



# SUMMARY ACTION MINUTES BOARD OF SUPERVISORS

Regular Meeting  
TUESDAY, MAY 22, 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](http://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 - 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): Morse v. County of Merced, et al., Eastern District Case No. 1:16-cv-00142 DAD SKO.

**THE BOARD RECESSED AT 8:34 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 Pastor Keith French**

**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 12**

**PRESENTATION- PUBLIC HEALTH:** Provide the Board with an update on the Department of Public Health's efforts to apply for and achieve Public Health Accreditation through the National Public Health Accreditation Board.

**REVIEW BOARD ORDER – SEE PAGE 12**

**APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 46)**

**SCHEDULED ITEMS:**

**COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING**

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

**RECOMMENDATION:**

1) Open the Public Hearing and receive testimony; 2) Close the Public Hearing; 3) Find the removal of the land from the Agricultural Preserve pertaining to: a) PLA 17-019 located on the southwest corner of W. Walnut Avenue and N. Vine Avenue in the Winton area, b) PLA 18-004 located on the south side of W. Geer Avenue, 0.25 miles east of N. Washington Road in the Hilmar area, c) PLA 18-005 located on the east side of S. Healy Road, 0.25 miles north of E. McMaster Road in the Merced area, are exempt from CEQA under Section 15183, Projects Consistent with a Community Plan or Zoning based on the findings listed on Page 2 of the Board Agenda Item; and, 4) Adopt the Resolution to amend the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.

**REVIEW BOARD ORDER – SEE PAGE 12 AND 13**

**PROBATION- SECOND READING OF PROPOSED ORDINANCE**

To conduct second reading of proposed ordinance entitled; "An Ordinance Repealing Fees set for Cost of Parental Reimbursement for Juvenile Hall Care and Electronic Surveillance of a Minor" (Repeals Ordinances Nos. 1548 and 1585).

**RECOMMENDATION:**

1) Conduct a second reading of a proposed Ordinance entitled "An Ordinance repealing fees set for Cost of Parental Reimbursement for Juvenile Hall Care and for Electronic Surveillance of a Minor" (Repeals Ordinance Nos. 1548 and 1585); 2) Waive further reading of the proposed Ordinance; and, 3) Adopt proposed Ordinance.

**REVIEW BOARD ORDER – SEE PAGE 13**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, Board of Supervisors Members

**CONSENT CALENDAR (Items # 1-46)**

**APPROVED AS RECOMMENDED AYES: ALL**

**Public Works**

1. Approve Budget Transfer to modify the type of pool vehicle for Public Works Building Division.
2. Approve Budget Transfer in the amount of \$200,000 to repair Human Services Agency Wardrobe Campus parking lot. (4/5 Vote Required)
3. Approve Budget Transfer in the amount of \$150,000 to shift funds from Human Services Agency Fire Alarm to Human Service Agency Soffit repair to provide a higher level of repair to the Wardrobe Campus soffits.
4. Set a Public Hearing for June 19, 2018 at 10:00 a.m. to consider Ordinance entitled "Adopting the County Service Area Number One User Charge Rates for Zones of Benefit for the 2018/2019 Fiscal Year (Superseding Ordinance No. 1944 and Amends County Code chapter 5.64).
5. Adopt Resolution adjusting the mileage of maintained roads in Merced County for 2017 to be 1,766.373 miles.

**ADOPTED RESOLUTION NO. 2018-40**

6. Approve and authorize the Chairman to sign Amendment Contract No. 2007256 with Environmental Science Associates (ESA) for environmental services; and authorize the Director of Public Works to execute amendments extending the term of project supplements as necessary to complete current projects, after review by County Counsel.
7. Approve and authorize the Chairman to sign Amendment Contract No. 2008064 with Quincy Engineering, Inc. for Bridge Design Services; and authorize the Director of Public Works to execute amendments extending the term of Project Supplements as necessary to complete current projects, after review by County Counsel.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2012221 with Galvin Preservation Associates, Inc. for Environmental Review Services; and authorize the Director of Public Works to execute amendments extending the term project supplements as necessary to complete current projects, after review by County Counsel.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2009179 with Golden Valley Engineering & Surveying, Inc. for Civil Engineering & Surveying Services; and authorize the Director of Public Works to execute amendments extending the term of project supplements as necessary to complete current projects, after review by County Counsel.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2013120 with Biggs Cardosa Associates, Inc. for Road and Bridge Design Services; and authorize the Director of Public Works to execute amendments extending the term of project supplements as necessary to complete current projects, after review by County Counsel.
11. Approve and authorize the Chairman to sign Amendment Contract No. 2013121 with Quincy Engineering, Inc. for Road and Bridge Design Services; and authorize the Director of Public Works to execute amendments extending the term of Project Supplements as necessary to complete current projects, after review by County Counsel.
12. Approve and authorize the Chairman to sign Amendment Contract No. 2013190 with Quad Knopf, Inc. (dba QK) for Engineering and Surveying Services; and authorize the Director of Public Works to execute amendments extending the term of project supplements as necessary to complete current projects, after review by County Counsel.
13. Approve and authorize the Chairman to sign Amendment Contract No. 2005007 with Mark Thomas & Company, Inc. for Civil Engineering Services for the design of the Campus Parkway Project.
14. Approve and authorize the Chairman to sign Amendment Contract No. 2005129 with Mead & Hunt, Inc. for Airport Planning and Design Services; and authorize the Director of Public Works to execute amendments extending the term of Project Supplements as necessary to complete current projects, after review by County Counsel.
15. Approve and authorize the Chairman to sign Amendment Contract No. 2013079 with Mark Thomas & Company, Inc. for Design Support Services for the Atwater-Merced Expressway Project.
16. Approve and authorize the Chairman to sign Amendment Contract No. 2013113 with NV5 (formerly known as Nolte Associates, Inc.) for construction management services for the Atwater-Merced Expressway Project.
17. Approve and authorize the Chairman to sign Amendment Contract No. 2017085 (JOC-04) with T&S West for building construction remodeling, repairs and maintenance services.

## Health

18. Approve and authorize the Chairman to sign Amendment Contract No. 2016261 (State Contract No. 16-10376 A01) with the California Department of Public Health - Office of AIDS Drug Assistance Program for enrollment services; and adopt the Resolution.

### **ADOPTED RESOLUTION NO. 2018-41**

19. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2008084 with Human Services Agency and the Probation Department for Early and Periodic Screening, Diagnosis and Treatment. (EPSDT).

## Behavioral Health and Recovery Services

20. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2012167 with Probation for the services of one Deputy Probation Officer related to the Adult Mental Health Court as part of the Mental Health Services Act Community Services and Supports Plan.
21. Approve and authorize the Chairman to sign Renewal Contract No. 2015168 with Merced Lao Family Community, Inc. for the implementation of the Southeast Asian Community Advocacy Program.
22. Approve and authorize the Chairman to sign Amendment Contract No. 2016273 with BHC Heritage Oaks Hospital services for inpatient hospital Medi-Cal clients.
23. Approve and authorize the Chairman to sign Amendment Contract No. 2016274 with BHC Heritage Oaks Hospital for inpatient hospital services for non-Medi-Cal clients.

## Human Services Agency

24. Approve and authorize the Chairman to sign Renewal Contract No. 2007125 with Merced County Office of Education-Family Resource Council for community development and support services.
25. Approve and authorize the Chairman to sign Renewal Contract No. 2012130 with Aspiranet to provide home visitor services to families involved with the Child Welfare System that have children who are at risk of abuse or neglect.
26. Approve and authorize the Chairman to sign Renewal Contract No. 2016170 with Aspiranet to provide SB 163 Wraparound services that facilitate the safe return of children/youth in high level out-of-home placements to their homes or less restrictive placements within their community.
27. Approve and authorize the Chairman to sign Renewal Contract No. 2012131 with Court Appointed Special Advocates of Merced County for Family Finding and Engagement Services for foster youth.
28. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2009297 with the Sheriff's Office for social worker safety and support.
29. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2007091 with County Counsel for departmental legal services.
30. Approve and authorize the Chairman to sign Renewal Contract No. 2014097 (State Revenue Contract #AP-1819-31) with the California Department of Aging for Senior Service Programs; and adopt the Resolution.

### **ADOPTED RESOLUTION NO. 2018-42**

31. Approve and authorize the Chairman to sign Renewal Contract No. 2004211 (State Contract #MS-1819-28) with California Department of Aging for senior case management services; and adopt the Resolution.

**ADOPTED RESOLUTION NO. 2018-43**

**Community and Economic Development**

32. Set Public Hearing for June 5, 2018 at 10:00 a.m. per the requirements of Tax and Equity Fiscal Responsibility Act (TEFRA) in connection with the proposed issuance of bonds by the California Municipal Finance Authority to finance one or more projects in the County.
33. Approve and authorize the Chairman to sign Renewal Contract No. 2017188 with Stanislaus Business Alliance, Inc. to provide business assistance services and to administer the business revolving loan fund through its Valley Sierra Small Business Development Center.

**Sheriff**

34. Approve Budget Transfer in the amount of \$122,319.99 to pay for medical expenses for an inmate while in custody. This expense will be offset by Prop 172 Funds. (4/5 Vote Required)

**Workforce Investment**

35. Accept Modification to Workforce Innovation and Opportunity Act Subgrant K8106644 (Amendment Contract No. 2017211) to extend term dates for Rapid Response Layoff Aversion (grant codes 292 and 293) and Rapid Response by Formula (grant codes 540 and 541).
36. Accept Modification to Workforce Innovation and Opportunity Act Subgrant K7102042 (Amendment Contract No. 2016167) to update exhibits for grant code 1089 Regional Organizers.

**Administrative Services**

37. Approve Budget Transfer in the amount of \$50,000 to fund the increase in Countywide travel.(4/5 Vote Required)

**Spring Fair**

38. Approve Budget Transfer in the amount of \$173,000 for payroll accounts to offset the increased demand in staff time to accommodate holding the annual Spring Fair.

**Executive Office**

39. Act on Claim for Damages submitted by Joseph Gunn and Melanie Latronica as recommended by Risk Management and County Counsel.
40. Approve Travel Request received from Human Services Agency as recommended by Executive Office.

**Board Recognition**

41. Authorize Certificates of Recognition to Retired Msgt. Ernest W. Conner, John Bankson, Dick Bell and Al Ramos for participating in the Central Valley Honor Flight and for Dedicated Service to the United States Military.

42. Authorize Certificates of Recognition to various individuals for being selected as 2018 Outstanding Senior Volunteers.
43. Authorize Certificates of Recognition to the following individuals for being selected by the Soroptimist International of Los Banos for various awards: Melanie Poumele, Breana K. Honesto and Cynthia L. Corona for Live Your Dream Award, Mansi B. Patel- June Erreca Award, Sonia Falaschi-Soroptimist Ruby Award, Les Schwab Tire Centers Los Banos - 2018 Friends of the Soroptimist Award and DJ Barcellos - 2018 Soroptimist of the Year Award.
44. Authorize Certificates of Recognition to Lily Bernheisel for being selected as Dos Palos Youth Good Samaritan Award and Martin Tapia as Dos Palos Good Samaritan Award, and Proclaim May 3, 2018 as "National Day of Prayer" in Merced County.
45. Authorize Proclamation in recognition of Kids to Parks Day on May 19, 2018 in Merced County.
46. Authorize Proclamation in recognition of "Apraxia Awareness Day" in Merced County on May 14, 2018.

## REGULAR CALENDAR

### BOARD ACTION

#### PUBLIC WORKS

47. Adopt Resolution authorizing the County Executive Officer and the Auditor-Controller to sign and file the Local Transportation Funds Claim for the 2018/2019 Fiscal Year with the Merced County Association of Governments.  
**ADOPTED RESOLUTION NO. 2018-44 AS RECOMMENDED AYES: ALL**
48. Reject all bids received at the April 17, 2018 Bid Opening for the Main Administration Building Security Project based on the Board finding that the bids received were not within the established budget for the project.  
**APPROVED AS RECOMMENDED AYES: ALL**
49. Approve the Measure V Recipient funding Agreement with Merced County Association of Governments (MCAG).  
**AUTHORIZED CONTRACT NO. 2018092 AS RECOMMENDED AYES: ALL**
50. 1) Approve the agreement for purchase of Real Property with Timothy Paul Erickson 2011 Trust, Bette Ann Erickson 2011 Trust, Daniel J. Erickson 2011 Trust, and the Daniel J. Erickson and Andra C. Erickson 2014 Trust for the acquisition of property on La Grange Road (~0.03 acres of APN: 038-110-016) for the La Grange Road Bridge Replacement Project; 2) Authorize the Chairman to sign the agreement listing terms and conditions of the acquisition; 3) Adopt Resolution accepting the Grant Deed from Timothy Paul Erickson 2011 Trust, Bette Ann Erickson 2011 Trust, Daniel J. Erickson 2011 Trust, and the Daniel J. Erickson and Andra C. Erickson 2014 Trust for acquisition of property for the La Grange Road Bridge Replacement Project; and, 4) Approve payment to the title company for the accepted value of property plus escrow and any other transaction fees.  
**AUTHORIZED CONTRACT NO. 2018093 AND ADOPTED RESOLUTION NO. 2018-45 AS RECOMMENDED AYES: ALL**

51. Contract with Sightlines, a Gordian Company, for facilities assessment and planning.  
**AUTHORIZED CONTRACT NO. 2018094 AS RECOMMENDED AYES: ALL**
52. Find that substantial evidence demonstrates that an emergency continues to exist regarding the replacement of the cooling system, uninterrupted power supply, emergency generator, and related systems for the server room at the County Administration Building such that the emergency will not permit a delay resulting from a competitive solicitation for bids; and that the action is necessary to respond to the emergency. (4/5 Vote Required)  
**APPROVED AS RECOMMENDED AYES: ALL**

**HEALTH**

53. Request to relieve Public Health of liability for Fixed Assets (Laptops) 54121, 54125 and 54126 by allowing the Auditor's office to remove the items from Inventory.  
**APPROVED AS RECOMMENDED AYES: ALL**
54. Contract (State Contract No.17-10309) with the California Department of Health - Immunization Branch for immunization services; and adopt the Resolution.  
**AUTHORIZED CONTRACT NO. 2018095 AND ADOPTED RESOLUTION NO. 2018-46 AS RECOMMENDED AYES: ALL**
55. Contract with CommonHealth ACTION for Equity, Diversity Training and an Inclusion Assessment and Training funded under The California Endowment for the Health Equity Project.  
**AUTHORIZED CONTRACT NO. 2018089 AS RECOMMENDED AYES: ALL**
56. Approve the no-cost Memorandum of Understanding with Central California Alliance for Health for coordination of care for California Children's Services Program enrollees under the age of 21.  
**AUTHORIZED CONTRACT NO. 2018096 AS RECOMMENDED AYES: ALL**
57. Contract with Central California Alliance for Health for administrative staff support to help implement the new Whole-Child Model Program, a DHCS Pilot Program in Merced County.  
**AUTHORIZED CONTRACT NO. 2018097 AS RECOMMENDED AYES: ALL**

**BEHAVIORAL HEALTH & RECOVERY SERVICES**

58. Contract with California State University, Stanislaus, to implement the Mental Health Services Act, Workforce, Education and Training Stipend Program for Master Social Work Students.  
**AUTHORIZED CONTRACT NO. 2018098 AS RECOMMENDED AYES: ALL**
59. Accept funding to the Community Mental Health Services Block Grant (MHBG) to enhance youth and adult services.  
**AUTHORIZED CONTRACT NO. 2018104 AS RECOMMENDED AYES: ALL**
60. Appoint Dr. Isabel Manuel as the Interim Clinical Director designation for the Marie Green Psychiatric Facility per California Code of Regulations §77081.  
**APPROVED AS RECOMMENDED AYES: ALL**

**HUMAN SERVICES AGENCY**

61. Authorize an event sponsorship from Merced County Office of Education in the amount of \$1,000 to support a Hmong Women's Conference on September 15, 2018; and an event sponsorship from Dignity Health in the amount of \$3,000 to support a Hmong Women's



Conference on September 15, 2018.

**APPROVED AS RECOMMENDED AYES: ALL**

62. Contract with Merced County Office of Education to provide a camp for Foster Youth.

**AUTHORIZED CONTRACT NO. 2018099 AS RECOMMENDED AYES: ALL**

63. Contract with L. J. Steiner LLC for lease of office space at 3376 North Highway 59 in Merced.

**AUTHORIZED CONTRACT NO. 2018100 AS RECOMMENDED AYES: ALL**

#### **COMMUNITY AND ECONOMIC DEVELOPMENT**

64. Adopt Resolution consenting to Inclusion of Properties within the County's Territory in the Golden State Finance Authority Community Facilities District No 2014-1 (Clean Energy) to Finance Renewable Energy Improvements, Energy Efficiency and Water Conservation Improvements, Electric Vehicle Charging Infrastructure and other authorized improvements (SB 555 Pace Program Resolution); and adopt Resolution consenting to Inclusion of properties within the County's Jurisdiction in the Golden State Finance Authority AB 811 PACE Program to Finance Renewable Energy Generation, Energy and Water Efficiency Improvements, Electric Vehicle Charging Infrastructure, and other authorized improvements (AB 811 Pace Program Resolution).

**CONTINUED TO JULY 10, 2018 AT 10:00 A.M. AYES: 1, 3, 4, NOES; 2, 5**

**REVIEW BOARD ORDER – SEE PAGE 13 AND 14**

#### **WORKFORCE INVESTMENT**

65. 1) Approve the following departmental personnel actions for Budget Unit 55000: Change 1 Operations Officer Workforce Investment (Pos 004) to Staff Services Analyst I/II, Change 1 Support Services Analyst (Pos 112) to Staff Services Analyst I/II, Change 1 Assessment Technician (Pos 009) to Staff Services Analyst I/II; 2) Approve modifications to Deputy Director Workforce Investment job classification specification, including At-Will designation; and, 3) Approve amendments to Salary Resolution 06-120 and Position Allocation Resolution 06-120/A.

**ADOPTED RESOLUTION NO. 2018-49/(SALARY) AND RESOLUTION NO. 2018-50/(POSITION) AS RECOMMENDED AYES: ALL**

#### **ADMINISTRATIVE SERVICES**

66. Authorize Administrative Services to complete a Request for Proposal to engage a consultant to complete the Master Road and Address Database Project; and return to the Board with the prepared agreement for final contract approval and signature.

**APPROVED AS RECOMMENDED AYES: ALL**

67. Contract with Vertiv Services, Inc. for replacement of batteries in the Uninterruptable Power Supply (UPS) System that supports the Emergency Operations Center.

**AUTHORIZED CONTRACT NO. 2018101 AS RECOMMENDED AYES: ALL**

#### **PROBATION**

68. Contract with Thomas Reuters for web-based legal research engine services.

**AUTHORIZED CONTRACT NO. 2018102 AS RECOMMENDED AYES: ALL**

SHERIFF

69. Approve acceptance of dog food donation from New Beginnings for Merced County Animals of Winton for use at Merced County Animal Services.

**APPROVED AS RECOMMENDED AYES: ALL**

70. Contract with Allen Mortuary for cremation services of indigent decedents.

**AUTHORIZED CONTRACT NO. 2018091 AS RECOMMENDED AYES: ALL**

TREASURER

71. Approve the Application for Relief of Accountability for collection of unsecured property taxes duly assessed for calendar years 2006 and 2007 and other accounts deemed uncollectible in the amount of \$687,853.77, plus \$68,776.84 in penalties and \$10,157.00 in fees and costs; and execute the Order of Discharge and authorize Auditor-Controller to reduce the outstanding delinquent unsecured tax role by the sum of \$766,787.61.

**APPROVED AS RECOMMENDED AYES: ALL**

72. Grant relief for shortages in the amount of \$120; and replenishment in the amount of \$120 for counterfeit bills.

**APPROVED AS RECOMMENDED AYES: ALL**

73. Accept the Quarterly Investment Report for period of January 1, 2018 to March 31, 2018.

**APPROVED AS RECOMMENDED AYES: ALL**

HUMAN RESOURCES

74. Contract with UC Davis (#GENT-2018-19) for Training Services Agreement to provide Leadership Development and Specialized Training.

**AUTHORIZED CONTRACT NO. 2018090 AS RECOMMENDED AYES: ALL**

BOARD APPOINTMENTS

75. Reappoint Norma Cardona to serve as a member of the Behavioral Health Board representing District 2, until June 30, 2021.

**APPROVED AS RECOMMENDED AYES: ALL**

76. Appoint Clarissa Belerique to serve as a member of the Hilmar Recreation Committee, until May 11, 2020 and reappoint Victor Fannelli to serve until May 11, 2020.

**APPROVED AS RECOMMENDED AYES: ALL**

BOARD INFORMATION & POSSIBLE ACTION

**ACCEPTED AND PLACED ON FILE AYES: ALL**

77. Public Works re: Contract No. 2017219 awarded to Nichelini General Engineering W. Sacramento, California in the amount of \$222,275.52 for the Levee Repair Project (Mariposa Creek).

78. Community and Economic Development re: Special Event Facility Use Agreement issued to the Central California Model Flyers for the "21st Annual Castle Giant Scale Fly-In" (a large-scale model aircraft event) at Castle Airport.

**CONTRACT NO. 2018103**

79. Community and Economic Development re: Emergency Public Works project to repair Castle Commerce Center 10" Cast Iron Water Main Leak pursuant to California Public Contract Code section 22050.
80. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer of up to 3,520 acre feet of water from the Tule Basin Farms to State Water Contractor Agencies under License 2840 (Application 10030).
81. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer/exchange from Department of Water Resources Permit 16479 (Application 14443) and the specified licensed and permits of the U.S. Bureau of Reclamation.
82. Fish and Game re: Notice of Proposed Emergency Action increasing daily bag limit for Subtidal Purple Sea Urchin in Sonoma and Mendocino Counties.
83. Wildlife Conservation Board re: Notice of meeting on May 24, 2018 to consider the enhancement and restoration of wetland habit and eradication of invasive nutria.

**THE BOARD ADOPTED A RESOLUTION IN MEMORY OF ELEANOR GIEBELER,  
AND ADJOURNED THE MEETING AT 11:45 A.M. UNTIL TUESDAY, JUNE 5, 2018 AT  
10:00 A.M.**

## **BOARD ORDERS – SUMMARY ACTION MINUTES – MAY 22, 2018**

### **10:00 A.M. SCHEDULED ITEM** **2018-05-22 PUBLIC OPPORTUNITY**

Paul Garcia, Delhi resident comments on The Bus transit and appreciate their staff keeping the bus stop area clean, and also comments on the disrepair of the roads in Delhi.

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

### **10:00 A.M. SCHEDULED ITEM** **2018-05-22 PRESENTATION – PUBLIC HEALTH**

The Clerk announces a presentation regarding the Update of the Public Health Departments Accreditation Process is before the Board.

Director of Public Health Rebecca Nanyonjo-Kemp submits a poster "What is Public Health" and reviews a power point presentation covering: Public Health Accreditation, 7 Steps of Accreditation and What is Public Health.

Epidemiologist Kristynn Sullivan continues the power point presentation covering the stages of Accreditation: Domain 1-Assess, Domain 2-Investigate, Domain 3-Inform and Educate, Domain 4-Community Engagement, Domain 5-Policies and Plans, Domain 6-Public Health Laws, Domain 7-Access to Care, Domain 8-Workforce, Domain 9-Quality Improvement, Domain 10-Evidence Based Practices, Domain 11-Administration and Management and Domain 12-Governance.

The Board has brief discussion regarding the Health Department's role in safe parks and the number of Health Departments that have Accreditation in California.

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

### **10:00 A.M. SCHEDULED ITEM** **2018-05-22 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING**

The time and date previously set for a public hearing to consider Amendment of the Agricultural Preserve as per the California Land Conservation Act of 1965 (Williamson Act) in Merced County.

Director of Community and Economic Development Mark Hendrickson reviews the staff report.

The Chairman opens the public hearing and asks if there is anyone presents wishing to speak. No one speaks.

The Chairman closes the public hearing.

Upon motion of Supervisor McDaniel, seconded by Supervisor Lor, duly carried, the Board approves the removal of land from the Agricultural Preserve pertaining to: a) PLA 17-019 located on the southwest corner of W. Walnut Avenue and N. Vine Avenue in the Winton area, b) PLA 18-004 located on the south side of W. Geer Avenue, 0.25 miles east of N. Washington Road in the Hilmar area, c) PLA 18-005 located on the east side of S. Healy Road, 0.25 miles north of E. McMaster Road in the Merced area, are exempt from CEQA under Section 15183, Projects Consistent with a Community Plan or Zoning based on the findings listed on Page 2 of the Board Agenda Item.  
Ayes: O'Banion, Espinoza, Lor, McDaniel, Pareira

Upon motion of Supervisor McDaniel, seconded by Supervisor Lor, duly carried, the Board adopts Resolution No. 2018-51 amending the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.  
Ayes: O'Banion, Espinoza, Lor, McDaniel, Pareira

**10:00 A.M. SCHEDULED ITEM**

**2018-05-22 PROBATION – SECOND READING – ORDINANCE 1960**

The Clerk announces the second reading of proposed ordinance entitled; "An Ordinance Repealing Fees set for Cost of Parental Reimbursement for Juvenile Hall Care and Electronic Surveillance of a Minor" (Repeals Ordinances Nos. 1548 and 1585) is before the Board for consideration.

Chief Probation Officer Jeff Kettering reviews the staff report.

Upon motion of Supervisor McDaniel, seconded by Supervisor Pareira, duly carried, the Board waives further reading of the Ordinance.  
Ayes: O'Banion, Espinoza, Lor, McDaniel, Pareira

Upon motion of Supervisor McDaniel, seconded by Supervisor Lor, duly carried, the Board adopts Ordinance No. 1960, "Repealing Fees set for Cost of Parental Reimbursement for Juvenile Hall Care and for Electronic Surveillance of a Minor" (Repeals Ordinance Nos. 1548 and 1585).  
Ayes: O'Banion, Espinoza, Lor, McDaniel, Pareira

**ACTION ITEM # 64**

**2018-05-22 COMMUNITY AND ECONOMIC DEVELOPMENT**

The Clerk announces adoption of a Resolution consenting to Inclusion of Properties within the County's Territory in the Golden State Finance Authority Community Facilities District No 2014-1 (Clean Energy) to Finance Renewable Energy Improvements, Energy Efficiency and Water Conservation Improvements, Electric Vehicle Charging Infrastructure and other authorized improvements (SB 555 Pace Program Resolution); and adoption of a Resolution consenting to Inclusion of properties within the County's Jurisdiction in the Golden State Finance Authority AB 811 PACE Program to Finance Renewable Energy Generation, Energy and Water Efficiency Improvements, Electric Vehicle Charging Infrastructure, and other authorized improvements (AB 811 Pace Program Resolution), is before the Board for consideration.

Treasurer/Tax Collector Karen Adams states concerns with the PACE program and their loan programs. She also states taxpayers are at risk of losing their homes because of the PACE loan process. Ms. Adams requests that the Board not approve this item and also requests that the Board rescind the current program.

Assistance Treasurer/Tax Collector Karen Helms states concerns with the PACE Program, and their misleading advertising.

Andy Krotic, Government Affairs Director for Merced Association of Realtors states concerns with PACE program and their interest's rates on loans. He also states other counties have rescinded these programs. Mr. Krotic also requests a 30-day continuance of the item to look into the program further.

Dustin Reilich, Senior Director of Market Development for Renovate America, submits packet on the PACE Program. He states PACE providers are following the rules and he supports the loan programs.

Skip Hinman, Merced Board of Realtors, requests the Board delay the decision for 30 days to further review and investigate the reports.

Johnathan Kevies, Renew Financial representative, expresses support for the program and states PACE is the safest way to upgrade with PACE eligible products.

George Apostolopoulos, Ygrene Energy representative states they have been working with realtors to address their concerns. He also speaks in support of the PACE Program.

Allan Sietsema of Merced Board of Realtors, states concern with the PACE Program and how homeowners are severely limited to obtain future loans such as a refinance loan if they have a PACE loan in place. He also requests the Board delay today's decision.

Chairman O'Banion asks why there has not been any requests to abolish this before today's action.

Ms. Adams states her office was not aware this item was on the Agenda until now. She also states she has had prior discussion with Mark Hendrickson, Director of Community and Economic Development regarding her concerns with PACE, and has emailed the Board.

Supervisor Espinoza states he is not willing to move forward with today's action.

The Board has brief discussion regarding lack of information and moving forward with the action.

Supervisor McDaniel moves, seconded by Supervisor Pareira, the Board continue the item to July 10, 2018.

Following discussion, the Chairman calls for a vote on the Amended Motion. Motion carries.  
Ayes: Espinoza, McDaniel, Pareira  
Noes: O'Banion, Lor