



SUMMARY ACTION MINUTES BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, JULY 10, 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

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE
INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE

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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 - INITIATION
OF LITIGATION:**

It is the intention of the Board to meet in Closed Session concerning Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4): Two Cases

**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. Nicole Meraz v. County of Merced, Workers Compensation Appeals Board Case Nos. ADJ10751377, ADJ10725196, ADJ10724474.

**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 Phil Jenkins of Mt. Olive Church, Atwater

**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

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 23)

PUBLIC HEARING:

PUBLIC WORKS - PUBLIC HEARING

To consider Resolution authorizing General Vacation of DeAngelis Road in the Stevinson area.

RECOMMENDATION:

- 1) Open Public Hearing and accept public comments;
- 2) Close Public Hearing;
- 3) Adopt the Resolution authorizing the General Vacation of DeAngelis Road in the Stevinson area, which the Community and Economic Development Department has determined is exempt from CEQA under section 15301, subdivision (c), of the CEQA guidelines; and
- 4) Direct the Clerk of the Board to record the Resolution.

REVIEW BOARD ORDER – SEE PAGE 12

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-23)

APPROVED AS RECOMMENDED EXCEPT ITEM 17 HEARD SEPARATELY AND ITEM 3

PULLED AYES: ALL

Health

1. Proclaim the month of August as "Breastfeeding Awareness Month" in Merced County.
2. Set a First Reading for July 31, 2018 at 10:00 a.m. to consider amending proposed ordinance entitled "Santa Cruz-Monterey-Merced Managed Medical Care Commission" (Amends Ordinance No. 1850 and Chapter 9.43 of the Merced County Code); and set second reading and possible adoption of the proposed ordinance for August 14, 2018 at 10:00 a.m.
3. Approve and authorize the Chairman to sign Renewal Contract No. 2008298 with Paperless Knowledge, Inc. for Time Management Software.

PULLED – NO ACTION TAKEN

Behavioral Health and Recovery Services

4. Approve and authorize the Chairman to sign Amendment Contract No. 2016284 (Agreement #0716-MCDMH-II) with Central California Alliance for Health Medi-Cal Capacity Grant for Telehealth Infrastructure Implementation.

Human Services Agency

5. Approve and authorize the Chairman to sign Amendment Contract No. 2017150 with Bowman, LLC (aka Mediware) for Homeless Management Information System.

Community and Economic Development

6. Set a Public Hearing for July 31, 2018 at 10:00 a.m. to consider adoption of an Ordinance entitled "An Ordinance Amending the Zoning Code regarding allowed Improvements and Expansions of Nonconforming Uses" (Amending Ordinance Number 1586 and section 18.39.050 of Chapter 18.39, Title 18 (Zoning) of the Merced County Code) to establish that certain nonconforming communication structures that directly or indirectly provide or support emergency services within the County may be allowed subject to the approval of a Conditional Use Permit.

Fire

7. Approve Budget Transfer in the amount of \$775,198.75 for expenditures and reimbursements related to the February 2017 Storm Recovery.

8. Approve and authorize the Chairman to sign Amendment Contract No. 2015124 with Self-Help Enterprises for Emergency Water Supply, extending the term through September 30, 2018; approve Emergency Water Distribution Program Modifications; and authorize staff to provide three-month lease extensions, October 1, 2018 through December 31, 2018, if needed and if program participants meet program requirements; and adopt Resolution.

ADOPTED RESOLUTION NO. 2018-66

District Attorney

9. Approve and authorize the District Attorney to sign Renewal Contract No. 2006233 with California Department of Insurance for participation in the Worker's Compensation Insurance Fraud Program and to receive grant funds in the requested amount of \$185,180 for Fiscal Year 2018/2019; and adopt the resolution authorizing the District Attorney to execute the Grant Award Agreement.

ADOPTED RESOLUTION NO. 2018-67

10. Approve and authorize the District Attorney to sign Renewal Contract No. 2006234 with California Department of Insurance for participation in the Automobile Insurance Fraud Program and to receive grant funds in the requested amount of \$147,824 for Fiscal Year 2018/2019; and adopt the resolution authorizing the District Attorney to execute the Grant Award Agreement.

ADOPTED RESOLUTION NO. 2018-68

Probation

11. Proclaim the week of July 15-21, 2018 as "Probation Services Week" in Merced County.
12. Approve and authorize the Chairman to sign Renewal Contract No. 2014116 with Justice Benefits, Inc. to provide Title IV-E reimbursement claiming, consulting and training services.

County Counsel

13. Retroactively approve Interdepartmental Memorandum of Understanding Amendment Contract No. 2014100 with Behavioral Health and Recovery Services Public Conservators Office for departmental legal services; and authorize the Chairman to sign the Interdepartmental Memorandum of Understanding.

Human Resources

14. Approve and authorize the Chairman to sign Renewal Contract No. 2015089 with Professional Health Services, Inc. for Comprehensive Occupational Health examinations.
15. Approve and authorize the Chairman to sign Renewal Contract No. 2004311 with Liebert Cassidy Whitmore for legal services.

Executive Office

16. Act on Claim for Damages submitted by George Aguaristi, Joel Ponce Esparza and Erik Ehrhart as recommended by Risk Management and County Counsel.

Board of Supervisors

17. Approve minutes for June 5, 2018, June 5, 2018 - IHSS and June 19, 2018.

REVIEW BOARD ORDER – SEE PAGE 12 AND 13

Board Recognition

- 18. Authorize Certificates of Recognition to Jaime Leigh Mounce and Sarah Mendiola McNabb for graduation from Merced County Superior Court Drug Treatment Court.
- 19. Authorize Certificates of Recognition to various individuals for the Atwater Chamber of Commerce Installation Dinner Awards.
- 20. Authorize Certificates of Recognition to the following individuals for graduation from the Commercial Truck Driver Training Program: Miguel Castillo, Alfred Espinosa, Cleve McCostlin, Tommy Lee Richardson, Calvin Sandifer and Alfredo Torres.
- 21. Authorize Certificate of Recognition to Adolfo Melara in recognition of being selected as Educator of the Year by the Greater Merced Chamber of Commerce.
- 22. Authorize Certificates of Recognition to the following individuals for completing the LiUNA Pre-apprenticeship Training: Adam Thao, Samuel Baker-Hayes, Justin Wielandt, Gabriel Esquilin, Adan Aldana, Amanda Barrera, Jose Miranda, Maurisio Chavez, Omero Medina, Cristian Gallardo and Charles Williams.
- 23. Authorize Certificate of Recognition to Annissa Fragoso for Grand Opening and Ribbon Cutting of Farmers Insurance Agency.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

- 24. 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 the action is necessary to respond to the emergency. (4/5 Vote Required)
APPROVED AS RECOMMENDED AYES: ALL
- 25. 1) Approve submission of an Application to Caltrans for the Active Transportation Program Grant by July 31, 2018; 2) Adopt the Resolution endorsing the Merced-Atwater Multi-Use Bike Path Project along Santa Fe Drive; and 3) Direct Public Works to return to the Board at a later date with an information item noting all actions taken.
ADOPTED RESOLUTION NO. 2018-69 AS RECOMMENDED AYES: ALL
- 26. 1) Approve submission of an Application to Caltrans for Active Transportation Program Grant by July 31, 2018; 2) Adopt the Resolution endorsing the Valeria Street and Bryant Avenue shared Bike-Pedestrian Path Improvement Project, in the Dos Palos area; and 3) Direct Public Works to return to the Board at a later date with informational item noting all actions taken.
ADOPTED RESOLUTION NO. 2018-70 AS RECOMMENDED AYES: ALL
- 27. Adopt the Resolution for the Summary Vacation of California Street, portions of Gregg Street, Grove Street, Broadway Avenue, and a section of right-of-way along Ballico Avenue, in the Ballico area, which the Community and Economic Development Department has found to be exempt from CEQA under section 15301, subdivision (c), of the CEQA guidelines; and direct the Clerk of the Board to record the Resolution.
ADOPTED RESOLUTION NO. 2018-71 AS RECOMMENDED AYES: ALL

28. Contract with Vanir Construction Management, Inc. to provide Independent Licensed Architect and associated professional services for the Americans with Disabilities Act Settlement Agreement; and authorize the Chairman to execute said agreement after review by County Executive Officer and County Counsel.

AUTHORIZED CONTRACT NO. 2018139 AS RECOMMENDED AYES: ALL

29. Contract with California Department of Transportation (Caltrans) for Maintenance Agreement with the State of California for the Campus Parkway overcrossing over State Route 140 upon approval of County Counsel; and adopt resolution.

AUTHORIZED CONTRACT NO. 2018140 AND ADOPTED RESOLUTION NO. 2018-72 AS RECOMMENDED AYES: ALL

30. 1) Approve the Agreement for Purchase of Real Property between Merced County and Rosemary Rocha, for acquisition of property located on Lobo Avenue (APN: 057-380-035) in the Franklin Beachwood area for the Lobo Avenue ATP at a cost of \$1,200.00; 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; 3) Adopt the Resolution accepting the Grant Deed from Rosemary Rocha for acquisition of property for the Lobo Avenue ATP; and 4) Approve payment to the title company for the accepted value of property plus escrow and any other transaction fees.

AUTHORIZED CONTRACT NO. 2018141 AND ADOPTED RESOLUTION NO. 2018-73 AS RECOMMENDED AYES: ALL

31. 1) Approve the Agreement for Purchase of Real Property between Merced County and Glori Bella Zaragoza de Alvarez, for acquisition of property located on Lobo Avenue (APN: 057-380-034) in the Franklin Beachwood area for the Lobo Avenue ATP at a cost of \$1,600.00; 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; 3) Adopt the Resolution accepting the Grant Deed from Glori Bella Zaragoza de Alvarez; and 4) Approve payment to the title company for the accepted value of property plus escrow and any other transaction fees.

AUTHORIZED CONTRACT NO. 2018142 AND ADOPTED RESOLUTION NO. 2018-74 AS RECOMMENDED AYES: ALL

32. 1) Approve the Agreement for Purchase of Real Property between Merced County and Janice I. Sotelo, Trustee of Janice I. Sotelo Revocable Trust, and Janice I. Sotelo, individually, for acquisition of property located on Lobo Avenue (APN: 057-261-029 & 057-261-030) in the Franklin Beachwood area for the Lobo Avenue ATP at a cost of \$500.00; 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; 3) Adopt the Resolution accepting the Grant Deed from Janice Sotelo; and 4) Approve payment to the title company for the accepted value of property plus escrow and any other transaction fees.

AUTHORIZED CONTRACT NO. 2018143 AND ADOPTED RESOLUTION NO. 2018-75 AS RECOMMENDED AYES: ALL

33. 1) Approve the Agreement for Purchase of Real Property between Merced County and Alfonso & Laura Rodriguez, for acquisition of property located on Lobo Avenue (APN: 057-450-017) in the Franklin Beachwood area for the Lobo Avenue ATP at a cost of \$800.00; 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; 3) Adopt the Resolution accepting the Grant Deed from Alfonso & Laura Rodriguez; and 4) Approve payment to the title company for the accepted value of property plus escrow and any other transaction fees.

AUTHORIZED CONTRACT NO. 2018144 AND ADOPTED RESOLUTION NO. 2018-76 AS RECOMMENDED AYES: ALL

34. 1) Approve the Agreement for Purchase of Real Property between Merced County and Joel and Francisca Cervantes, for acquisition of property located on Lobo Avenue (APN: 057-380-037) in the Franklin Beachwood area for the Lobo Avenue ATP at a cost of \$1,350.00; 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; 3) Adopt the Resolution accepting the Grant Deed from Joel and Francisca Cervantes; and 4) Approve payment to the title company for the accepted value of property plus escrow and any other transaction fees.

AUTHORIZED CONTRACT NO. 2018145 AND ADOPTED RESOLUTION NO. 2018-77 AS RECOMMENDED AYES: ALL

35. 1) Approve plans and specifications for the Campus Parkway and Childs Avenue Intersection Signalization Project; 2) Authorize the Director of Public Works, acting as the county Road Commissioner, to award and execute a contract with the lowest responsible bidder after review by County Counsel and Risk Management; and 3) Direct the Department of Public Works to return to the Board of Supervisors with an informational item disclosing all actions taken on the project at a subsequent Board meeting.

AUTHORIZED CONTRACT NO. 2018146 AS RECOMMENDED AYES: ALL

36. Contract with Eastside Water District under which the water district will assume the operation, maintenance costs, and responsibilities associated with the Mustang Creek Dam Project currently performed by the County under the County's 1974 agreement with the United States Department of Agriculture, and provide the water district with the ability to carry out its diffused surface water project.

AUTHORIZED CONTRACT NO. 2018147 AS RECOMMENDED AYES: ALL

37. Contract with CH2MHill to complete the Franklin/Beachwood Flood Risk Reduction Program Feasibility Study.

AUTHORIZED CONTRACT NO. 2018148 AS RECOMMENDED AYES: ALL

38. Contract with CH2MHill for completion of federal environmental review requirements that are a necessary component of the Black Rascal Creek Flood Control Project.

AUTHORIZED CONTRACT NO. 2018149 AS RECOMMENDED AYES: ALL

39. Contract with Pacific Gas & Electric Company for sale of Utility Easement or ~0.082 acres in the northwest quadrant of Shain Avenue and Reynolds Avenue in South Dos Palos Park for installation of a Gas Valve Lot to serve the community; and authorize the Chairman to accept the Fair Market Value valuation and sign the Easement Deed.

AUTHORIZED CONTRACT NO. 2018150 AS RECOMMENDED AYES: ALL

40. Contract No. 2017220 with Nichelini General Engineering Inc., of West Sacramento, California for the removal of debris from Los Banos and Mariposa Creeks; and authorize the Director of Public Works to execute subject contract.

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

41. 1) Approve Intergovernmental Agreement No. 17-94782 regarding transfer of public funds with the California Dept. of Healthcare Services; 2) Approve Amendment 16 for County Contract No. 2010280 with the Central California Alliance for Health; and 3) Authorize the Chairman to sign all copies of the two agreements with the authorization to execute conditional upon California Department of Health Care Services' approval in substantially the form submitted here.

AUTHORIZED CONTRACT NO. 2018138 AS RECOMMENDED AYES: ALL

42. Approve no cost Memorandum of Understanding with Kern County for maintenance and use of a satellite phone.
AUTHORIZED CONTRACT NO. 2018151 AS RECOMMENDED AYES: ALL
43. Terminate Contract No. 2018005 with Sarah Samuels Center for Public Health Research and Evaluation.
APPROVED AS RECOMMENDED AYES: ALL
44. Approve the Amendment Contract with Lifeline Community Development Corporation for promotion of healthy food and physical activity for the Supplemental Nutrition Assistance Program Education.
AUTHORIZED CONTRACT NO. 2018152 AS RECOMMENDED AYES: ALL
45. Approve submission of the X08 funding proposal available through the HIV/AIDS Care Program in the amount up to \$15,000 to provide health education/risk reduction services to assist persons living with HIV/AIDS; and return to the Board for contract approval if awarded this grant.
APPROVED AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

46. 1) Retroactively approve and authorize Behavioral Health and Recovery Services to submit Projects for Assistance in Transition from Homelessness (PATH) Grant Application documents for 2018-2019 to the State Department of Health Care Services (DHCS) for approval, for the amount of \$95,503, with a required non-federal match amount of \$31,851; authorize the Director of Behavioral Health and Recovery Services to sign all PATH documents necessary for submittal; and 2) Return to the Board upon receipt of approval by DHCS of PATH Grant Documents.
APPROVED AS RECOMMENDED AYES: ALL
47. PULLED
48. Contract with Golden Valley Health Centers to provide services through the Cultural Brokers for Mental Health Services Program as part of the Mental Health Services Act Prevention and Early Intervention.
AUTHORIZED CONTRACT NO. 2018153 AS RECOMMENDED AYES: ALL
49. Contract with Golden Valley Health Centers to provide services through the Integrated Mental Health in Primary Care Settings Program as part of the Mental Health Services Act Prevention and Early Intervention.
AUTHORIZED CONTRACT NO. 2018154 AS RECOMMENDED AYES: ALL
50. Contract with Tuolumne County Behavioral Health Department for the provision of inpatient services at the Marie Green Psychiatric Health Facility.
AUTHORIZED CONTRACT NO. 2018155 AS RECOMMENDED AYES: ALL
51. Contract with Maxim Healthcare Services, Inc. dba Maxim Staffing Solutions for temporary nursing services.
AUTHORIZED CONTRACT NO. 2018156 AS RECOMMENDED AYES: ALL
52. 1) Approve and authorize the Chairman to terminate Contract No. 2013077 with California Department of Health Care Services (Mental Health Plan Agreement No. 12-89376); 2) Authorize the Chairman to retroactively approve California Department of Health Care Services, Mental Health Plan (Agreement No. 17-94595) for the term of July 1, 2017 through June 30, 2022; and; 3) Adopt Resolution.

AUTHORIZED CONTRACT NO. 2018157 AND ADOPTED RESOLUTION NO. 2018-78 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

53. 1) 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, 2) 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 SEPTEMBER 18, 2018 AT 10:00 A.M. AYES: 1, 2, 4, 5, RECUSAL: 3

REVIEW BOARD ORDER – SEE PAGES 13 THROUGH 15

54. Approve transfer of discarded items left by the former Challenger Learning Center to UC Merced CalTeach Program to assist them with the development of a children's museum in Merced County.

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

REVIEW BOARD ORDER – SEE PAGE 15

55. Authorize the Chairman to sign the letter to the Department of Water Resources supporting the County of Madera's Chowchilla basin boundary modification request.

APPROVED AS RECOMMENDED AYES: ALL

56. Approve payment to the East Turlock Subbasin Groundwater Sustainability Agency (GSA) for 2018-2019 Fiscal Year GSA groundwater administration and Groundwater Sustainability Plan development costs in the amount of \$68,635.31.

APPROVED AS RECOMMENDED AYES: ALL

SHERIFF

57. Authorize the Sheriff to apply for the 2018 NCS-X Implementation Assistance Program funding in the amount of \$30,000 to convert to National Incident-Based Reporting System reporting by FBI's deadline.

APPROVED AS RECOMMENDED AYES: ALL

CHILD SUPPORT SERVICES

58. Interdepartmental Contract with Department of Public Works for Fleet Management Services.

AUTHORIZED CONTRACT NO. 2018158 AS RECOMMENDED AYES: ALL

DISTRICT ATTORNEY

59. Approve and authorize the Chairman to sign Amendment Contract with Net Transcripts, Inc. for transcription and translation services.

AUTHORIZED CONTRACT NO. 2018159 AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

60. Appoint Joe Ramirez as the County Board of Supervisors Public Appointee to the Consolidated Oversight Board of the County of Merced; and, appoint a member of the Board of Supervisors to serve on the Consolidated Oversight Board of the County of Merced, as well as an additional member to serve as an alternate.

APPROVED AS RECOMMENDED AYES: ALL
REVIEW BOARD ORDER – SEE PAGE 15

61. Contract with Howard E. Nyhart Company, Inc. to provide actuarial services for other post-employment benefits with option to extend the contract for two (2) additional one (1) year periods.

AUTHORIZED CONTRACT NO. 2018160 AS RECOMMENDED AYES: ALL

62. Authorize the Chairman to sign the Local Planning Council (LPC) County Priorities Report Form as required by the California Department of Education, Early Education and Support Division (ESSD).

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

63. Authorize \$10,000 of District Two's Special Board Project Funds to be forwarded to the Merced County Food Bank to be used to establish a network of agencies for outreach purposes.

APPROVED AS RECOMMENDED AYES: ALL

64. Authorize \$4,000 of District Two's Special Board Project Funds to be forwarded to Healthy House Within a MATCH Program to be used for the Ethnic Elder Mental Health Support Group's Community Garden Project.

APPROVED AS RECOMMENDED AYES: ALL

65. Authorize \$6,000 of District Two's Special Board Project Funds to be forwarded to Community Partnership Alliance in care of United Way of Merced County - Fiscal Agent in support of their Open Community Garden Project.

APPROVED AS RECOMMENDED AYES: ALL

66. Authorize \$4,500 of District Two's Special Board Project Funds to be forwarded to The Students With Aspiring Goals to support their Camp SWAG Program.

APPROVED AS RECOMMENDED AYES: ALL

67. Authorize \$5,000 of District Two's Special Board Project Funds to be forwarded to Paint the Town in support of their Wrap the Town Project.

MODIFIED RECOMMENDATION AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 15 AND 16

BOARD APPOINTMENTS

68. Appoint Bill Bright to serve as a member of the Plainsburg Irrigation District, filling an unexpired term until November 17, 2018.

APPROVED AS RECOMMENDED AYES: ALL

69. Appoint Kurt Spycher to serve as a member of the Planning Commission, representing District Four, filling an unexpired term until October 1, 2018.

APPROVED AS RECOMMENDED AYES: ALL

70. Approve and adopt the Merced County Local Child Care and Development Planning Council amended bylaws as submitted, including changing the name of the Council to Merced County Collaborative for Children and Families.

APPROVED AS RECOMMENDED AYES: ALL

71. Reappoint Iris Mojica de Tatum to serve as a member of the Behavioral Health Board, representing District One, until June 30, 2021.

APPROVED AS RECOMMENDED AYES: ALL

72. Reappoint Matthew Leo to serve as a member of the May Day Fair Board representing District 4, until July 1, 2022.

APPROVED AS RECOMMENDED AYES: ALL

73. Reappoint Shawn Alberti and Jeremy O'Banion to serve as members of the May Day Fair Board representing District 5, until July 1, 2022.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

74. Community and Economic Development re: Emergency Public Works project to repair Castle Conference Center Air Conditioning Unit pursuant to California Public Contract Code Section 22050.
75. Registrar of Voters re: Statement of Vote with the Certified Election Results for the Statewide Direct Primary Election held on June 5, 2018.
76. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer of up to 800 acre feet water from El Dorado Irrigation District to State Water contractor agencies under License 2184 (Application 1692).
77. Office of the Governor re: Proclamation calling the Statewide General Election on Tuesday, November 6, 2018.
78. MBK Engineers re: Merced Irrigation District Petition for temporary transfer under License 2685 (Application 1224).

THE BOARD ADOPTED A RESOLUTION IN MEMORY OF YVONNE MAE FALASCO AND ADJOURNED THE MEETING AT 11:36 A.M. UNTIL TUESDAY, JULY 31, 2018, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JULY 10, 2018

10:00 A.M. SCHEDULED ITEM **2018-07-10 PUBLIC OPPORTUNITY**

Yamilet Valladolid, MPH, Manager of Government Affairs for Golden Valley Health Centers comments on resources of Golden Valley Health Centers.
Present: O'Banion, Espinoza, Lor, McDaniel, Pareira

10:00 A.M. SCHEDULED ITEM **2018-07-10 PUBLIC WORKS – PUBLIC HEARING**

The time and date previously scheduled for a public hearing to consider Resolution authorizing General Vacation of DeAngelis Road in the Stevinson area.

Director of Public Works Dana Hertfelder reviews the staff report.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak.

Sheriff Vern Warnke questions if the addresses of the affected properties along DeAngelis Road will change.

The Chairman closes the public hearing.

Mr. Hertfelder states the addresses should remain the same.

Supervisor Pareira suggests that Planning and Public Works look into comments made by Sheriff Warnke.

Upon motion of Supervisor Pareira, seconded by Supervisor McDaniel, duly carried, the Board adopts Resolution No.2018-65 authorizing the General Vacation of DeAngelis Road in the Stevinson area, which the Community and Economic Development Department has determined is exempt from CEQA under section 15301, subdivision (c), of the CEQA guidelines and directs the Clerk of the Board to record the Resolution.

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

CONSENT ITEM #17 **2018-07-10 BOARD OF SUPERVISORS**

The Clerk announces approval of minutes for June 5, 2018, June 5, 2018-IHSS and June 19, 2018 are before the Board for consideration.

Supervisor Lor abstains due to the fact she was not present at the Board Meeting of June 19, 2018.

Upon motion of Supervisor McDaniel, seconded by Supervisor Pareira, the Board approves the minutes for June 5, 2018, June 5, 2018-IHSS and June 19, 2018.

Ayes: O'Banion, Espinoza, McDaniel, Pareira

Abstains: Lor

ACTION ITEM #53

2018-07-10 COMMUNITY AND ECONOMIC DEVELOPEMENT

The Clerk announces adoption of 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, 2) Adoption of 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 from May 22, 2018) is before the Board for consideration.

Director of Community and Economic Development Mark Hendrickson reviews the staff report and states this item is continued from the May 22, 2018 Board of Supervisors meeting. Mr. Hendrickson also states the Department has received the additional information requested from Ygrene.

County Executive Officer Jim Brown clarifies the action before the Board today only applies to the unincorporated areas of Merced County and does not involve the City of Merced.

Supervisor Espinoza comments on the interest rates being charged and the effects on low income families in the County.

The Chairman asks if there is anyone from the public that would like to comment.

Chief Deputy Treasurer Margie Leonard states she is speaking on behalf of Treasurer/Tax Collector Karen Adams who could not attend today's meeting. Ms. Leonard reads Ms. Adams' statement.

Chairman O'Banion clarifies that the action before the Board today does not request abolishing the program. The action is to consider adding an additional company to provide financing.

Dustin Reilich, Senior Director of Municipal Development for the HERO program Renovate America, provides background on the program interest rates and states support for Ygrene.

Kim Rogina, President of Merced County Association of Realtors states concerns with the program and requests that the Board delay the decision on this item.

Eve Perez, Ygrene Government Relations Director, clarifies the interest rates and financing.

The Chairman brings the item back to the Board for comment.

Chairman O'Banion request Ms. Perez provide justification for Ygrene's requests to continue this item.

Ms. Perez states she would like the opportunity to meet with the Board of Realtors to educate them about Ygrene's product.

The Board has lengthy discussion regarding interest rates, issues with contractors, defaults on loans, and rescinding the program.

Chairman O'Banion states that a request for continuance has been received and the action before the Board is to consider the two Resolutions that would enable Ygrene to become part of the PACE Program here in Merced County.

Supervisor Lor moves, seconded by Supervisor O'Banion, to adopt the Resolutions as presented.

Supervisor McDaniel calls for a 5 minute break. The Board reconvenes at 10:52 a.m.

Supervisor McDaniel recuses himself due to a conflict as he also sits as a member of the Golden State Finance Board through Rural County Representatives of California.

The Chairman calls for the vote.

Supervisors Espinoza and Pareira vote "no". Motion Fails

Ayes: O'Banion, Lor

Noes: Espinoza, Pareira

Recusal: McDaniel

Supervisor Pareira moves, seconded by Supervisor Lor to bring this same item back to the Board to a date certain to give Ygrene more time to work with Board members and the community.

County Executive Officer James Browns questions how much time will be needed.

The Chairman ask Ms. Perez how much time Ygrene will need.

Ms. Perez states an additional 60 days.

Mr. Brown states the next Board meeting in 60 days will be September 18 and clarifies the motion is to bring back this exact item on September 18 for final action on the item.

Following discussion, the Chairman calls for a vote on the Amended Motion to include the item be brought back on the meeting of September 18, 2018. Motion carries.

Ayes: O'Banion, Espinoza, Lor, Pareira.

Recusal: McDaniel

Supervisor McDaniel returns.

Chairman O'Banion asks if there is a desire for a motion to consider abolishment in the unincorporated area of Merced County for the program.

County Executive Officer Jim Brown defers to Counsel as the item is not specifically on the agenda. Mr. Brown states that the Board could direct staff to bring back an item at a future date.

County Counsel James Fincher states that it would be permissive for a member of the body to recommend something be brought back on a future agenda.

Chairman O'Banion requests staff to bring an item September 18 to consider abolishment of the PACE Program in the unincorporated area of Merced County.

ACTION ITEM #54

2018-07-10 COMMUNITY AND ECONOMIC DEVELOPMENT

The Clerk announces transfer of discarded items left by the former Challenger Learning Center to UC Merced CalTeach Program to assist them with the development of a children's museum in Merced County is before the Board for consideration.

Supervisor Lor recuses herself due to the fact she is one of the co-founders of the Children's Museum which is one of the recipients.

Upon motion of Supervisor McDaniel, seconded by Supervisor Pareira, the Board authorizes the Director of Community & Economic Development to transfer the remaining items left by the former Challenger Learning Center to CalTeach to assist them with the development of a children's museum in Merced County consistent with Government Code Section 25372.

Ayes: O'Banion, Espinoza, McDaniel, Pareira

Recusal: Lor

ACTION ITEM #60

2018-07-10 EXECUTIVE OFFICE

The Clerk announces appointment of Joe Ramirez as the County Board of Supervisors Public representative to the Consolidated Oversight Board of the County of Merced and to appoint a primary and alternate member from the Board of Supervisors to the Consolidated Oversight Board is before the Board for consideration.

Upon motion of Supervisor Pareira, seconded by Supervisor Espinoza, duly carried, the Board appoints Joe Ramirez to serve on the Merced County Consolidated Oversight Board as the Board representative and appoints Supervisor McDaniel as a Primary member and Supervisor O'Banion as an Alternate member.

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

ACTION ITEM #67

2018-07-10 BOARD OF SUPERVISORS

The Clerk announces authorization of \$5,000 of District Two's Special Board Project Funds to be forwarded to Paint The Town in support of their Wrap the Town project is before the Board for consideration.

Supervisor Pareira questions if the City of Merced has given permission to move forward with the project.

Supervisor Lor provides background on the project.

Eric Moore, representative of Paint the Town, states they have not received any official permission from the City but also no denial. He also states the same type of projects have been done in other nearby cities.

Chairman O'Banion suggest to have whoever owns the items sign off on the project before action to move forward.

Supervisor Lor comments, that is the plan and funds will be refunded if the project does not get approval from the owners.

Supervisor Pareira suggest to modify the recommendation today to state the funds will be held by the county until permission is granted from the owners.

Upon motion of Supervisor Pareira, seconded by Supervisor Lor, duly carried, the Board authorizes \$5,000 of District Two's Special Board Project Funds to be forwarded to Paint The Town in support of their Wrap the Town project with the stipulation the funds will be held by the County until permission is received from the property owners.

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