



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 - FINAL

TUESDAY, JUNE 18, 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.

THE BOARD RECESSED AT 9:01 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 led by Monika Grasley/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 12

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 31)

PUBLIC HEARINGS:

HUMAN RESOURCES - PUBLIC HEARING

To consider the County of Merced imposing the County's last, best and final offer to the Teamsters Local 856 Representing Unit 2 pursuant to Government Code Sections 3505.4, 3505.5 and 3505.7.

RECOMMENDATION:

1) Open the Public Hearing and receive public comments; 2) Receive presentation from Teamsters Local 856 representing Unit 2; 3) Receive presentation from County's Lead Negotiator; 4) Close the Public Hearing; 5) Approve the Resolution to impose the portions of the County's last, best and final offer which may be imposed on the Teamsters Local 856 (Unit 2) pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7.

REVIEW BOARD ORDER – SEE PAGES 12 AND 13

COUNTY EXECUTIVE OFFICE - PUBLIC HEARING

To consider extension of interim urgency ordinance imposing a temporary moratorium on the cultivation of industrial hemp within the unincorporated areas of Merced County by any person or entity including "Established Agricultural Research Institutions".

RECOMMENDATION:

- 1) Open the Public Hearing and receive public comments; 2) Close the Public Hearing; 3) Find the proposed extension of the interim urgency imposing a temporary moratorium on the cultivation of industrial hemp exempt from review under the California Environmental Quality Act (CEQA) under CEQA guidelines sections 15061, subdivision (b)(3), 15060, subdivision (c)(2), and 15308; 4) Adopt the ordinance extending Interim Urgency Ordinance No. 1969 until October 22, 2019; and 5) Direct staff to continue to study the impacts associated with the State's regulation of hemp cultivation as well as any related land use conflicts that may arise, and to return to the Board with a draft ordinance for review by July 30, 2019. (4/5 Vote Required)

REVIEW BOARD ORDER – SEE PAGES 13 AND 14

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-31)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Approve and authorize the Chairman to sign Amendment Contract No. 2018189 with CSG Consultants for plan checking services.
2. Approve and authorize the Chairman to sign Amendment Contract No. 2018190 with TRB and Associations for plan checking services.
3. Approve and authorize the Chairman to sign Amendment Contract No. 2018188 with Interwest Consulting for plan checking services.
4. Approve and authorize the Chairman to sign Amendment Contract No. 2016288 with Williams + Paddon Architects for Design Services for the Marie Green Adult and Child Stabilization Unit remodel project.

Health

5. Approve the acceptance of the amended Tuberculosis (TB) Subvention grant award (Contract No. 2018167) totaling \$89,199 from the State Tuberculosis Control Branch for TB control and prevention services in FY 18-19; and authorize the Chairman to sign the Acceptance of Amended Award form.
6. Approve and authorize the Chairman to sign Amendment Contract No. 2013249 with Accela, Inc. for Decade Software Agreement to provide annual support, annual remote fees and

California Electronic Reporting System (CERS) Electronic Data Transmission (EDT) for FY 2019-2020.

7. 1) Approve and authorize the Chairman to sign Intergovernmental Agreement (No. 18-95652) regarding transfer of public funds with the California Department of Healthcare Services; 2) Approve Amendment 19 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 the California Department of Health Care Services approval to the forms submitted here.
8. PULLED

Behavioral Health and Recovery Services

9. Approve and authorize the Chairman to sign Amendment Contract No. 2018234 with Aegis Treatment Centers, LLC for Drug Medi-Cal outpatient narcotic treatment services.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2014109 with Guardco Security Services for security services at the inpatient unit and other facilities.
11. Approve and authorize the Chairman to sign Amendment Contract No. 2018213 with Community Social Model Advocates, Inc. for residential alcohol and drug residential recovery services.
12. Approve and authorize the Chairman to sign Amendment Contract No. 2018006 with Mar-Ric Care Homes for residential care for consumers.
13. Approve and authorize the Chairman to sign Amendment Contract No. 2014128 with Golden Years Residential Care Home for client placement services.
14. Approve and authorize the Chairman to sign Amendment Contract No. 2014130 with Joseph Melton, LMFT for services as a Certification Review Hearing Officer.

Human Services Agency

15. Approve and authorize the Chairman to sign Amendment Contract No. 2018195 with Ethan Conrad Properties for the lease of 947C W. Pacheco Boulevard, Los Banos, CA.
16. Approve and authorize the Chairman to sign Amendment Contract No. 2018035 with Binti, Inc. for use of new Placement Module for the Foster Care software that finds the best matches for children.

Community and Economic Development

17. Approve and authorize the Chairman to sign Amendment Contract No. 2016153 with Woodard & Curran, Inc. for hydrology and engineering assistance.
18. Approve Budget Transfer in the amount of \$2,500 to increase funds for the County LAFCO invoice. (4/5 Vote Required)

Probation

19. Approve and authorize the Chairman to sign Amendment Contract No. 2009101 with Codding Enterprises, L.P. for lease of property located at 3191 M Street, Merced.

Workforce Investment

20. Approve and authorize the Chairman to sign Amendment Contract No. 2019035 with Fresno Regional Workforce Development Board (FRWDB) for regional career ladder/eligible training provider list (ETPL) project.
21. Approve and authorize the Chairman to sign Amendment Contract No. 2019028 with California Central Valley Economic Development Corporation for business engagement.

Administrative Services

22. Approve Budget Transfer in the amount of \$6,500 for the server room power cooling project for generator rentals and electrical work.

County Counsel

23. Approve and authorize the Chairman to sign Interdepartmental Memorandum of Understanding Amendment Contract No. 2014100 with Behavioral Health and Recovery Services, Public Conservator's Office and Merced County Counsel for departmental legal services.

Retirement

24. Acknowledge updated IRS Regulations for MCERA: updated Regulation 401(a)(9), updated Regulation 401(h) and updated Regulation 401(a).

Executive Office

25. Approve Budget Transfer in the amount of \$75,000 from contingencies to ensure sufficient appropriations for the Indigent Defense Court Appointed Attorneys through the remainder of the fiscal year. (4/5 Vote Required)
26. Act on Claim for Damages submitted by Zechariah Lee as recommended by Risk Management and County Counsel.
27. Approve and authorize the Chairman to sign Amendment Contract No. 2019038 with Meea Kang, LLC for services related to "Navigation Center" design.

Board of Supervisors

28. Approve minutes for April 16, 2019, April 16, 2019-Addendum and May 7, 2019.

Board Recognition

29. Authorize Certificates of Recognition to various individuals for receiving the SEA-APA and SAVE Annual Scholarship.
30. Authorize Certificates of Recognition to various individuals for exceptional participation in educating and assisting students in voter registration and voter pre-registration.
31. Authorize Certificates of Recognition to various individuals for being selected by the Father of the Year Committee as 2019 Essay Contest winners.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

32. Approve the Vehicle User Mileage Rates for the 2019-2020 Fiscal Year.

APPROVED AS RECOMMENDED AYES: ALL

AG COMMISIONER

33. Memorandum of Understanding (MOU) with Mariposa County to provide Licensed Oversight and Supervision of the Mariposa County Department of Agriculture; and at the discretion of the County Executive Officer, approve up to a seven and one half percent (7.5%) Commissioner pay differential for the term of the memorandum of understanding with Mariposa County.

AUTHORIZED CONTRACT NO. 2019184 AS RECOMMENDED AYES: ALL

HEALTH

34. Contract with California Department of Public Health - Office of AIDS (State Contract No. 18-10876) for HIV Care Program services; and adopt Resolution.

AUTHORIZED CONTRACT NO. 2019185 AND ADOPTED RESOLUTION NO. 2019-46 AS RECOMMENDED AYES: ALL

35. Ratify the signing of the non-binding letter of intent to the AAA Child Passenger Safety Donation Program by June 5, 2019; authorize the Director of Public Health to sign the application; and return to the Board if awarded this grant.

APPROVED AS RECOMMENDED AYES: ALL

36. 1) Appoint Gordon Keith Arakawa, M.D., Ph.D., C.N.S., as the Merced County Health Officer; 2) Appoint Dr. Arakawa to the First 5 Merced County Commission; and 3) Appoint Dr. Arakawa to the Merced County Emergency Medical Care Committee all effective June 24, 2019.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 14

37. Contract with California Forensic Medical Group to provide health services at the adult and juvenile hall correctional facilities.

AUTHORIZED CONTRACT NO. 2019187 AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 14

BEHAVIORAL HEALTH AND RECOVERY SERVICES

38. Authorize the Behavioral Health and Recovery Services Director to sign and submit grant applications to the Central California Alliance for Health (Alliance) for the 2019 Medi-Cal Capacity Grant funding opportunity, which would support two (2) Provider Recruitment grants, in the amount of \$150,000; the department will return to the Board upon notification of Grant Award.

APPROVED AS RECOMMENDED AYES: ALL

39. Contract with Merced County Office of Education for services provided by the Caring Kids program.

AUTHORIZED CONTRACT NO. 2019188 AS RECOMMENDED AYES: ALL

40. 1) Approve and authorize Behavioral Health and Recovery Services to submit Projects for Assistance in Transition from Homelessness (PATH) Grant Application documents for 2019-2020 to the State Department of Health Care Services (DHCS) for approval, for the amount of \$95,523, with a required non-federal match amount of \$31,841; 2) Authorize the Director of Behavioral Health and Recovery Services to sign all PATH documents necessary for submittal; and 3) Return to the Board upon receipt of approval by DHCS of PATH Grant documents.

APPROVED AS RECOMMENDED AYES: ALL

41. 1) Terminate Contract No. 2015047 with Aspiranet dba Aspira Behavioral Health, effective May 30, 2019; 2) Retroactively approve new contract with Aspiranet, dba Aspira Behavioral Health, for the provision of Specialty Mental Health Services, and Therapeutic Behavioral Services.

AUTHORIZED CONTRACT NO. 2019189 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

42. Contract with Merced County Office of Education to provide an Emergency Child Care Program for foster children.

AUTHORIZED CONTRACT NO. 2019190 AS RECOMMENDED AYES: ALL

43. Contract with Vertiv Corporation for battery maintenance services.

AUTHORIZED CONTRACT NO. 2019191 AS RECOMMENDED AYES: ALL

44. Contract with Central Valley Diagnostic Laboratory for drug testing of Child Welfare clients.

AUTHORIZED CONTRACT NO. 2019192 AS RECOMMENDED AYES: ALL

45. Contract with Merced County Rescue Mission for Congregate Site Management Services for seniors.

AUTHORIZED CONTRACT NO. 2019193 AS RECOMMENDED AYES: ALL

46. Contract with Central California Legal Services, Inc. for a no cost Senior Legal Assistance Program.

AUTHORIZED CONTRACT NO. 2019194 AS RECOMMENDED AYES: ALL

47. Contract with Valley Caregiver Resource Center for caregiving support networks for family caregivers and grandparents and older individuals who are relative caregivers.

AUTHORIZED CONTRACT NO. 2019195 AS RECOMMENDED AYES: ALL

LIBRARY

48. Ratify the submission of the application to California State Library Chromebooks in the Library: A California State Library Funding Initiative; and Accept the 58 Chromebooks and 7 charging stations to be used in the following Merced County Library facilities: Dos Palos, Gustine, Hilmar, Le Grand, Los Banos, Santa Nella, and Snelling to support programming and information exploration.

APROVED AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

49. 1) Approve the San Joaquin Valley and Associated Counties Regional Workforce Plan Update for 2019-2021; 2) Approve the Merced County Local Workforce Plan Update for 2019-2021; and 3) Authorize the Chairman to sign all copies of the Merced County Local Workforce Plan Update for 2019-2021.

AUTHORIZED CONTRACT NO. 2019196 AS RECOMMENDED AYES: ALL

50. Contract with ProPath, Inc. to provide Multi-County One-Stop Operator services.

AUTHORIZED CONTRACT NO. 2019197 AS RECOMMENDED AYES: ALL

SHERIFF

51. Contract with Valley Pet Care for veterinarian services at the County's Animal Services Facility.

AUTHORIZED CONTRACT NO. 2019186 AS RECOMMENDED AYES: ALL

PUBLIC DEFENDER

52. Contract with Big Valley Investigations for investigator services.

AUTHORIZED CONTRACT NO. 2019198 AS RECOMMENDED AYES: ALL

53. Contract with George R. Pirtle Investigations for investigator services.

AUTHORIZED CONTRACT NO. 2019199 AS RECOMMENDED AYES: ALL

54. Contract with TCB Investigations for investigator services.

AUTHORIZED CONTRACT NO. 2019200 AS RECOMMENDED AYES: ALL

55. Contract with Pete Wann Investigations for investigator services.

AUTHORIZED CONTRACT NO. 2019201 AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

56. Contract with Liebert Cassidy Whitmore for Labor Relations/Legal Services.

AUTHORIZED CONTRACT NO. 2019202 AS RECOMMENDED AYES: ALL

57. Contract with Dr. Jocelyn E. Roland Ph.D., ABPP for pre-employment/fitness for duty examinations.

AUTHORIZED CONTRACT NO. 2019203 AS RECOMMENDED AYES: ALL

58. Contract with UC Davis Extension to provide Leadership Development and Specialized Training.

AUTHORIZED CONTRACT NO. 2019204 AS RECOMMENDED AYES: ALL

59. 1) Ratify the Memorandum of Understanding between Merced County and Merced County Attorney's Association (MCAA) representing Bargaining Unit 7; 2) Ratify the Memorandum of Understanding between Merced County and Teamsters Local 856 representing Bargaining Unit 12; 3) Ratify the Memorandum of Understanding between Merced County and American Federation of State, County and Municipal Employees (Unit 11); and 4) Approve similar salary adjustments and change in Worker's Compensation rule for unrepresented management

(Unit 20) as specified in the agreements to the Memorandum of Understanding (MOU) for MCAA, Teamsters and AFSCME.

AUTHORIZED CONTRACT NOS. 2019205 (UNIT 7), 2019206 (UNIT 12) AND 2019207 (UNIT 11) AS RECOMMENDED AYES: ALL

60. Ratify the Memorandum of Understanding between Merced County and Teamsters, Local 856 representing Bargaining Unit 2.

AUTHORIZED CONTRACT NO. 2019208 AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

61. Board information and possible direction regarding a joint regional homeless plan.

NO ACTION TAKEN

REVIEW BOARD ORDER – SEE PAGES 14 AND 15

BOARD APPOINTMENTS

62. Appoint Charles Lowe to serve as a member of the Dos Palos Cemetery District, filling an unexpired term until February 4, 2021.

APPROVED AS RECOMMENDED AYES: ALL

63. Appoint Virginia Vega to serve as member of the Behavioral Health Board, representing District One until June 30, 2021.

APPROVED AS RECOMMENDED AYES: ALL

FY 2019/2020 PROPOSED BUDGET

64. 1) Adopt the Proposed Budget for FY 2019-20 as an operating budget until the Board adopts a Final Budget; 2) Authorize the County Executive Officer, or designee, to approve Out-of-State travel submitted between Proposed and Final Budget; 3) Direct that no capital assets recommended in the Proposed Budget be purchased or Capital Projects be started until the adoption of the Final Budget, except the following: a) Budget Unit 14200 account 84140 Poll Books; b) Budget Unit 14200 account 84141 Voting Equipment Software; c) Budget Unit 14200 account 85420 Digital Color Copier; d) Budget Unit 14200 account 85430 Envelope Extractor; e) Budget Unit 14200 account 85458 Voting System; f) Budget Unit 16200 account 82160 Franklin/Beachwood Flood Risk Reduction Grant; g) Budget Unit 16200 account 87132 Black Rascal Flood Control Project; h) Budget Unit 17000 account 81289 Behavioral Health Stabilization Unit; i) Budget Unit 17000 account 82212 Wardrobe Purchase Tenant Improvements; j) Budget Unit 17000 account 83060 Courthouse Museum Restoration; k) Budget Unit 17000 account 83600 Structures and Improvements; l) Budget Unit 17000 account 84155 BHRS Key FOB; m) Budget Unit 17000 account 84156 Ag Classroom Remodel; n) Budget Unit 17000 account 84167 Los Banos Court Cameras; o) Budget Unit 17000 account 84168 Evidence Cameras; p) Budget Unit 17000 account 84205 Adobe Building Tenant Improvements; q) Budget Unit 17000 account 84212 Courtroom 11 Remodel; r) Budget Unit 17000 account 85460 DPW Building D Re-Roof; s) Budget Unit 17000 account 85461 Main Library Skylight; t) Budget Unit 17000 account 85464 Sandy Mush Aeration Ponds Cleaning; u) Budget Unit 17000 account 85465 Sandy Mush Water Conditioning Array; v) Budget Unit 17000 account 85466 HSA Los Banos Roof; w) Budget Unit 17000 account 85467 HSA Wardrobe Roof Repair; x) Budget Unit 17000 account 87011 Martin Luther King Cleanup; y) Budget Unit 17000 account 87028 Spring Fair Tank Removal; z) Budget Unit

17000 account 87104 Bldg #1230 Repair; aa) Budget Unit 17000 account 87105 Lake Yosemite Walking Pier; bb) Budget Unit 17000 account 87106 Main Admin Bldg Doors; cc) Budget Unit 17000 account 87912 Community and Veterans Hall; dd) Budget Unit 17050 account 84183 Station 62 Repairs; ee) Budget Unit 17050 account 85459 DPW Building A Re-Roof; ff) Budget Unit 17050 account 85462 Roads Los Banos Yard HVAC; gg) Budget Unit 17050 account 85463 Roads Shop Roof Hatch; hh) Budget Unit 17200 account 87138 SB 863 Project; ii) Budget Unit 25000 account 82177 Winton Fire Station Improvements; jj) Budget Unit 30000 account 87058 Roads Capital Projects; kk) Budget Unit 30000 account 87097 Roads Bridge Projects; ll) Budget Unit 30000 account 87153 AME; mm) Budget Unit 30000 account 87200 Roads/Overlay/Patch; nn) Budget Unit 30000 account 87456 Campus Parkway; oo) Budget Unit 30001 account 82154 Measure V Transportation Projects; pp) Budget Unit 30001 account 84179 Measure V Regional Projects; qq) Budget Unit 30002 account 82155 SB1 Transportation Projects; rr) Budget Unit 75200 account 81307 FAA 20 Airport Layout Plan; ss) Budget Unit 75200 account 84118 Truck; tt) Budget Unit 75500 account 84117 Upgrade Vehicle Lift; uu) Budget Unit 75500 account 84120 10 Sheriff Patrol Cars; vv) Budget Unit 75500 account 84121 21 Vehicles (Non Patrol); ww) Budget Unit 75500 account 84122 10 Light Bars; xx) Budget Unit 75500 account 84123 1 Animal Control Truck; yy) Budget Unit 75500 account 84124 A/C Machine; 4) Authorize the Director of Public Works to utilize Job Order Contracting to deliver those Capital Projects approved to be started with the adoption of the FY 2019-20 Proposed Budget; 5) Request the Clerk of the Board make available copies of the FY 2019-20 Proposed Budget to all interested people and advertise the final budget hearings to commence on September 10, 2019 at 10:00 a.m.; 6) Schedule the Public Hearing on Proposition 4 Appropriation Limit on September 10, 2019 at 10:00 a.m.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGES 15 AND 16

65. (1) Approve for Fiscal Year 19/20 Proposed Budget Personnel Modifications as follows: 1.) Board of Supervisors – Budget Unit 10000: Delete 5 Chair-Board of Supervisors (pos 4,5,6,7,8). 2.) Auditor-Controller – Budget Unit 11000: Change 1 Supervising Accountant (pos 7) to Staff Services Analyst I/II; Change 1 Accountant III (pos 28) to Staff Services Analyst I/II. 3.) Risk Management – Budget Unit 19000: Change 1 Insurance & Benefits Technician (pos 4) to Staff Services Analyst I/II. 4.) District Attorney – Budget Unit 20400 (B/U 20404): Delete 1 Legal Assistant (pos 118). 5.) BHRS – Budget Unit 41500 (B/U 41506): Add 1 Personnel Assistant – Confidential. 6.) Human Services Agency – Budget Unit 50000 (B/U 50052): Change 1 System Support Analyst (pos 228) to Staff Services Analyst I/II; (B/U 50054): Change 1 Janitor (pos 466) to Facility Assistant. 7.) Admin Services – Budget Unit 75600 (B/U 75601): Change 1 Systems Programmer I/II (pos 45) to Data Base Administrator. 8.) Retirement – Budget Unit 76600: Change 1 Retirement Officer (pos 1) to Fiscal Manager. (2) Approve the modifications to the Assistant County Executive Officer (1200), County Health Officer (7660) and Lieutenant (7837) classification specifications. (3) Approve amendments to the Merced County Drug and Alcohol Testing Policy. (4) Approve amendments to the Position Allocation Resolution 06-120/A, the Salary Allocation Resolution 06-120, the Recruitment and Selection Resolution 2013-92, and the Merced County Human Resources Rules & Regulations Resolution 2007-22.

ADOPTED RESOLUTION NOS. 2019-47 (POSITION), 2019-48 (SALARY), 2019-49 (RECRUITMENT) AND 2019-50 (RULES & REGS) AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

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

66. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer of up to 20,000 acre feet of water from Merced Irrigation District to various agencies under license 2685 (Application 1224).
67. MBK Engineers re: Merced Irrigation District Petition for temporary transfer under License 2685 (Application 1224).

THE BOARD ADJOURNED THE MEETING AT 1:10 P.M. UNTIL TUESDAY, JULY 9, 2019, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 18, 2019

10:00 A.M. SCHEDULED ITEM

2019-06-18 PUBLIC OPPORTUNITY

Susan Flinspach, Friends of the Library member, reports that they are into the first week of their summer reading program at the Library and 1,059 have signed up. She states that the Library needs a bigger budget to meet increasing demands.

Rebecca Nanyonjo-Kemp, Director of Public Health, announces that the Department of Public Health is the first county in California to receive National Accreditation.

Bob Plass, Chairman of the Library Advisory Commission, states that the Library needs more services for teens and programs for adults as well as increasing the Libraries hours.

Jose Moran, Livingston resident, speaks about Trap, Neuter, and Return (TNR) program for stray dogs and cats and how it will help the animal shelter save money.

Present: Pareira, Espinoza, Lor, McDaniel, Silveira

10:00 A.M. SCHEDULED ITEM

2019-06-18 HUMAN RESOURCES – PUBLIC HEARING

The time and date previously scheduled to consider impasse and the County of Merced imposing the County's last, best and final offer on the Teamsters Local 856 Representing Unit 2 pursuant to Government Code Sections 3505.4, 3505.5 and 3505.7.

Chairman Pareira informs the Board that this Public Hearing is regarding the impasse between Merced County and Teamsters Local 856 representing Unit 2. He states that we are considering the impasse and unilateral implementation of the County's last, best, and final offer made to Unit 2 on the sole issue of overtime. Chairman Pareira states that impasse procedures were initiated and have been completed, and reviews the procedure for the Public Hearing. He states that the recommendation from a procedural standpoint is: Public Comment with each speaker provided 3 minutes; total comment period is limited to 15 minutes; following public comment, the Union Representative and County Negotiator will each have an opportunity to make a presentation up to 15 minutes; and at the conclusion the Public Hearing is closed.

County Executive Officer James Brown informs the Board that the County began negotiations with Unit 2 in December of 2018 on an overtime reopener issue. The County presented Unit 2 with their last, best and final offer on February 7, 2019. Impasse procedures were initiated and have been completed which included Unit Two's request to the Public Employee Relations Board for Fact Finding Hearing. A Fact Finding Hearing before a 3 member panel occurred and resulted in a report issued by a neutral fact finding chairperson containing advisory recommendations for settlement. Attached to the report is a dissent by the County panel representative. The report and attachments were made public on June 7, 2019.

The Chairman opens the Public Hearing and asks if there is anyone present wishing to speak. No one speaks.

Unit 2 Representative Brian Shambaugh, Shop Steward and an employee with the Sheriffs Corrections Division, gives a presentation. He states they have negotiated with the County for quite some time on the overtime issue and that seniority should count for something. He recommends that the Board chooses the decision that the fact finder found in his report. It will allow more senior officers to work less overtime than those with less seniority. He requests that the Board does not take their seniority away from them and make a change to their MOU, and also makes one 16 hour shift mandatory not 2 shifts.

Shelline Bennett, Attorney with Liebert, Cassidy & Whitmore, gives a presentation on behalf of the County bargaining team. She states the County bargaining team has brought a resolution before the Board and that the County Bargaining Team recommends that the Board resolve the impasse between the County and Unit 2 by adopting the Resolution before the Board today, unilaterally implementing on Unit 2 those portions of the County's last, best and final offer that can be implemented. Ms. Bennett states that the Board cannot change one thing to the MOU without going back to the bargaining table.

The Chairman closes the Public Hearing.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, duly carried the Board adopts Resolution No. 2019-51 to impose the portions of the County's last, best and final offer which may be imposed on the Teamsters Local 856 (Unit 2) pursuant to Government Code Sections 3505.4, 3505.5, and 3505.7.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

10:00 A.M. SCHEDULED ITEM

2019-06-18 COUNTY EXECUTIVE OFFICE – PUBLIC HEARING

The time and date previously scheduled to consider extension of interim urgency ordinance imposing a temporary moratorium on the cultivation of industrial hemp within the unincorporated areas of Merced County by any person or entity including "Established Agricultural Research Institutions".

County Executive Officer James Brown comments on the extension of interim urgency ordinance imposing a temporary moratorium on the cultivation of industrial hemp within the unincorporated areas of Merced County.

Community and Economic Development Director Mark Hendrickson gives an overview and powerpoint presentation covering the following: Why an extension of the moratorium, Recent Activities, Ordinance Development Timeline and Recommendations.

Agricultural Commissioner Dave Robinson states that he has bi-weekly conference calls with the California Department of Agriculture.

Supervisor Silveira states that this seems like a realistic timeline.

The Chairman opens the Public Hearing and asks if there is anyone present wishing to speak. No one speaks.

The Chairman closes the Public Hearing.

Supervisor Espinoza states that he has received many calls about the temporary moratorium and does not think the County should go forward with it.

Upon a motion of Supervisor Lor, seconded by Supervisor McDaniel, duly carried, the Board finds the proposed extension of the interim urgency imposing a temporary moratorium on the cultivation of industrial hemp exempt from review under the California Environmental Quality Act (CEQA) under CEQA guidelines sections 15061, subdivision (b)(3), 15060, subdivision (c)(2), and 15308. Upon a motion of Supervisor Lor, seconded by Supervisor McDaniel, duly carried, the Board adopts Ordinance No. 1971 extending Interim Urgency Ordinance No. 1969 until October 22, 2019 and directs staff to continue to study the impacts associated with the States regulation of hemp cultivation as well as any related land use conflicts that may arise, and to return to the Board with a draft ordinance for review by July 30, 2019.

Ayes: Pereira, Lor, McDaniel, Silveira

Noes: Espinoza

ACTION ITEM NO. 36

2019-06-18 HEALTH

The Clerk announces item to appoint Gordon Keith Arakawa, M.D., Ph.D., C.N.S., as the Merced County Health Officer and appoint Dr. Arakawa to the First 5 Merced County Commission and to the Merced County Emergency Medical Care Committee all effective June 24, 2019 is before the Board for consideration.

Public Health Director, Rebecca Nanyonjo-Kemp introduces Dr. Arakawa to the Board. Dr. Arakawa thanks the Board and gives a brief introduction of himself and his background experience.

Upon motion of Supervisor Espinoza, seconded by Supervisor Lor, duly carried, the Board approves the appointment of Gordon Keith Arakawa, M.D., Ph.D., C.N.S., as the Merced County Health Officer; appoints Dr. Arakawa to the First 5 Merced County Commission; and appoints Dr. Arakawa to the Merced County Emergency Medical Care Committee all effective June 24, 2019.

Ayes: Pereira, Espinoza, Lor, McDaniel, Silveira

ACTION ITEM NO. 37

2019-06-18 HEALTH

The Clerk announces contract with California Forensic Medical Group to provide health services at the adult and juvenile hall correctional facilities is before the Board for consideration.

County Executive Officer James Brown clarifies the amounts of the contract. Mr. Brown states that the amount is \$6.9 million per year and that the total amount for 30 months is \$17 million.

Upon motion of Supervisor Espinoza, seconded by Supervisor Lor, duly carried the Board approves Contract No. 2019187 with California Forensic Medical Group to provide health services at the adult and juvenile hall correctional facilities.

Ayes: Pereira, Espinoza, Lor, McDaniel, Silveira

ACTION ITEM NO. 61

2019-06-18 EXECUTIVE OFFICE

The Clerk announces Board information and possible direction regarding a joint regional homeless plan is before the Board for consideration.

County Executive Officer James Brown states this is an update on Countywide Homelessness and this was a joint effort with the Continuum of Care.

Management Analyst John Ceccoli gives a powerpoint presentation on 2019/2020 Merced County Regional Homeless Plan covering the following: Overview, Regional Plan: Purpose and Principles, Regional Plan: Key Objectives, Regional Plan: System Support and Proposed Action, Potential Facilities, City of Atwater, City of Los Banos, City of Merced, Navigation Center, Navigation Center-Floor Plan, Communities County-wide, Proposed Facilities Summary and Next Steps.

Mr. Brown states these are just preliminary discussions on what may or may not work here in the County.

Chairman Pareira thanks Mr. Brown, Mr. Ceccoli and staff for working on this update.

Supervisor McDaniel states he has concerns with the City of Atwater slide that was shown. He states that government is not going to be getting into the business of permanent housing, and that we are not landlords.

Mr. Brown comments that from a housing perspective they agree, but from a staff perspective we should be creating a path. He further states that housing seems to be the key piece/challenge to this and we are feeling the pressure from the State.

Supervisor Silveira comments that he didn't realize how much time he would be spending on the homeless issue. He further states that we need to better manage homeless and that it has been around for years.

Supervisor Lor states that she agrees with Supervisor Silveira that there are many partners involved and it is a very complicated social issue to manage.

Supervisor Espinoza states that no community wants to deal with this but it is getting out of hand.

Present: Pareira, Espinoza, Lor, McDaniel, Silveira

ACTION ITEM NO. 64

2019-06-18 FY 2019/2020 PROPOSED BUDGET

The Clerk announces the actions before the Board pertaining to adoption of Proposed Budget for FY 2019/2020.

County Executive Officer James Brown gives an overview of the proposed budget and reviews a powerpoint presentation covering FY 19/20 Proposed Budget. Mr. Brown states there are copies of the powerpoint presentation and proposed budget-at-a-glance handouts available for the public.

Deputy County Executive Officer Mary Rose Rutikanga reviews powerpoint covering: Revenues v. Expenditures (General Fund), Cash Flow (General Fund) – June Year End, Available Fund Balance – After Reserves, Local Revenue – Annual Revenue Trend, Local Resources, Local Resources - \$'s in Millions, Total Reserves (General & Fire Fund), General Fund Contingency, Budget Overview and Net County Costs.

Mr. Brown reviews slide covering Net County Cost Increase – FY 15/16 to FY 18/19 and Net County Code Increase – FY 18/19 to FY 19/20 Proposed.

Ms. Rutikanga continues presentation covering Countywide Positions and Staffing Impacts.

Mr. Brown concludes powerpoint presentation covering Key Issues.

Upon motion of Supervisor McDaniel, seconded by Supervisor Lor, duly carried the Board 1) Adopts the Proposed Budget for FY 2019-20 as an operating budget until the Board adopts a Final Budget; 2) Authorizes the County Executive Officer, or designee, to approve Out-of-State travel submitted between Proposed and Final Budget; 3) Directs that no capital assets recommended in the Proposed Budget be purchased or Capital Projects be started until the adoption of the Final Budget, except the following: a) Budget Unit 14200 account 84140 Poll Books; b) Budget Unit 14200 account 84141 Voting Equipment Software; c) Budget Unit 14200 account 85420 Digital Color Copier; d) Budget Unit 14200 account 85430 Envelope Extractor; e) Budget Unit 14200 account 85458 Voting System; f) Budget Unit 16200 account 82160 Franklin/Beachwood Flood Risk Reduction Grant; g) Budget Unit 16200 account 87132 Black Rascal Flood Control Project; h) Budget Unit 17000 account 81289 Behavioral Health Stabilization Unit; i) Budget Unit 17000 account 82212 Wardrobe Purchase Tenant Improvements; j) Budget Unit 17000 account 83060 Courthouse Museum Restoration; k) Budget Unit 17000 account 83600 Structures and Improvements; l) Budget Unit 17000 account 84155 BHRS Key FOB; m) Budget Unit 17000 account 84156 Ag Classroom Remodel; n) Budget Unit 17000 account 84167 Los Banos Court Cameras; o) Budget Unit 17000 account 84168 Evidence Cameras; p) Budget Unit 17000 account 84205 Adobe Building Tenant Improvements; q) Budget Unit 17000 account 84212 Courtroom 11 Remodel; r) Budget Unit 17000 account 85460 DPW Building D Re-Roof; s) Budget Unit 17000 account 85461 Main Library Skylight; t) Budget Unit 17000 account 85464 Sandy Mush Aeration Ponds Cleaning; u) Budget Unit 17000 account 85465 Sandy Mush Water Conditioning Array; v) Budget Unit 17000 account 85466 HSA Los Banos Roof; w) Budget Unit 17000 account 85467 HSA Wardrobe Roof Repair; x) Budget Unit 17000 account 87011 Martin Luther King Cleanup; y) Budget Unit 17000 account 87028 Spring Fair Tank Removal; z) Budget Unit 17000 account 87104 Bldg #1230 Repair; aa) Budget Unit 17000 account 87105 Lake Yosemite Walking Pier; bb) Budget Unit 17000 account 87106 Main Admin Bldg Doors; cc) Budget Unit 17000 account 87912 Community and Veterans Hall; dd) Budget Unit 17050 account 84183 Station 62 Repairs; ee) Budget Unit 17050 account 85459 DPW Building A Re-Roof; ff) Budget Unit 17050 account 85462 Roads Los Banos Yard HVAC; gg) Budget Unit 17050 account 85463 Roads Shop Roof Hatch; hh) Budget Unit 17200 account 87138 SB 863 Project; ii) Budget Unit 25000 account 82177 Winton Fire Station Improvements; jj) Budget Unit 30000 account 87058 Roads Capital Projects; kk) Budget Unit 30000 account 87097 Roads Bridge Projects; ll) Budget Unit 30000 account 87153 AME; mm) Budget Unit 30000 account 87200 Roads/Overlay/Patch; nn) Budget Unit 30000 account 87456 Campus Parkway; oo) Budget Unit 30001 account 82154 Measure V Transportation Projects; pp) Budget Unit 30001 account 84179 Measure V Regional Projects; qq) Budget Unit 30002 account 82155 SB1 Transportation Projects; rr) Budget Unit 75200 account 81307 FAA 20 Airport Layout Plan; ss) Budget Unit 75200 account 84118 Truck; tt) Budget Unit 75500 account 84117 Upgrade Vehicle Lift; uu) Budget Unit 75500 account 84120 10 Sheriff Patrol Cars; vv) Budget Unit 75500 account 84121 21 Vehicles (Non Patrol); ww) Budget Unit 75500 account 84122 10 Light Bars; xx) Budget Unit 75500 account 84123 1 Animal Control Truck; yy) Budget Unit 75500 account 84124 A/C Machine; 4) Authorizes the Director of Public Works to utilize Job Order Contracting to deliver those Capital Projects approved to be started with the adoption of the FY 2019-20 Proposed Budget; 5) Requests the Clerk of the Board make available copies of the FY 2019-20 Proposed Budget to all interested people and advertise the final budget hearings to

commence on September 10, 2019 at 10:00 a.m.; 6) Schedules the Public Hearing on Proposition 4 Appropriation Limit on September 10, 2019 at 10:00 a.m.
Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira