



BOARD OF SUPERVISORS

Rodrigo Espinoza, *District 1*

Lee Lor, *District 2*

Daron McDaniel, *District 3*

Chairman Lloyd Pareira, *District 4*

Scott Silveira, *District 5*

Phone: (209) 385-7366 Fax: (209) 726-7977

SUMMARY ACTION MINUTES

TUESDAY, MARCH 12, 2019

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.

PUBLIC COMMENT PERIOD: 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 (3) minutes per person).

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 administrative 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.

CLOSED SESSION: 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 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.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA:

Please raise your hand or step to the podium at the time the item is announced by the Board Chairperson. In order that interested parties have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes.

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/boardagenda/

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: www.countyofmerced.com

REASONABLE ACCOMMODATIONS: Persons who require accommodation for any audio, visual or other disability 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 at least 48 hours 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.

SCHEDULED ITEMS

9:00 A. M.

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

CLOSED SESSION:

It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957.6 concerning a Conference with County of Merced Staff Negotiators concerning negotiations with: American Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6 and 8; United Public Employees (UPE), Unit 3; Merced County Attorney Association (MCAA), Unit 7; Teamsters (Corrections), Unit 2; Merced County Law Enforcement Sergeants, Unit 30; Merced County Deputy Sheriff Association (DSA), Unit 10; Teamsters (Non-Safety Corrections), Unit 12; Merced County Public Safety Services Unit (MCPSSU), Unit 14; and Probation Supervising Employees, Unit 11. Agency Negotiator: Marci Barrera.

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): Matt Martinez v. County of Merced C.S.M.C.S. Case # ARB-18-0078.

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) Mark Hendrickson, Director-Community and Economic Development pursuant to Government Code Section 54956.8 as follows:

Property: 14.7 total acres at Castle Commerce Center; 10.8 acres of property bordered by Stratofortress Drive, Jetlift Drive and Aviation Drive, and 3.9 acres of land bordered by B and C Streets, Airflight Drive and Aviation Drive.

Agency Negotiator: Mark Hendrickson, Director-Community and Economic Development

Negotiation Parties: Rhyolite Development Company, LLC

Under Negotiation: To request authority to negotiate proposed acquisition and value.

THE BOARD RECESSED AT 9:02 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. INVOCATION lead by Chief Chavez, Livingston Police Dept./PLEDGE OF ALLEGIANCE

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 7

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 9)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-9)

APPROVED AS RECOMMENDED AYES: ALL

Health

1. Set a Public Hearing for March 26, 2019 at 10:00 a.m. to consider the Report of Demolition of the structures located at 7149 Walnut Avenue, Winton, CA 95388 (APN 146-091-003) and to consider authorizing the Auditor-Controller and Tax Collector to assess the cost of demolition for a total amount of \$17,729.15, on the Assessment Roll as a Special Assessment and a lien on the property, pursuant to the Uniform Housing Code Section 1605.3, or obligate the property owner to pay all costs of demolition, pursuant to the Uniform Housing Code Section 1605.2.

District Attorney

2. Approve Budget Transfer in the amount of \$28,000 from the Drug Abuse and Gang Prevention Fund to support programs designed to combat drug abuse and divert gang activity. (4/5 Vote Required)

Board of Supervisors

3. Approve minutes for January 15, 2019, January 29, 2019, January 29, 2019 GSA and February 5, 2019.

Executive Office

4. Act on Claims for Damages submitted by Jennifer Correia, Virginia Rivera and an Application for Leave to Present a Late Claim from California Capital Insurance Company as recommended by Risk Management and County Counsel.
5. Approve travel request received from Behavioral Health and Recovery Services as recommended by Executive Office.

Board Recognition

6. Authorize Certificates of Recognition to Rotishia Smith, Marvin Patton, Elisa Hurena and Maria Caleron for graduation from Caring for Our Black Children Successful Parenting Program.
7. Authorize Certificate of Recognition to Steven Furbush for Graduation from the ABC NorCal Electrical Apprentice Program.
8. Authorize Certificates of Recognition to Russell Dutra, Charlene Borrelli and Bill Thompson for retirement from the Merced County Farm Bureau.
9. Authorize Certificates of Recognition to various individuals for graduation from Parent Leadership Training Institute (PLTI) Class of 2019.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

10. Adopt Resolution adjusting the mileage of maintained roads in Merced County for 2018 to be 1,761.005 miles.

ADOPTED RESOLUTION NO. 2019-17 AS RECOMMENDED AYES: ALL

11. Contract with Merced County Association of Governments (MCAG) for Henry Miller Avenue - Measure V Regional Project Funding Agreement in the amount of \$2,426,112; and approve related budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2019060 AS RECOMMENDED AYES: ALL

HEALTH

12. 1) Memorandum of Understanding (MOU) with the California Department of Justice for the Tobacco Grant Program effective upon execution of the MOU; 2) Approve the addition of one (1) Health Education Specialist, class 7591, range 72.3, 100% sub-vented ratio, for \$0 total County cost, to Budget Unit 40025; 3) Approve the amendment to the Position Allocation Resolution 06-120/A; and 4) Approve related budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2019061 AND ADOPTED RESOLUTION NO. 2019-18 AS RECOMMENDED AYES: ALL

13. PULLED

BEHAVIORAL HEALTH AND RECOVERY SERVICES

14. Approve the termination of Contract No. 2016066 with Hathaway-Sycamores Child and Family Services which provides Specialty Mental Health Services for Out-of-County Youth, effective April 16, 2019.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

15. 1) Authorize the Chairman to sign the second Amended and Restated Joint Exercise of Powers Agreement, and all amendments thereto, which created the California Automated

Welfare System Consortium, and to make revisions as contained therein; and 2) Authorize the Chairman to sign the second modified Memorandum of Understanding between the 59 members of the JPA and the JPA itself to provide equipment and services for an automated welfare system.

AUTHORIZED CONTRACT NOS. 2019062 (JPA) & 2019063 (MOU) AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

16. Authorize Chairman to sign letter to the Merced Subbasin Groundwater Sustainability Agency indicating that it wishes to participate fully in the Proposition 218 fee proceedings and have the GSA impose a per-acre charge within the member agency's boundaries to fund the agency's share of the GSA administration and GSP development and implementation costs.

APPROVED AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

17. Contract with Kings County for reimbursement of its planning efforts in the Prison to Employment Initiative Planning Grant.

AUTHORIZED CONTRACT NO. 2019064 AS RECOMMENDED AYES: ALL

18. Contract with San Joaquin County for reimbursement of its planning efforts in the Prison to Employment Initiative Planning Grant.

AUTHORIZED CONTRACT NO. 2019065 AS RECOMMENDED AYES: ALL

19. Contract with Stanislaus County Workforce Development for reimbursement of its planning efforts in the Prison to Employment Initiative Planning Grant.

AUTHORIZED CONTRACT NO. 2019066 AS RECOMMENDED AYES: ALL

SHERIFF

20. Interdepartmental agreement between the Sheriff and the Merced County Spring Fair to provide police protection services for the 2019 Spring Fair.

AUTHORIZED CONTRACT NO. 2019067 AS RECOMMENDED AYES: ALL

AUDITOR

21. Accept the Single Audit for the fiscal year ended June 30, 2018.

APPROVED AS RECOMMENDED AYES: ALL

22. Authorize the Department of Administrative Services on behalf of the Auditor-Controller's Office to release a Request for Proposal to secure a qualified independent auditor, select the most responsive bidder, to negotiate an agreement; and return to the Board for execution.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

23. 1) Approve the following departmental personnel actions: Budget Unit 23000: Change 1 Correctional Sergeant/Correctional Senior Sergeant (pos 22) to Sheriff Sergeant/Sheriff Senior Sergeant, change 1 Correctional Sergeant/Correctional Senior Sergeant (pos 156) to Sheriff Sergeant/Sheriff Senior Sergeant effective 4/1/19; Budget Unit 40001: Delete 1

Director of Admin Services (pos 140); Budget Unit 40031: Add 1 Health Education Specialist, Change 1 Director of Public Health Nursing (pos 47) to Director of Public Health Nursing; Budget Unit 50054: Add 1 Program Manager; Budget Unit 54008: Add 1 Senior Services Program Worker; 2) Approve modifications to Public Health Program Coordinator, Ombudsman and Senior Services Program Worker Job Classification Specifications; 3) Approve the amendments to the Salary Allocation Resolution 06-120 and the Position Allocation Resolution 06-120/A.

ADOPTED RESOLUTION NOS. 2019-19 (SALARY) & 2019-20 (POSITION) AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

24. Interdepartmental agreement between the County Executive Office, Human Services Agency, and Behavioral Health and Recovery Services to fund a part-time grant writer pilot.

AUTHORIZED CONTRACT NO. 2019068 AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

25. Appoint Wendy Williams to serve as a member of the Franklin/Beachwood Municipal Advisory Council until April 6, 2021.

APPROVED AS RECOMMENDED AYES: ALL

26. Appoint Ginny Farmer to serve as a member of the Library Advisory Commission, representing District 3, until August 31, 2022.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

27. Public Works re: Contract No. 2018270 was awarded to Heritage General from Fresno, CA in the amount of \$385,300 for the Adobe Building Tenant Improvements.
28. Fish and Game Commission re: Notice of Proposed Emergency Action with Klamath River Basin Spring Chinook Salmon Sport Fishing.
29. Fish and Game Commission re: Notice of Findings regarding the petition to list Upper Klamath-Trinity River spring Chinook salmon as endangered under the California Endangered Species Act. This notice was published in the California Regulatory Notice Register on February 22, 2019.
30. Fish and Game Commission re: Continuation of the Notice of Proposed regulatory actions relative to "Archery Equipment and Crossbow Regulations" in Section 354, identified in Title 14, California Code of Regulations, which appeared in the California Regulatory Notice Register on January 11, 2019.
31. Mosquito Abatement District re: General Manager's Report for January 15 - February 19, 2019.

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF KENNY WHITE, BOB AYERS AND LOUISE CHIVERS AND ADJOURNED THE MEETING AT 10:30 A.M. UNTIL TUESDAY, MARCH 26, 2019 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – MARCH 12, 2019

10:00 A.M. SCHEDULED ITEM

2019-03-12 PUBLIC OPPORTUNITY

Nancy Young-Bergman with CASA of Merced County speaks about their fundraiser “Derby Night” to be held on April 6, 2019 at the Merced County Fairgrounds and invites the Board to attend. Ms. Young-Bergman introduces Emily Haden and Kathy Lancaster.

Kathy Lancaster, Executive Director of CASA of Merced County gives an overview of CASA and informs the Board that April is Child Abuse Awareness Month.

Yvonnia Brown, Director of Behavioral Health and Recovery Services introduces the new Assistant Director of Behavioral Health and Recovery Services, Jacqueline “Jacqui” Coulter. Ms. Coulter states that it’s a pleasure to be here and that she looks forward to working with the Board.
Present: Pareira, Espinoza, Lor, McDaniel, Silveira