



SUMMARY ACTION MINUTES BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, NOVEMBER 20, 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

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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: Teamsters (Corrections), Unit 2. 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): Michael Harris v. County of Merced, Workers Compensation Appeals Board Case Nos. ADJ8889955 and ADJ9232724

THE BOARD RECESSED AT 8:30 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 by Pastor Hilario Perez/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 10

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 22)

PUBLIC HEARINGS:

PUBLIC WORKS - PUBLIC HEARING

To consider Resolution annexing the Major Subdivision MAS17-002, into the Delhi Street Lighting, Maintenance Zone of Benefit No. 102

RECOMMENDATION:

1) Open Public Hearing and accept comments; 2) Close Public Hearing; and, 3) Adopt the Resolution annexing the Major Subdivision MAS17-002, located

south of Letteau Avenue and East of Merced Avenue in the Delhi area, into the Delhi Street Lighting Maintenance Zone of Benefit No. 102 in County Service Area Number One.

REVIEW BOARD ORDER – SEE PAGE 10

PUBLIC WORKS - PUBLIC HEARING

To consider Resolution annexing Major Subdivision No. MAS17-002, into the Almond Tree Estates Drainage and Maintenance Zone of Benefit No. 114.

RECOMMENDATION:

1) Open Public Hearing and accept comments; 2) Close Public Hearing; and, 3) Adopt the Resolution annexing the Major Subdivision MAS17-002, located south of Letteau Avenue and East of Merced Avenue in the Delhi area, into the Almond Tree Estates Drainage and Maintenance Zone of Benefit No. 114 in County Service Area Number One.

REVIEW BOARD ORDER – SEE PAGE 10 AND 11

1:30 P.M. PUBLIC FORUM - ICE ACCESS

The Board of Supervisors will conduct a public forum in accordance with Government Code Section 7283.1 (d); receive and consider a report regarding local law enforcement agencies' interaction and communication with the United States Immigration and Customs Enforcement in 2017; and receive and consider public comment.

REVIEW BOARD ORDER – SEE PAGE 13 AND 14

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-22)

APPROVED AS RECOMMENDED AYES ALL: EXCEPT ITEM #17 SUPERVISOR LOR ABSTAINS

Public Works

1. Approve Budget Transfer in the amount of \$40,000 to purchase a bucket truck for Parks.
2. Approve Budget Transfer in the amount of \$150,000 for the Board of Supervisors Dais and Security Project.
3. Approve Budget Transfer in the amount of \$50,000 for Sheriff's 3 & 4 Block Roof Replacement Project.
4. Approve Budget Transfer in the amount of \$150,000 for roof replacement and hazmat testing necessary for the Courtroom 11 remodel project.
5. Approve Budget Transfer in the amount of \$21,100 for replacement box for Animal Control truck. (4/5 Vote Required)

Health

6. Approve Budget Transfer in the amount of \$59,790 for Public Health Emergency Preparedness Program and Hospital Preparedness Program for fiscal year 2017/2018. (4/5 Vote Required)

Behavioral Health and Recovery Services

7. Approve and authorize the Chairman to sign Amendment Contract No. 2018214 with Community Social Model Advocates, Inc. for the provision of perinatal residential substance abuse services.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2018213 with Community Social Model Advocates, Inc. for residential alcohol and drug recovery services; and approve related Budget Transfer. (4/5 Vote Required)

Human Services Agency

9. Approve and authorize the Chairman to sign Interdepartmental Amendment Contract No. 2009099 with Behavioral Health and Recovery Services (BHRS) for Mental Health and Substance Abuse Disorder Services.
10. 1) Approve and authorize the Chairman to sign Amendment Contract No. 2014097 with California Department of Aging for Senior Programs; 2) Adopt the Resolution; and 3) Approve the related Budget Transfers. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2018-123

11. Approve and authorize the Chairman to sign Amendment Contract No. 2015108 with Valley Caregiver Resource Center for support networks for family caregivers.

Probation

12. Approve and authorize the Chairman to sign Interdepartmental Amendment Contract No. 2004261 with Merced County Sheriff's Office to provide meals and laundry services to the Iris Garrett Juvenile Justice Correctional Complex.

Administrative Services

13. Approve and authorize the Chairman to sign Amendment Contract No. 2018022 with Intent Digital for Board Chamber technology project.

Workforce Investment

14. Approve and authorize the Chairman to sign Amendment Contract No. 2018086 with Foundation for California Community College for employment services.

Sheriff

15. Approve and authorize the Chairman to sign Amendment Contract No. 2016287 with Axon Enterprise, Inc. for the purchase of 90 additional cameras and peripheral hardware and software necessary to outfit Deputy Sheriffs and/or Correctional Officers with uniform mounted cameras while performing regular duties.

Executive Office

16. Act on Claims for Damages submitted by Austin Kelsey, Joe Brager and Benjamin Gallegos Morales as recommended by Risk Management and County Counsel.

Board of Supervisors

17. Approve minutes for October 16, 2018 and October 16, 2018-Groundwater Sustainability Agency.

Board Recognition

- 18. Authorize Proclamation in recognition of the week of November 26-30, 2018 as "California Clerk of the Board of Supervisors Week" in the County of Merced.
- 19. Authorize Proclamation in recognition of September 2018 as "Hmong History Month" in Merced County.
- 20. Authorize Certificate in recognition to First 5 Merced County in celebration of 20th Anniversary.
- 21. Authorize Plaque to Bob and Maria Bertao in recognition of 50th Wedding Anniversary.
- 22. Authorize Certificate of recognition to Golden Valley Health Centers (Northview Clinic) for Ground Breaking Ceremony.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

- 23. 1) Contract with Frederick M. Drayer, Carla R. Drayer and Drayer Trust Drayer Ranch Conservation Bank for acquisition of 2.52 vernal pool aquatic habitat credits at a cost of \$112,770 for the La Grange Road over Dry Creek Bridge Replacement Project; and authorize the Director of Public Works, or his designee, to execute the subject contract.
AUTHORIZED CONTRACT NO. 2018267 AS RECOMMENDED AYES: ALL
- 24. Contract with Westervelt Ecological Services, LLC Dutchman Creek Conservation Bank for acquisition of 16.70 acres of California Tiger Salamander and Kit Fox habitat credits at a cost of \$1,670,000 for the La Grange Road over Dry Creek Bridge Replacement Project; and authorize the Director of Public Works, or his designee, to execute the subject contract.
AUTHORIZED CONTRACT NO. 2018268 AS RECOMMENDED AYES: ALL
- 25. Approve the donation of a memorial marker for David Zacharias from the Merced Running Club, and authorize the Merced Running Club to install the memorial marker on the County's property located along the Bear Creek bike path at Parsons Avenue and E. South Bear Creek Drive.
APPROVED AS RECOMMENDED AYES: ALL
- 26. Contract with Merced Irrigation District (MID) regarding the encroachment upon MID's right-of-way for the purpose of installing, operating, using and maintaining a storm water drainpipe under the Heartly Lateral.
AUTHORIZED CONTRACT NO. 2018269 AS RECOMMENDED AYES: ALL
- 27. 1) Approve remodeling the Adobe Building located at 670 W. 22nd Street, Merced as a Capital Improvement Project with an established budget of \$450,000; 2) Approve the related Budget Transfer; 3) Adopt the Plans and Specifications for the Adobe Building Remodel; 4) Authorize the Department of Public Works to advertise said Plans and Specifications for a Public Bid Opening; 5) Authorize the Director of Public Works to award a construction contract to the lowest responsible bidder provided said bid is within the established budget; 6) Authorize the Chairman to execute said construction contract upon review of the Department of Public Works and County Counsel; and 7) Direct the Department of Public Works to return to the Board of Supervisors with an Informational Item describing all actions taken. (4/5 Vote

Required).

AUTHORIZED CONTRACT NO. 2018270 AS RECOMMENDED AYES: ALL

28. 1) Approve the project to demolish the former Juvenile Hall Complex at 1411 "B" Street, Merced; 2) Establish the project budget at \$491,000; 3) Approve the related Budget Transfer; and 4) Authorize the Department of Public Works to utilize Job Order Contracting (JOC) process to complete the work. (4/5 Vote Required).

APPROVED AS RECOMMENDED AYES: ALL

29. Contract with Wright Solar Park, LLC for Road Maintenance which is a required agreement under Wright Solar's Conditional Use Permit to mitigate impacts to county roadways used during the construction of the Wright Solar Project located in Merced County on the west side of Interstate 5 along Billy Wright Road.

AUTHORIZED CONTRACT NO. 2018271 AS RECOMMENDED AYES: ALL
REVIEW BOARD ORDER – SEE PAGE 11

30. Authorize staff to begin implementing the following park improvement projects: a) Park Amenities - Countywide; b) Henderson Park Water Main Replacement; c) Houlihan Park ADA Upgrades; d) Trash Receptacles - Countywide; e) Irrigation System Designs; and approve associated Budget Transfers for Fixed Asset Numbers: 84207 (Park Amenities - Countywide), 84208 (Henderson Park Water Main Replacement), 84209 (Houlihan Park ADA Upgrades), 84210 (Trash Receptacles - Countywide), 84211 (Irrigation System Designs). (4/5 Vote Required)

APPROVED AS RECOMMENDED AYES: ALL

31. 1) Direct Department of Public Works to complete assessments and design of ADA improvements (restroom, paths of travel, etc.) and environmental health issues at Atwater Veterans Hall, Los Banos Veterans Hall, Merced Veterans Hall, and Winton Veterans Halls, and return to the Board of Supervisors for further direction and to establish necessary capital improvement projects; 2) Direct Department of Public Works to complete HVAC assessments of Community and Veterans Halls and other County facilities and develop scope of work and cost estimates, at which time staff will return to the Board of Supervisors for further direction; and 3) Direct Department of Public Works to obtain an HVAC infrastructure study, design and cost estimate for the Merced Veterans Hall, and to return to the Board of Supervisors for further direction once the design and cost estimate is known.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 11 AND 12

HEALTH

32. Contract with California Department of Health Care Services for acceptance of the Child Health and Disability Prevention Program, Health Care Program for Children in Foster Care Program, and the California Children's Services Program terms and conditions; 2) Authorize the Chairman to sign the Certification statements and; 3) Approve Budget Transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2018265 AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

33. Contract with Resource Development Associates to develop, implement and evaluate the effectiveness of the Innovative Strategist Network.

AUTHORIZED CONTRACT NO. 2018272 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

34. Authorize the Director of Human Services Agency to sign and submit a grant application to the California Department of Social Services in response to a grant funding opportunity for a Home Safe Program and to return to the Board to accept the grant award and process grant documents.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

35. Approve the amendments to the Salary Allocation Resolution 06-120 and the Position Allocation Resolution 06-120/A for the minimum wage increase, effective December 24, 2018.

ADOPTED RESOLUTION NOS. 2018-124 (SALARY) AND 2018-125 (POSITION) AS RECOMMENDED AYES: ALL

36. Ratify Memorandum of Understanding with Teamsters, Local 856 representing Bargaining Unit 2.

AUTHORIZED CONTRACT NO. 2018273 AS RECOMMENDED AYES: ALL

37. Approve Amendments to the On-Call and Call Back sections of the Salary Allocation Resolution 06-120 in regards to Behavioral Health and Recovery Services Physicians.

ADOPTED RESOLUTION NO. 2018-126 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

38. Contract with QK, Inc. for consultant services involving preparation of a water supply assessment and water and wastewater master plan for the Winton Community Plan Update Environmental Impact Report.

AUTHORIZED CONTRACT NO. 2018266 AS RECOMMENDED AYES: ALL

PROBATION

39. Declare twenty-one (21) expired ballistic vests as surplus property and authorize the donation of this property to Merced Community College for use by the Criminal Justice Program.

APPROVED AS RECOMMENDED AYES: ALL

LIBRARY

40. Authorize the Merced County Library to submit an application for the California Library Literacy Services Family Literacy Grant for the Read and Succeed Adult Literacy Program at Merced County Library in the amount of \$20,000 for Fiscal year 2018-2019; and direct the County Librarian or designee to return to the Board with the application results and to accept award.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

41. Memorandum of Understanding with the City of Dos Palos to disperse Homeland Security Grant Programs Fiscal Year 2017 to the City of Dos Palos for purchase of advanced types of equipment, administration, planning, training, and exercise related costs.

AUTHORIZED CONTRACT NO. 2018274 AS RECOMMENDED AYES: ALL

CHILD SUPPORT SERVICES

42. Authorize the Department of Administrative Services, in conjunction with Child Support Services to prepare and release a Request for Proposal to secure a qualified vendor to design, execute and evaluate a pilot digital media outreach campaign, in participation with the State's "Reaching the Unassisted: Digital Outreach to Non-TANF Prospects" project grant, select the most responsive bidder, negotiate an agreement, and return to the Board for final agreement execution.

APPROVED AS RECOMMENDED AYES: ALL

SHERIFF

43. Accept donation of a 2004 Wells Fargo trailer from the City of Los Banos with an estimated value of \$4,000, and allocate the trailer to the Sheriff's Office.

APPROVED AS RECOMMENDED AYES: ALL

TREASURER

44. Accept Quarterly Investment Report for the period of July 1, 2018 to September 30, 2018.

APPROVED AS RECOMMENDED AYES: ALL

45. Adopt a Resolution delegating the investment authority to the County Treasurer for the year 2019 pursuant to Government Code Section 27000.1 and 53607.

ADOPTED RESOLUTION NO. 2018-127 AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

46. Contract with Healthequity, Inc. to continue as Health Savings Account Custodian.

AUTHORIZED CONTRACT NO. 2018275 AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

47. Accept and approve the Amendments to the 2018 Conflict of Interest Code for Merced County as submitted and authorize notification of the action taken as required.

APPROVED AS RECOMMENDED AYES: ALL

48. Accept and approve recommendations from the Special Districts and notify the Special Districts of the action taken.

APPROVED AS RECOMMENDED AYES: ALL

49. Provide staff direction regarding the expired well permits listing Ed Mitchell, Jr. as the driller.

REVIEW BOARD ORDER – SEE PAGE 12 AND 13

BOARD APPOINTMENTS

50. Appoint Crystal Casey to serve as a member of the Hilmar Municipal Advisory Council, until May 3, 2021.

APPROVED AS RECOMMENDED AYES: ALL

51. Appoint Digvijay J. Vala (DJ) to serve as a member of the May Day Fair Board representing District 5, filling an unexpired term until July 1, 2020.

APPROVED AS RECOMMENDED AYES: ALL

52. Re-appoint Kurt Spycher representing District Four, and Re-appoint Fernando Aguilera representing District One to serve as members of the Planning Commission, until October 1,

2022.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

53. Community and Economic Development re: Lease agreement issued to Castle Analytical Labs for Building 908 (approximately 1,972 sq. ft.) and Building 909 (approximately 2,240 sq. ft.) located at Castle Commerce Center.

CONTRACT NO. 2018276

54. Community and Economic Development re: Community Development Block Grant (CDBG) Program Grant No. 17-CDBG-12022 Standard Agreements with the State of California Housing and Community Development (HCD) will be signed by the Board Chairman effective November 20, 2018 and will subsequently be forwarded to HCD by the Community and Economic Development Department.

CONTRACT NO. 2018277

55. State Board of Equalization re: Annual Meeting of the State Board of Equalization and County Assessors on December 13, 2018.

THE BOARD ADJOURNED THE MEETING IN MEMORY OF GEORGE AZEVEDO AT 11:35 A.M. UNTIL TUESDAY, DECEMBER 18, 2018 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – NOVEMBER 20, 2018

10:00 A.M. SCHEDULED ITEM **2018-11-20 PUBLIC OPPORTUNITY**

Kristy Waskiewicz with AFSCME speaks about an employee who worked overtime and was not compensated until six weeks later. She requests the Board to look into to the matter.
Present: O'Banion, Espinoza, Lor, McDaniel, Pareira

10:00 A.M. SCHEDULED ITEM **2018-11-20 PUBLIC WORKS – PUBLIC HEARING**

The time and date previously set to consider Resolution annexing Major Subdivision MAS 17-002, into the Delhi Street Lighting Maintenance Zone of Benefit No. 102.

Supervisor Espinoza states he has a conflict and recuses himself.

Dana Hertfelder, Director of Public Works reviews the staff report.

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.

Upon motion of Supervisor Pareira, seconded by Supervisor McDaniel, duly carried the Board adopts Resolution No. 2018-121 annexing Major Subdivision MAS 17-002, located south of Letteau Avenue and East of Merced Avenue in the Delhi area, into the Delhi Street Lighting Maintenance Zone of Benefit No. 102 in County Service Number One.

Ayes: O'Banion, Lor, McDaniel, Pareira

Recusal: Espinoza

10:00 A.M. SCHEDULED ITEM **2018-11-20 PUBLIC WORKS – PUBLIC HEARING**

The time and date previously set to consider Resolution annexing Major Subdivision No. MAS 17-002, into the Almond Tree Estates Drainage and Maintenance Zone of Benefit No. 114.

Supervisor Espinoza states he has a conflict and recuses himself.

Dana Hertfelder, Director of Public Works reviews the staff report.

Supervisor Pareira questions why this is not done thru the Delhi Water District.

Mr. Hertfelder responds that this is a requirement of the conditions of approval for the Major Subdivision.

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.

Upon motion of Supervisor Pareira, seconded by Supervisor Lor, duly carried the Board adopts Resolution No. 2018-122 annexing Major Subdivision MAS 17-002, located South of Letteau Avenue and East of Merced Avenue in the Delhi area, into the Almond Tree Estates Drainage and Maintenance Zone of Benefit No. 114 in County Service Area Number One.

Ayes: O'Banion, Lor, McDaniel, Pareira

Recusal: Espinoza

ACTION ITEM NO. 29

2018-11-20 PUBLIC WORKS

The Clerk announces contract with Wright Solar Park, LLC for Road Maintenance, which is a required agreement under Wright Solar's Conditional Use Permit to mitigate impacts to County roadways used during the construction of the Wright Solar Project located in Merced County on the west side of Interstate 5 along Billy Wright Road, is before the Board for consideration.

Chairman O'Banion states he has a conflict and recuses himself and Vice Chairman Pareira takes over for him.

Upon motion of Supervisor McDaniel, seconded by Supervisor Espinoza, duly carried, the Board approves Contract No. 2018271 with Wright Solar Park, LLC for Road Maintenance which is a required agreement under Wright Solar's Conditional Use Permit to mitigate impacts to County roadways used during the construction of the Wright Solar Project located in Merced County of the west side of Interstate 5 along Billy Wright Road.

Ayes: Espinoza, Lor, McDaniel, Pareira

Recusal: O'Banion

ACTION ITEM NO. 31

2018-11-20 PUBLIC WORKS

The Clerk announces item regarding assessments and design of ADA improvements (restroom, paths of travel, etc.) and environmental health issues at Atwater Veterans Hall, Los Banos Veterans Hall, Merced Veterans Hall, and Winton Veterans Hall, and HVAC infrastructure study, design and cost estimate for the Merced Veterans Hall, is before the Board for consideration.

Supervisor Lor requests an oral report from staff.

County Executive Officer James Brown responds that this item is follow up from the final budget meeting. He states that \$1.5 million was set aside to start looking at the Community and Veterans Halls that are most utilized. The recommendation today is to move forward with the plans and specifications for the Atwater, Los Banos, Merced and Winton Veterans Halls. Mr. Brown states staff will come back to the Board with more detailed cost estimates on the projects once received. He further states they will be looking at the HVAC equipment at those facilities as well.

Supervisor Espinoza comments that the Livingston Veterans Hall is in need of more funding and hopes in the future it will be addressed as well.

Supervisor Lor questions the timeline on the project.

Dana Hertfelder, Director of Public Works responds that they hope to have preliminary engineering work done by spring and then come back with cost estimates and seek further direction from the Board to move forward at that time.

Supervisor McDaniel requests clarification on the improvements for each of the halls and if there is a separate source of funds for the Merced Veterans Hall.

Mr. Brown states that at the final budget meeting there was conversation to keep the Merced Veterans Hall HVAC work separate. He further states that the cost estimates may require some budget adjustments.

Upon motion of Supervisor McDaniel, seconded by Supervisor Pareira, duly carried the Board directs the Department of Public Works to complete assessments and design of ADA improvements (restroom, paths of travel, etc.) and environmental health issues at Atwater Veterans Hall, Los Banos Veterans Hall, Merced Veterans Hall, and Winton Veterans Halls, and return to the Board for further direction and to establish necessary capital improvement projects; directs Public Works to complete HVAC assessments of Community and Veterans Halls and other County facilities and develop scope of work and cost estimates, at which time staff will return to the Board for further direction; and directs Public Works to obtain an HVAC infrastructure study, design and cost estimate for the Merced Veterans Hall, and to return to the Board for further direction once the design and cost estimate is known.

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

ACTION ITEM NO. 49
2018-11-20 BOARD OF SUPERVISORS

The Clerk announces item to provide staff direction regarding the expired well permits listing Ed Mitchell, Jr. as the driller.

Supervisor Espinoza reads the Board Agenda Item.

The Chairman asks if there is anyone from the public wishing to speak on this item.

The following speak:

Omar Arroyo states he gave a deposit to Ed Mitchell, Jr. and when he started getting into trouble the permit was moved from him to Ed Mitchell, Sr. He further states a lot of promises were made and then in April 2017 the well permit expired.

Yolanda Correa states she is a farmer that was taken by Ed Mitchell, Sr. & Jr. as well.

Joe Silveira, owner of Quality Well Drillers discusses corcoran clay and states that it costs \$50-\$100,000 for the CEQA studies.

The Chairman closes the public comment period.

Supervisor Espinoza questions if any of the individuals that spoke has heard from the District Attorney's office.

Supervisor O'Banion questions if anyone has taken legal action against the Mitchell's. And also states that Mr. Silveira, the well driller made some good comments on the ordinance.

Yolanda Correa states she was working with the District Attorney's office. Restitution was ordered, but she has not received any money.

The Board has lengthy discussion on this item, regarding the well ordinance, fees for a well permit, and the expiration of the 14 well permits.

No action was taken on this item.

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

1:30 P.M. PUBLIC FORUM - ICE ACCESS

The Chairman states that interpreters are present for Spanish and Hmong: Mimi, Hmong interpreter and Martha Armas-Kelly, Spanish interpreter. The Chairman also reviews the time limit for public comment.

County Executive Officer James Brown provides a brief statement regarding AB 2792 – Truth Act.

Sheriff Vern Warnke gives a powerpoint presentation on the Truth Act and the Sheriff's Office process covering the following: Disclaimer, Topics, Immigration Detainer, Inmate/Attorney Notification, Interview Rights and Consent Form, Consular Notifications, Translation Requirements for All Forms Regarding Immigration Matters, and 2017 Immigration Statistics.

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

The following state questions and concerns regarding interaction between local law enforcement and the U.S. Immigration and Customs Enforcement:

Paul Garcia, Delhi Resident

Gloria Sandoval, Merced Resident

Tonya Golash-Boza, Sociology professor at UC Merced

Maria Fabian Lomeli, Merced Resident

Jessica Tronstein, Merced Resident

Luis Avelar, Atwater Resident

Mr. Pollard, UC Merced Student

Adrianna Flores, Merced Resident

Isai Palma, Merced Resident

Salvador Sandoval, Merced Resident

Olivia Gomez, Planada Resident

Chrissy Gallardo, Atwater Resident

Christian Lee Hobbs, UC Merced

Rogina Rubalcaba, UC Professor of History

Arlett Flores, ACLU Northern California Representative

Jaz Diaz

Blanca Ojeda, Faith in the Valley Representative

The Chairman closes the public comment period for the forum.

The Board takes a two minute break.

The Board reconvenes at 2:37 p.m. and the Chairman gives a statement clarifying the reason for the public forum.

Supervisor Espinoza states he would like to bring a policy to the Board at a later date regarding the interaction between the Sheriff's Office and U.S. Immigration Officers

The Board thanks the public for their participation.

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