

# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, FEBRUARY 7, 2017

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  
CHAIRMAN DARON McDANIEL....DISTRICT 3  
LLOYD PAREIRA....DISTRICT 4  
JERRY O'BANION....DISTRICT 5

JAMES L. BROWN  
COUNTY EXECUTIVE OFFICER

JAMES N. FINCHER  
COUNTY COUNSEL

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

**The Agenda is available online at [www.co.merced.ca.us](http://www.co.merced.ca.us)**

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

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

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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:**

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; Sergeants, Unit 30; Teamsters (Non-Safety Corrections), Unit 12; and Probation Supervising Employees, Unit 11. Agency Negotiator: Marci Barrera

**THE BOARD RECESSED AT 8:30 A.M. AND RECONVENED AT  
10:00 A.M. WITH ALL MEMBERS PRESENT, AND THE CHAIRMAN  
ADVISED THERE WERE NO REPORTABLE ITEMS**

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

**10:00 A. M.                    INVOCATION/PLEDGE OF ALLEGIANCE  
                                         Invocation led by Reverend Stephen Hammond**

**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 8**

**APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 20)**

**PRESENTATION:**

Black History Month: Darryl Davis, NAACP President, introduces the NAACP women's group known as WIN (Women in the NAACP). The NOW group provides a presentation to the Board including their mission statement, Black inventions, famous quotes, and song.

**REPORTS/BOARD DIRECTION**

CONSENT CALENDAR (Items # 1-20)

**APPROVED AS RECOMMENDED      AYES: ALL**

Public Works

1. Approve Budget Transfer in the amount of \$20,000 to establish appropriation for a new pump and motor, electrical services from the existing panel and energy management controls to make Well #4 operable by Water Board standards.
2. Adopt Resolution for the Summary Vacation of M Street and portions of an alley, 6th, and 7th Street in the Town of Ingomar; and direct the Clerk of the Board to record the Resolution.

**ADOPTED RESOLUTION NO. 2017-11**

3. Approve Budget Transfer in the amount of \$300,000 to establish appropriation for the purchase of 2 replacement dump trucks.
4. Approve and authorize the Chairman to sign Amendment Contract No. 2013001 with Congressman Jim Costa for the lease of Room 305 within the County Administration Building at 2222 "M" Street.
5. Approve and authorize the Chairman to sign Amendment Contract No. 2015201 with Transit Joint Powers Authority for Merced County for the lease of ground for transit operations.
6. Approve Budget Transfer in the amount of \$9,000 to transfer funds from Winton Special Recreation account to establish appropriation for fixed asset #81294 to replace the irrigation pump at Winton Park that is no longer functioning correctly.

Behavioral Health and Recovery Services

7. Approve and authorize the Chairman to sign Amendment Contract No. 2016107 with The Regents of the University of California-Merced for triage program evaluation; and approve related budget transfer. (4/5 Vote Required)
8. Approve and authorize the Chairman to sign Amendment Contract No. 2016264 with Willow Glen Care Center for residential care for consumers.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2015002 with Merced Behavioral Center for client placement services.

District Attorney

10. Approve Budget Transfer in the amount of \$6,415 to increase the fixed asset for two vehicles.

Child Support Services

11. Approve and authorize the Chairman to sign Amendment Contract No. 2011196 with Fahrens Park Plaza, LLC for office space located at 3368 North Highway 59, Suite A, Merced; and approve related budget transfer.

Workforce Investment

12. Accept Modification one (1) to Subgrant K7102042 (Contract No. 2016167) incorporating First Round Workforce Innovation and Opportunity Act (WIOA) Formula funding under grant

codes 201, 292, 501, and 540 for Program Year 2016-17 to provide employment-related services to adults and dislocated workers in Merced County.

13. Accept Modification two (2) to Subgrant K7102042 (Contract No. 2016167) incorporating Second Round Workforce Innovation and Opportunity Act (WIOA) Formula funding under grant codes 202, 293, 502, and 541 for Program Year 2016-17 to provide employment-related services to adults and dislocated workers in Merced County.

#### Executive Office

14. Act on Claims for Damages submitted by Charles Lujan, Richard Castillo, Victoria & Jeremiah Castillo, Richard Castillo, Jose Lua Jr., Angel Flores, and Anjelica Ingram as recommended by Risk Management and County Counsel.

#### Board of Supervisors

15. Approve Minutes for October 18, 2016, October 18, 2016-IHSS, October 18, 2016-1:30 p.m. Water Meeting, October 25, 2016, October 25, 2016-IHSS, October 25, 2016-PFC, November 8, 2016, November 8, 2016-IHSS and November 22, 2016.
16. PULLED

#### Board Recognition

17. Authorize Certificates of Recognition to Julia Beale for being selected as 2017 Grand Marshall for Martin Luther King Parade; David Denson, Sr. - First Black Fireman; Sylvia Fuller, Eugene Drummond and Tony Slaton for their service on the Martin Luther King Committee.
18. Authorize Certificate of Recognition to Mary Loera as Outgoing 2016 Miss Merced County.
19. Authorize Certificate of Recognition to Betty Avery for 11 1/2 years of service as a registered HICAP volunteer.
20. Authorize Proclamation in recognition of Black History Month for the Month of February, 2017 in Merced County.

### REGULAR CALENDAR

#### BOARD ACTION

##### PUBLIC WORKS

21. Contract (Utility Agreement) with Pacific Bell Telephone Company (dba AT&T California) for the relocation of utilities to accommodate construction of Campus Parkway Segment 2.

**AUTHORIZED CONTRACT NO. 2017013 AS RECOMMENDED AYES: ALL**

22. Authorize the Dept. of Public Works to circulate five separate Request for Qualifications (RFQ) for qualified consultants to provide 1) geotechnical engineering services; 2) right-of-way acquisition services; 3) environmental consulting services; 4) civil engineering and surveying services; and 5) geotechnical testing services; and authorize Dept. of Public Works to review and rank consultants, negotiate retainer agreements and submit agreements to the Board for consideration.

**APPROVED AS RECOMMENDED AYES: ALL**

23. Consider the proposed Mitigated Negative Declaration for the La Grange Road Bridge Replacement Project and comments received during the public review process and find that there is no substantial evidence that the project will have a significant effect on the environment; and adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for the La Grange Road Bridge Replacement Project.

**APPROVED AS RECOMMENDED AYES: ALL**

24. Approve the Funding Agreement for the Atwater-Merced Expressway (AME) Segment 1B Project Study Report between the County of Merced and the Merced County Association of Governments (MCAG).

**AUTHORIZED CONTRACT NO. 2017014 AS RECOMMENDED AYES: ALL**

25. Authorize the Dept. of Public Works to circulate 4 separate Requests for Proposal (RFP) for qualified consultants to provide 1) architectural services; 2) mechanical engineering services; 3) hazardous material testing; and 4) material testing services; and authorize the Dept. of Public Works to review and rank proposals as well as negotiate a contract to be submitted to the Board for consideration.

**APPROVED AS RECOMMENDED AYES: ALL**

26. 1) Approve the Memorandum of Agreement (MOA) between Merced County Dept. of Public Works and Merced County Dept. of Public Health establishing the terms and conditions under which reimbursements will be made relating to the non-infrastructure portion of the Walnut Avenue active Transportation Grant Project; 2) Authorize the Chairman to sign the Memorandum of Agreement listing the terms and conditions; and 3) Approve related Budget Transfers. (Public Health Budget Transfer 4/5 Vote Required)

**AUTHORIZED CONTRACT NO. 2017015 AS RECOMMENDED AYES: ALL**

#### HEALTH

27. Contract with United Way of Merced County (Cultiva La Salud) to educate the community on safe routes to school and on the goals and objectives of the Active Transportation Program.

**AUTHORIZED CONTRACT NO. 2017016 AS RECOMMENDED AYES: ALL**

28. Contract with Blue Shield of California Foundation to accept grant funding in the amount of \$150,000 to support established community collaborations seeking to improve integration of primary care and behavioral health care in Merced County; authorize the Director of Public Health to electronically sign the agreement; and approve related budget transfer. (4/5 Vote Required)

**AUTHORIZED CONTRACT NO. 2017017 AS RECOMMENDED AYES: ALL**

29. Approve submission of an application to the California Dept. of Public Health/Maternal, Child and Adolescent Health Division for the Adolescent Family Life Program; authorize the Chairman to sign the cover page; and return to the Board for contract approval if awarded.

**APPROVED AS RECOMMENDED AYES: ALL**

#### HUMAN SERVICES AGENCY

30. PULLED

#### COMMUNITY AND ECONOMIC DEVELOPMENT

31. Direct the Community and Economic Development Director to take actions necessary for application to the "Sustainable Communities Planning Grant and Incentives Program: Best Practices Pilot" program to support local land use planning related to climate issues prior to

the deadline of February 9, 2017, and if awarded return to the Board for acceptance of the grant.

**APPROVED AS RECOMMENDED AYES: ALL**

32. Appoint Suzy Hultgren as the Eastern White Area Representative to the Merced Subbasin Groundwater Sustainability Agency governing board.

**APPROVED AS RECOMMENDED AYES: ALL**

#### PROBATION

33. Contract with Merced County Office of Education for vocational and educational services to adult probation clients.

**AUTHORIZED CONTRACT NO. 2017018 AS RECOMMENDED AYES: ALL**

#### WORKFORCE INVESTMENT

34. Contract with Fresno Regional Workforce Investment Board to implement a Pre-Apprenticeship Support, Training and Placement grant to assist fifty-four (54) disadvantaged job seekers, individuals receiving unemployment insurance, and/or returning veterans in Merced County by providing multi-craft, pre-apprenticeship training, case management, and other employment-related services; and approve related budget transfer. (4/5 Vote Required)

**AUTHORIZED CONTRACT NO. 2017019 AS RECOMMENDED AYES: ALL**

35. Accept \$29,510 in funds from CRT Settlement Class Fund/Cy Pres Grants Administrators to replace 46 obsolete computers in Job Center; approve Director of the Dept. of Workforce Investment or his appointee to sign the grantee's contract for the specified funds; and approve related budget transfer. (4/5 Vote Required)

**AUTHORIZED CONTRACT NO. 2017020 AS RECOMMENDED AYES: ALL**

36. Approve the Merced County Dept. of Workforce Investment's Request for Approval to be America's Job Center of California Adult and Dislocated Worker Career Services Provider; authorize the Chairman to sign all applicable copies of the Request for Approval to be America's Job Center of California Adult and Dislocated Worker Career Services Provider.

**APPROVED AS RECOMMENDED AYES: ALL**

#### ELECTIONS

37. Approve the request from the Plainsburg Irrigation District changing the District's election dates from November of the odd-numbered years to consolidate the election with the November statewide general election in the even-numbered years.

**APPROVED AS RECOMMENDED AYES: ALL**

#### TREASURER

38. Rescind Resolution No. 2016-14 dated January 26, 2016; and adopt Resolution to authorize the Treasurer to designate staff as officers initiating the Local Agency Investment Fund (LAIF) investment program transactions.

**PULLED – NO ACTION TAKEN**

#### HUMAN RESOURCES

39. PULLED

BOARD OF SUPERVISORS

40. Accept recommendations from Hilmar Unified School District as submitted with no amendments required, and authorize notification to the agency of action taken.

**APPROVED AS RECOMMENDED      AYES: ALL**

BOARD APPOINTMENTS

41. Appoint Teddy McDonald to serve as a member of the Franklin County Water District until December 6, 2020.

**APPROVED AS RECOMMENDED      AYES: ALL**

BOARD INFORMATION & POSSIBLE ACTION

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

42. Delhi Unified School District re: Resolution of the Board of the education of the Delhi Unified School District certifying to the Merced County Board of Supervisors all proceedings in the November 8, 2016 General Obligation Bond Election.
43. Mosquito Abatement District re: Manager's Report for December 2016.
44. Fish and Game Commission re: Proposed regulatory action relative to subsection (b)(5) of Section 7.50, Title 14, California Code of Regulations, relating to Central Valley salmon sport fishing, which was published in the California Regulatory Notice Register on January 20, 2017.
45. Fish and Game Commission re: Notice of Receipt of Petition to list foothill yellow-legged frog (*Rana boylei*) as threatened under the California Endangered Species Act. This notice was published in the California Regulatory Notice Register on January 20, 2017.

**THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF DEWEY TODD AND  
EVA LOLA HALEY AND ADJOURNED THE MEETING UNTIL TUESDAY, FEBRUARY  
21, 2017, AT 10:00 A.M.**

## BOARD ORDERS – SUMMARY ACTION MINUTES – FEBRUARY 7, 2017

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

#### **2017-02-07 PUBLIC OPPORTUNITY**

Public Health Director Kathleen Grassi presents retirement plaque to Dr. Timothy Livermore. She states that he has been a mentor and also provided guidance to Public Health staff for the past 14+ years. Supervisor O'Banion also thanks Dr. Livermore for his many years of service to the County and congratulates him on his retirement.

Dr. Timothy Livermore acknowledges and thanks the Board and Ms. Grassi. He states he has enjoyed the support and working with everyone here at the County.

Nancy Young Bergman with the CASA organization announces their April 1, 2017 event "CASA Cup" at the Merced County Fairgrounds. She states that tickets are \$75.00, they are also asking for dessert donations and that the proceeds will go to training additional advocates.  
Present: McDaniel, Espinoza, Lor, Pareira, O'Banion