



BOARD OF SUPERVISORS

Vice Chair Rodrigo Espinosa, *District 1*
Josh Pedrozo, *District 2*
Daron McDaniel, *District 3*
Lloyd Pareira, Jr., *District 4*
Chair Scott M. Silveira, *District 5*
Phone: (209) 385-7366 Fax: (209) 726-7977

SUMMARY ACTION MINUTES - FINAL

TUESDAY, MAY 23, 2023

Closed Session – 8:30 a.m.

Regular Meeting and Scheduled Items - 10:00 a.m.

Merced County Administration Building
2222 M Street
Board Room, Third Floor
Merced CA, 95340
www.countyofmerced.com

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

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 thirty (30) 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

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.

La Junta de Supervisores le da la bienvenida a sus reuniones las cuales regularmente son agendadas los Martes y su interés es alentado y apreciado.

Transmisión de Audio/Video: Todas las reuniones de la junta normalmente se transmiten en vivo y se reproducen en la televisión por cable local. Una lista de canales de cable y horarios de transmisión están disponibles en el siguiente sitio web: <https://www.countyofmerced.com/1581/Comcast-Ch-96-Broadcast>

Transmisión en vivo de las Juntas de Supervisores en <https://www.facebook.com/MercedCounty/> o <https://www.countyofmerced.com/2206/Board-of-Supervisors-Meetings>.

COMENTARIO PÚBLICO

El tiempo asignado a cada orador lo determina el Presidente de la Junta. A su discreción, el presidente puede modificar la oportunidad pública de hablar reduciendo los límites de tiempo de uso de la palabra individual y/o ampliando los límites de tiempo totales asignados que se establecen a continuación.

En los tiempos designados, por favor levante la mano y será dirigido al pódium.

PUNTOS DE LA SESION CERRADA

La oportunidad pública de hablar sobre cualquier asunto a considerar en la Sesión Cerrada se tomara antes de que se suspenda la junta en la Sesión Cerrada. Para que todas las personas interesadas tengan la oportunidad de hablar, cualquier persona que se dirija a la junta será limitada a un máximo de (3) minutos.

PUNTOS FUERA DE LA AGENDA

La oportunidad pública de hablar sobre cualquier tema de interés público dentro de la jurisdicción de la Junta se llevara a cabo al inicio de la Junta. Para que todas las personas interesadas tengan la oportunidad de hablar, cualquier persona que se dirija a la junta será limitada a un máximo de (3) minutos. El período de comentarios públicos sobre puntos que no pertenecen a la agenda se limitará a treinta (30) minutos en total. La Junta podría no tomar acción sobre ningún tema que no aparezca en la agenda publicada.

PUNTOS AGENDADOS

La oportunidad pública de hablar sobre los temas agendados en la Junta se escuchará después del anuncio de cada sección o subsección de la Agenda. Para que todas las personas interesadas tengan la oportunidad de hablar, cualquier persona que se dirija a la junta será limitada a un máximo de (3) minutos por sección o apartado de la agenda. Tenga en cuenta que, el Calendario de Consentimiento se considera una sección.

AUDIENCIA PÚBLICA

La oportunidad de hablar acerca de las audiencias públicas se llevara a cabo después de la lectura y de la presentación de la audiencia pública de ser aplicable. Para que todas las personas interesadas tengan la oportunidad de hablar, cualquier persona que se dirija a la junta será limitada a un máximo de (3) minutos.

INFORMACIÓN DE COMENTARIOS DEL PÚBLICO GENERAL

Los oradores no pueden ceder su turno a otra persona.

Los comentarios realizados en redes sociales no son considerados parte del record oficial y no serán compartidos en la Junta.

El público puede proporcionar comentarios por correo electrónico o por teléfono a la Junta de Supervisores en cualquier momento, sin embargo, estos comentarios no serán parte del record oficial.

SESIÓN CERRADA: Esta es la parte de la reunión que se lleva a cabo en privado sin la asistencia del público o la prensa para discutir ciertos asuntos confidenciales específicamente permitidos por la Ley de Reuniones Abiertas.

La **REUNION ORDINARIA** se divide en tres secciones:

- **CALENDARIO DE CONSENTIMIENTO:** Estos asuntos incluyen acciones financieras y administrativas de rutina y por lo general son aprobadas por un solo voto.
- **CALENDARIO REGULAR:** Esta sección incluye políticas significativas y acciones administrativas y están divididas en subsecciones por Departamento.
- **ARTÍCULOS PROGRAMADOS:** Esta sección incluye audiencias notificadas, sesiones de trabajo y audiencias públicas.

AGENDA Y ACTAS DE LA JUNTA: Las agendas de la junta, las actas y las copias de los elementos que la Junta de Supervisores considere se publicaran en Internet al menos 72 horas antes de la reunión del martes en el siguiente sitio web: www.countyofmerced.com

ADAPTACIONES RAZONABLES: Personas que requieren adaptaciones por cualquier discapacidad auditiva, visual o de otro tipo o interpretación en Español o Hmong para revisar una agenda, o para participar en una reunión de la Junta de Supervisores según la Ley de Americanos con Discapacidades (ADA), puede obtener asistencia solicitando dicha adaptación por escrito. Por favor dirija su solicitud por escrito al Secretario de la Junta, 2222 M Street, Merced, CA 95340 o vía Telefónica llamando al (209) 385-7366. Cualquier solicitud de adaptación debe hacerse antes de las 4:00 P. M. del viernes anterior a la reunión programada para la cual se solicita asistencia.

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: Public Employee Appointment, Director - Community & Economic Development.

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): Two Cases

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; and Teamsters (Non-Safety Corrections), Unit 12. Agency Negotiator: Marci Barrera

THE BOARD RECESSED AT 8:31 A.M. AND RECONVENED AT 10:11 A.M. WITH ALL MEMBERS PRESENT, AND THE CHAIR ADVISED STAFF WAS GIVEN DIRECTION**GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA ITEMS)****10:00 A.M. – REGULAR MEETING**

INVOCATION BY Stacy Cooley/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 THIRTY MINUTES TOTAL).

SEE PAGE 16-17

PRESENTATION: VALLEY RAIL UPDATE

DAN LEAVITT REPRESENTING THE SAN JOAQUIN REGIONAL RAIL COMMISSION AND THE SAN JOAQUIN JOINT POWERS AUTHORITY PROVIDED A POWER POINT PRESENTATION. ALL BOARD MEMBERS PROVIDED COMMENTS.

CONSENT CALENDAR (Items No. 1-28)**APPROVED AS RECOMMENDED AYES: ALL**Public Works

1. Approve and authorize the Board Chair to execute Amendment No. 2 to Contract No. 2020117 with Teter, Inc., for architectural services for County projects, to change the consultant's name from Teter, LLP to Teter, Inc., and to extend the contract term end date from June 30, 2023 to June 30, 2025.
2. Ratify and authorize the Board Chair to sign Amendment No. 1 to Contract No. 14109 with Tetra Tech, Inc., of Maitland, FL for disaster-related debris monitoring services, for the period of February 3, 2023 to May 31, 2023, for a total not to exceed amount of \$260,000.
3. Approve a budget transfer in the amount of \$11,750 to establish appropriations for Spring Fair emergency electrical repair.
4. Approve a budget transfer in the amount of \$44,000 to establish appropriations to cover costs to replace three (3) HVAC Compressors at the Main Jail.
5. Approve a budget transfer in the amount of \$150,000 to shift funding from Capital Asset No. 85508 - Behavioral Health and Recovery Services (BHRS) North County Facility Project to Capital Asset No. 84155, to establish appropriations for the architectural design and permit process of the BHRS Building Security Access Project.
6. Approve a budget transfer in the amount \$71,000 to cover costs to repair two (2) inverters at the Juvenile Justice Correctional Complex Solar Array.
7. Approve a budget transfer in the amount of \$75,000 to establish appropriations for the HSA Main Street Security Project. (4/5 Vote Required)
8. 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)

Behavioral Health and Recovery Services

9. Approve and authorize the Board Chair to sign Modification No. 2 to Contract No. 2022187 (State Agreement No. 21-10349, Subcontract ID 7460-CA MOBILE CRISIS-County of Merced-01G) with Advocates for Human Potential, Incorporated, through the California Department of Health Care Services, for the Behavioral Health Justice Intervention Services, increasing the contract total from \$700,000 to \$800,000, and revising the Statement of Work and Payment Schedule to incorporate the funding increase.
10. Approve and authorize the Board Chair to sign Amendment No. 2 to Contract No. 2020119 with Aspiranet for services provided through the Transition to Independence Process Program as part of the Mental Health Services Act-Prevention and Early Intervention Program, extending the contract term end date from June 30, 2023 to June 30, 2024, and increasing the total contract amount from \$787,080 to \$1,049,440.

11. Approve and authorize the Board Chair to sign Amendment No. 02 to Contract No. 2020208 with Merced Lao Family Community, Inc., to continue providing Southeast Asian Community Advocacy Program services and support; extending the contract term end date from June 30, 2023 to June 30, 2025 and increasing the total contract amount from \$1,105,544 to \$2,085,968.
12. Approve and authorize the Board Chair to sign Amendment No. 2 to Contract No. 2018169 with Central Star Behavioral Health, Inc. to operate and provide crisis residential treatment services, extending the term end date from May 31, 2023 to December 31, 2023, increasing the rate for service from \$518.18 to \$648.03 per day and updating insurance and contact language.
13. Approve and authorize the Board Chair to sign Amendment No. 1 to Contract No. 2018131 with Central Star Behavioral Health, Inc., for lease of space for the Crisis Residential Unit, extending the term end date from May 31, 2023 to December 31, 2023.
14. Approve a budget transfer in the amount of \$220,000 to provide furnishings through CORE Business Interiors for Youth Resiliency Center within Children's System of Care Program.

Human Services Agency

15. Adopt a Proclamation declaring the month of June 2023 as "All Dads Matter Month" in Merced County.

HUMAN SERVICES AGENCY FAMILY SERVICES SUPERVISOR LAMAR HENDERSON PROVIDED A POWER POINT PRESENTATION. SUPERVISOR MCDANIEL AND BOARD CHAIR SILVEIRA PROVIDED COMMENTS

16. Adopt a Proclamation declaring the month of June 2023 as "Elder and Dependent Adult Abuse Awareness Month" in Merced County.

HUMAN SERVICES AGENCY SOCIAL WORKER ROSALINA VALENCIA, SUPERVISOR PAREIRA, SUPERVISOR PEDROZO, BOARD CHAIR SILVEIRA AND SUPERVISOR MCDANIEL PROVIDED COMMENTS

Community and Economic Development

17. Approve a budget transfer in the amount of \$30,000 to fund emergency Castle Water and Sewer repairs. (4/5 Vote Required)

Workforce Investment

18. 1) Approve and authorize the Board Chair to sign Amendment No. 1 to Contract No. 2022194 with Arbor E&T LLC, dba Equus Workforce Solutions for Workforce Innovation and Opportunity Act Adult and Dislocated Worker services, increasing the Adult enrollment goal from 160 to 235, and increasing the total contract not to exceed from \$1,451,215 to \$1,743,715. 2) Approve the associated budget transfer. (4/5 Vote Required)

Probation

19. Approve and authorize the Board Chair to sign Amendment No. 2 to Contract 2018259 with Noble Software Group, LLC to provide online risk assessment and case plan management, extending the term end date from May 31, 2023 to May 31, 2025, and increasing the total contract amount from \$285,521 to \$393,843.

Spring Fair

20. Approve a budget transfer in the amount of \$171,940.53 for revenue and appropriation for payments made during the Spring Fair Livestock Auction. (4/5 Vote Required)

Executive Office

21. Approve the Out of State Travel request received from the Human Services Agency, as recommended by the Executive Office.

Board of Supervisors

22. Approve the Summary Action Minutes - Final for the April 25, 2023 Board of Supervisors meeting.

Board Recognition

23. Ratify Certificates of Recognition presented on May 4, 2023, to various individuals at a Merced County Office of Education Graduation Ceremony.
24. Ratify Certificates of Recognition presented on May 10, 2023, to various individuals for being selected as 2023 Law Enforcement Officer of the Year.
25. Ratify Certificates of Recognition presented on May 10, 2023, to members of the Digital Empowerment Coalition for their commitment to promoting digital inclusion and economic empowerment in our community.
26. Ratify a Certificate of Recognition presented on May 13, 2023, to McNamara Sports in celebration of the 100th Anniversary of their business.
27. Ratify Certificates of Recognition presented on May 13, 2023 at the Planada Community Day, to various individuals for their volunteerism during the Planada Flood Disaster and to Luis and Estela Villagomez, for being chosen as the Grand Marshals for the Planada Community Day Parade.
28. Ratify Certificates of Recognition presented on May 19, 2023, to various individuals for being selected as recipients of the 2023 Southeast Asian American Professional and Southeast Asian Vision for Education Scholarship Award.

REGULAR CALENDAR**BOARD ACTION**HEALTH

29. Approve and authorize the Board Chair to sign an agreement with New Life Physical Therapy Services, PC. to provide occupational and physical therapy services effective July 1, 2023 through June 30, 2026, for a total contract amount not to exceed \$1,033,500.

AUTHORIZED CONTRACT NO. 2023083 AS RECOMMENDED AYES: ALL

30. 1) Ratify submission of the Funding Application Agreement submitted by the Public Health Director to the California Department of Public Health for participation in the California Home Visiting Program American Rescue Plan Round 2 that was due by March 2, 2023. 2) Accept a grant award from the California Department of Public Health for the California Home Visiting Program American Rescue Plan Round 2 effective July 1, 2022 through September 30, 2024 in the amount of \$86,752.

AUTHORIZED CONTRACT NO. 2023084 AS RECOMMENDED AYES: ALL

31. Approve and authorize the Board Chair to sign a contract with Evolve Healthcare, Inc. for services that provide required skilled professional medical personnel, effective July 1, 2023 through February 28, 2026, for a total contract amount not to exceed \$900,000.

AUTHORIZED CONTRACT NO. 2023085 AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

32. Approve and authorize the Board Chair to sign a new, retroactive, rate-based contract with GHC of Anberry, LLC Nursing and rehabilitation center for rehabilitative board and care services for Behavioral Health and Recovery Services consumers, effective April 23, 2023 through June 30, 2025.

AUTHORIZED CONTRACT NO. 2023086 AS RECOMMENDED AYES: ALL

33. 1) Ratify submission of an application submitted by Behavioral Health and Recovery Services for the first round of Behavioral Health Bridge Housing Program funding, submitted to the State Department of Health Care Services, for the amount of \$6,915,610. 2) Authorize the Director of Behavioral Health and Recovery Services to sign all documents necessary for submittal of Behavioral Health Bridge Housing Program Funding application. 3) Direct staff to return to the Board of Supervisors for any subsequent approval related to items necessary for the acceptance of funding.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

34. Approve and authorize the Board Chair to sign an Agreement with the Merced Union High School District, for adult education and training services, effective July 1, 2023 through June 30, 2024, for a total contract amount not to exceed \$348,333.

AUTHORIZED CONTRACT NO. 2023087 AS RECOMMENDED AYES: ALL

35. Approve and authorize Board Chair to execute a Contract with the Merced County Office of Education-Family Resource Council to provide community development and support services for a term of June 1, 2023 through June 30, 2024, in the amount of \$252,274.

AUTHORIZED CONTRACT NO. 2023088 AS RECOMMENDED AYES: ALL

36. 1) Approve an Applicant Agency Live Scan Service Provider Application between the County of Merced, on behalf of the Human Services Agency (HSA) and the California Department of Justice (DOJ) on behalf of the Bureau of Criminal Information and Analysis. This application will commence once approved by DOJ and signed by both parties and will remain in effect unless revoked. 2) Authorize the Deputy Director of HSA's Children's Services Branch to sign the application.

APPROVED AS RECOMMENDED AYES: ALL

37. Adopt a Resolution approving and authorizing the Board Chair to sign the retroactive State Contract No. OM-2223-31 with the California Department of Aging for the Modernizing the Older Californians Supportive Services Program, effective January 1, 2023 through March 31, 2026, for a total contact amount not to exceed \$465,288.

ADOPTED RESOLUTION NO. 2023-32 AND AUTHORIZED CONTRACT NO. 2023089 AS RECOMMENDED

AYES: ALL

38. Adopt a Resolution approving and authorizing the Board Chair to sign the retroactive State Contract No. PH-2223-31 with the California Department of Aging for the Public Health Workforce Program, effective January 1, 2023 through September 30, 2024, for a total contract amount not to exceed \$117,915.

ADOPTED RESOLUTION NO. 2023-33 AND AUTHORIZED CONTRACT NO. 2023090 AS RECOMMENDED

AYES: ALL

39. Approve and authorize the Board Chair to sign an Agreement with Aspiranet to provide home visitor services in the amount of \$1,067,766 for a contract term of June 1, 2023 through May 31, 2026.

AUTHORIZED CONTRACT NO. 2023091 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

40. Approve and authorize the Board Chair to sign a contract with California Association of Environmental Health Administrators for Environmental Health Specialist services, effective June 1, 2023 through June 30, 2023, for total contract amount not to exceed \$15,000.

AUTHORIZED CONTRACT NO. 2023092 AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

41. 1) Ratify submission of a grant application submitted by the Department of Workforce Investment for the California Accountable Communities for Health Initiative (CACHI) to address health-specific workforce development issues. 2) Approve and authorize the Board Chair to sign a retroactive contract with CACHI, effective April 1, 2023 through December 31, 2025, for a total contract amount not to exceed \$300,000. 3) Approve the associated budget transfer. (4/5 Vote Required)

SUPERVISOR MCDANIEL PROVIDED COMMENTS

AUTHORIZED CONTRACT NO. 2023093 AS RECOMMENDED AYES: ALL

ELECTIONS

42. 1) Receive a presentation from the Registrar of Voters. 2) Approve and authorize the Board Chair to sign a Sales Order Agreement with Elections Systems & Software for the purchase of upgraded tabulators for the Department's existing Voting Tabulation System, in the amount of \$518,300. 3) Approve the associated budget transfer in the amount of \$553,000 to allow for current year funds to be transferred into fixed asset account No. 83232 to pay for the upgrades, which include the Sales Order Agreement, taxes and shipping costs.

REGISTRAR OF VOTERS MELVIN LEVEY PROVIDED POWER POINT PRESENTATION. SUPERVISOR MCDANIEL, SUPERVISOR PAREIRA, SUPERVISOR PEDROZO AND BOARD CHAIR SILVEIRA PROVIDED COMMENTS

AUTHORIZED CONTRACT NO. 2023094 AS RECOMMENDED AYES: ALL

SHERIFF

43. 1) Approve and authorize the Board Chair to sign a retroactive contract with Delhi Unified School District for School Resource Officer, effective April 26, 2023 through June 2, 2023, for a total contract amount not to exceed \$50,000. 2) Approve the associated budget transfer. (4/5 Vote Required)

SUPERVISOR PEDROZO AND UNDERSHERIFF COREY GIBSON PROVIDED COMMENTS

AUTHORIZED CONTRACT NO. 2023095 AS RECOMMENDED AYES: ALL

PROBATION

44. 1) Authorize the Chief Probation Officer to submit an application with the Board of State and Community Corrections for participation in the Organized Retail Theft Prevention Grant Program, effective October 1, 2023, through June 1, 2027, in an amount up to \$12,250,000. 2) Adopt a Resolution authorizing the Chief Probation Officer to sign all documents associated with the Organized Retail Theft Prevention Grant Program upon review by County Counsel and County Risk Management. 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. 2023-34 AS RECOMMENDED AYES: ALL

45. 1) Accept the Community Infrastructure Grant Program award and approve Agreement No. CSI MERC-01 from the California Health Facilities Financing Authority, in the amount of \$2,500,000 for the purpose of remodeling the county owned building located at 510 W. 25th Street which will house the Pathways to Wellness Program. 2) Adopt the Resolution approving and authorizing the Chief Probation Officer to sign Grant Agreement Number CSI MERC-01 with the California Health Facilities Financing Authority, Community Infrastructure Grant for facility improvements, IT infrastructure and furnishings to provide mental health treatment, substance abuse disorder treatment services and trauma centered service, effective January 26, 2023 through June 30, 2025, in the amount of \$2,500,000. 3) Approve the associated budget transfers. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2023-35 AND AUTHORIZED CONTRACT NO. 2023096 AS RECOMMENDED

AYES: ALL

FIRE

- 46. 1) Relieve the Fire Department of accountability for Fixed Assets 0051116 Defibrillator Heartstream and 0053069 Heartstream FR2 AED. 2) Authorize the Auditor Controller's Office to remove the items from the Fire Department's Fixed Asset Inventory.

SUPERVISOR PAREIRA AND ASSISTANT FIRE CHIEF MARK PIMENTEL PROVIDED COMMENTS

APPROVED AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

- 47. Confirm Appointment of Steven C. Maxey as Director – Community & Economic Development at annual salary of \$176,467 and approve “A” level benefits effective July 3, 2023.

THE CLERK ANNOUNCED THE ITEM. CEO MENDEZ AND STEVEN C. MAXEY PROVIDED COMMENTS

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

- 48. 1) Accept the East Merced Resource Conservation District Resolution requesting to make future director appointments by the Board of Supervisors in lieu of election. 2) Reappoint Jean Okuye to continue serving as a director of the East Merced Resource Conservation District until January 28, 2027. 3) Appoint Michael Bliss to serve as a director of the East Merced Resource Conservation District until January 28, 2027.

APPROVED AS RECOMMENDED AYES: ALL

- 49. Appoint Scott Waite to serve as a public agency representative on the Merced County Collaborative for Children and Families, until June 30, 2027.

APPROVED AS RECOMMENDED AYES: ALL

- 50. Appoint Sean Davis to serve as a trustee of the Dos Palos Cemetery District Board of Trustees for an unexpired term ending February 4, 2025.

APPROVED AS RECOMMENDED AYES: ALL

- 51. Reappoint Fernando Aguilera and Kurt Spycher to continue serving as Commissioners on the Planning Commission until October 1, 2026.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

- 52. Public Works re: Contract No. 2023003 was awarded to George Reed, Inc., Modesto, CA in the amount of \$918,500 for the Plainsburg Road Complete Street Upgrade Project. The project is located near the unincorporated community of Planada.

53. Public Works re: Recognize the following Job Order Contracting contracts for Building Construction Remodeling, Repairs and Maintenance Services based on the lowest responsible bids were awarded to: JOC-019, Contract No. 2022155, Bret Briggs Construction, Merced, CA (Class B License); JOC-020, Contract No. 2022156, Ardent General, Inc., Fresno, CA (Class B License); JOC-021, Contract No. 2022157, Marvulli, Inc., dba DMC Construction, Merced, CA (Class B License); JOC-022, Contract No. 2022158, Ardent General, Inc., Fresno, CA (Class A License).
54. Health re: The California Department of Public Health has extended the funding period expiration date for the Workforce Development Supplemental funding from June 30, 2023 to June 30, 2024 (County Contract No. 2022018).
55. Probation re: Grant Award from the Board of State and Community Corrections to participate in the Mobile Protection Service Centers Grant program, effective May 1, 2023 through September 30, 2027 in the amount of \$535,895.

CONTRACT NO. 2023097

SCHEDULED ITEMS:

SHERIFF - PUBLIC HEARING

To review the Annual Military Equipment Use Report for 2022.

RECOMMENDATION:

- 1) Open public hearing and accept public comment.
- 2) Close public hearing.
- 3) Approve the Annual Military Equipment Use Report for 2022.

UNDERSHERIFF COREY GIBSON AND SUPERVISOR MCDANIEL PROVIDED COMMENTS

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

THE BOARD CHAIR CLOSED THE PUBLIC HEARING

APPROVED AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To consider adoption of the Merced County Association of Governments Vehicle Miles Traveled Thresholds and Guidelines.

RECOMMENDATION:

- 1) Open public hearing and accept public comment,
- 2) Close the public hearing.
- 3) Adopt a resolution: a. Finding the Merced County Association of Governments Vehicle Miles Traveled (VMT) Thresholds and Guidelines exempt from environmental review pursuant to Sections 15308 (“Actions by Regulatory Agencies for Protection of the Environment”), 15061(b)(3) (“Common Sense Exemption”) and 15378(b) (“Not a Project”) of the CEQA Guidelines; and, b. Adopting the VMT Thresholds and Guidelines to comply with Senate Bill 743 and new provisions of the California Environmental Quality Act.

DEPUTY DIRECTOR OF PLANNING TIFFANY HO PROVIDED A POWER POINT**PRESENTATION AND SUPERVISOR MCDANIEL PROVIDED COMMENTS****OPPORTUNITY WAS GIVEN FOR INTERESTED PERSONS TO ADDRESS THE BOARD****NO INTERESTED PERSON ADDRESSED THE BOARD****THE BOARD CHAIR CLOSED THE PUBLIC HEARING**

ADOPTED RESOLUTION NO. 2023-36 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To consider adoption of a Resolution approving General Plan Amendment No. GPA22-001 and an Ordinance approving Zone Change No. ZC22-001.

RECOMMENDATION:

- 1) Open the public hearing and accept public testimony.
- 2) Close the public hearing.
- 3) Determine the project is exempt from environmental review pursuant to Section 15061(b)(3) (“Common Sense Exemption”) of the CEQA Guidelines.
- 4) Adopt a Resolution to approve General Plan Amendment No. GPA22-001 to amend the land use designation of the southernmost twenty (20) feet of the project site, identified as Assessor’s Parcel Number (APN) 037-053-023, located on the southeast corner of East Highway 140 and North Gwinn Street in the Planada area from General Commercial to Low Density Residential.
- 5) Adopt an ordinance to approve Zone Change No. ZC22-001 to change the zoning district of the southernmost twenty (20) feet of the project site from C-2 (General Commercial) to R-2 (Two-Family Residential).

DEPUTY DIRECTOR OF PLANNING TIFFANY HO PROVIDED A POWER POINT**PRESENTATION.****OPPORTUNITY WAS GIVEN FOR INTERESTED PERSONS TO ADDRESS THE BOARD****NO INTERESTED PERSON ADDRESSED THE BOARD****THE BOARD CHAIR CLOSED THE PUBLIC HEARING**

ADOPTED RESOLUTION NO. 2023-37 AND ORDINANCE NO. 2029 AS RECOMMENDED

AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To consider an appeal of the Planning Commission's decision to approve Conditional Use Permit No. CUP22-011

RECOMMENDATION:

- 1) Receive presentations on appeal of the Planning Commission's decision to approve Conditional Use Permit No. CUP22-011 to allow construction of a photovoltaic solar energy facility on a parcel located on the west side of South Highway 33, approximately 2,000 feet north of West Carmellia Avenue in the Dos Palos area, identified as Assessor's Parcel Number (APN) 089-020-049 (the "Project").
- 2) Open the public hearing and accept public comment.
- 3) Close the public hearing.
- 4) Allow parties to provide rebuttal.
- 5) Consider and affirm, deny, or modify the Planning Commission's decision to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project based on the findings set forth in the Planning Commission staff report dated April 26, 2023.
- 6) Consider and affirm, deny, or modify the Planning Commission's decision to approve Conditional Use Permit No. CUP22-011, and rule on Appeal No. APEA23-001 based on the findings set forth in the Planning Commission staff report dated April 26, 2023 and the findings contained in the Board Agenda Item.

THE CLERK PROVIDED INFORMATION ON THE PROCESS**DEPUTY DIRECTOR OF PLANNING TIFFANY HO PRESENTED HER CASE AND PROVIDED A POWER POINT PRESENTATION. APPLICANT AND PRESIDENT OF RENEWABLE AMERICA, LLC ARDI ARIAN PROVIDED COMMENTS****APPELLANT BEAU CORREIA WITH CORREIA DE JAGER LLP PRESENTED HIS CASE AND PROVIDED A POWER POINT PRESENTATION****PUBLIC COMMENT WAS PROVIDED BY ROBERT MILBOURNE, JOE CASTILLO AND DEAN COLLINS****THE BOARD CHAIR CLOSED THE PUBLIC HEARING****LAND USE AND ENVIRONMENTAL ATTORNEY BRAD JOHNSON WITH EVERVIEW LTD. ON BEHALF OF THE APPLICANT PROVIDED A REBUTTAL****APPELLANT BEAU CORREIA PROVIDED A REBUTTAL****DEPUTY DIRECTOR OF PLANNING TIFFANY HO, ROBERT MILBOURNE AND ALL BOARD MEMBERS PROVIDED COMMENTS**

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 4 NOES: 5

REPORTS/BOARD DIRECTION

Board of Supervisors Members, County Counsel, County Executive Officer

THE BOARD ADJOURNED THE MEETING IN MEMORY OF CHUCK HALE AT 1:32 P.M. UNTIL TUESDAY, JUNE 13, 2023, AT 10:00 A.M.

10:00 A.M. SCHEDULED ITEM**2023-05-23 PUBLIC OPPORTUNITY**

Rick Windling, Merced resident provided comments on the Boards constitutional duties in the County to spend taxpayers' money.

Magdalena Castillo, IHSS Provider to her daughter asks for a livable wage.

IHSS Provider who takes care of her mom asks the Board to consider how difficult it is to be a provider.

Norma Gonzalez, IHSS Provider asks for a just salary for special needs kids.

Rita Dominguez, IHSS Provider asks for just wages.

Luis Bautista, Representative for UDW states that it is disheartening that IHSS Providers are unable to take vacation or look forward to retirement, because a lot of times they work for life. He asks the Board to consider them during negotiation time.

IHSS Provider states that his son needs 24-hour care and asks the Board for their support for just wages.

Maria Salazar, Resident of Santa Nella thanks Program Manager Claudia Corchado with Cultiva La Salud who is helping them become good leaders in the community. She asks the Board for their support in allowing them to help design a community park. She also asks for Town Halls to be held in Santa Nella.

See Lee, Chief Executive Officer of the Boys and Girls Club of Merced County invites the Board Members to come visit the Kids Summer Camps that will be held in four different communities.

Anel Flores, Resident of Santa Nella asks the board if they can work together in coming up with a solution in maintaining the community.

Narayan Singh, Merced resident states concerns regarding people trespassing on a vacant property in his neighborhood.

Concerned Veteran states concerns with buildings like the MID Building in Merced off of Franklin Road, who fly the American flag, but have taken down the POW MIA flag, representing those who are missing in action and still may be prisoners of war in foreign countries.

Gene Hamel representing the American Legion speaks on the issues between the American Legion and the Veterans of Foreign Wars.

Eli PaintedCrow, Merced County Veteran speaks on issues between the American Legion and the Veterans of Foreign War and is still waiting on a lease agreement. She also asks the Board to consider wage increase for IHSS Providers.

Present: Silveira, Espinosa, Pedrozo, McDaniel, Pareira