, Lor, Silveira

Absent: McDaniel

**10:00 A.M. SCHEDULED ITEM**

**2019-09-10 COUNTY EXECUTIVE OFFICE – FIRST READING – PROPOSED ORDINANCE**

The time and date previously scheduled to conduct a first reading of an ordinance entitled "An Ordinance adding Chapter 5.14 to the Merced County Code relating to the adoption of an alternative

leasing procedure for county-owned real property and designating authority to County officials for various real property transactions”.

Mark Cowart, Director of Administrative Services reviews the staff report and gives an overview of the Ordinance.

Supervisor Silveira thanks staff again for bringing this forward and states that this will help staff to be more efficient.

Upon motion of Supervisor Silveira, seconded by Supervisor Espinoza, duly carried, the Board waives further reading of the proposed Ordinance and sets a second reading and possible adoption of the proposed Ordinance for October 1, 2019 at 10:00 a.m.

Ayes: Pareira, Espinoza, Lor, Silveira

Absent: McDaniel

### **ACTION ITEM NO. 10**

#### **2019-09-10 PUBLIC WORKS**

The Clerk announces item to 1) consider the proposed Mitigated Negative Declaration for the Merced Falls Road Shoulders Project and comments received during the public review process and find that there is no substantial evidence that the project will have a significant effect on the environment; and 2) Adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Project for the Merced Falls Road Shoulders Project, a project to widen the shoulders of an approximately one-mile segment of Merced Falls Road just east of Henderson Park in Merced County is before the Board for consideration.

Supervisor Espinoza states that there has not been enough projects going on in his district. He further states that he is seeing projects getting done but not in his district and that he will be voting no on this item.

Upon motion of Supervisor Silveira, seconded by Supervisor Lor, the Board considers the proposed Mitigated Negative Declaration for the Merced Falls Road Shoulders Project and comments received during the public review process and finds that there is no substantial evidence that the project will have a significant effect on the environment; and adopts the Mitigated Negative Declaration and Mitigation Monitoring Reporting Project for the Merced Falls Road Shoulders Project, a project to widen the shoulders of an approximately one-mile segment of Merced Falls Road just east of Henderson Park in Merced County.

Ayes: Pareira, Lor, Silveira

Noes: Espinoza

Absent: McDaniel

### **ACTION ITEM NO. 22**

#### **2019-09-10 COMMUNITY AND ECONOMIC DEVELOPMENT**

The Clerk announces Interdepartmental Memorandum of Understanding with Department of Community and Economic Development and Human Services Agency related to the Veterans Stand Down and Resource Event at Castle to provide services and assistance to Military Veterans in Merced County on October 4, 2019 from 7:00 a.m. to 5:00 p.m.; and authorize the Directors of Community and Economic Development and Human Services Agency to execute the said Memorandum of Understanding that is before the Board for consideration.

Mark Hendrickson, Director of Community and Economic Development comments on the event for Veterans taking place on October 4, 2019 at Castle and thanks Mr. Pettygrove and his team for their work on this.

Upon a motion of Supervisor Silveira, seconded by Supervisor Espinoza, the Board approves Interdepartmental Memorandum of Understanding with Department of Community and Economic Development and Human Services Agency related to the Veterans Stand Down and Resource Event at Castle to provide services and assistance to Military Veterans in Merced County on October 4, 2019 from 7:00 a.m. to 5:00 p.m.; and authorizes the Directors of Community and Economic Development and Human Services Agency to execute the said Memorandum of Understanding.

Ayes: Pareira, Espinoza, Lor, Silveira

Absent: McDaniel

**ACTION ITEM NO. 41**

**2019-09-10 EXECUTIVE OFFICE**

The Clerk announces item confirming the appointment of Jim Clark as County Spring Fair Manager and approve "A" level benefits effective September 16, 2019 is before the Board for consideration.

Jim Clark introduces himself and states that he appreciates the opportunity and looks forward to being involved in a beautiful community and run a fairgrounds that is accessible and feasible as can be in terms of a revenue stance and looks forward to the opportunity if approved.

Upon a motion of Supervisor Silveira, seconded by Supervisor Espinoza, the Board confirms the appointment of Jim Clark as County Spring Fair Manager and approves "A" level benefits effective September 16, 2019.

Ayes: Pareira, Espinoza, Lor, Silveira

Absent: McDaniel

**ACTION ITEM NO. 43**

**2019-09-10 BOARD APPOINTMENTS**

The Clerk announces item to appoint Brian Pena to serve as a member of the Behavioral Health Board, representing District Two, filling an unexpired term until June 30, 2021; and appoint Emil Erreca to serve as a member of the Behavioral Health Board, representing District Five, until June 30, 2022.

Supervisor Lor states that there was a question regarding which District Mr. Pena had applied for and defers to Supervisor Espinoza, who states that Mr. Pena initially applied with him.

Supervisor Espinoza states that Mr. Pena applied with him but stated that he lives in District Two. He further states that District Two is fine with him, as long as that's okay with Supervisor Lor.

Supervisor Lor states she just wanted to make sure that we respect his intentions.

Upon a motion of Supervisor Silveira, seconded by Supervisor Lor, the Board approves the appointment of Brian Pena to serve as a member of the Behavioral Health Board, representing District Two, filling an unexpired term until June 30, 2021; and appoints Emil Erreca to serve as a member of the Behavioral Health Board, representing District Five, until June 30, 2022.

Ayes: Pareira, Espinoza, Lor, Silveira

Absent: McDaniel