



**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, NOVEMBER 8, 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 - SIGNIFICANT EXPOSURE TO LITIGATION:**

It is the intention of the Board to meet in Closed Session concerning Significant Exposure to Litigation pursuant to Government Code section 54956.9(d)(2): one case.

**THE BOARD RECESSED AT 9:01 A.M. AND RECONVENED AT 10:02 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 Mark Hendrickson/PLEDGE OF ALLEGIANCE**

**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 12**

**PRESENTATION:**

**100-DAY CHALLENGE TO HOUSE 100-CHILDREN AND YOUTH**

**DEPUTY DIRECTOR OF HUMAN SERVICES AGENCY, JOHN CECCOLI PROVIDED COMMENTS INDICATING THEY WERE ABLE TO HOUSE 48 FAMILIES AND 116 CHILDREN AND YOUTH, MEETING THE CHALLENGE. THIS COMPARED TO THE PREVIOUS 100 DAYS WHEREIN THEY WERE ABLE TO HOUSE 45 CHILDREN AND YOUTH. HE BROUGHT UP 27 STAFF MEMBERS TO JOIN HIM IN CELEBRATING THE ACCOMPLISHMENT. SUPERVISOR PAREIRA ALSO PROVIDED COMMENTS.**

**CONSENT CALENDAR (Items # 1-12)****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. in 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. 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 repair the padding is necessary to respond to the emergency. (4/5 Vote Required)

Health

4. 1) Approve and authorize the Board Chair to sign Amendment No. 2 to Contract No. 2020186 (State Contract No. 19-10966, A02) with the California Department of Public Health (CHPH), Sexually Transmitted Diseases (STD) Control Branch to increase the grant amount for Fiscal Year (FY) 2022-2023 & FY 2023-2024 by \$285,006, for a revised amount not to exceed \$1,140,911; and 2) Approve a budget transfer for \$71,252 to increase Fiscal Year 2022-2023 services and supplies appropriations and revenue related to this grant. (4/5 Vote Required)

Human Services Agency

5. Adopt a Resolution approving and authorizing the Board Chair to sign Amendment No. 1 to County Contract No. 2022136 (State Agreement No. MS-2223-28) with the California Department of Aging (CDA) for Multipurpose Senior Services Program, to revise and replace Exhibit A, Scope of Work, Exhibit B, Budget Detail and Payment Provisions, and Exhibit E, Additional Provisions.

**ADOPTED RESOLUTION NO. 2022-114**Community and Economic Development

6. Approve and authorize the Board Chair to sign Amendment No. 1 to Administrative Services Contract No. 13906 with California Association of Environmental Health Administrators for Interim Community and Economic Development Deputy Director-Environmental Health Division services, extending the term end date from December 31, 2022 to June 30, 2023, and increasing the total contract amount not to exceed from \$100,000 to \$275,000.

**AUTHORIZED CONTRACT NO. 2022232**

Fire

7. Approve a budget transfer in the amount of \$21,000 for the purchase of 3 ISO Containers for the Fire Department Training Area located at Castle Commerce Center.

Executive Office

8. Ratify approval of the Out-of-State Overnight Travel submitted by the District Attorney office, as recommended by the Executive Office.

Board Recognition

9. Ratify Certificates of Recognition presented to various individuals on November 4, 2022 in honor of the 1000 Books Before Kindergarten Program Graduates.
10. Ratify a Certificate of Recognition presented to Reverend Monsignor Harvey Fonseca in celebration of the 30th Anniversary of his Ordination to the Priesthood.
11. Ratify a Certificate of Recognition presented to Saint Jude Thaddeus Catholic Church on October 29, 2022 to Commemorate its 85th Anniversary and the Elevation of the Church to The Shrine of Saint Jude Thaddeus.
12. Ratify a Certificate of Recognition presented to Hope Coffee on October 29, 2022 in honor of the Ribbon Cutting and Grand Opening of their Atwater location.

**REGULAR CALENDAR****BOARD ACTION**PUBLIC WORKS

13. Approve and authorize the Director of Public Works to sign Change Order No. 1 to Contract No. 2022014 with Sletten Construction Company in the amount of \$5,321,947 for a not-to-exceed amount of \$71,305,776, for additional costs associated with materials escalation, insurance, plan review, and scope change on the John Latorraca Correctional Center Phase 1 Improvements Project. (4/5 Vote Required)

**CLERK READS AMENDED RECOMMENDATION AS FOLLOWS: PLEASE NOTE THAT A CORRECTION TO THE RECOMMENDED ACTION LANGUAGE IS NEEDED FOR ITEM NO. 13. THE ACTION LANGUAGE SHOULD READ: APPROVE AND AUTHORIZE THE DIRECTOR OF PUBLIC WORKS TO SIGN AMENDMENT NO. 1 AND CHANGE ORDER NO. 1 TO CONTRACT NO. 2022014 WITH SLETTEN CONSTRUCTION COMPANY IN THE AMOUNT OF \$5,321,947 FOR A NOT-TO-EXCEED AMOUNT OF \$71,305,776, FOR ADDITIONAL COSTS ASSOCIATED WITH MATERIALS ESCALATION, INSURANCE, PLAN REVIEW, AND SCOPE CHANGE, ON THE JOHN LATORRACA CORRECTIONAL CENTER PHASE 1 IMPROVEMENTS PROJECT. (4/5 VOTE REQUIRED) STAFF REQUESTS THAT THE BOARD APPROVE THE ACTIONS AS MODIFIED.**

**AUTHORIZED CONTRACT NO. 2022014 AS AMENDED AYES: ALL**

14. 1) Grant a Floodplain Development Variance to allow the substantial remodeling of five (5) existing structures and the construction of five (5) new structures below the base flood elevation, on a site located at 2584 W. Sandy Mush Road in El Nido, CA (APN: 065-130-069),

based on the findings contained in the Board Agenda Item. 2) Authorize the Director of Public Works to execute and record a Floodplain Development Variance.

**APPROVED AS RECOMMENDED      AYES:      ALL**

- 15. Approve and authorize the Board Chair to sign the Utility Agreement with Merced Irrigation District for the relocation of irrigation water facilities to accommodate the construction of the Gurr Road at State Route 140 project in the total amount of \$500,000.

**AUTHORIZED CONTRACT NO. 2022233 AS RECOMMENDED      AYES:      ALL**

- 16. 1) Approve the Park Improvement Projects for FY 2022-2023 as identified in the Board Agenda Item; and 2) Approve the associated budget transfers. (4/5 Vote Required)

**APPROVED AS RECOMMENDED      AYES:      ALL**

- 17. Approve and authorize the Director of Public Works to execute the retroactive Operation and Management Agreement authorizing Merced Post Number Eighty-Three of the American Legion Department of California to operate and maintain the Merced Veterans Memorial Building at 939 W. Main Street, Merced, from September 1, 2022 through August 31, 2027, with the option to extend for an additional five (5) years.

**PUBLIC COMMENT WAS RECEIVED AND THERE WAS DISCUSSION AMONG THE BOARD MEMBERS**

**AUTHORIZED AMENDED CONTRACT NO. 2022234 AS RECOMMENDED**

**AYES: ALL**

- 18. 1) Authorize the Director of Public Works or his designee to submit a Targeted State Grant application to the California State Library for Construction of Dos Palos Library and Rehabilitation of Del Hale Hall Community Center, effective through January 31, 2025 in the amount of \$3,000,000; and 2) Direct the Director of Public Works to return to the Board of Supervisors with the application results and to accept the award.

**APPROVED AS RECOMMENDED      AYES:      ALL**

- 19. 1) Find that substantial evidence demonstrates that an emergency exists regarding the damaged interior at the Youth Crisis Stabilization Unit, a division of Behavioral Health and Recovery Services, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to repair holes in the building interior is necessary to respond to the emergency. (4/5 Vote Required); and 2) Approve associated budget transfer in the amount of \$18,500 to establish appropriations for the building repairs. (4/5 Vote Required)

**APPROVED AS RECOMMENDED      AYES:      ALL**

- 20. 1) Find that substantial evidence demonstrates that an emergency exists regarding the gas line serving the Los Banos Spring Fair Administration Building, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the gas furnace with electrical heating is necessary to respond to the emergency. (4/5 Vote Required); and 2) Approve associated budget transfers. (4/5 Vote Required)

**APPROVED AS RECOMMENDED      AYES:      ALL**

HEALTH

21. Authorize the Public Health Director to submit an application to American Automobile Association (AAA) Northern California, Nevada, Montana, Arizona and Alaska for participation in the AAA 2023 Child Passenger Safety Donation Program, effective January 1, 2023 through December 31, 2023, in an amount up to \$5,000.

**APPROVED AS RECOMMENDED      AYES:      ALL**

BEHAVIORAL HEALTH AND RECOVERY SERVICES

22. Approve and authorize the Board Chair to sign a retroactive Memorandum of Understanding with the Regents of the University of California for the Department of Health Care Services Behavioral Health Workforce Development Program-Mentored Internship Program grant effective April 1, 2022 through September 29, 2023 in the amount of \$100,000.

**AUTHORIZED CONTRACT NO. 2022235 AS RECOMMENDED      AYES:      ALL**

HUMAN SERVICES AGENCY

23. Authorize the Human Services Agency (HSA) Director to apply for and accept a grant allocation in an amount up to \$1,500,000 from the Homeless Housing, Assistance, and Prevention Program.

**APPROVED AS RECOMMENDED      AYES:      ALL**

COMMUNITY AND ECONOMIC DEVELOPMENT

24. 1) Adopt an ordinance, introduced on November 1, 2022, entitled "An Ordinance relating to the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings or structures in the County of Merced; and providing for the issuance of building permits and the collection of fees for building permits"; and 2) Adopt an ordinance, introduced on November 1, 2022, entitled, "An Ordinance relating to the adoption of the 2022 California Fire Code".

**SUPERVISOR SILVEIRA PROVIDED COMMENTS**

**ADOPTED ORDINANCE NOS. 2024 AND 2025 AS RECOMMENDED      AYES: ALL**

25. 1) Direct the Auditor-Controller to specially assess and direct the Division of Environmental Health to record an abatement lien against: a. The real property identified as APN: 259-110-009 in the total amount of \$14,843.76, representing the County's nuisance abatement costs; b. The real property identified as APN: 259-110-001 in the total amount of \$1,087.63, representing the County's nuisance abatement costs; c. The real property identified as APN: 259-110-008 in the total amount of \$4,854.80, representing the County's nuisance abatement costs; d. The real property identified as APN: 259-110-002 in the total amount of \$10,290.74, representing the County's nuisance abatement costs; e. The real property identified as APN: 259-110-019 in the total amount of \$6,489.71, representing the County's nuisance abatement costs; f. The real property identified as APN: 259-110-003 in the total amount of \$8,427.74, representing the County's nuisance abatement costs; g. The real property identified as APN: 259-110-020 in the total amount of \$3,348.63, representing the County's nuisance abatement costs; h. The real property identified as APN: 259-110-004 in the total amount of \$6,469.96, representing the County's nuisance abatement costs; i. The real property identified as APN: 259-110-017 in the total amount of \$5,796.24, representing the County's nuisance abatement

costs; and j. The real property identified as APN: 259-120-005 in the total amount of \$20,667.32, representing the County's nuisance abatement costs.

**SUPERVISOR SILVEIRA, SUPERVISOR MCDANIEL, SUPERVISOR PAREIRA, AND DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT, MARK HENDRICKSON PROVIDED COMMENTS**

**APPROVED AS RECOMMENDED AYES: ALL**

- 26. Approve and authorize the Board Chair to sign a contract with California Association of Environmental Health Administrators for Environmental Health Specialist Services, effective January 3, 2023 through April 3, 2023, for a total contract amount not to exceed \$60,000.

**AUTHORIZED CONTRACT NO. 2022236 AS RECOMMENDED AYES: ALL**

- 27. Receive a presentation on the Merced County Groundwater Mining and Export Ordinance and other water related issues and provide staff direction as appropriate.

**WATER RESOURCES MANAGER, LACEY MCBRIDE SHARED A POWERPOINT PRESENTATION AND DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT, MARK HENDRICKSON, SUPERVISOR SILVEIRA, SUPERVISOR MCDANIEL, SUPERVISOR ESPINOSA, SUPERVISOR PEDROZO, AND SUPERVISOR PAREIRA AND NECOLA ADAMS, COMMUNITY MEMBER PROVIDED COMMENTS**

**NO ACTION TAKEN**

**ADMINISTRATIVE SERVICES**

- 28. 1) Ratify submission of a grant application submitted by the Golden State Connect Authority (GSCA), under the California Public Utilities Commission (CPUC), on behalf of Merced County for Local Agency Technical Assistance (LATA) funding for pre-development work that will advance the deployment of quality broadband, in the amount of \$500,000; and 2) Authorize the County Executive Officer or designee to sign documents pertaining to grant, if awarded.

**APPROVED AS RECOMMENDED AYES: ALL**

**FIRE**

- 29. 1) Adopt a Resolution authorizing the Office of Emergency Services to execute on behalf of the County of Merced any actions necessary for the purpose of participation in the FY 22 Homeland Security Grant Program (HSGP), effective October 1, 2022 through May 31, 2025, in the amount of \$346,225, upon review by County Counsel and County Risk Management; and 2) Direct Fire Chief/Office of Emergency Services Director or designee to return to Board with the application results and for authorization prior to accepting any award.

**ADOPTED RESOLUTION NO. 2022-115 AS RECOMMENDED AYES: ALL**

- 30. 1) Adopt a Resolution authorizing the Office of Emergency Services to execute on behalf of the County of Merced any actions necessary for the purpose of participation in FY 22 Emergency Management Performance Grant (EMPG), effective July 1, 2022 through June 30, 2024, in the amount of \$198,347, upon review by County Counsel and County Risk Management; and 2) Direct Fire Chief/Office of Emergency Services Director or designee to return to Board with the application results and for authorization prior to accepting any award.



**ADOPTED RESOLUTION NO. 2022-116 AS RECOMMENDED AYES: ALL**

31. 1) Adopt a Resolution authorizing the Office of Emergency Services to seek and apply for grants offered by Federal, State and Private entities, that will support the operations of the Merced County Operational Area upon review and concurrency by County Risk Management, County Counsel and the County Executive Officer or designees; and 2) Direct Fire Chief/Office of Emergency Services Director or designee to return to Board with the application results and for authorization prior to accepting any award.

**ADOPTED RESOLUTION NO. 2022-117 AS RECOMMENDED AYES: ALL****LIBRARY**

32. Approve and authorize the Board Chair to sign Reinstatement of Contract No. 2021024 also known as Contract No. 20-501 for First 5 Merced County Innovation Grant - Ready for kinder - Merced County with First 5 Merced County, modifying the term end date from June 30, 2022 to June 30, 2023.

**AUTHORIZED CONTRACT NO. 2021024 AS RECOMMENDED AYES: ALL**

33. 1) Ratify submission of a grant application submitted by the Merced County Library to California Library Literacy Services for participation in the English as a Second Language Program; 2) Ratify the acceptance of said grant in the amount of \$104,879 to be used through June 30, 2023; 3) Approve the addition of one (1) Library Resource Technician I/II, classification 7544/7545, salary range 65.8/67.3 to Budget unit 60001; 4) Approve the amendment to the Position Allocation Resolution 06-120A; 5) Authorize County Librarian or designee to sign documents pertaining to grant award; and 6) Approve the associated budget transfer. (4/5 Vote Required)

**ADOPTED RESOLUTION NO. 2022-118 AND AUTHORIZED CONTRACT NO. 2022237 AS RECOMMENDED AYES: ALL****PROBATION**

34. 1) Authorize the Chief Probation Officer to submit an application with the California Health Facilities Financing Authority for participation in the Community Services Infrastructure Grant Program, effective February 1, 2023 through June 30, 2025; and 2) Approve and authorize the Board Chair to sign an application certification letter to submit with the final grant package.

**APPROVED AS RECOMMENDED AYES: ALL**

35. 1) Authorize the Chief Probation Officer to submit an application with the Board of State and Community Corrections for participation in an Edward Byrne Justice Assistance Grant Program, effective June 1, 2023 through December 31, 2026, in the amount of \$2,145,000; 2) Adopt a Resolution authorizing the Chief Probation Officer to sign all documents associated with the Justice Assistance Grant Program, upon review by County Counsel and County Risk Management; and 3) Direct the Chief Probation Officer to return to the Board of Supervisors if awarded; with the application results and to accept the award.

**ADOPTED RESOLUTION NO. 2022-119 AS RECOMMENDED AYES: ALL**

HUMAN RESOURCES

36. Approve one-time, non-precedent setting pandemic advanced payment for limited group of current employees who met payment criteria but inadvertently missed payout due to timing of promotion.

**APPROVED AS RECOMMENDED AYES: ALL**

EXECUTIVE OFFICE

37. 1) Move the location of the December 13, 2022 regularly scheduled Board of Supervisors meeting to the Courtroom of the Courthouse Museum, located at 21st and N streets in Merced. 2) Adopt the 2023 Calendar for the regularly scheduled Merced County Board of Supervisors meetings.

**SUPERVISOR SILVEIRA, SUPERVISOR PEDROZO, SUPERVISOR ESPINOSA, SUPERVISOR MCDANIEL, AND SUPERVISOR PAREIRA AND CEO MENDEZ PROVIDED COMMENTS**

**APPROVED AS AMENDED AYES: ALL**

BOARD OF SUPERVISORS

38. Accept and approve the amendments to the 2022 Conflict of Interest Code for Merced County as submitted and authorize notification of the action taken as required.

**APPROVED AS RECOMMENDED AYES: ALL**

39. Accept and approve the Conflict of Interest Code recommendations as submitted from the Special Districts and notify the Special Districts of the action taken.

**APPROVED AS RECOMMENDED AYES: ALL**

BOARD APPOINTMENTS

40. Appoint José Falcon and Ayerim Aguilar to serve as members of the Winton Municipal Advisory Council.

**APPROVED AS RECOMMENDED AYES: ALL**

41. Reappoint David Ness and Ryan Paskin to continue to serve as members of the Merced County Employees' Retirement Association (MercedCERA) Board of Retirement until December 31, 2025.

**APPROVED AS RECOMMENDED AYES: ALL**

**BOARD INFORMATION & POSSIBLE ACTION**

42. Informational Only - The California Department of Public Health has extended the funding period expiration dates for the California Equitable Recovery Initiative (CERI) and Health Equity funding from May 31, 2023 to May 31, 2024.

**NO ACTION TAKEN**

**SCHEDULED ITEMS:**

**PUBLIC WORKS - PUBLIC HEARING**

Public Hearing on Engineer's Report, Formation of Cypress Estates No. 3 Street Lighting and Storm Drainage Maintenance Zone of Benefit No. 280 in County Service Area No. One and Levy of Assessments.

**RECOMMENDATION:**

- 1) Open Public Hearing and accept comments;
- 2) Close Public Hearing;
- 3) Direct Clerk to tabulate assessment ballots; and
- 4) Absent majority protest, Adopt the Resolution accepting the Engineer's Report, forming Cypress Estates No. 3 Street Lighting and Storm Drainage Maintenance Zone of Benefit No. 280 in County Service Area Number One, and levying an annual assessment in the amount of \$430.68 (subject to automatic annual CPI adjustment) to fund ongoing maintenance costs in Major Subdivision No. MAS05-001 (Cypress Estates Unit No. 3) in the Winton area.

**CLERK READS AMENDED RECOMMENDATION AS FOLLOWS: BEFORE THE BOARD, IS A PUBLIC HEARING ON THE ENGINEER'S REPORT, FORMATION OF CYPRESS EXTATES NO. 3 STREET LIGHTING AND STORM DRAINAGE MAINTENANCE ZONE OF BENEFIT NO. 280 IN COUNTY SERVICE AREA NO. ONE, AND LEVY OF ASSESSMENTS. PURSUANT TO GOVERNMENT CODE SECTION 53753, THE CLERK OF THE BOARD MAILED THE WAIVER OF NOTICE AND BALLOT TO THE RECORD OWNER OF REAL PROPERTY LOCATED WITHIN THE PROPOSED ZONE OF BENEFIT REGARDING THE PROPOSED LEVY OF ASSESSMENTS. STAFF HAS NOT RECEIVED THE RETURNED BALLOT AND RECOMMENDS THAT THE BOARD OPEN THE PUBLIC HEARING TO PROVIDE AN OPPORTUNITY TO SEE IF THE RECORD OWNER OF REAL PROPERTY IS IN ATTENDANCE TO SUBMIT THEIR BALLOT OR THERE IS PUBLIC THAT WISH TO COMMENT ON THIS ITEM. IF THE BALLOT IS STILL NOT RECEIVED DURING THE PUBLIC COMMENT PERIOD, STAFF RECOMMENDS THAT THE PUBLIC HEARING BE CONTINUED TO THE REGULARLY SCHEDULED BOARD OF SUPERVISORS MEETING ON DECEMBER 6, 2022.**

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

**THE CHAIRMAN CLOSED THE PUBLIC HEARING**

**APPROVED AMENDED RECOMMENDATION: CONTINUED TO DECEMBER 6, 2022 BOARD OF SUPERVISORS MEETING**

**REPORTS/BOARD DIRECTION**

Board of Supervisors Members, County Counsel, County Executive Officer

**THE BOARD ADOPTED A RESOLUTION IN MEMORY OF GARY BROWN AND  
ADJOURNED THE MEETING AT 12:31 P.M. UNTIL TUESDAY, DECEMBER 6, 2022, AT  
10:00 A.M.**

**BOARD ORDERS – SUMMARY MINUTES – NOVEMBER 8, 2022**

**10:00 A.M. SCHEDULED ITEM**  
**2022-11-08 PUBLIC OPPORTUNITY**

Necola Adams, President and organizer of the Merced County Nut Festival expresses her thanks and shares information on the success of the event. She brought hats and program booklets for the Board and placed them in the Board Bin to offer thanks for their support.

Andrew Gallagher, Merced County Sheriff's Office dispatcher clarifies that he is not here to attempt to negotiate terms of a contract or to bypass the designated negotiations in any manner. He comments that in a salary survey of the seven major surrounding counties, Merced County is notorious for being ranked at the bottom of the compensation range with regard to all classifications with the exception of upper management salaries. He further shares comments with regard to the Board of Supervisors salaries, the ordinance that adopted the rules that determine them and how their raises are determined. He comments that the salaries in unit 14 equate to a salary that is 16% underpaid to the average compared to surrounding counties. He requests that the Board considers changing the method by which their raises are determined and consider increasing the salaries of unit 14 to make them more comparable to the other counties surveyed.

Darlene Ingersoll, Merced County Registrar of Voters, reminded everyone that today is election day and encouraged everyone to vote. She shared information on the drop box locations, the website, voter assistance centers, also all voter services. She placed the drop box location and voter assistance center lists in the Board Bin, shared a statement about the incorrect ballots that were sent out and provided additional information regarding the correction.

Zaray Ramirez, Policy Advocate for Leadership Council for Justice and Accountability, shared that she has been working closely with the residents of Delhi about the park and community center there and expressed the community's interest in a timeline for the park project. They also would like the County to engage with them in obtaining their feedback on the planning of the park and its facilities and specifically would like to speak with Supervisor Pareira to discuss its future. Their desire is for long-term, future and continued funding to occur through the park improvement fund.  
Present: Pareira, Espinosa, Pedrozo, McDaniel, Silveira