



SUMMARY ACTION MINUTES BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, DECEMBER 18, 2018
Regular Meeting – 10:00 a.m.

MERCED COUNTY
COURTHOUSE MUSEUM
COURTROOM, SECOND FLOOR
21ST and N STREETS
MERCED, CALIFORNIA 95340
(209) 385-7366

RODRIGO ESPINOZA....DISTRICT 1
LEE LOR....DISTRICT 2
DARON McDANIEL....DISTRICT 3
LLOYD PAREIRA....DISTRICT 4
CHAIRMAN JERRY O'BANION....DISTRICT 5

JAMES L. BROWN
COUNTY EXECUTIVE OFFICER

JAMES N. FINCHER
COUNTY COUNSEL

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

The Agenda is available online at www.co.merced.ca.us

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

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

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

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The Agenda is divided into three sections:

CONSENT CALENDAR – These matters include routine financial and administrative action and usually are approved by a single vote.

SCHEDULED ITEMS – These items are noticed hearings, work sessions and public hearings.

REGULAR CALENDAR – These items include significant policy and administration actions. Immediately after approval of the CONSENT CALENDAR, if the time of the hearing of SCHEDULED ITEMS has not arrived, the REGULAR CALENDAR will be considered.

SCHEDULED ITEMS

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

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

10:00 A. M.

**INVOCATION by Thomas Pigg, Mount Moriah Baptist Church, Dos Palos
/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 8

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

PUBLIC HEARING:

**BEHAVIORAL HEALTH AND RECOVERY SERVICES - PUBLIC HEARING -
PROPOSED ORDINANCE**

To consider amendment to Ordinance No. 1966, amending the Fee Schedule for Alcohol and Drug Services (Supersedes Ordinance No. 1966 and amends Chapter 9.48, Title 9, Section 9.48.030)

RECOMMENDATION:

1) Introduce the proposed amendment to Ordinance No. 1966, amending the Fee Schedule for Alcohol and Drug Services; 2) Waive further reading; 3) Open Public Hearing and receive testimony; 4) Close Public hearing; and 5) Adopt Ordinance known as Mental Health Fees (Supersedes Ordinance No. 1966 and amends Chapter 9.48, Title 9, Section 9.48.030).

REVIEW BOARD ORDER – SEE PAGE 8

PRESENTATION:

Retirement recognition.

REVIEW BOARD ORDER – SEE PAGE 8 AND 9

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-23)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Set a first reading of a proposed ordinance increasing the refuse service fees for County Solid Waste Franchise Areas 1 through 5 and set a second reading for possible adoption of that ordinance on January 29, 2019, at 10:00 a.m. (Amends Ordinance 1957, and Chapter 5.90 of the Merced County Code).
2. Set Public Hearing for Tuesday, January 29, 2019 at 10:00 a.m. to consider adoption of the proposed Resolution for the General Vacation of Fields Road from its intersection with Olsen Road to its intersection with La Grange Road in the Snelling area.
3. Approve Budget Transfer in the amount of \$40,723 to establish appropriation for emergency gas line repair at Human Services Agency (HSA) Wardrobe site between Building 2 and 3 with costs being reimbursed by HSA. (4/5 Vote Required)
4. Approve Budget Transfer in the amount of \$7,500 to cover increase in cost due to updated grader equipment software quote.
5. Approve Budget Transfer in the amount of \$150,000 to shift security funding to cover anticipated change orders and costs related to Treasurer/Auditor counter upgrades.
6. Approve Budget Transfer in the amount of \$30,000 for installation of cabling and low voltage wiring in Board Chambers to accommodate the new voting/microphone system.

Health

7. Approve Budget Transfer in the amount of \$20,000 to add appropriations and revenue in First 5 budget to allow for Sunlight Giving Grant. (4/5 Vote Required)

Behavioral Health and Recovery Services

8. Approve and authorize the Chairman to sign Amendment Contract No. 2018156 with Maxim Healthcare Services, Inc. for temporary nursing services; and approve related Budget Transfer.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2016088 with Healthy House within a Match Coalition for interpreter services.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2018234 with Aegis Treatment Centers, LLC for Drug Medi-Cal outpatient narcotic treatment services.
11. Approve and authorize the Chairman to sign Amendment Contract No. 2017250 (State Agreement No. 17-94141) with the State Department of Health Care Services for Substance Use Disorder Services; and adopt Resolution.

ADOPTED RESOLUTION NO. 2018-128

Human Services Agency

12. Approve Budget Transfer in the amount of \$27,954 to increase appropriation for area plan amendment for the family caregiver contract. (4/5 Vote Required)
13. Approve Budget Transfer in the amount of \$32,850 to increase appropriation for area plan amendment for the Senior Services Program. (4/5 Vote Required)

14. Approve and authorize the Chairman to sign Amendment Contract No. 2014055 (State Revenue Contract #HI-1718-31) with California Department of Aging for Health Insurance Counseling Advocacy services; adopt Resolution; and approve related Budget Transfer. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2018-129

Treasurer

15. Set a Public Hearing for January 15, 2019 at 10:00 a.m. to consider a proposed Ordinance amending Treasurer-Tax Collector fees (Amends Ordinance No. 1964 and Merced County Code Chapter 5.56.10).

Executive Office

16. Approve travel request received from Workforce Investment as recommended by Executive Office.

Board of Supervisors

17. Approve minutes for November 6, 2018.

Board Recognition

18. Authorize Certificates of Recognition to Obie O'Brien, Donald Brown, Genevieve "Genny" Brown, Roy Hart, Cleveland Mason, Gregory Floyd, Leo Avila Regalado, Jesse Leal and Ron Grisby for being chosen as 2018 Grand Marshals for the Merced Veterans Day Parade.
19. Authorize Certificates of Recognition to various individuals for being selected as recipients of Agricultural Leadership Awards for Outstanding Agriculture Contributions to Merced County.
20. Authorize plaque in celebration of the 50th Wedding Anniversary of Randall Seth Miles and Earlynn Rebecca Miles.
21. Authorize Certificates of Recognition to various individuals selected as recipients of the Portuguese Education Foundation of Central California Scholarship and Annual Community Awards.
22. Authorize Certificates of Recognition to various individuals selected for Merced County 4-H Leader Awards.
23. Authorize Certificates of Recognition to Jonna Maree Moreno, Matthew Allen McVey, Ignacio Reyes Junior, Jeremy Michael Rush and Robert Ryan Ingram for graduation from Merced County Superior Court Drug Treatment Court.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

24. 1) Approve the use of remaining Regional Transportation Impact Fee (RTIF) funds on the Atwater-Merced Expressway (AME) Segment 1B Project; 2) Authorize Public Works to circulate a Request for Qualifications (RFQ) for the preparation of the Project Approval and Environmental Document (PAED) phase, and; 3) Identify the AME Phase 1B Project as the

No. 1 priority County project for Eastside Regional Measure V revenue.

APPROVED AS RECOMMENDED AYES: ALL

25. 1) Approve the Remodel Courtroom 11 Project located at 700 W. 22nd Street, Merced, as a Capital Improvement Project with an established budget of \$700,000; 2) Approve the related Budget Transfers (4/5 Vote Required); 3) Adopt the Plans and Specifications for the Courtroom 11 Remodel Project; and 4) Authorize Public Works to utilize the Job Order Contracting (JOC) process to complete the project.

APPROVED CONTRACT NO. 2018278 AS RECOMMENDED AYES: ALL

HEALTH

26. Approve submission of an application for the Waste Tire Enforcement Grant application (Cycle 26) for enforcement and inspection activities tentatively planned to start June 30, 2019 ending June 29, 2020 in the amount of \$100,000; adopt the resolution; designate the Director of Public Health or designee to submit all payment requests and grant activity forms; and direct the Department of Public Health to return to the Board if awarded.

ADOPTED RESOLUTION NO. 2018-130 AS RECOMMENDED AYES: ALL

27. Approve State Contract No. 18-10581 with the California Department of Public Health - Office of AIDS for HIV Prevention project services; authorize the Chairman to sign all copies of the contract and required documents; and adopt Resolution.

AUTHORIZED CONTRACT NO. 2018279 AND ADOPTED RESOLUTION NO. 2018-131 AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

28. Contract with Merced Community College District for customer service training to staff.

AUTHORIZED CONTRACT NO. 2018280 AS RECOMMENDED AYES: ALL

29. Contract with C & D's Guest Home, Inc. for residential care placement of consumers.

AUTHORIZED CONTRACT NO. 2018281 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

30. Contract with City of Merced for the Continuum of Care; and adopt resolution.

AUTHORIZED CONTRACT NO. 2018282 AND ADOPTED RESOLUTION NO. 2018-132 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

31. 1) Adopt the Castle Airport 5 year Airport Capital Improvement Plan (ACIP) Annual Update; 2) Authorize Chairman to sign all Castle Airport ACIP Data Sheets; 3) After review by County Counsel, authorize staff to submit, and the director of CED to sign, grant applications for the projects listed on the ACIP provided the requested funds do not exceed the amounts stated in the ACIP; and 4) Direct staff to return to the Board with the grant offers for approval.

APPROVED AS RECOMMENDED AYES: ALL

ADMINISTRATIVE SERVICES

32. Contract with Michael Baker International, Inc. for address remediation and verification services; and approve budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2018283 AS RECOMMENDED AYES: ALL

33. Contract with Service Express for mainframe maintenance services.

AUTHORIZED CONTRACT NO. 2018284 AS RECOMMENDED AYES: ALL

FIRE

34. Memorandum of Understanding with the Hilmar Unified School District for a portable radio to be used for communication between the Fire Department and the District.

AUTHORIZED CONTRACT NO. 2018285 AS RECOMMENDED AYES: ALL

PUBLIC DEFENDER

35. Contract with TCB Investigations, Donovan Sizemore Investigator, for Public Defender Investigative Services.

AUTHORIZED CONTRACT NO. 2018286 AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

36. Memorandum of Understanding between Merced County and the Department of Homeland Security for E-Verify services.

AUTHORIZED CONTRACT NO. 2018287 AS RECOMMENDED AYES: ALL

COUNTY EXECUTIVE OFFICE

37. Delegate signing authority to the County Executive Officer, or his/her designee, as the Collaborative Applicant on behalf of the County of Merced for documents related to the Continuum of Care.

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

38. Authorize \$3,000 of District Five's Special Board Project Funds to be forwarded to the Dos Palos Youth Baseball to be used to install security cameras at the snack bar and make improvements to the restrooms.

APPROVED AS RECOMMENDED AYES: ALL

39. Authorize \$6,800 of District Five's Special Board Project Funds to be forwarded to the Merced County Fire Station 75 in Dos Palos Y for improvements to the fire station.

APPROVED AS RECOMMENDED AYES: ALL

40. Authorize \$3,200 of District Five's Special Board Project Funds to be forwarded to the Merced County Fire Station 71 in Los Banos for improvements to the fire station.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

41. Reappoint the following members to the Le Grand Municipal Advisory Council: Stephanie Marchini until December 7, 2020, Lorraine Bocks, George Dickensen and Kim Porter until December 7, 2021; Celina Higareda, and Bessie Castillo until December 7, 2022.

APPROVED AS RECOMMENDED AYES: ALL

42. Appoint Rona Nunez to serve as a member of the Library Advisory Commission, representing District 2, filling an unexpired term until August 31, 2019.

APPROVED AS RECOMMENDED AYES: ALL

43. Reappoint Alfonse Peterson representing Appointed Member-At Large, to serve on the Merced County Employees' Retirement Board until December 31, 2021.

APPROVED AS RECOMMENDED AYES: ALL

44. Reappoint Ron Wolf to serve as a member of the Merced County Mosquito Abatement District, representing County Northern Rural to either a 2-year or 4-year term.

REVIEW BOARD ORDER – SEE PAGE 9

45. Appoint Charles Tanner to the Westside Community Healthcare District, representing Zone 3, to fill an unexpired term until December 4, 2020, to establish a quorum of Directors pursuant to Government Code 1780, subdivision (h).

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

46. Administrative Services re: Inform the Board of the following purchase of contraband detection equipment for the Sheriff's Office pursuant to Ordinance 1678, Chapter 5.12.040 and which fall under category 1: 1) Contraband detection equipment from Metrasens.
47. Elections re: Statement of Vote with the Certified Election Results for the Gubernatorial General Election held on November 6, 2018.
48. Fish and Game Commission re: Notice of Receipt of Petition to list Crotch bumble bee (*Bombus crotchii*), Franklin's bumble bee (*Bombus franklini*), Suckley cuckoo bumble bee (*Bombus Suckeyi*), and western bumble bee (*Bombus occidentalis occidentalis*) as endangered under the California Endangered Species Act. The notice was published in the California Regulatory Notice Register on November 9, 2018.
49. Fish and Game Commission re: Notice of proposed regulatory action relative to Section 29.06, Title 14, California Code of Regulations, relating to take provisions of Purple Sea Urchin on the northern California coast, which was published in the California Regulatory Notice Register on November 23, 2018.
50. Fish and Game Commission re: Notice of proposed regulatory action relative to subsection (b) of Section 27.65, Title 14, California Code of Regulations, relating to filleting of fish on vessels (California sheephead), published in the California Regulatory Notice Register on November 16, 2018.

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF JAMES PEARSON, MICHAEL SMITH, NORMAN SILVA, AND WILLIAM HALEY, AND ADJOURNED THE MEETING AT 11:53 A.M. UNTIL TUESDAY, JANUARY 15, 2018 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – DECEMBER 18, 2018

10:00 A.M. SCHEDULED ITEM
2018-12-18 PUBLIC OPPORTUNITY

Alfredo Banuelos, Tonya Golash-Boza, Josephine Ochoa and Gloria Sandoval comments on the interaction of local Sheriff's Office and Police with Immigration and Customs Enforcement (ICE) agents, and request a more interactive forum with local agencies.

Paul Garcia states he is a newly elected Board Member to the Delhi Water District and comments on needed services in the Delhi area.

Mr. Pigg comments on Chairman O'Banion's commitment to the Westside communities.
Present: O'Banion, Espinoza, Lor, McDaniel, Pareira

10:00 A.M. SCHEDULED ITEM
2018-12-18 BEHAVIORAL HEALTH AND RECOVERY SERVICES – PUBLIC HEARING – ORDINANCE NO. 1967

The time and date previously scheduled for a public hearing to consider proposed Ordinance amending the Fee Schedule for Alcohol and Drug Services (Supersedes Ordinance No. 1966 and Amends Chapter 9.48, Title 9, Section 9.48.030 of the Merced County Code).

Interim Behavioral Health and Recovery Services Assistant Director Tabitha Haygood reviews the staff report.

Upon motion of Supervisor McDaniel, seconded by Supervisor Pareira, duly carried, the Board waives further reading of the Ordinance.
Ayes: O'Banion, Espinoza, Lor, McDaniel, Pareira

Upon motion of Supervisor McDaniel, seconded by Supervisor Pareira, duly carried, the Board Adopts Ordinance No. 1967 amending the Fee Schedule for Alcohol and Drug Services (Supersedes Ordinance No. 1966 and Amends Chapter 9.48, Title 9, Section 9.48.030 of the Merced County Code).
Ayes: O'Banion, Espinoza, Lor, McDaniel, Pareira

10:00 A.M. SCHEDULED ITEM
2018-12-18 PRESENTATION – RETIRMENT RECOGNITION

Supervisor Pareira presents Chairman O'Banion with an outgoing Chairman gift, and Supervisor McDaniel presents a retirement plaque.

The following individuals comment on Supervisor O'Banion's commitment and accomplishments during his 28 years of service as a Board of Supervisors elected official and present him with various Certificates, Resolutions and Plaques of Recognition: Congressman Jim

Costa, Assemblyman Adam Gray, Senator Anthony Canella, Sal Cannella, Merced City Manager Mike Murphy, Board of Supervisors member for Stanislaus County Vito Chiesa, former Board of Supervisors members Kathleen Crookham, Hub Walsh and John Pedrozo, Director of Human Services Agency and Chairman of the Executive Council Scott Pettygrove, Jim Farley, former Campaign Manager John Andrews, NAACP Director Darryl Davis, Friends of the Merced County Library Susan Flinspach, Louise Farley, Paul Garcia, Fire Chief Nancy Koerperich, Fire Division Chief Mark Lawson, Executive Director Merced County Farm Bureau Brianna Ramos, Mary Henderson, Atwater Mayor Paul Creighton, Bryan Raymond, Richard Mahacek, Granddaughter Juliana Borboa, Charlie Galatro, Director Courthouse Museum Sara Lim, Peggy Vejar, Bob Bertao, Pat Hafford, and Aldo Sansoni.

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

ACTION ITEM # 44

2018-12-18 BOARD APPOINTMENTS

The Clerk announces Reappointment of Ron Wolf to serve on the Merced County Mosquito Abatement District, representing County Northern Rural to either a 2-year or 4-year term is before the Board for consideration.

Upon motion of Supervisor Pareira, seconded by Supervisor McDaniel, duly carried, the Board reappoints Ron Wolf to serve a 4-year term, until December 31, 2022.

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

