



**BOARD OF SUPERVISORS**

Rodrigo Espinosa, *District 1*

Josh Pedrozo, *District 2*

Daron McDaniel, *District 3*

Chairman Lloyd Pareira, Jr., *District 4*

Vice Chairman Scott Silveira, *District 5*

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

**SUMMARY ACTION MINUTES - FINAL**

TUESDAY, OCTOBER 18, 2022

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.*

**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: <https://www.countyofmerced.com/1581/Comcast-Ch-96-Broadcast>

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

**PUBLIC COMMENT**

Time allotted to each speaker is determined by the Board Chair. At his/her discretion, the Chair may modify public opportunity to speak by reducing individual speaking time limits and/or expanding the allocated total time limit(s) set forth below.

At the designated times, please raise your hand and you will be directed to the podium.

**CLOSED SESSION ITEMS**

Public opportunity to speak on any matter to be considered in Closed Session will be taken prior to the Board adjourning into the Closed Session. In order that interested individuals have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes.

**NON-AGENDA ITEMS**

Public opportunity to speak on any matter of public interest within the Board's jurisdiction will be taken at the beginning of the Board Meeting. In order that interested individuals have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes. The Non-Agenda Item Public Comment period will be limited to twenty (20) minutes total. The Board may not take action on any item that does not appear on the posted agenda.

**AGENDA ITEMS**

Public opportunity to speak on items on the Board's Agenda will be heard following announcement of each section or subsection of the Agenda. In order that interested individuals have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes per section or subsection of the Agenda. Please note, the Consent Calendar is considered one section.

**PUBLIC HEARINGS**

Public opportunity to speak regarding public hearings will be heard following the reading, and if applicable, presentation of the public hearing. In order that interested individuals have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes.

**GENERAL PUBLIC COMMENT INFORMATION**

Speakers may not yield their time to another person.

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

The Public may provide email or telephonic comments to the Board of Supervisors at any time, however, these comments will not be made part of the official record.

**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 **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 and are divided into subsections by Department
- **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](http://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 by 4:00 PM the Friday 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.*

**9:00 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: Teamsters (Corrections), Unit 2; Teamsters (Non-Safety Corrections), Unit 12; and Merced County Public Safety Services Unit (MCPSSU), Unit 14. Agency Negotiator: Marci Barrera

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION:**

It is the intention of the Board to meet in Closed Session concerning Initiation of Litigation pursuant to Government Code section 54956.9(d)(4): One Case

**THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT, AND THE CHAIRMAN ADVISED STAFF WAS GIVEN DIRECTION**

**GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA ITEMS)****10:00 A.M. REGULAR MEETING**

**INVOCATION by Pastor Juan Uriostegui, Iglesia de Cristo/PLEDGE OF ALLEGIANCE**

**\*SPECIAL REPORT REGARDING THE CURRENT GENERAL ELECTION PROVIDED BY COUNTY EXECUTIVE OFFICER RAUL MENDEZ**

**PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION EXCLUDING ITEMS ON THE BOARD'S AGENDA (TESTIMONY LIMITED TO THREE MINUTES PER PERSON AND TWENTY MINUTES TOTAL).**

**SEE PAGE 11 AND 12**

**CONSENT CALENDAR (Items # 1-19)****APPROVED AS RECOMMENDED AYES: ALL**Public Works

1. Find that substantial evidence demonstrates that an emergency continues to exist regarding the roof beams at the Los Banos Spring Fair Germino Building, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the roof beams is necessary to respond to the emergency. (4/5 Vote Required)
2. Find that substantial evidence demonstrates that an emergency continues to exist regarding the crematory at the Merced County Animal Shelter located at 2150 Shuttle Dr., Atwater, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the crematory is necessary to respond to the emergency. (4/5 Vote Required)
3. 1) Find that substantial evidence demonstrates that an emergency continues to exist regarding the damaged padding in the safety cell at the Main Jail, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the padding is necessary to respond to the emergency. (4/5 Vote Required); and 2) Reapprove associated budget transfer correcting budget unit.
4. Find that substantial evidence demonstrates that an emergency continues to exist regarding several damaged windows at the Juvenile Justice Facility (JJF), such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the windows is necessary to respond to the emergency. (4/5 Vote Required)
5. Approve a Budget Transfer in the amount of \$301,500 to transfer funds from the Roads Special Fund to cover increased cost of material for the Summer 2022 Overlay projects.
6. Approve a Budget Transfer in the amount of \$90,000 to transfer funds from Long Term Structures and Improvements to cover the cost for the emergency replacement of two failed HVAC units at John Latorraca Correctional Facility for the laundry room and Building 400.
7. Approve a Budget Transfer in the amount of \$50,000 to transfer funds from the Roads Special Fund to cover increased manufacturer costs for the building of a Striper Truck.
8. Approve a Budget Transfer in the amount of \$1,300,000 for the purchase of a modular building to be placed at the John Latorraca Correctional Center (JLCC) to be used as office space, training space, and meeting space during the JLCC remodel; and for training purposes post remodel.
9. Approve a Budget Transfer in the amount of \$50,000 to transfer funds from the Roads Special Fund to cover increased cost for the purchase of a Wheel Loader for roads.
10. Approve a Budget Transfer in the amount of \$20,000 to transfer funds from the Roads Special Fund to cover increased cost for the purchase of two Utility Tractors for roads.

Behavioral Health and Recovery Services

11. Approve and authorize the Board Chair to sign Amendment No. 03 to Contract No. 2020153 with God's Love Outreach Ministries, for Adult Residential Facility services, extending the term end date from June 30, 2023 to June 30, 2025, revising and replacing Exhibit B, entitled

“Rates/Fiscal Terms and Conditions” and Exhibit C, entitled “Scope of Work, and modifying the Insurance Requirements and adding COVID-19 Requirements to meet current County standards.

12. 1) Approve and authorize the Board Chair to sign the Proclamation recognizing the week of October 23-31, 2022 as “Red Ribbon Celebration Week” in Merced County; and 2) Authorize and encourage all County departments and employees to wear red ribbons and supporting attire, and decorate County buildings with red ribbons in celebration of the event.

#### Human Services Agency

13. Approve and authorize the Board Chair to sign Amendment No. 1 to Contract No. 2022065 with the Merced County Community Action Board for Non-Congregate Shelter Services in Los Banos to extend the term end date from October 31, 2022 to November 30, 2022.

#### Probation

14. Approve and authorize the Board Chair to sign the Reinstatement of Contract No. 2020215 with Merced County Office of Education for Educational and Vocational Program Services for the Phoenix Project, modifying the term end date from June 30, 2022, to June 30, 2023, and increasing the contract amount from \$526,431 to \$957,290.

#### **SUPERVISOR PEDROZO PROVIDED COMMENTS**

15. Approve and authorize the Board Chair to sign the Reinstatement of Contract No. 2021248 with Merced County Office of Education for Educational and Vocational Program Services for the Rise Program, modifying the term end date from June 30, 2022 to June 30, 2023, and increasing the contract amount from \$186,131 to \$372,262.
16. Approve and authorize the Board Chair to sign the Reinstatement of Contract No. 2021251 with Merced County Office of Education for educational and vocational services in construction and solar technologies, modifying the term end date from June 30, 2022, to June 30, 2023, and increasing the contract amount from \$269,409 to \$575,254.
17. Approve and authorize the Board Chair to sign the Reinstatement of Contract No. 2019315 with B.I. Incorporated DBA BI Correctional Services Inc. for Jail Reentry Program Services, extending the term date from September 30, 2022 to September 30, 2023, and increasing the total contract amount not to exceed from \$1,368,453 to \$1,824,604.

#### Board Recognition

18. Ratify Certificates of Recognition to various individuals for being selected by their school districts as their Excellence in Education Awards Honorees.
19. Ratify Certificate of Recognition to the Walmart Supercenter in Atwater, California in Observation of their Walmart Wellness Day for 2022.

### **REGULAR CALENDAR**

### **BOARD ACTION**

PUBLIC WORKS

20. 1) Find that no further environmental review is required pursuant to CEQA Guidelines Section 15162 (“Subsequent EIRs and Negative Declarations”); and 2) Approve and authorize the Board Chair to execute the Pipeline License Agreement with Hilmar Dairy Biogas, LLC to complete a biogas pipeline route encompassing approximately 7.94 miles of County right-of-way in the Hilmar area, as generally depicted in Exhibit A of the License Agreement.

**SARAI RAMIREZ WITH LEADERSHIP COUNSEL PROVIDED COMMENTS****AUTHORIZED CONTRACT NO. 2022209 AS RECOMMENDED AYES: 2,3,4,5****NOES:1**

21. 1) Approve and authorize the Board Chair to sign a retainer agreement with Ghirardelli Associates, Inc. of San Jose, CA for on-call construction management services for the period of October 18, 2022 to December 31, 2025, for an amount not to exceed \$2,500,000; and, 2) Authorize the Director of Public Works to execute project supplement agreements in amounts up to \$500,000 in compliance with the terms of the retainer agreement.

**AUTHORIZED CONTRACT NO. 2022210 AS RECOMMENDED AYES: ALL**

22. 1) Adopt a Resolution of intention to form the Cypress Estates No. 3 Street Lighting and Drainage Maintenance Zone of Benefit No. 280 in County Service Area No. One, in the Winton area, pursuant to Government Code Section 25217(b); 2) Direct the engineer to prepare and file with the Clerk of the Board a report in accordance with Government Code Section 54716; 3) Direct the Clerk of the Board to mail the waiver of notice and ballots to the record owners of real property located within the proposed zone of benefit regarding the proposed levy of assessments thereon in accordance with Government Code Section 53753; and 4) Set a public hearing for November 8, 2022 at 10:00 AM in the Board Chambers on the engineer’s report, the formation of the zone of benefit, and the proposed levy of assessments.

**SUPERVISOR ESPINOSA PROVIDED COMMENTS****ADOPTED RESOLUTION NO. 2022-104 AS RECOMMENDED AYES: ALL**HEALTH

23. 1) Approve and authorize the Board Chair to sign the Acceptance of Allocation Agreement for Fiscal Year 2022-2023 (State Agreement No. CTCP 21-24) with the California Department of Public Health California Tobacco Control Program to reduce tobacco related health disparities, effective July 1, 2022 through June 30, 2023, in the amount of \$300,000; and 2) Authorize the Public Health Director or designee to sign and submit the Prospective Payment Invoices for Fiscal Year 2022-2023.

**AUTHORIZED CONTRACT NO. 2022081 AS RECOMMENDED AYES: ALL**

24. Approve and authorize the Board Chair to execute an Intergovernmental Agreement regarding the transfer of public funds (State Contract 21-10229) with the California Department of Health Care Services to participate in the 2021 Intergovernmental Transfer Voluntary Rate Range Program, effective January 1, 2021 through June 30, 2024, for a total contract amount to not exceed \$11,124,757.20.

**AUTHORIZED CONTRACT NO. 2021325 AS RECOMMENDED AYES: ALL**

**BEHAVIORAL HEALTH AND RECOVERY SERVICES**

25. Approve and authorize the Board Chair to sign the no cost Memorandum of Understanding between Merced County on behalf of Behavioral Health and Recovery Services Department, Sheriff's Department, and Probation Department, and City of Merced Police Department, City of Los Banos Police Department, City of Atwater Police Department, City of Dos Palos Police Department, City of Gustine Police Department and City of Livingston Police Department for the Community Co-Response Team collaboration to divert individuals from criminal justice involvement. The term of the Memorandum of Understanding is effective October 18, 2022 and will be ongoing until terminated by all parties.

**AUTHORIZED CONTRACT NO. 2022211 AS RECOMMENDED AYES: ALL**

26. Approve and authorize the Board Chair to sign the retroactive Continuum of Care Program Grant Agreement (Grant No. CA0780L9T202113), with the United States Department of Housing and Urban Development, for project Home Start, effective June 1, 2022 through May 31, 2023, in the amount of \$167,267.

**AUTHORIZED CONTRACT NO. 2022212 AS RECOMMENDED AYES: ALL**

27. Approve and authorize the Board Chair to sign the retroactive Continuum of Care Program Grant Agreement (Grant No. CA0984L9T202109), with the United States Department of Housing and Urban Development, for project Hope Westside, effective May 1, 2022 through April 30, 2023, in the amount of \$192,609.

**AUTHORIZED CONTRACT NO. 2022213 AS RECOMMENDED AYES: ALL**

28. Approve and authorize the Board Chair to sign the new Contract with Aspiranet, to operate and provide crisis stabilization services at the Youth Crisis Stabilization Unit (CSU) located in Merced. The term of the contract is October 18, 2022 through June 30, 2024, in the amount of \$3,913,417.

**AUTHORIZED CONTRACT NO. 2022214 AS RECOMMENDED AYES: ALL**

**HUMAN SERVICES AGENCY**

29. 1) Adopt a Resolution authorizing the County Executive Officer or the Director of the Human Services Agency to execute the Permanent Local Housing Allocation (PLHA) Formula Component Program Application, the PLHA Formula Component Standard Agreement, and any subsequent amendments or modifications thereto, as well as, any other documents which are related to the Program grant awarded to Merced County in an amount up to \$625,917 subject to Risk and Counsel approval; and 2) Direct the Director of the Human Services Agency to return to the Board of Supervisors with an informational item of all actions taken.

**ADOPTED RESOLUTION 2022-105 AS RECOMMENDED AYES: ALL**

30. Approve and authorize the Board Chair to execute a City of Merced Street Closure Application for the 18th Annual Veterans Day Parade, to be held on November 11, 2022.

**APPROVED AS RECOMMENDED AYES: ALL**

31. Adopt a Resolution approving and authorizing the Board Chairman to sign the retroactive State Revenue Contract No. CF-2223-31 with the California Department of Aging, for the Supplemental Nutrition Assistance Program-Education (SNAP-Ed)/CalFresh Healthy Living

and CalFresh Expansion, effective October 1, 2022 through September 30, 2025, for a total contract amount not to exceed \$632,403.

**ADOPTED RESOLUTION NO. 2022-106 AND AUTHORIZED CONTRACT NO. 2022215 AS RECOMMENDED AYES: ALL**

32. Approve and authorize the Board Chair to sign a contract with Clifford Caton dba Caton Properties, for Lease of office space located at 1573 West Main Street, Merced, effective December 1, 2022 through June 30, 2025, for a total contract amount not to exceed \$193,669.

**AUTHORIZED CONTRACT NO. 2022216 AS RECOMMENDED AYES: ALL**

33. Adopt a Resolution approving and authorizing the Board Chair to sign a no-cost Memorandum of Understanding (CDSS Agreement No. 21-3093, Exhibit D) between the California Department of Social Services and the County of Merced, to authorize County access to the online employment and wage verification service referred to as "The Work Number®."

**ADOPTED RESOLUTION NO. 2022-107 AND AUTHORIZED CONTRACT NO. 2022217 AS RECOMMENDED AYES: ALL**

**SHERIFF**

34. 1) Approve and authorize the Board Chair to sign Amendment No. 1 to Contract No. 2022115 with Merced Union High School District for the addition of one (1) full time School Resource Officer, assigned to the Livingston High School, the term remains July 1, 2022 through June 30, 2023, and the total contract amount is increased from \$420,000 to \$693,000; 2) Approve the addition of one (1) Deputy Sheriff/Coroner I/II position, classification 4079/4080, salary range 74.3/76.2 in Budget Unit 22100; 3) Approve the amendments to the Position Allocation Resolution 06-120/A.; and 4) Approve the associated budget transfer adding appropriation for the additional School Resource Officer salary and benefits and establishing an asset to purchase a patrol vehicle for the position. (4/5 Vote Required)

**ADOPTED RESOLUTION NO. 2022-108 AND AUTHORIZED CONTRACT NO. 2022115 AS RECOMMENDED AYES: ALL**

35. Approve and authorize the Sheriff to sign the Memorandum of Agreement Between the Mariposa County Sheriff's Office and the Merced County Sheriff's Office Pertaining to Assistance Under the Law Enforcement Mutual Aid Plan for mutual aid services provided during the Oak Fire.

**AUTHORIZED CONTRACT NO. 2022218 AS RECOMMENDED AYES: ALL**

36. Approve and authorize the Sheriff to sign the Memorandum of Understanding Between the Sacramento County Sheriff's Office and Merced County Sheriff's Office for participation and reimbursement of High Intensity Drug Trafficking Area overtime and expenses.

**AUTHORIZED CONTRACT NO. 2022219 AS RECOMMENDED AYES: ALL**

**FIRE**

37. Approve and authorize the Assistant Chief of the Merced County Fire Department to execute the Public Benefit Grants Program Funding Agreements No. G-127361-A1 and G-127362-A1, and any related documents required, with the San Joaquin Valley Air Pollution Control District, for the purchase of two (2) electric John Deere, Gator TEs, as part of the New



Alternative Fuel Vehicle Purchase Component of the Program, in an amount up to \$33,440.92 collectively.

**AUTHORIZED CONTRACT NO. 2022220 AS RECOMMENDED AYES: ALL**

- 38. Adopt a Resolution accepting the annual report, in compliance with SB 1205, of structure inspections as required by Health and Safety Code Sections 13146.2 and 13146.3 completed from October 1, 2021 to September 30, 2022.

**ADOPTED RESOLUTION 2022-109 AS RECOMMENDED AYES: ALL**

**DISTRICT ATTORNEY**

- 39. Adopt a Resolution ratifying the District Attorney's submission of a grant proposal to Cal OES; authorizing the District Attorney to sign the Grant Award Agreement for calendar year 2023, including modifications, amendments and extensions upon review and approval of County Counsel and Risk Management; and that the District Attorney and the Chair of the Board of Supervisors are authorized to sign the Certification of Assurance of Compliance for participation in the California Governor's Office of Emergency Services' Unserved/Underserved Victim Advocacy and Outreach Program effective January 1, 2023 through December 31, 2023 in the amount of \$196,906.

**ADOPTED RESOLUTION NO. 2022-110 AS RECOMMENDED AYES: ALL**

**LAW LIBRARY**

- 40. Approve the Merced County Law Library Annual Report as presented and approved by the Merced County Law Library Board of Trustees on October 6, 2022.

**APPROVED AS RECOMMENDED AYES: ALL**

**BOARD APPOINTMENTS**

- 41. Appoint the Rural County Representative of California (RCRC), Golden State Finance Authority (GSFA), and Golden State Connect Authority (GSCA) Board of Directors Delegate and Alternate members for 2023.

**SUPERVISOR SILVEIRA PROVIDED COMMENTS**

**APPROVED AS RECOMMENDED AYES: ALL**

**REVIEW BOARD ORDER**

- 42. Approve the following appointments to the Plainsburg Cemetery District Board of Trustees: 1) Reappoint Jeanne Giampaoli and Nicholas Marchini until January 6, 2025. 2) Reappoint Kenneth Mc Pherson and appoint Leonel Villarreal until January 5, 2026.

**SUPERVISOR ESPINOSA PROVIDED COMMENTS**

**APPROVED AS RECOMMENDED AYES: ALL**

**BOARD INFORMATION & POSSIBLE ACTION****ACCEPTED AND PLACED ON FILE AYES: ALL**

43. Informational Item Only - The County's annual payment to the West Turlock Subbasin Groundwater Sustainability Agency for Fiscal Year 2022-2023 Groundwater Sustainability Plan costs and membership dues is \$24,745.47.

**SCHEDULED ITEMS:****COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING**

Amendment of the Merced County Agricultural Preserve as per the California Land Conservation Act of 1965 (Williamson Act)

**RECOMMENDATION:**

- 1) Open public hearing and accept public comment related to the proposed amendment of the Agricultural Preserve;
- 2) Close public hearing;
- 3) Find that the proposed modification of the Agricultural Preserve boundary, reflecting the removal of land in relation to the following Property Line Adjustment (PLA) and Minor Subdivision (MS), is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) ("Common Sense") and does not require additional environmental review pursuant to CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning), based on the findings listed in the BAI: (a) PLA22-011 located on the south side of West Longview Avenue, approximately 1,300 feet east of North Lincoln Boulevard in the Livingston area; and (b) MS22-009 located at the northwest corner of North Washington Road & West American Avenue in the Hilmar area; and
- 4) Adopt a resolution to amend the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act), Section 51200 et seq. of the California Government Code.

**MARK HENDRICKSON, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT INTRODUCED THE ITEM AND PROVIDED COMMENTS****OPPORTUNITY WAS GIVEN FOR INTERESTED PERSONS TO ADDRESS THE BOARD NO INTERESTED PERSON ADDRESSED THE BOARD****THE CHAIRMAN CLOSED THE PUBLIC HEARING****ADOPTED RESOLUTION NO. 2022-111 AS RECOMMENDED AYES: 2,3,4,5 ABSTAIN: 1****BEHAVIORAL HEALTH AND RECOVERY SERVICES - PUBLIC HEARING**

Public Hearing to consider proposed ordinance for Mental Health Services Fees

**RECOMMENDATION:**

- 1) Introduce the proposed ordinance entitled "An Ordinance Amending Title 9, Chapter 9.48, Section 9.48.030 of the Merced County Code Changing Fees Charged for Mental Health and Alcohol and Drug Services", and waive further reading;

- 2) Open public hearing and accept public comment;
- 3) Close the public hearing; and
- 4) Adopt said ordinance.

**SHARON MENDONCA, ASSISTANT BEHAVIORAL HEALTH AND RECOVERY SERVICES DIRECTOR OF PROJECT PLANNING AND FISCAL DEPARTMENT**

**INTRODUCED THE ITEM AND PROVIDED COMMENTS**

**OPPORTUNITY WAS GIVEN FOR INTERESTED PERSONS TO ADDRESS THE BOARD  
NO INTERESTED PERSON ADDRESSED THE BOARD**

**THE CHAIRMAN CLOSED THE PUBLIC HEARING**

**ADOPTED ORDINANCE NO. 2023 AS RECOMMENDED AYES: ALL**

### **REPORTS/BOARD DIRECTION**

Board of Supervisors Members, County Counsel, County Executive Officer

**THE BOARD ADOPTED A RESOLUTION IN MEMORY OF CHARLES HISE AND  
ADJOURNED THE MEETING AT 11:33 A.M. UNTIL TUESDAY, NOVEMBER 1, 2022, AT  
10:00 A.M.**

### **10:00 A.M. SCHEDULED ITEM 2022-10-18 PUBLIC OPPORTUNITY**

Javier Fuentes, Public Candidate for District Four for the City of Merced, states that he is very frustrated with the current election issues and believes the credibility of the election process has been damaged permanently in the City, County and State. He believes the damage has resulted in voter suppression, whether it was intended or not, it caused confusion. He states that the County notified him that he was running for the wrong district and then later notified him that he was in fact running for the correct district. He asks the Board to keep in communication with the City of Merced regarding boundaries and also asks why County is not getting the correct information.

Rick Windling, Merced County resident comments that he appreciates the efforts to fix the new ballot, but still thinks that the current ballots ought to be invalidated and asks that the person or persons who erred in the particular process of getting the wrong ballots should be fired. His second point is regarding the Governor's Health Emergency, while he is glad that the order has been lifted he believes that shutting down the entire California economy for as long as he did was both an economic and mental health disservice to the state and all of the people in it. He also comments on the County Health Officer who is paid with taxpayer dollars, is grossly unresponsive to his entreaties to talk about the continuing ill effects on Merced County citizens, and should be instructed to cooperate. He asks for the Board's help in retiring the Governor from his office in November and further comments that the success of the mental health and health care system could be measured better and provides examples.

Casey Steed, citizen, District Two resident, a landowner, a voter and candidate for District Four in upcoming election, states that 4,200 ballots were sent to the wrong voters, 2,200 in his district and 2,000 in District Six. He believes the process has been corrupted. He does appreciate the strong words from the Supervisors, but hopes that strong actions follow. He believes a third party is necessary and that it needs to be transparent. He also states that the constitutional rights, the voting rights, the citizens of this City, and the citizens of the County have been done a disservice and that it needs to be corrected.

Irene McClenahan, Former teacher, shares her frustration with the current election's issues. She comments that in the last presidential election her mail was stolen out of her mailbox which had large amounts of money for two candidates. She believes that there seems to be a huge rush to get us to vote by mail and does not trust the process. She also expresses her frustration regarding outside money coming in for candidates. She also states that she is very active in writing letters to the editors and just can't understand why the process has been completely deceived, immoral and unjust.

David Rodriguez, Resident of Planada, states that he opposes the future expansion of the Hillcrest Dairy and the Planada Conditional Use Permit 20-013. He comments that California is going through another drought and Merced County is still in a severely overdraft situation with the water supply. He believes the expansion will increase the herd of cows from 8,050 to 9,750, which will increase water usage and methane gas a year. He implores the Board of Supervisors to deny the future expansion of the Hillcrest Dairy in Planada due to the stench of manure filtering through the town, nitrates and methane affecting the environment and Planada being designated as a severely disadvantaged community.

Jaz Diaz, Resident of Merced District Two speaks in opposition to the Hillcrest Dairy. She begins with acknowledging that we are on unceded Northern Valley Yokuts Land and also speaks in opposition to the Hillcrest Dairy. She shares her concerns on the impacts the dairies have on the central valley community and how it affects those that live around it, and how they are affected by the water contamination, soil contamination, as well as air pollutants. She urges the Board to not just think about the economy right now, but to look at the seven generations and how that will impact the sustainability of our community and the people. She also thanks the nurses and health care workers who have been putting their time and lives and families at risk.

Atencia Maria, Resident of Merced in District Six, addresses Supervisor Silveira comments regarding helping to get the information out to the voters and states that it is hard for voters not think there is a conspiracy going on. She also states that the information on the website regarding the election issues is very dark and hard to see. She is concerned that not everyone is going to see that information and questions the process of counting the ballots.

Present: Pareira, Espinosa, Pedrozo, McDaniel, Silveira