



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, OCTOBER 17, 2023

Closed Session – 9:00 a.m.
Regular Meeting – 10:00 a.m.

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

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

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.

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 - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

It is the intention of the Board to meet in Closed Session concerning Existing Litigation pursuant to Government Code section 54956.9(d)(1): 1. Geyser v. County of Merced, Merced Superior Court Case No. 23CV-01949.

THE BOARD RECESSED AT 9:01 A.M. WITH SUPERVISOR PAREIRA NOT PRESENT AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE BOARD CHAIR ADVISED STAFF WAS GIVEN DIRECTION

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

INVOCATION by Pastor Ella Luna-Garza, United Methodist Church, Merced/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 PAGES 14 AND 15

CONSENT CALENDAR (Items No. 1-23)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Approve and authorize the Board Chair to sign Amendment No. 1 to Contract No. 2020241 with Beacon Integrated Professional Resources, Inc., dba Hamner, Jewell & Associates for Right-of-Way services, modifying the Consultant's name; extending the term end date from December 31, 2023 to December 31, 2025; modifying Section 4, entitled "Allowable Costs and Payments", Section 6, entitled "Notices, Section 11, entitled "Insurance"; and adding Section 37, entitled "COVID-19 Requirements".
2. Approve and authorize the Board Chair to sign Amendment No. 1 to Contract No. 2022158 (JOC-022) with Ardent General, Inc. for Building Construction Remodeling, Repairs and

Maintenance services, increasing the contract maximum value from \$2,000,000 to \$2,500,000.

3. 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)
4. Approve a budget transfer in the amount of \$500,000 to transfer funds between Capital Improvement line accounts for Park Improvement Projects approved at Final Budget for Fiscal Year 2023-2024.
5. Approve a budget transfer in the amount of \$550,000 to establish appropriations for Capital Asset No. 82496 for the Navigation Center Roof Repair Project. (4/5 Vote Required)
6. Approve a budget transfer in the amount of \$300,000 for remediation of flood damage to Haganan Park. (4/5 Vote Required)

Behavioral Health and Recovery Services

7. Approve and authorize the Board Chair to sign Amendment No. 1 to the rate-based Contract No. 2022119 with Creative Alternatives for Specialty Mental Health Services to Youth consumers of Behavioral Health and Recovery Services, retroactively effective July 1, 2023 to comply with the California Advancing and Innovating Medi-Cal (CalAIM) payment reform, revising Exhibit B, entitled "Compensation for Services and Fiscal Requirements" and updating Exhibit E, entitled "Health Insurance Portability and Accountability Act Addendum" to update the Compliance Manager information.
8. Approve and authorize the Board Chair to sign Amendment No. 1 to rate-based Contract No. 2022100 with California Psychiatric Transitions, Inc., for Mental Health Rehabilitation Center Services, updating the Compliance Manager information in Exhibit A, entitled "Mental Health Services Additional Terms and Conditions", replacing Exhibit B, entitled "Rates/Fiscal Terms and Conditions", and updating the Compliance Manager information in Exhibit E, entitled "HIPAA Business Associate Addendum".
9. Approve and authorize the Board Chair to sign Amendment No. 1 to Contract No. 2021228 with Kings View Professional Services for Behavioral Health Information Management Services and Support, updating the Compliance Manager information in Exhibit A, entitled "Mental Health Services Additional Terms and Conditions", revising Exhibit C, entitled "Scope of Work", and updating the Compliance Manager information in Exhibit E, entitled "HIPAA Business Associate Addendum".
10. Approve and authorize the Board Chair to sign Amendment No. 1 to Contract No. 2022098 with Aspiranet to provide specialty mental health services and Full-Service Partnership services for the Wraparound, Empowerment, Compassion, and Needs Program amending the Budget starting on July 1, 2023 through June 30, 2025, for a total contract amount of \$9,900,000.
11. 1) Approve and authorize the Board Chair to sign Amendment No. 1 to the rate-based Contract No. 2022037 with Dr. Ruhel Boparai, for psychiatric services, and the addition of Interim Medical Director services effective October 23, 2023, revise Exhibit A, entitled "Mental Health Services Additional Terms and Conditions" to update Compliance Manager

information and revise references in insurance language, replace Exhibit B, entitled "Rates" and Exhibit C, entitled "Scope of Work", revise Compliance Manager information in Exhibit E, entitled "HIPAA Business Associate Addendum". 2) Approve the associated budget transfer in the amount of \$175,000.

12. Approve a budget transfer in the amount of \$12,500 to establish a capital asset for a Music on Hold Phone Service System.
13. 1) Adopt a Proclamation declaring the week of October 23-31, 2023 as "Red Ribbon Celebration Week" in Merced County. 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

14. Approve and authorize the Board Chair to sign Amendment No. 1 to Contract No. 2023106 with Merced County Office of Education for the Emergency Child Care Bridge Program for Foster Children (Bridge Program) decreasing the contract price from \$883,485 to \$858,330 and revising and replacing Exhibit C, "Program Budget."
15. Approve and authorize the Board Chair to sign Amendment No. 1 to Contract No. 2023167 with Aspiranet, for the Transitional Housing Program – Plus (THP+), revising Exhibit B, entitled "Scope of Work" and replacing Exhibit C, entitled "Budget".

Probation

16. Approve a budget transfer in the amount of \$535,895 to establish a fixed asset for a Mobile Service Center through the Board of State and Community Corrections Grant Program. (4/5 Vote Required)

Sheriff

17. Approve a budget transfer in the amount of \$40,000 for the purchase of 4 mobile APX8500 radios to be used in new vehicles.

Human Resources/Risk Management

18. 1) Act on Claim for Damages submitted by Kyle Anthony Furtado. 2) Approve Assistant County Executive Officer, or designee, to send notice of said action on claim.

Board of Supervisors

19. Approve the Summary Action Minutes - Final for the September 12, 2023 Board of Supervisors meeting, and for the September 12, 2023 Board of Supervisors as the Successor Agency to the Redevelopment Agency of the County of Merced meeting.

Board Recognition

20. Ratify Certificate of Recognition, presented on September 23, 2023, to the Atwater Historical Society, for their 50th Anniversary Celebration.
21. Ratify Certificates of Recognition, presented on September 29, 2023, at the Merced County Drug Treatment Court graduation ceremony.

22. Ratify Certificates of Recognition, presented on September 29, 2023, to various individuals honored at the Salute to Seniors event in Los Banos.
23. Ratify Certificates of Recognition, presented on October 5, 2023, to various individuals for being selected by their school districts as their Excellence in Education Awards Honorees.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

24. Approve and authorize the Director of Public Works to execute Contract Change Orders No. 3 (Peach Avenue) and No. 4 (Billy Wright Road) to Contract No. 2023047 with A. Teichert & Son, Inc., dba Teichert Construction in the amounts of \$491,942 and \$796,817.60, respectively.

SUPERVISOR ESPINOSA PROVIDED COMMENTS

AUTHORIZED CONTRACT NO. 2023047 AS RECOMMENDED AYES: ALL

25. Adopt the plans for the McKee Road Bridge Project, which consists of installing new striping on and around the existing McKee Road Bridge between East North Bear Creek and East South Bear Creek to allow for the movement of pedestrians and bicyclists in the vicinity of the existing bridge.

APPROVED AS RECOMMENDED AYES: ALL

26. 1) Find the proposed summary vacation of an undeveloped road exempt pursuant to CEQA Guidelines Sections 15301(c) ("Existing Highways and Streets") and 15061(b)(3) ("Common Sense"). 2) Adopt the Resolution for the summary vacation of an undeveloped road as described in Exhibits A and B in the Cressey area. 3) Direct the Board Clerk to record the adopted Resolution.

ADOPTED RESOLUTION NO. 2023-80 AS RECOMMENDED AYES: ALL

27. 1) Grant a Floodplain Development Variance to allow the substantial remodeling of one (1) existing structure below the base flood elevation, on a site located at 510 W. 25th Street in Merced, CA (APN: 030-102-011-000), 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

28. 1) Find the Merced County Courthouse Museum Restoration Project (Project) exempt from environmental review pursuant to CEQA Guidelines Section 15301 ("Existing Facilities"). 2) Ratify the County's Notice of Finding of No Significant Impact for the Project pursuant to the National Environmental Policy Act (NEPA), posted by the Merced County Clerk on July 28, 2023. 3) Accept a Community Project Funding grant award from the U.S. Department of Housing and Urban Development (HUD) for the Project, effective through August 31, 2030 in the amount of \$2,000,000. 4) Direct the Director of Public Works or designee to execute the grant award agreement and any amendments thereto, upon review by County Counsel and Risk Management. 5) Adopt the Plans and Specifications for the Project; authorize the

Department of Public Works to advertise the Project and conduct a Public Bid Opening. 6) Authorize the Director of Public Works, or designee, to award a Construction Contract to the lowest responsible bidder provided said bid is within the established budget and execute said Construction Contract upon receipt of pending construction grant awards, and upon review by the Department of Public Works, Risk Management, and County Counsel. 7) Return to the Board of Supervisors with an Information Item describing all actions taken. 8) Approve a budget transfer in the amount of \$2,000,000 to increase Fiscal Year 2023-2024 Budget Unit 17000 / 83060 (4/5 Vote Required).

SUPERVISOR PEDROZO PROVIDED COMMENTS

AUTHORIZED CONTRACT NOS. 2023212 (HUD) AND 2023213 (PLANS & SPECS) AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

29. Approve and authorize the Board Chair to sign Memorandum of Understanding with St. Josephs Behavioral Health Center, to pilot the 5150 authority and placement authority for private insurance beneficiaries to decrease length of stay in the Emergency Department and decrease workload of BHRS staff. No fiscal impact by this action.

AUTHORIZED CONTRACT NO. 2023214 AS RECOMMENDED AYES: ALL

30. 1) Approve and authorize the Board Chair to sign a rate-based contract with John M. Yarbrough, M.D., M.B.A., for psychiatric services, effective October 23, 2023, through June 30, 2025. 2) Approve the associated budget transfer in the amount of \$184,000.

AUTHORIZED CONTRACT NO. 2023215 AS RECOMMENDED AYES: ALL

31. 1) Ratify submission of a grant application, submitted by the Director of Behavioral Health and Recovery Services to the Department of Health Care Services, in ongoing collaboration with The Center at Sierra Health Foundation, for the Behavioral Health Response and Rescue Project, Health Equity in Access to Behavioral Health Recovery Services (HEAR US) Phase 2 funding opportunity, in an amount not to exceed \$250,000. 2) Authorize the Director of Behavioral Health and Recovery Services to sign all documents necessary for submittal of the Behavioral Health Response and Rescue Project, Health Equity in Access to Behavioral Health Recovery Services (HEAR US) Phase 2 Grant 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

32. Approve and authorize the Director of Human Services Agency, or designee, to execute a City of Merced Street Closure Application for the 19th Annual Veterans Day Parade, to be held on November 11, 2023.

APPROVED AS RECOMMENDED AYES: ALL

33. Approve and authorize the Board Chair to sign a grant agreement between the County of Merced, on behalf of the Human Services Agency (HSA), acting as the Collaborative Applicant/Administrative Entity (CA/AE) for the Merced City and County Continuum of Care (CoC), and the United States Department of Housing and Urban Development (HUD) for CoC

Planning Activities in the amount of \$34,260 for a term of December 1, 2023 through November 30, 2024.

AUTHORIZED CONTRACT NO. 2023217 AS RECOMMENDED AYES: ALL

34. 1) Authorize the Human Services Agency (HSA) to submit a retroactive application for California Department of Aging (CDA) to apply for the Local Aging & Disability Action Planning (LADAP) Grant Program, effective October 2, 2023 in the amount of \$200,000. 2) Direct HSA to return to the Board of Supervisors with the application results and to accept the awards.

APPROVED AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

35. 1) Find the sale of improved real property consisting of Building 1325, consisting of an approximately 5,376 square foot building on approximately 21,656 square feet of land located at Castle Commerce Center ("Property") exempt from further CEQA review under CEQA Guidelines Sections 15301 ("Existing Facilities") and 15312 ("Surplus Government Property Sales"). 2) Approve the sale and purchase agreement for the Property with Conour Manufacturing in the amount of \$98,000 and authorize the Board Chair to execute all necessary documents to effectuate the sale and transfer of the Property. (4/5 Vote Required) 3) Authorize the Board Chair to execute a Quitclaim Deed upon close of escrow.

**AUTHORIZED CONTRACT NO. 2023218 AS RECOMMENDED AYES: 2, 3, 4, 5
NOES: 1**

FIRE

36. Ratify the acceptance of the Fiscal Year 2022 Assistance to Firefighters Grant in the amount of \$1,570,906.84.

SUPERVISOR PEDROZO AND ASSISTANT FIRE CHIEF MARK PIMENTEL PROVIDED COMMENTS

AUTHORIZED CONTRACT NO. 2023219 AS RECOMMENDED AYES: ALL

PROBATION

37. Approve and authorize the Board Chair to sign a no cost Memorandum of Understanding with the City of Merced for partnership in the Pathways to Success Program, effective October 17, 2023 through December 31, 2025.

AUTHORIZED CONTRACT NO. 2023220 AS RECOMMENDED AYES: ALL

SHERIFF

38. 1) Approve and authorize the Sheriff, or designee, to electronically sign and accept a Grant Award received from the U.S. Department of Justice through the Bureau of Justice Assistance (BJA) for the BJA FY 23, Byrne Discretionary Community Project Funding/Byrne Discretionary Grants Program, to purchase a RAPID DNA analysis system and for implementation of a RAPID DNA program, in the amount of \$457,000. 2) Approve the associated budget transfer adding appropriations, increasing revenue and expenditures needed to implement the RAPID DNA program. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2023221 AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

39. Provide staff guidance regarding the Sheriff's Administration and Operations Complex as Phase IIB of the Correctional Facility Project. 1) Confirm that planning efforts for Phase IIB, the Sheriff's Administration and Operations Complex, should continue. 2) Select preferred site to include in planning process: a. Parade Grounds (Castle Commerce Center) b. Wallace Road (Castle Commerce Center) c. Alternate site, not previously considered.

ASSISTANT CEO MARCI BARRERA PROVIDED A POWERPOINT PRESENTATION**CEO MENDEZ, ALL BOARD MEMBERS, SHERIFF WARNKE AND ELLA LUNA-GARZA PROVIDED COMMENTS****APPROVED AS RECOMMENDED AND SELECTED PARADE GROUNDS SITE****AYES: 2, 3, 4, 5 NOES: 1**

40. Approve the Memorandum of Understanding between City of Merced, Merced County, Merced Union High School District and Merced County Office of Education related to Community Park 42 (CP-42).

ASSISTANT CEO MARCI BARRERA, ACTING CITY MANAGER SCOTT MCBRIDE AND ALL BOARD MEMBERS PROVIDED COMMENTS**AUTHORIZED CONTRACT NO. 2023216 AS RECOMMENDED AYES: ALL**BOARD APPOINTMENTS

41. Appoint Sarah Bell to serve as a director of the East Merced Resource Conservation District Board of Directors until January 28, 2027.

APPROVED AS RECOMMENDED AYES: ALL

42. Appoint Kym McAdam to serve as a member of the Los Banos Cemetery District Board of Trustees, filling an unexpired term ending June 7, 2025.

APPROVED AS RECOMMENDED AYES: ALL

43. Approve the following appointments to the Santa Nella Municipal Advisory Council: 1) Appoint Patricia Ramos Anderson to serve until March 31, 2024. 2) Appoint Blanca Estela Gomez to serve until March 31, 2025. 3) Appoint Anel Flores Ruelas to serve until March 31, 2026.

APPROVED AS RECOMMENDED AYES: ALL

44. Reappoint Mary Ellis, representing District 2, Sally Ragonut, representing District 3, and Bruce Metcalf, representing District 4 to the Behavioral Health Advisory Board until June 30, 2026.

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

45. Sheriff re: Annual reporting requirements on Inmate Welfare Trust Fund for Fiscal Year 2022-2023 in accordance with Penal Code Section 4025(e).

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

To consider adoption of a Resolution approving General Plan Amendment No. GPA21-002 and Planned Development Zone No. PD21-001 and an Ordinance approving Zone Change No. ZC21-003 and Development Agreement No. DA21-001 (The University Community Plan Amendment and Virginia Smith Trust Specific Plan Project).

RECOMMENDATION:

- 1) Open the public hearing and close the public hearing.
- 2) Certify the Subsequent Environmental Impact Report and adopt the Findings of Fact, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program.
- 3) Adopt a Resolution approving General Plan Amendment No. GPA21-002 and Planned Development Zone No. PD21-001.
- 4) Adopt an Ordinance approving Zone Change No. ZC21-003.
- 5) Adopt an Ordinance approving Development Agreement No. DA21-001.

STEVE MAXEY, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT INTRODUCED THE ITEM AND PROVIDED A POWERPOINT PRESENTATION

OPPORTUNITY WAS GIVEN FOR INTERESTED PERSONS TO ADDRESS THE BOARD. THE FOLLOWING SPOKE: STEPHEN PECK, BOB CARPENTER, CORI LUCERO, VINTON THENGVALL, SCOTT MCBRIDE, DR. STEVE TIETJEN AND SID LAKIREDDY

ALL BOARD MEMBERS PROVIDED COMMENTS**THE BOARD CHAIR CLOSED THE PUBLIC HEARING**

ADOPTED RESOLUTION NO. 2023-81, ORDINANCE NOS. 2031 AND 2032 AND AUTHORIZED CONTRACT NO. 2023222 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To consider adoption of a Resolution approving General Plan Amendment No. GPA23-002 and Planned Development Zone No. PD18-001 and an Ordinance approving Zone Change No. ZC23-002 (The Bradbury Ranch Master Plan Project).

RECOMMENDATION:

- 1) Open the public hearing and close the public hearing.
- 2) Certify the Supplemental Environmental Impact Report and adopt the revised Mitigation Monitoring and Reporting Program.
- 3) Adopt a Resolution to Approve General Plan Amendment No. GPA23-002 and Planned Development Zone No. PD18-001.
- 4) Adopt an Ordinance to Approve Zone Change No. ZC23-002.

STEVE MAXEY, DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT INTRODUCED THE ITEM AND PROVIDED A POWERPOINT PRESENTATION

**OPPORTUNITY WAS GIVEN FOR INTERESTED PERSONS TO ADDRESS THE BOARD,
THE FOLLOWING SPOKE: CHRIS HAWK AND JESUS SALGADO**

SUPERVISOR PAREIRA AND SUPERIVSOR ESPINOSA PROVIDED COMMENTS

THE BOARD CHAIR CLOSED THE PUBLIC HEARING

**ADOPTED RESOLUTION NO. 2023-82 AND ORDINANCE NO. 2033 AS
RECOMMENDED AYES: ALL**

TREASURER-TAX COLLECTOR - PUBLIC HEARING

To consider proposed ordinance entitled "An Ordinance Amending Chapter 5.56 of the Merced County Code entitled "Treasurer-Tax Collector Fee Schedule""

RECOMMENDATION:

- 1) Introduce an ordinance entitled "An Ordinance Amending Chapter 5.56 of the Merced County Code entitled "Treasurer-Tax Collector Fee Schedule"" and waive further reading.
- 2) Open public hearing and accept public comment.
- 3) Close public hearing.
- 4) Adopt said Ordinance.

**KAREN ADAMS, TREASURER-TAX COLLECTOR INTRODUCED KAREN HELMS
KAREN HELMS, ASSISTANT TREASURER-TAX COLLECTOR INTRODUCED THE ITEM**

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

THE BOARD CHAIR CLOSED THE PUBLIC HEARING

ADOPTED ORDINANCE NO. 2034 AS RECOMMENDED AYES: ALL

REPORTS/BOARD DIRECTION

Board of Supervisors Members, County Counsel, County Executive Officer

**THE BOARD ADJOURNED THE MEETING IN MEMORY OF TYLER MINOR AT
1:13 P.M. UNTIL TUESDAY, OCTOBER 24, 2023, AT 10:00 A.M.**

10:00 A.M. REGULAR MEETING**PUBLIC OPPORTUNITY TO SPEAK ON NON-AGENDA ITEMS**

Jessica Lee, resident speaks about the car accidents occurring due to the construction along Highway 99 and urges Caltrans to please finish.

Christan Santos, Field Representative for Congressman John Duarte shared an update on the Congressman's recent events attended.

Jerald Phelps, President of AFSCME speaks on health care increase and submits a Yearly Salary Schedule, a petition signed by current county employees and letters regarding the effects of the rise in cost of health care for employees.

Larry Watson, Chief Steward of AFSCME, speaks on health care increase and submits copy of an email, petitions signed by county employees and letters regarding the effects of the rise in cost of health care for employees.

Marta Echevaria, County employee comments that she is going to have to find a second job to pay for the health insurance cost increase.

Jeanie Bugher, County employee comments on the insurance cost increase and asks the Board to please remove the cap.

Patience Barton, County employee comments on the insurance cost increase and the lack of affordable insurance.

Shirley Olson, IHSS provider comments on the need for a wage increase.

Florence Crowsen, IHSS provider comments on the need for a wage increase.

Pakamon Sopajaree, IHSS provider comments on the need for a wage increase and submits a letter of support.

Olivia Garcia, IHSS provider comments on the need for a wage increase.

Elaine Queen, IHSS provider comments on the value the IHSS workers bring to the community.

Anastacio Rosales, Planada resident thanks the County for their support and efforts regarding the flooding that occurred in their community and securing the \$20 million for Planada.

Andrew Gallagher, Sheriff's Office dispatcher and Unit 14 representative speaks about the health insurance increase for County employees.

Narayan Singh, Franklin-Beachwood resident comments on the 16 acres behind his property that is infested with rodents and is affecting his garden, concerns about Fentanyl, and graffiti at the Lobo and Drake Avenue park.

Karen Adams, Treasurer-Tax Collector thanked Supervisor Espinosa and Pedrozo for responding to her email on how they can help. She thanked the kind taxpayers and provided information to the frustrated taxpayers. She also shared information on tax payments that went out and the new lock box address for payments.

Present: Silveira, Espinosa, Pedrozo, McDaniel, Pareira