



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, NOVEMBER 5, 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

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/

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

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**

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

**10:00 A. M. INVOCATION by Pastor John Motz of New Life Community
Church/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 10

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 13)

PRESENTATION:

**PG&E COMMUNITY WILDFIRE SAFETY PROGRAM-PUBLIC SAFETY
SHUT OFF**

PULLED FROM AGENDA

**MERCED COUNTY OFFICE OF EDUCATION ANNUAL WILLIAMS REPORT
FOR 2019/2020**

**Merced County Superintendent of Schools Steven M. Tietjen, Ed.D.
addresses the Board regarding the Annual Williams Report 2019/2020.**

PUBLIC HEARINGS/SCHEDULED ITEMS:

PUBLIC HEALTH - SECOND READING

Conduct Second Reading to amend Ordinance No. 1925 to establish
ambulance service exclusive operating areas to include provisions for
ambulance service licensing and operations to codify as Title 9, General Health
& Safety, Chapter 9.44.

RECOMMENDATION:

Conduct a Second Reading of the Ordinance entitled to Establish Ambulance Service Exclusive Operating Areas to Include Provisions for Ambulance service Licensing and Operation, and Convalescent Transport Provider Licensing and Operations, Ordinance No. 1925 to codify this as Title 9, General Health and Safety, Chapter 9.44; 2) Waive a further reading; and 3) Adopt the Ordinance.

REVIEW BOARD ORDER – SEE PAGE 11

BEHAVIORAL HEALTH AND RECOVERY SERVICES - PUBLIC HEARING

To consider proposed Ordinance amending Mental Health and Alcohol and Drug Services Fee Schedule (Supersedes Ordinance 1967)

RECOMMENDATION:

1) Introduce the proposed Ordinance, amending the Fee Schedule for Mental Health Services and Alcohol and Drug Services; 2) Waive further Reading; 3) Open Public Hearing and receive testimony; 4) Close the Public Hearing; and 5) Adopt Ordinance known as Mental Health Fees. (Amends Chapter 9.48 Section 9.48.030 and Supersedes Ordinance 1967).

REVIEW BOARD ORDER – SEE PAGE 11

PUBLIC WORKS - PROPOSED ORDINANCE - FIRST READING

Introduce an Ordinance adopting the 2019 California State Building Codes and amending the County Building Codes (Chapter 6.12 through 16.50); and Introduce an Ordinance adopting the 2019 State Fire Code (Amends Section 9.24.010 of Chapter 9.24, Title 9).

RECOMMENDATION:

Introduce and read the title of an Ordinance adopting the 2019 California State Building Codes and amending the County Building Codes contained in Merced County Code Chapters 16.12 through 16.50 to reflect that adoption; and 2) Waive full Reading of the Ordinance and set a Second Reading for November 19, 2019 for possible adoption of the Ordinance; and 3) Introduce and read the title of an Ordinance adopting the 2019 State Fire Code and amending section 9.24.010 of Chapter 9.24, Title 9, of the Merced County Code to reflect that adoption; and 4) Waive full Reading of the Ordinance and set a Second Reading for November 19, 2019 for possible adoption of the Ordinance.

REVIEW BOARD ORDER – SEE PAGES 11 AND 12

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

Public Hearing for Zone Change No ZC19-001 - Pires

RECOMMENDATION:

1) Introduce the Ordinance changing the zoning designation of a 0.16 acre parcel located on the east side of Lander Avenue, 100 feet of North Dayton Avenue in the Hilmar area, from single-family residential to general commercial, and waive further Reading; 2) Open the Public Hearing and receive testimony; 3) Close the Public Hearing; 4) Consider the Planning Commission's recommendation in favor of adopting the proposed Ordinance; 5) Determine that Zone Change No. ZC19-001(changing R-1, Single Family Residential to C-

2, General Commercial) is exempt from CEQA review under Section 15183, Projects consistent with a Community Plan or Zoning, of the CEQA Guidelines; and, 6) Adopt the Ordinance approving ZC19-001.

REVIEW BOARD ORDER – SEE PAGE 12

COUNTY EXECUTIVE OFFICE - FIRST READING

Introduce and conduct a First Reading to consider an Ordinance amending the sales and use tax code chapter 5.24.130 of Title 5 of the Merced County; and set a Second Reading and possible adoption for November 19, 2019.

RECOMMENDATION:

1) Introduce and conduct a First Reading of the proposed Ordinance amending the Sales and Use Tax Code Chapter 5.24.130 of Title 5 of the Merced County Code (Amends Ordinance Nos. 1952, 744,741, 733, 660, 328, 327); 2) Waive further Reading of the proposed Ordinance; and 3) Set a Second Reading and possible adoption of the amended Ordinance for November 19, 2019 at 10:00 a.m.

REVIEW BOARD ORDER – SEE PAGES 12 AND 13

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-13)

APPROVED AS RECOMMENDED AYES: ALL

Health

1. Set a First Reading on November 19, 2019, at 10:00a.m. to consider amending Ordinance No. 1950 entitled Health Department Fees. This Ordinance will revise fees and penalties to Merced County Code 9.49.020; and set a Second Reading and possible adoption of the proposed Ordinance on December 17, 2019 at 10:00 a.m.

Behavioral Health and Recovery Services

2. Approve and authorize the Chairman to sign Amendment Contract No. 2018050 with Timothy Johnston, M.D., PC, to provide histories and physicals exams for consumers at the Marie Green Psychiatric Center.
3. Approve and authorize the Chairman to sign Amendment Contract No. 2018040 with Mayurkumar Ambubhai Amin, M.D. for the provision of psychiatric services at the Marie Green Psychiatric Unit; and approve related Budget Transfer
4. Approve and authorize the Chairman to sign Amendment Contract No. 2018250 (State Contract No. 18-95149) with California Department of Health Care Services to provide Drug Medi-Cal Organized Delivery System services; and adopt the Resolution.

ADOPTED RESOLUTION NO. 2019-107

Human Services Agency

5. Approve and authorize the Chairman to sign the Interdepartmental Amendment Contract No. 2019154 with Behavioral Health and Recovery Services for Mental Health and Substance Abuse Disorder services.

Community and Economic Development

6. Set a Public Hearing for November 19, 2019, to receive public testimony, consider the Planning Commission's recommendations, determine that no further environmental review is required pursuant to Section 15183 "Projects Consistent with a Community Plan or Zoning" of the CEQA Guidelines, and take action on General Plan Amendment No. GPA 19-003 and Zone Change No. ZC19-004 and related Zone Change Ordinance for a 4.74 acre piece of property located at the southwest corner of East Mission Avenue and South Alfalfa Road in the Merced area.

Auditor

7. Approve and authorize the Chairman to sign Amendment Contract No. 2014025 with Capital Partnerships Inc. for project management services of the County's Finance/Human Resources/Payroll System implementation services.

Board of Supervisors

8. Approve minutes for May 21, 2019, May 21, 2019 - Addendum, June 4, 2019, June 18, 2019, July 9, 2019, July 30, 2019, August 13, 2019, August 27, 2019 and August 27, 2019 - IHSS.

PULLED – NO ACTION TAKEN

Executive Office

9. Approve Travel Requests received from Sheriff as recommended by Executive Office.

Board Recognition

10. Authorize Certificates of Recognition Suchara Thao, Sunita Thao and Thaiyei Thao for providing health education and awareness to the Southeast Asian Community.
11. Authorize Certificates of Recognition to Rosbelina Ward (Teacher of the Year), Stacy Shasky (Administrator of the Year), and Lance Brewster (Employee of the Year).

REVIEW BOARD ORDER – SEE PAGE 13

12. Authorize Certificate of Recognition to Castle Air Museum for dedication of the Lockheed MC 130P Hercules 66-0212.
13. Authorize Proclamation in Recognition of California Retired Teachers Week, November 3-9, 2019 in Merced County.

Supervisor Lor presents Proclamation to Sharon Spinardi, President of CalRTA.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

14. 1) Approve a retainer agreement with Northstar Engineering Group, Inc., for On-Call Surveying and Engineering services for small county Projects upon approval by County Counsel and Risk Management; 2) Authorize the Chairman to execute the agreement; and 3) Authorize the Director of Public Works to execute project supplement agreements.

AUTHORIZED CONTRACT NO. 2019345 AS RECOMMENDED AYES: ALL

15. 1) Authorize the Department of Public Works to circulate a Request for Proposal (RFP) to qualified consultants to provide a county wide roadway sign inventory; and 2) Authorize the Department of Public Works to review and rank the proposals as well as negotiate a contract to be submitted to the Board of Supervisors for consideration upon review by County Counsel and Risk Management.

APPROVED AS RECOMMENDED AYES: ALL

16. 1) Find the proposed Summary Vacation is exempt from further CEQA review under section 15301, subdivision (c), of the CEQA guidelines; 2) Adopt a Resolution for the Summary Vacation of 9th Street in the town of Dos Palos and an alley located between 8th and 9th Street east of 9th Street in the Town of Dos Palos; and 3) Direct the Clerk of the Board of Supervisors to record the Resolution.

ADOPTED RESOLUTION NO. 2016-108 AS RECOMMENDED AYES: ALL

17. 1) Approve the Special Services Agreement with Siemens Industry, Inc. for HVAC control replacement at the John Latoracca Correctional Center; and 2) Authorize the Chairman of the Board of Supervisors to execute the agreement.

AUTHORIZED CONTRACT NO. 2019346 AS RECOMMENDED AYES: ALL

18. 1) Approve the Special Services Agreement with Siemens Industry, Inc. for HVAC control replacement at Main Jail; and 2) Authorize the Chairman of the Board of Supervisors to execute the agreement.

AUTHORIZED CONTRACT NO. 2019347 AS RECOMMENDED AYES: ALL

HEALTH

19. Contract with CALSTAR Air Medical, LLC for air ambulance services; and authorize the Chairman to sign all copies of the Contract.

AUTHORIZED CONTRACT NO. 2019348 AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGES 13 AND 14

BEHAVIORAL HEALTH AND RECOVERY SERVICES

20. Contract with People’s Residential Care Home residential board and care services for adult clients.

AUTHORIZED CONTRACT NO. 2019349 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

21. Memorandum of Understanding (MOU) with Merced County District Attorney to enter a Plan of Cooperation for certain CalWorks and Calfresh fraud prosecution activities; and authorize the Chairman to sign the MOU.

AUTHORIZED CONTRACT NO. 2019350 AS RECOMMENDED AYES: ALL

22. 1) Approve the Senior Medicare Patrol Volunteer Liaison Agreement between California Health Advocates and Merced County HICAP for Medicare fraud and prevention services to provide volunteer liaison support for Senior Medicare Patrol Program for Fiscal 2019/2020; 2) Authorize the Chairman to sign the Agreement; and 3) Approve the associated Budget Transfer (4/5 Vote Required).

AUTHORIZED CONTRACT NO. 2019351 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

23. Authorize the Department of Administrative Services, in coordination with the Community and Economic Development Department, to prepare and release a Request for Proposal for services for a qualified contractor to provide consulting services related to development of a Franklin-Beachwood Community Plan Update; and return to the Board of Supervisor for contract approval.

APPROVED AS RECOMMENDED AYES: ALL

ELECTIONS

24. Contract with Granicus, LLC for eCampaign software solution allowing candidates to file campaign documents electronically.

AUTHORIZED CONTRACT NO. 2019352 AS RECOMMENDED AYES: ALL

25. Contract with Election Systems & Software for the voting tabulation system and annual maintenance; and authorize the Registrar of Voters to execute the after negotiation and review by County Counsel.

AUTHORIZED CONTRACT NO. 2019353 AS RECOMMENDED AYES: ALL

FIRE

26. Ratify the acceptance of grant award from the California Governor's Office of Emergency Services Fiscal Year 2019 Homeland Security Grant Program (HSGP) in the amount of \$363,059; and approve related Budget Transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2019354 AS RECOMMENDED AYES: ALL

LIBRARY

27. Authorize the Merced County Library to submit an application for the Believe in Reading Grant for Fiscal Year 2019-2020; and direct the County Librarian or designee to return to the Board with the application results and to accept the award.

APPROVED AS RECOMMENDED AYES: ALL

28. Authorize the Merced County Library to submit an application for the CopyCat Grant - Sit and Be Fit at the Library for the Fiscal Year 2019-2020; and direct the County Librarian to return to the Board with the application results and to accept the award.

APPROVED AS RECOMMENDED AYES: ALL

29. Authorize the Merced County Library to submit an application for the CopyCat Grant - Creative Thursday at the Library for the Fiscal Year 2019-2020; and direct the County Librarian to return to the Board with the application results and to accept the award.

APPROVED AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

30. Appoint the California State Association of Counties (CSAC) Committee and Alternate Members for 2020.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 14

31. Appoint the Rural County Representative of California (RCRC) Delegate and Alternate Members for 2020.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 14

BOARD APPOINTMENTS

32. Approve the removal of Rona Nunez from the Merced County Collaborative for Children and Families due to a lack of attendance at regular meetings.

APPROVED AS RECOMMENDED AYES: ALL

33. Reappoint Patti Kishi, as a Community Representative-MCOE to serve as a member of the Merced County Collaborative for Children and Families, until June 30, 2021.

APPROVED AS RECOMMENDED AYES: ALL

34. Reappoint Sylvia F. Fuller to serve as a member of the Library Advisory Commission, representing District Three, until August 31, 2021.

APPROVED AS RECOMMENDED AYES: ALL

35. Consider Paul Danbom and Darren Borrelli for appointment to the Hilmar Cemetery District, filling unexpired terms until March 1, 2022.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

36. Community and Economic Development re: Emergency Public Works projects to repair the water main near the Parade Grounds at Castle Commerce Center pursuant to California Public Contract Code section 22050.
37. Merced County Mosquito Abatement District re: General Manager's Report September 17 through October 15, 2019.
38. California Wildlife Conservation Board re: Proposal to consider the allocation of funds for a grant to plant milkweed and nectar-rich plants to establish or enhance monarch butterfly habitat on 600 acres of natural lands in the Sacramento Valley, San Joaquin Valley, and the San Diego Region, scheduled for November 21, 2019, Conservation Board Meeting.
39. California Wildlife Conservation Board re: Proposal to consider a project to enhance and monitor monarch butterfly and pollinator habitat on three privately-owned project sites within

10 miles of Los Banos in Merced County, scheduled for November 21, 2019, Conservation Board Meeting.

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

THE BOARD ADJOURNED THE MEETING AT 11:32 A.M. UNTIL TUESDAY, NOVEMBER 19, 2019, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – NOVEMBER 5, 2019

10:00 A.M. SCHEDULED ITEM **2019-11-05 PUBLIC OPPORTUNITY**

Florence Crosen, UDW member and District Three resident states they still have not come to an agreement with the County on our contract.

Sue Emanivong with Health House speaks about the Elder Abuse Advanced Law Enforcement Training taking place on November 21, 2019 and submits a flyer in the board bin.

Necola Adams, President and Cynthia Adams, Vice President of the Merced County Nut Festival thanks the Board for their support of the 1st Annual Merced County Nut Festival and reads a thank you letter and submits copy in the board bin.

Crystal Guillen, UDW member and home care provider states she is in support of a livable wage.

Katrina Bucal, UDW member, Delhi resident and caregiver for her brother speaks about the challenges she faces as the landlord has put the house up for sale and also raised their rent.

Gwen Hewight, UDW member states she supports a raise for IHSS workers.

Bishop Charles Warren, with All God's Children Ministry states he used to be on IHSS and that IHSS workers should be paid like first responders.

Elaine Queen, IHSS provider and caregiver for her mother for three years, asks the Board why they have been without a contract for four years.

Gloria Sandoval, Merced resident states she supports the IHSS workers. She speaks about the Truth Act Forum that has been set for November 19, 2019 and request more dialogue during the forum.

Jeff Kettering, Chief Probation Officer thanks the County and Public Information Officer Mike North for showcasing our efforts with our chicken coop project and the Juvenile Justice Facility.

Kadu, District Three resident and Regional Coordinator for UDW states County only pays a percentage and asks why the County can't do something more to help them. She further states they have been without a contract for four years.

Blanca Ojeda with Faith in the Valley, community resident and part of ICE of Merced speaks in support of the Public Forum that will be taking place and is hoping for more open dialogue.

Present: Pareira, Espinoza, Lor, McDaniel, Silveira

10:00 A.M. SCHEDULED ITEM
2019-11-05 PUBLIC HEALTH – SECOND READING

The time and date previously scheduled to conduct a second reading to amend Ordinance No. 1925 to establish ambulance service exclusion operating areas to include provisions for ambulance service licensing and operations to codify as Title 9, General Health and Safety, Chapter 9.44.

The Chairman asks if there is anyone present wishing to speak on this item. No one speaks.

Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, duly carried, the Board waives further reading and adopts Ordinance No. 1977 “An Ordinance to establish ambulance service exclusion operation areas to include provisions for ambulance service licensing and operations.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

10:00 A.M. SCHEDULED ITEM
2019-11-05 BEHAVIORAL HEALTH AND RECOVERY SERVICES – PUBLIC HEARING

The time and date previously scheduled to consider proposed ordinance amending Mental Health and Alcohol and Drug Services Fee Schedule (Supersedes Ordinance No. 1967).

Yvonnia Brown, Director of Behavioral Health and Recovery Services reviews the staff report.

The Chairman opens the Public Hearing and asks if there is anyone present wishing to speak.

No one speaks. The Chairman closes the Public Hearing.

Upon motion of Supervisor McDaniel, seconded by Supervisor Lor, duly carried the Board waives further reading of the proposed Ordinance. Upon motion of Supervisor McDaniel, seconded by Supervisor Lor, duly carried the Board adopts Ordinance No. 1978 known as Mental Health Fees (Amends Chapter 9.48 Section 9.48.030 and Supersedes Ordinance 1967).

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

10:00 A.M. SCHEDULED ITEM
2019-11-05 PUBLIC WORKS – PROPOSED ORDINANCE – FIRST READING

The time and date previously scheduled to introduce an Ordinance adopting the State Building and Fire Codes and amending the Merced County Building and Fire Codes contained in Code Chapter 9.24 and Chapters 16.12 through 16.50.

Dana Hertfelder, Director of Public Works reviews the updates to the ordinances.

Chairman Pareira questions if the updated ordinance includes solar ready language.

Mr. Hertfelder states that it addresses solar dedicated space on the roof.

Supervisor McDaniel questions what will happen if we don't pass this now.

Mr. Hertfelder states he will have to defer that to Counsel and that on January 1, 2020 the new code goes into effect.

Supervisor McDaniel comments that we are in a housing shortage here in the County.

Supervisor Silveira comments that we adopt the ordinance now but it will not go into effect until 2020.

Upon motion of Supervisor Silveira, seconded by Supervisor Espinoza, the Board waives full reading of the Ordinance and sets a second reading for November 19, 2019 for possible adoption of the Ordinance.

Ayes: Pareira, Espinoza, Lor, Silveira

Noes: McDaniel

10:00 A.M. SCHEDULED ITEM

2019-11-05 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING

The time and date previously scheduled to conduct a Public Hearing for Zone Change No. ZC19-001 – Pires.

Mark Hendrickson, Director of Community and Economic Development reviews the staff report. Steve Maxey, Deputy Director of Planning reviews power point presentation covering the following: Request, Site, Zoning, General Plan, Photos, Consistency, Public Comment, Environmental Review, Planning Commission Hearing and Recommendation.

Supervisor McDaniel states he heard the term economic vitality and questions if that is in our ordinance.

Mr. Maxey responds that yes it is in the Hilmar Community Plan.

The Chairman opens the Public Hearing and asks if there is anyone present wishing to speak. No one speaks. The Chairman closes the Public Hearing.

Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, duly carried, the Board waives further reading of the Ordinance.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, duly carried, the Board considers the Planning Commission's recommendation in favor of adopting the proposed Ordinance and determines that Zone Change No. ZC19-001 (changing R-1, Single Family Residential to C-2, General Commercial) is exempt from CEQA review under Section 15183, Projects consistent with a Community Plan or Zoning of the CEQA Guidelines.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

Upon motion of Supervisor Silveira, seconded by Supervisor Espinoza, duly carried, the board adopts Ordinance No. 1979 approving ZC19-001.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

10:00 A.M. SCHEDULED ITEM

2019-11-05 COUNTY EXECUTIVE OFFICE – FIRST READING

The time and date previously schedule to introduce and conduct a First Reading to consider an Ordinance amending the Sales and Use Tax Code Chapter 5.24.130 of Title 5 of the Merced County Code and setting a Second Reading and possible adoption for November 19, 2019.

County Executive Officer Jim Brown reviews the proposed Ordinance and gives an update that the City of Livingston has not yet approved the revenue sharing agreement.

Supervisor Espinoza states that the City of Livingston may need more time.

Supervisor McDaniel states that we need to move forward with the agreement and this will not affect them on their part. He further states we need to go ahead and set the second reading on November 19, 2019.

Supervisor Espinoza states that he agrees we need to capture the Sales Tax aspect and that we are ready to move forward.

Supervisor Silveira states that we just need to move forward with this and further states it's a fair deal and that the ball is in their court.

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 amended Ordinance for November 19, 2019 at 10:00 a.m.

Ayes: Pereira, Espinoza, Lor, McDaniel, Silveira

CONSENT ITEM NO. 11

2019-11-05 BOARD RECOGNITION

The Clerk announces an item authorizing certificates of recognition to Rosbelina Ward (Teacher of the Year), Stacy Shasky (Administrator of the Year), and Lance Brewster (Employee of the Year) is before the Board for consideration.

Chairman Pereira states that Dr. Steve Tietjen would like to speak about the event and the awards that were given.

Dr. Tietjen speaks about the event and gives an overview of the Teacher of the Year, Administrator of the Year and Employee of the Year awards that were given out. He further states that Stacy Shasky who was awarded the Administrator of the Year is here with him today and would like to say a few words.

Stacy Shasky thanks Dr. Tietjen and the Board for the opportunity and speaks about her program that she oversees at Merced County Office of Education.

Ayes: Pereira, Espinoza, Lor, McDaniel, Silveira

ACTION ITEM NO. 19

2019-11-05 HEALTH

The Clerk announces contract with CALSTAR Air Medical, LLC for air ambulance services is before the Board for consideration.

Jen Capistella with CALSTAR Air Medical, LLC introduces herself and states they have been working with Merced County for the past three years and thanks the Board.

Upon motion of Supervisor Lor, seconded by Supervisor Silveira, duly carried, the Board approves Contract No. 2019348 with CALSTAR Air Medical, LLC for air ambulance services for an

amount not to exceed Merced County Fee Schedule and authorizes the Chairman to sign all copies of the Contract.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

ACTION ITEM NO. 30

2019-11-05 EXECUTIVE OFFICE

The Clerk announces an item to appoint the California State Association of Counties (CSAC) Committee and Alternate members for 2020 is before the Board for consideration.

Upon motion of Supervisor McDaniel, seconded by Supervisor Pareira, duly carried the Board appoints Supervisor Lor as the primary and Supervisor Silveira as the alternate on the California State Association of Counties (CSAC) Committee for 2020.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

ACTION ITEM NO. 31

2019-11-05 EXECUTIVE OFFICE

The Clerk announces an item to appoint the Rural County Representative of California (RCRC) Delegate and Alternate members for 2020 is before the Board for consideration.

Upon motion of Supervisor Espinoza, seconded by Supervisor Silveira, duly carried the Board appoints Supervisor McDaniel as the primary delegate and Supervisor Pareira as the alternate delegate on the Rural County Representative of California (RCRC) committee for 2020.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira