

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, FEBRUARY 27, 2018

Closed Session – 8:30 a.m.

Regular Meeting – 10:00 a.m.

MERCED COUNTY
ADMINISTRATION BUILDING
2222 “M” STREET
BOARD ROOM, THIRD FLOOR
MERCED, CALIFORNIA 95340
(209) 385-7366

RODRIGO ESPINOZA....DISTRICT 1
LEE LOR....DISTRICT 2
DARON McDANIEL....DISTRICT 3
LLOYD PAREIRA....DISTRICT 4
CHAIRMAN JERRY O’BANION....DISTRICT 5

JAMES L. BROWN
COUNTY EXECUTIVE OFFICER

JAMES N. FINCHER
COUNTY COUNSEL

*All supporting documentation is available for public review in the Office of the Clerk of the Board of Supervisors located in the County Administration Building, Third Floor, 2222 “M” Street, Merced, California, 95340
During regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday.*

The Agenda is available online at www.co.merced.ca.us

Any material related to an item on this Agenda submitted to the Clerk after distribution of the Agenda packet is available for public inspection in the Office of the Clerk of the Board

Members of the public are advised that all pagers, cellular telephones and any other communication devices are to be turned off upon entering the Board Chambers

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The Agenda is divided into three sections:

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

SCHEDULED ITEMS – These items are noticed hearings, work sessions and public hearings.

REGULAR CALENDAR – These items include significant policy and administration actions. Immediately after approval of the CONSENT CALENDAR, if the time of the hearing of SCHEDULED ITEMS has not arrived, the REGULAR CALENDAR will be considered.

SCHEDULED ITEMS

8:30 A. M.

**THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA-
TESTIMONY IS LIMITED TO THREE MINUTES PER PERSON**

**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

**CLOSED SESSION - CONFERENCE WITH REAL PROPERTY
NEGOTIATOR:**

It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator(s) Dana Hertfelder, Public Works Director pursuant to Government Code Section 54956.8 as follows:

Property: APN: 059-300-014 and 059-300-042. Located at 1880 Wardrobe in the Merced Area

Agency Negotiator: Dana Hertfelder, Public Works Director

Negotiation Parties: County of Merced and NAI Benchmark

Under Negotiation: To request authority to negotiate proposed purchase of property

**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. Nathan v. County of Merced, Merced Superior Court case no. 16CV-02137

**THE BOARD RECESSED AT 8:32 A.M. AND RECONVENED AT 10:00
A.M. WITH ALL MEMBERS PRESENT, AND THE CHAIRMAN ADVISED
STAFF WAS GIVEN DIRECTION**

**GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA
ITEMS)**

10:00 A. M.

PLEDGE OF ALLEGIANCE/INVOCATION

Invocation lead by Assistant CEO Scott De Moss

PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (TESTIMONY LIMITED TO THREE MINUTES PER PERSON)

REVIEW BOARD ORDER – SEE PAGE 9

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 18)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-18)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Approve and authorize the Chairman to sign Amendment Contract No. 2016076 with VANIR Construction Management for the construction management of the Behavioral Health and Recovery Services facilities remodel.
2. Approve budget transfer in the amount of \$15,100 to establish appropriation for replacement of two air conditioner units at the Atwater Veterans Hall. (4/5 Vote Required)

Health

3. Approve and authorize the Chairman to sign Amendment Contract No. 2010234 with the California Department of Public Health, Emergency Preparedness Office to align budgets for the FY16/17 Public Health Emergency Preparedness (PHEP), Hospital Preparedness Program (HPP), and the State General Fund Pandemic Influenza (GF Pan Flu).
4. Approve budget transfer in the amount of \$371,190 to increase contract appropriations for remaining balance of Woodward Curan (formerly RMC) contract subvented by the substandard groundwater program grant. (4/5 Vote Required)

Behavioral Health and Recovery Services

5. Approve and authorize the Chairman to sign Amendment Contract No. 2013224 with Dr. Mayurkumar Ambubhai Amin, M.D., for psychiatric services for Marie Green Psychiatric Unit; and approve related budget transfer.
6. Approve and authorize the Chairman to sign Amendment Contract No. 2013219 with LocumTenens.com, LLC, for the placement of licensed psychiatrists on a limited basis; amending Exhibit B (Budget/Rates); and return to the Board for further action once the vacant Staff Psychiatrist positions are filled.

Human Services Agency

7. Approve and authorize the Chairman to sign Amendment Contract No. 2017117 with RTZ Associates, Inc. for an upgrade to the reporting and tracking software system (HOMCare2 and PETS) for the In-Home Supportive Services (IHSS) Public Authority program.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2014055 with California Department of Aging for Health Insurance Counseling Advocacy services; adopt

resolution and approve the related budget transfer. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2018-12

District Attorney

9. Approve budget transfer in the amount of \$37,409 to acquire equipment necessary to carry out the functions of the new Rural Crimes Investigator. (4/5 Vote Required)

Executive Office

10. Approve travel request received from Public Health and Sheriff as recommended by Executive Office.
11. Act on Claims for Damages submitted by Arik Adams and Kimberly Salveson as recommended by Risk Management and County Counsel.

Board Recognition

12. Authorize Certificate of Recognition to Alan McKay for retirement and dedicated service as the CEO of Central California Alliance for Health.
13. Authorize Certificate of Recognition to Elks Club for 150 Anniversary and for generously honoring and serving our Nation's Communities, Veterans and Youth.
14. Authorize Certificates of Recognition to Cassandra Valdez for being selected as Miss Merced County and Marlo Carpenter for being selected as Miss Merced County Outstanding Teenager.
15. Authorize Certificate of Recognition to Michael Malone for retirement and 20 years of dedicated service as the CEO of MERCOCREDIT Credit Union.
16. Authorize Certificates of Recognition to the following individuals for being selected by the Merced County Historical Society: Vince Griffiths - 2017 Letus Wallace Award, LeRoy Oliver - 2017 Letus Wallace Award, Karen Chastain - 2017 Docent of the Year Award, Richard Mahacek - 2017 Heacox Pioneer History Award, Snelling Community Building Foundation Inc. - 2018 Rossotti Capital Improvement Grant and Bob Souza - 2017 Past-President.
17. Authorize Certificates of Recognition to various individuals for accomplishments in the Merced/Mariposa FFA Project Competition.
18. Authorize Proclamation in recognition of Teen Dating Violence Awareness and Prevention Month for February 2018.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

19. Approve a retainer agreement with CSG Consultants for Building Plan Review Services; and authorize the Chairman to sign the professional services agreements to provide services as needed.

AUTHORIZED CONTRACT NO. 2018026 AS RECOMMENDED AYES: ALL

20. Approve a retainer agreement with Interwest Consulting Group for Building Plan Review services; and authorize the Chairman to sign the Professional Services agreements to provide services as needed.

AUTHORIZED CONTRACT NO. 2018027 AS RECOMMENDED AYES: ALL

21. Approve a retainer agreement with TRB & Associates for Building plan review services and authorize the Chairman to sign the professional services agreements to provide services as needed.

AUTHORIZED CONTRACT NO. 2018028 AS RECOMMENDED AYES: ALL

22. Adopt Resolution to terminate the 2005 Regional Transportation Impact Fee (RTIF) Implementation Agreement authorizing Merced County Association of Governments (MCAG) to manage and administer the RTIF Program dated August 1, 2005; and adopt the RTIF Update Study dated December 15, 2016 and associated project list.

ADOPTED RESOLUTION NO. 2018-13 AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

23. 1) Approve and authorize Behavioral Health and Recovery Services to apply for Mental Health Services Oversight and Accountability Commission Triage Grant funds, UP TO \$6,710,400, for the expansion of Behavioral Health and Recovery Services personnel to provide triage services to individuals with mental illness or emotional disorders requiring crisis intervention; 2) Approve and authorize the Director of Behavioral Health and Recovery Services to sign the grant application; and 3) Return to the Board to accept grant funds and approval of any related actions necessary for implementation of the grant project.

24. Contract with Manolito Castillo, M.D., for the provision of psychiatric services at the Marie Green Psychiatric Unit for one weekend per month.

AUTHORIZED CONTRACT NO. 2018029 AS RECOMMENDED AYES: ALL

25. Adopt Resolution for the collection and distribution of Alcohol and Drug Assessment Fees, for Behavioral Health and Recovery Services, alcohol and drug problem assessment programs and monitoring.

ADOPTED RESOLUTION NO. 2018-14 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

26. Contract with the National Council on Crime and Delinquency for the implementation of a Structured Decision Making Model for Adult Protective Services.

AUTHORIZED CONTRACT NO. 2018030 AS RECOMMENDED AYES: ALL

27. Authorize Human Services Agency to submit a grant application to potentially receive funding to operate a CalFresh Employment and Training (CFET) Program; and authorize the County Director as the county's representative and the Financial Representative to sign any related documents.

APPROVED AS RECOMMENDED AYES: ALL

28. Contract with Binti, Inc. for Foster Care Software Services which allows families to apply online to foster or adopt a child from foster care, and also allows the social workers to complete all of their casework online.

AUTHORIZED CONTRACT NO. 2018035 AS RECOMMENDED AYES: ALL

29. Authorize the Human Services Agency Director to sign and submit a grant application to the Community Foundation of Merced County in response to a funding opportunity to support the

Hmong Women's Conference and return to the Board to process grant documents if awarded.

APPROVED AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

30. 1) Find that the rescission and renewal of the Williamson Act contract for the property located on both sides of South Pole Line Road, 1.125 miles south of West Eagle Field Road in the Los Banos area does not have a significant effect on the environment and is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15317-"Open Space Contracts or Easement"; 2) Determine that the 7 findings required by Government Code section 51257, subdivision (a), for the rescission and renewal of Williamson Act contracts have been met as detailed in Staff's summary for this agenda item; 3) Simultaneously rescind the existing Williamson Act contract (WA06-016) and re-enter into two Williamson Act contracts with the following property owners, to reflect new property lines resulting from a prior-approved property line adjustment: Berj Moosekian (WA17-003) / Aric Barcellos (WA17-004); and 4) Authorize the Chairman to sign the new Williamson Act contracts and forward them to the County Recorder.

AUTHORIZED CONTRACT NOS. 2018-01WA & 2018-02WA AS RECOMMENDED AYES: ALL

31. Approve the Chowchilla Subbasin Groundwater Monitoring Well Installation and GSP Development Budget as recommended by the Chowchilla Subbasin GSP Advisory Committee; and authorize the Chairman to sign a notification of intent to develop a Groundwater Sustainability Plan to the California Department of Water Resources and any other necessary documents.

APPROVED AS RECOMMENDED AYES: ALL

PROBATION

32. Authorize Administrative Services, in conjunction with the Probation Department to prepare and release a Request for Proposal to provide adult day reporting services for offenders and return to the Board for contract approval.

APPROVED AS RECOMMENDED AYES: ALL

33. Contract with Students with Aspiring Goals to be the contractor facilitating program providers for services in the Los Banos Youth and Family Safety Hub pursuant to the Proposition 47 grant program.

AUTHORIZED CONTRACT NO. 2018031 AS RECOMMENDED AYES: ALL

CHILD SUPPORT

34. Approve and authorize the Chairman to sign the Plan of Cooperation between Merced-Mariposa Regional Dept. of Child Support (MDCDCSS) and Superior Court of California, County of Merced; and authorize Sharon Wardale-Trejo, Director of MDCDCSS, to sign the Plan of Cooperation.

AUTHORIZED CONTRACT NO. 2018032 AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

35. Contract with Merced College to implement a Laborers' International Union of North America (LiUNA) Pre-Apprenticeship Training.

AUTHORIZED CONTRACT NO. 2018033 AS RECOMMENDED AYES: ALL

36. Contract with Merced College to implement the Certified Nurse Assistant Training.
AUTHORIZED CONTRACT NO. 2018034 AS RECOMMENDED AYES: ALL

SHERIFF

37. Contract with LexisNexis for Law Enforcement Agreement and Desk Officer Reporting System.
AUTHORIZED CONTRACT NO. 2018036 AS RECOMMENDED AYES: ALL

ADMINISTRATIVE SERVICES

38. Ratify the submission of the application for First 5 Mini-Grant Funds as executed by the Director of Administrative Services to support the implementation of lactation rooms in the Administration Building.
APPROVED AS RECOMMENDED AYES: ALL
39. Contract with Merced County Office of Education for the operation and management of the public access cable channel.
AUTHORIZED CONTRACT NO. 2018037 AS RECOMMENDED AYES: ALL

ELECTIONS

40. Approve the request for the Merced Irrigation District changing the District's election dates from November of the odd-numbered years to consolidate the election with the June statewide primary election in the even-numbered years; and authorize the Registrar of Voters to notify voters in the Merced Irrigation District of the change in election dates.
APPROVED AS RECOMMENDED AYES: ALL

TREASURER

41. Contract with RT Lawrence Corporation for remittance processing solution.
AUTHORIZED CONTRACT NO. 2018038 AS RECOMMENDED AYES: ALL
REVIEW BOARD ORDER – SEE PAGE 9
42. Accept the Quarterly Investment Report for the period of October 1, 2017 to December 31, 2017.
APPROVED AS RECOMMENDED AYES: ALL
43. Interdepartmental Contract with Merced County Sheriff to perform personal contact site visits on all improved tax delinquent properties to be offered for all public auction sales scheduled in 2018 through 2022.
AUTHORIZED CONTRACT NO. 2018039 AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

44. 1. Approve the following departmental personnel actions: 1) Assessor Budget Unit 11200 Change: 1 Mapping & Title Svcs Supervisor (Pos 41) to Appraiser I/II/III. 2) Admin Services Budget Unit 11500: (B/U 11505) Re-Establish Supervising Janitor, Change: 1 Janitor (Pos 12) to Supervising Janitor. 3) Sheriff-Corrections Budget Unit 23000: Change: 1 Correctional Sergeant/ Correctional Senior Sergeant (Pos 170) to Sheriff Sergeant/Sheriff Senior Sergeant. 4) Public Health Budget Unit 40000: (B/U 40001) Change:1 Medical Claims Clerk I/II (Pos 233) to Account Clerk I/II; Change: 1 Office Assistant I/II (Pos 257) to Office Assistant III; (B/U 40007) Change:1 Medical Claims Clerk I/II (Pos 112) to Account Clerk I/II; (B/U 40013) Change: 1 Public Health Aide I/II (Pos 102) to Office Assistant III. 5) Behavioral Health

and Recovery Services Budget Unit 41500: (B/U 41505) Add:1 Licensed Mental Health Worker/Psychiatric Staff Nurse I/II. 6) Human Services Agency Budget Unit 50000: (B/U 50050) Add: 1 Staff Services Analyst I/II 2. Approve the modifications to the following existing job classification specifications; Deputy Dir - Economic Development, Assistant Public Works Director. 3. Re-establish the classification of Supervising Janitor, Class 5041, Salary Range 65.3. 4. Approve amendments to the Position Allocation Resolution 06-120/A and the Salary Allocation Resolution 06-120, Human Resources Rules and Regulations 2007-22, and Recruitment and Selection Resolution 2013-92.

ADOPTED RESOLUTION NOS. 2018-15 (POSITION), 2018-16 (SALARY), 2018-17 (RULES & REGS) & 2018-18 (RECRUITMENT) AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

45. Adopt Resolution in support of representation from the San Joaquin Valley on the University of California Board of Regents.

ADOPTED RESOLUTION NO. 2018-19 AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

46. Accept Merced Irrigation District's amended Conflict of Interest Code and notify the District of the action taken.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

47. Reappoint Eva de Long to serve as a member of the First 5 Commission representing District 4, until March 23, 2021.

APPROVED AS RECOMMENDED AYES: ALL

48. Appoint Norma Cardona to serve as a member of the Behavioral Health Board representing District 2, filing an unexpired term until June 30, 2018.

APPROVED AS RECOMMENDED AYES: ALL

49. Appoint Audrey L. Kotrich-Spangler to serve as a member of the Behavioral Health Board, representing District 4, until June 30, 2020.

APPROVED AS RECOMMENDED AYES: ALL

50. Reappoint Dave Honey to serve as a member of the Winton Cemetery District, until February 18, 2022.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

51. Central California Alliance for Health re: Annual Report of the Santa Cruz-Monterey-Merced Managed Medical Care Commission: 2017.

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF MIKE RAYMOND, GLORIA SPINA, MARGE NELSON, AND FRANCES AL HOGAN, AND ADJOURNED THE MEETING AT 10:52 UNTIL TUESDAY, MARCH 13, 2018 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – FEBRUARY 27, 2018

10:00 A.M. SCHEDULED ITEM **2018-02-27 PUBLIC OPPORTUNITY**

Nancy Young-Bergman informs the Board of the CASA of Merced County fundraiser “Derby Night” to be held on March 24, 2018, and introduces their new executive director, Kathy Lancaster.

Kathy Lancaster, Executive Director of CASA of Merced County gives statistics to the Board on CASA and states that they are always looking for more advocates.

Edmundo, with United Domestic Workers states he is a home care worker and he is asking the Board for a livable wage and to please support caregivers.

Julie Lovato, with United Domestic Workers gives her testimony as a caregiver and asks for the Board’s support.

Jose Marin, with Valley CAN informs the Board of the programs offered through the San Joaquin Air Pollution Control District Board and submits handout for their Free Smog Repair event on March 10, 2018.

Nancy Redding, District 2 resident talks about the event that occurred this past Sunday, February 25th involving ICE agents here in Merced County. She states it is unacceptable and that the Board needs to protect and defend the residents of Merced County.

Lupe Delgado, with Faith in the Valley, states she is very upset with what happened here on Sunday. She further states that we cannot have ICE come in and tear families apart.

Gloria Sandoval, Merced resident reads a report titled “ICE lies”.

Blanca, Dos Palos resident who works with Valley Watch Network, speaks about the call she received Sunday morning that ICE was here in Merced County and requests that the Board does something about this.

Anabel Serna speaks about immigration and states there will be a vigil held tonight in Atwater and invites everyone to attend.

Present: O’Banion, Espinoza, Lor, McDaniel, Pareira

ACTION ITEM NO. 41 **2018-02-27 TREASURER**

The Clerk announces a contract with RT Lawrence Corporation for remittance processing solution is before the Board for consideration. The Clerk notes that the Annual Support amount stated on the Board Agenda Item is \$11,485.33. The correct amount as stated in the agreement is \$11,734.30 and has no bearing on the requested action of the Board.

Upon a motion of Supervisor McDaniel, seconded by Supervisor Lor, duly carried the Board approves Contract No. 2018038 with RT Lawrence Corporation for remittance processing solution. Ayes: O’Banion, Espinoza, Lor, McDaniel, Pareira