



BOARD OF SUPERVISORS

Rodrigo Espinoza, District 1

Josh Pedrozo, District 2

Daron McDaniel, District 3

Chairman Lloyd Pareira, Jr., District 4

Scott Silveira, District 5

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

SUMMARY ACTION MINUTES - FINAL

TUESDAY, FEBRUARY 8, 2022

Closed Session – 8:30 a.m.

Regular Meeting – 10:00 a.m.

ARPA Public Hearing - 2:00 p.m.

Zoom – Morning Session

Visit: <https://us06web.zoom.us/j/81282991590?pwd=RGZaTXlJd0N09lK1YxVHRnZ3Fjdz09>

or Dial: 1(408)638-0968

Meeting ID: 812 8299 1590

Participant ID: #

Passcode: 409103

Zoom – American Rescue Plan Act (ARPA) Public Hearing

Visit: <https://us06web.zoom.us/j/81282991590?pwd=RGZaTXlJd0N09lK1YxVHRnZ3Fjdz09>

Or Dial: 1(408)638-0968

Meeting ID: 812 8299 1590

Participant ID: #

Passcode: 409103

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.

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: <http://www.co.merced.ca.us/1581/Comcast-Ch-96-Broadcast>

Live stream of the Board of Supervisors meetings at <https://www.facebook.com/MercedCounty/> or <https://www.co.merced.ca.us/2206/Board-of-Supervisors-Meetings>.

TELECONFERENCE INFORMATION

This meeting will be held in person and via teleconference. Members of the Board may be attending from remote locations. As authorized by AB 361, dated September 16, 2021, a local agency may use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency and local officials have recommended or imposed measures to promote social distancing or the body cannot meet safely in person and the legislative body has made such findings.

Members of the public may participate via the Zoom Webinar, including listening to the meeting and providing public comment, by following the instructions below.

To join the meeting by computer: Visit <https://us06web.zoom.us/j/81282991590?pwd=RGZaTXlJd0N09lK1YxVHRnZ3Fjdz09> (Morning Session) and <https://us06web.zoom.us/j/81282991590?pwd=RGZaTXlJd0N09lK1YxVHRnZ3Fjdz09> (ARPA Public Hearing). See passcode above. Or visit <https://www.zoom.us/>, click on "Join A Meeting" and enter the Zoom Webinar ID 812 8299 1590 (Morning Session) and 812 8299 1590 (ARPA Public Hearing). See passcode above.

To provide public comment, press the "Raise Hand" button on your screen.

To join the meeting by telephone: Dial (669) 900-6833, then enter Zoom Webinar ID 812 8299 1590 (Morning Session) and 812 8299 1590 (ARPA Public Hearing). See participant ID and passcode above.

To provide public comment, press *9 to raise your hand and *6 to mute/unmute when called upon.

PUBLIC COMMENTS

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 (see information below regarding public hearing public comments) will be taken at the beginning of the Board Meeting during the public comment period. 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.

In Person: Please raise your hand when requested and you will be directed to the podium.

Zoom: Please press the "Raise Hand" button on your screen. If you are joining by telephone, press *9 to raise your hand, and *6 to mute/unmute when called upon.

Email: Email public comments will not be read during the meeting, but will be delivered to the Board of Supervisors prior to the meeting if received by 5:00pm on the Monday prior to the Board meeting. Please send email public comments to the Clerk of the Board at publiccomments@countyofmerced.com. These comments will be made part of the record.

In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Board of Supervisors Agenda) and item number (i.e. Item No. 10). If you wish to do so, please identify yourself in the email. Email addresses will not be made part of the record of the meeting.

Comments made on Facebook are not considered part of the official record and will not be shared with the Board.

PUBLIC HEARINGS – PUBLIC COMMENTS

Public opportunity to speak regarding public hearings will be heard following the reading of the public hearing. 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.

In Person: Please raise your hand when requested and you will be directed to the podium.

Zoom: Please press the "Raise Hand" button on your screen. If you are joining by telephone, press *9 to raise your hand, and *6 to mute/unmute when called upon.

Email: Emails directed to the public hearing will be accepted up to and during the public hearing. Emails will not be read during the meeting, but will be delivered to the Board of Supervisors. Please send email public comments to the Clerk of the Board at specialmeetingcomments@countyofmerced.com. These comments will be made part of the record.

In an effort to assist the Clerk in identifying the public hearing agenda item relating to your public comment please indicate in the Subject Line, the subject matter. If you wish to do so, please identify yourself in the email. Email addresses will not be made part of the record of the meeting.

Comments made on Facebook are not considered part of the official record and will not be shared with the Board.

CLOSED SESSION: This 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.

The **REGULAR MEETING** is divided into three sections:

- **CONSENT CALENDAR:** These matters include routine financial and administrative action and usually are approved by a single vote.

- **REGULAR CALENDAR:** These items include significant policy and administrative actions.
- **SCHEDULED ITEMS:** These items are noticed hearings, work sessions and public hearings

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

REASONABLE ACCOMMODATIONS: Persons who require accommodation for any audio, visual or other disability or Spanish or Hmong interpretation 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.

8:30 A.M. – CLOSED SESSION

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 (TESTIMONY 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; United Public Employees (UPE), Unit 3; Merced County Attorney Association (MCAA), Unit 7; Teamsters (Corrections), Unit 2; Merced County Law Enforcement Sergeants, Unit 30; Merced County Deputy Sheriff Association (DSA), Unit 10; Teamsters (Non-Safety Corrections), Unit 12; Merced County Public Safety Services Unit (MCPSSU), Unit 14; and Probation Supervising Employees, Unit 11. Agency Negotiator: Marci Barrera.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

It is the intention of the Board to meet in Closed Session concerning Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Sedgwick Claims Management Services, Inc. v. County of Merced, Merced Superior Court Case No. 20CV-02577

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

It is the intention of the Board to meet in Closed Session concerning Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Hernandez v. County of Merced, Merced Superior Court Case No. 21CV-00318

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: Buildings 315, 317, 318, 362, 1015, 1110, 1340, 1356 and a fuel yard located on Castle Commerce Center/ Castle Airport.

Agency Negotiator: Mark Hendrickson, Director, Community and Economic Development Department

Negotiation Parties: Xing Kong Aviation Services, LLC.

Under Negotiation: To request authority to renegotiate lease terms.

THE BOARD RECESSED AT 8:34 AM WITH SUPERVISOR ESPINOZA NOT PRESENT AND RECONVENED AT 10:02 AM WITH ALL MEMBERS PRESENT, AND THE CHAIRMAN ADVISED THAT STAFF WAS GIVEN DIRECTION.

GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA ITEMS)

10:00 A.M. – REGULAR MEETING

INVOCATION led by Mark Hendrickson, Director of Community and Economic Development/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)

SEE PAGE 12

**PRESENTATION:
RETIREMENT PRESENTATION**

JIM BROWN, COUNTY EXECUTIVE OFFICER WAS RECOGNIZED FOR HIS 31+ YEARS OF SERVICE AND UPCOMING RETIREMENT.

SCHEDULED ITEMS:

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

Foster Townsend Railroad Logistics Lease Agreement

RECOMMENDATION:

- 1) Hold public hearing to receive comments on the proposed lease with Foster Townsend Rail Logistics, LLC at Castle Commerce Center;
- 2) Find the proposed lease agreement and rail project categorically exempt from the California Environmental Quality Act under sections 15301, 15302, 15303, 15304, 15305, and 15311 of the CEQA Guidelines based on staff's CEQA analysis for this item; and,
- 3) Find the conditions specified in Government Code Section 25536.9 subdivision (b) have been met, and approve lease agreement with Foster Townsend Rail Logistics, LLC for approximately 6,500 feet of rail track and less than 1 acre of associated property generally located at the South end of Castle Commerce Center with a lease term of 20 years, and authorize the Chair to execute the said agreement. (4/5 Vote Required)

JIM BROWN, COUNTY EXECUTIVE OFFICER AND MARK HENDRICKSON, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT PROVIDED COMMENTS. JOHN FENTON, CHIEF EXECUTIVE OFFICER OF PATRIOT RAIL PROVIDED A PRESENTATION.

OPPORTUNITY WAS GIVEN FOR INTERESTED PERSONS TO ADDRESS THE BOARD.

SEE PAGE 13 FOR PUBLIC COMMENT.

THE CHAIRMAN CLOSED THE PUBLIC HEARING.

AFTER DISCUSSION, APPROVED AS RECOMMENDED AYES: ALL

2:00 P. M. SCHEDULED ITEM**COUNTY EXECUTIVE OFFICE – PUBLIC HEARING**

American Rescue Plan Act (ARPA) – Coronavirus State and Local Fiscal Recovery Funds (SLFRF)

RECOMMENDATION:

- 1) Open Public Hearing and accept public comment;
- 2) Close Public Hearing;
- 3) Approve use of Merced County’s American Rescue Plan Act – Coronavirus State and Local Fiscal Recovery Funds (ARPA-SLFRF) allocation of \$53,936,085 as Revenue Replacement;
- 4) Provide staff guidance regarding the ARPA-SLFRF Funding Framework;
- 5) Authorize the use of ARPA-SLFRF funding in the amount of \$11,059,500 towards recommended Capital Improvement Projects in the Fiscal Year 2021-22 Budget and approve the associated budget transfer; (4/5 Vote Required)
- 6) Approve a budget transfer in the amount of \$100,000 for the recoupment of Fiscal Year 2021-22 ARPA-SLFRF eligible expenses; (4/5 Vote Required)
- 7) Direct staff to program the following allocations in the Fiscal Year 2022-23 Budget:
 - a) \$4,700,000 for the Black Rascal Flood Control Project (Capital Project 87132);
 - b) \$10,000,000 for the reconstruction and resurfacing of county roads;
 - c) \$1,000,000 to support the Homeless Navigation Center operations and existing county funded emergency shelter projects;
 - d) \$6,500,000 to support Public Safety functions; and
 - e) \$350,000 to support COVID-19 testing and vaccination efforts; and
- 8) Direct staff to program the following allocations in the Fiscal Year 2023-24 Budget:
 - a) \$1,000,000 to support the Homeless Navigation Center operations and existing county funded emergency shelter projects.

DAVID MIRRIONE, ASSISTANT COUNTY EXECUTIVE OFFICER PROVIDED A PRESENTATION, JIM BROWN, COUNTY EXECUTIVE OFFICER, SUPERVISOR MCDANIEL, DISTRICT 3 BOARD OF SUPERVISOR, AND SUPERVISOR SCOTT SILVEIRA, DISTRICT 5 BOARD OF SUPERVISOR PROVIDED COMMENTS.

OPPORTUNITY WAS GIVEN FOR INTERESTED PERSONS TO ADDRESS THE BOARD.

SEE PAGE 13 AND 14 FOR PUBLIC COMMENTS.

THE CHAIRMAN CLOSED THE PUBLIC HEARING.

MR. BROWN, MR. MIRRIONE, AND JOHN CECCOLI, DEPUTY DIRECTOR OF THE HOUSING AND HOMELESS SERVICES BRANCH PROVIDED FURTHER COMMENTS AND RESPONDED TO QUESTIONS POSED BY THE BOARD.

AFTER DISCUSSION, THE BOARD APPROVED AS RECOMMENDED WITH THE AMENDMENT TO INCLUDE THE RESURFACING OF REGULAR SURFACE ROADS BY MILEAGE PER DISTRICT TO THE \$10,000,000 FOR RECONSTRUCTION AND RESURFACING OF COUNTY ROADS ACTION ITEM. AYES: ALL

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-12)**APPROVED AS RECOMMENDED AYES: ALL**Board of Supervisors

1. In compliance with AB 361 (2021) and in order to conduct teleconference meetings not subject to the usual Brown Act teleconference rules, the Board continues to find that the circumstances regarding the state of emergency declared by the Governor regarding the COVID-19 pandemic which continues in existence; and the continued recommendations or impositions by State and local officials to promote social distancing; and the continued presence of COVID-19 in the State directly impacts the ability of the Board to meet in person.

Public Works

2. Find that substantial evidence demonstrates that an emergency continues to exist regarding the drinking water well at the John Latorraca Correctional Center (JLCC) such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the drinking water well is necessary to respond to the emergency. (4/5 Vote Required)

DANA HERTFELDER, COUNTY PUBLIC WORKS DIRECTOR/ROAD COMMISSIONER PROVIDED AN UPDATE.

3. Find that substantial evidence demonstrates than an emergency continues to exist regarding the Solar Power Inverters at the John Latorraca Correctional Center (JLCC) solar field such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the inverters is necessary to respond to the emergency. (4/5 Vote Required)
4. Find that substantial evidence demonstrates that an emergency continues to exist regarding the collapsed stone wall along the water edge at Lake Yosemite such that the emergency will not permit a delay resulting from solicitation for bids, and that the action to repair the wall is necessary to respond to the emergency. (4/5 Vote Required)
5. Find that substantial evidence demonstrates that an emergency continues to exist regarding the Uninterrupted Power Supply (UPS) battery backup system at the John Latorraca Correctional Center (JLCC) such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the UPS is necessary to respond to the emergency. (4/5 Vote Required)

Health

6. Approve Amendment No. 08 to Contract No. 2000239 with Dignity Health, dba Mercy Medical Center to continue to serve as a Base Hospital, in compliance with the policies and procedures of the County; exercising the option to extend the contract an additional three (3) years with a new term date of August 13, 2024.
7. Approve Amendment No. 01 to Contract No. 2020072 with Dr. Salvador Sandoval, MD, to serve as the Merced County Health Officer, increasing the total contract amount from \$200,000 to \$314,000.

Human Services Agency

8. Approve Amendment No. 3 to Contract No. 2021308 with Merced Inn and Suites to provide temporary quarantine and isolation services utilizing motel rooms for individuals who are experiencing homelessness who are COVID-19 positive or deemed Person Under Investigation per Merced County Public Health Department increasing the contract amount from \$140,000 to \$227,791.

Fire

9. Approve Budget Transfer in the amount of \$12,000 for the installation of fiber optic cable feed for telephone and internet services, to the Modular Classroom building located at the Fire Department Training Area located at Castle.

Sheriff

10. Approve Amendment No. 1 to Contract No. 2019281 with Behavioral Intervention, Inc. (BI Inc.) for electronic monitoring services, modifying the term end date from January 31, 2022 to June 30, 2022.

Board Recognition

11. Certificates of Recognition to Sarah Ward, Cooper Lanz, Noor Amro, Amethyst Lumley, Jenna Bates, and Seth Scheidt, for Daughters of the American Revolution Good Citizens Scholarship Awards, presented February 5, 2022.
12. Proclaim the week of January 30, 2022 through February 5, 2022, as "Catholic Schools Week" in Merced County.

REGULAR CALENDAR**BOARD ACTION**PUBLIC WORKS

13. 1) Approve the selection of Sletten Construction Company as the Design-Build Entity (D-BE) for Phase II of the Correctional Facility Project; 2) Authorize the Director of Public Works to award a contract in the amount of \$1,650,890.00 for design and preconstruction services to arrive at the final Guaranteed Maximum Price (GMP) for the project; 3) Authorize the Director of Public Works to finalize and execute said agreement, and any amendments or change orders thereto, subject to County Counsel and Risk Management review; 4) Authorize Staff, in conjunction with the Financial Advisor, to assemble a Finance Team consisting of Bond Counsel, Disclosure Counsel, Trustee, Underwriter, Underwriter's Counsel, Municipal Advisor, Rating Agency, and other experts necessary through appropriate measures to assist in the preparation of the necessary plans and preliminary documents for financing of Phase II of the Correctional Facility Project; 5) Authorize Staff, in conjunction with the Financial Advisor, to prepare with Finance Team members the necessary agreements to obtain financing for the project and return to the Board for approval; 6) Adopt the Resolution authorizing the reimbursement of expenditures related to Phase II of the Correctional Facility Project from proceeds of indebtedness; and 7) Approve the associated budget transfer. (4/5 Vote Required).

SUPERVISOR SILVEIRA PROVIDED COMMENTS AND DANA HERTFELDER, COUNTY PUBLIC WORKS DIRECTOR/ROAD COMMISSIONER, AND JIM BROWN, COUNTY EXECUTIVE OFFICER RESPONDED TO QUESTIONS POSED BY THE BOARD.

ADOPTED RESOLUTION NO. 2022-20 AND AUTHORIZED CONTRACT NO. 2022039 AS RECOMMENDED AYES: ALL

14. 1) Adopt a Resolution adopting a Notification of Intent to Comply (NOIC) pursuant to SB 619; and 2) Authorize the Director of Public Works to execute and submit to CalRecycle the NOIC and any related documents, and to modify the NOIC, as needed.

ADOPTED RESOLUTION NO. 2022-21 AS RECOMMENDED AYES: ALL

15. 1) Find the Castle Buildings Demolition Project exempt from environmental review under section 15268 – “Ministerial Projects,” 15301 – “Existing Facilities”, and 15308 – “Actions by Regulatory Agency for Protection of the Environment” of the CEQA Guidelines; 2) Adopt the Plans and Specifications for the demolition of the following Castle Buildings in the vicinity of Heritage Drive and Challenger Way Base Bid for demolition of Building No. 1038 and for partial demolition of Building No. 1230; Alternate No. 1 for demolition of Buildings Nos. 262, 264, 265 and Alternate No. 2 for Building No. 411; 3) Authorize the Department of Public Works to advertise said Plans and Specifications for a Public Bid Opening; 4) Authorize the Director of Public Works to award a Construction Contract to the lowest responsible bidder provided said bid was within the established budget and execute said Construction Contract upon review by the Department of Public Works, Risk Management, and County Counsel; and, 5) Return to the Board of Supervisors with an informational item describing all actions taken.

AUTHORIZED CONTRACT NO. 2022040 AS RECOMMENDED AYES: ALL

16. 1) Find that substantial evidence demonstrates that an emergency exists regarding an HVAC Unit in a dormitory at the John Latorraca Correctional Center (JLCC) such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the HVAC unit is necessary to respond to the emergency. (4/5 Vote Required); and 2) Approve the associated budget transfer.

AUTHORIZED CONTRACT NO. 2022041 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

17. 1) Approve the termination of the Industry Track Agreement (Contract No. 2017252) with Burlington Northern Santa Fe (BNSF) and authorize the Chairman to execute termination letter on a date to be determined that is consistent with the timeline outlined in the staff report; and, 2) Authorize the Director of Community and Economic Development to execute any other instrument that may be needed to perfect the termination with BNSF, subject to review by the County Executive Officer and County Counsel.

APPROVED AS RECOMMENDED AYES: ALL

18. Approve and authorize the Chairman to execute a license agreement with Foster Townsend Railroad Logistics, LLC (FTRL) for a term of 120 days in an amount of \$5,000.00, granting FTRL temporary access to approximately 70 acres located in the Rail District at the Castle Commerce Center.

AUTHORIZED CONTRACT NO. 2022042 AS RECOMMENDED AYES: ALL

19. 1) Find adoption of the proposed ordinance is exempt from environmental review under the California Environmental Quality Act pursuant to section 15061 of the CEQA Guidelines; and, 2) Adopt an ordinance, introduced on January 25, 2022, entitled "AN ORDINANCE RELATING TO GROUNDWATER MINING AND EXPORT".

MARK HENDRICKSON, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT AND STEVE MAXEY, DEPUTY DIRECTOR OF PLANNING PROVIDED COMMENTS AND RESPONDED TO QUESTIONS POSED BY THE BOARD.

**AFTER DISCUSSION, ADOPTED ORDINANCE NO. 2014 AS RECOMMENDED
AYES: 2,3,4,5 NOES: 1**

AUDITOR

20. Approve a line of credit in an amount not to exceed \$30,000 from the Special District Augmentation Loan Fund (SDALF), bearing an interest rate equal to the Treasury Rate, to the East Merced Resource Conservation District (EMRCD) to be used for cash flow purposes due to the Districts' outstanding grants. The line of credit will mature on March 31, 2024.

APPROVED AS RECOMMENDED AYES: ALL

ADMINISTRATIVE SERVICES

21. Declare assorted motor vehicles (listed on Exhibit A) as Surplus Property as recommended.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

22. 1) Approve departmental personnel actions as listed in Attachment A - Departmental Personnel Actions; 2) Establish the job classification specification of: BHRS Program Coordinator and Grant Writer; 3) Approve the modifications to the following existing job classification specifications: Deputy County Counsel I/II/III/IV; and 4) Approve the amendments to the Salary Allocation Resolution 06-120, the Position Allocation Resolution 06-120/A and the Merced County Human Resources Rules and Regulations 2007-22.

ADOPTED RESOLUTION NOS. 2022-22 (POSITION), 2022-23 (SALARY), & 2022-24 (RULES) AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

23. Approve and authorize County Executive Officer to sign Agreement to Terminate Escrow Agreement with Mercy Medical.

SUPERVISOR SILVEIRA PROVIDED COMMENTS. JIM BROWN, COUNTY EXECUTIVE OFFICER RESPONDED TO QUESTIONS POSED BY THE BOARD.

AUTHORIZED CONTRACT NO. 2022043 AS RECOMMENDED AYES: ALL

24. Approve the designation of Deputy County Executive Officer Sommer Moniz as the primary representative for the PRISM Board of Directors effective February 25, 2022.

SUPERVISOR MCDANIEL PROVIDED COMMENTS.

APPROVED AS RECOMMENDED AYES: ALL

THE BOARD RECESSED AT 12:39 P.M. THE BOARD RECONVENED AT 2:00 P.M. AND ADJOURNED THE MEETING AT 3:35 P.M. UNTIL TUESDAY, MARCH 1, 2022, AT 10:00 A.M.

10:00 A.M. SCHEDULED ITEM
2022-02-08 PUBLIC OPPORTUNITY

Public Comments received via email for Public Opportunity and Scheduled Items are on file with the Clerk.

Dr. Sima Asadi, Merced Pediatrician, spoke regarding children's vaccination and death rates and returning children to schools effectively. She indicated she looks forward to the day when she can take down the face covering required sign from her door and allow children inside in sickness and in health to be free to do what is comfortable for them.

Anisa Fregozo, President of the Merced County Hispanic Chamber of Commerce, thanked the Board and spoke in support of the Teen Center at the Merced County Library. She expressed that internships through the Teen Center would provide opportunities for young Hispanic entrepreneurs.

Diana Odumgun, Merced resident, spoke in support of the Teen Center on behalf of the Friends of the Merced County Library. She shared the need for the resources the Teen Center could offer to teenagers in our area.

Juan Martinez, United Way of Merced on behalf of USA Boxing and Haro Brothers Boxing Team in Merced, shared that there is a new Silver Gloves National Champion in Rene Hulk Martinez, and there is another boxer headed for the Junior Olympics.

Eugene Morris, Field Representative for Carpenters Local 152 spoke on Item #13, requesting the Board consider requiring Sletten Construction to use local hire and use local apprentices out of Merced.

Eric Swensen, District Engineer for the Merquin County Water District, Groundwater Sustainability Board for the Merced Subbasin, spoke about Item #19, and requested 2 proposed changes under the exemption's sections of the Ordinance.

Madeline Harris, via Zoom, Leadership for Justice and Accountability, requested a policy to be placed on the Agenda Notice regarding interpretation needs and asked if interpretation could be made available on Zoom for the Public Hearing taking place this afternoon.

Vanessa Diegas, via Zoom, resident, expressed concern with students being behind in their reading, math, etc. due to COVID issues. She is alarmed at the way they are falling behind and feels something needs to be done to help them. She shared that her daughter attends Cruickshank Middle School and has witnessed a classmate cutting herself, while in class. She encouraged the Board to help with ending the local emergency and mask mandate so that children can go back to school normally so that their education and mental health can be put first.

Present: Pareira, Espinoza, Pedrozo, McDaniel, Silveira

10:00 A.M. SCHEDULED ITEM**2022-02-08 COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING PUBLIC OPPORTUNITY**

Shane Parson, local business owner, partner and developer of the Blaker Brewery Tarmac site at Castle. He speaks in support of the Foster Townsend project. He shares some of the benefits he believes it will bring to the area.

Mayor Pro Tem John Cale, City of Atwater requests that the Board get the City of Atwater more involved in the project, since it's right in their backyard. He expresses concern over some of the traffic issues the rail may cause and congratulates Mr. Brown on his retirement.

Robert Henry, representative from the Morningstar Company, a large Ag producer and rail user in the county, expresses their support of the project.

Rene Gutierrez, President of Merced County Hispanic Chamber of Commerce, speaks in support of the rail project and the improvement in infrastructure and highlights the benefits he believes it will bring to Merced.

Dave Chambers, President of Hydra from Sacramento, via Zoom, spoke in favor of the rail project and how he looked forward to working with Merced County in the future.

2:00 P.M. SCHEDULED ITEM**2022-02-08 COUNTY EXECUTIVE OFFICE – PUBLIC HEARING PUBLIC OPPORTUNITY**

A Merced County resident shares concerns regarding COVID-19 and expressed that she felt like her neighborhood was being left out. She indicated she has family everywhere and has learned that Monterey and San Francisco have a program called self-isolation stipend program, which helps those in their communities that caught COVID-19 and they were given one thousand dollars to assist families that have to shelter in. She reached out to the staff at HSA and spoke with a supervisor there and an assistant director because the director wasn't available and they indicated that the program does not exist here. She asked the Board to consider those in her neighborhood.

The Chairman asked the resident a couple of follow up questions and connected her with John Ceccoli to aid in her needs.

Madeline Harris, Leadership Counsel for Justice and Accountability, via Zoom asked a question regarding the slide that discusses revenue replacement and makes additional comments regarding the feedback received from the community outreach efforts.

Patricia Ramos, resident of Santa Nella, via Zoom makes comments regarding the ARPA funding and shares that she feels many rural communities are being left out. She shares comments regarding builders not including parks when developing in areas like Santa Nella.

Gloria, via Zoom requested the definition of Public Safety, also asked if the county would be allocating the entire amount of the funds now and shared that she would like to see our community parks include exercise stations for individuals to use.

Sheng Xiong, Leadership Counsel for Justice and Accountability, via Zoom shared comments regarding sick pay for families who have missed work due to COVID illness and caring for their

children. She indicated that a thousand dollars is nothing to assist families, especially when they've missed an entire week to care for their children and would like to see direct funds from ARPA to go to families in the community. She made additional comments regarding how the ARPA funds were being allocated.

Cristantema Gallardo, Power California, via Zoom expresses concerns about the public safety investments in Merced County and shares comments about premium pay for farm workers and expresses support for a COVID sick pay program. Also asks the county to consider a youth jobs program through Worknet.