



BOARD OF SUPERVISORS

Rodrigo Espinoza, *District 1*

Lee Lor, *District 2*

Daron McDaniel, *District 3*

Chairman Lloyd Pareira, *District 4*

Scott Silveira, *District 5*

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

SUMMARY ACTION MINUTES

TUESDAY, APRIL 9, 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 Boards' 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 - 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): 1. Marsh, et al. v. County of Merced, et al., Merced Superior Court Case No. 18CV-03733.

THE BOARD RECESSED AT 9:01 A.M. AND RECONVENED AT 10:00 A.M. WITH SUPERVISOR ESPINOZA NOT PRESENT, AND THE CHAIRMAN ADVISED STAFF WAS GIVEN DIRECTION

CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATOR:

It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator(s) Mark Hendrickson, Director-Community and Economic Development pursuant to Government Code Section 54956.8 as follows:

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

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

Negotiation Parties: Rhyolite Development Company, LLC

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

PULLED FROM AGENDA – NO ACTION TAKEN

GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA ITEMS)

10:00 A. M. INVOCATION led by Jerome Rasberry Jr./PLEDGE OF ALLEGIANCE

PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (TESTIMONY LIMITED TO THREE MINUTES PER PERSON)

REVIEW BOARD ORDER – SEE PAGE 7

PRESENTATION: VOLUNTEER RECOGNITION - 2019 VOLUNTEERS NOMINATED BY THE COMMUNITY

District One: Fabi Cervantes and Russell G. Winton

District Two: Rob and Andrea Baptie and Cheryl Penner

District Three: Jennifer Jimenez and Andrew King

District Four: Maxine Price and Zachery Ramos

District Five: Kristen Plascencia and David Carr

Certificates of Recognition were awarded with District One certificates presented by Supervisor McDaniel (R. Winton) and Supervisor Lor (F. Cervantes) on behalf of Supervisor Espinoza who was absent. The Chairman acknowledged and thanked the screening committee members consisting of Olivia Gomez, Barbara Heller, Charlene Borrelli, and Ann McCauley. A reception was held in Room 310 in honor of volunteers.

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 18)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-18)

APPROVED AS RECOMMENDED

AYES: 2, 3, 4, 5 NOT PRESENT: 1

Public Works

1. Approve Budget Transfer in the amount of \$20,500 to replace vehicle #52306 from the District Attorney's office that was involved in an accident and deemed a total loss. (4/5 Vote Required)
2. Approve Budget Transfer in the amount of \$20,000 for additional construction related expenses for the Board Dais and security remodel.
3. Approve Budget Transfer in the amount of \$15,000 for emergency sewer repair at the Los Banos Roads yard.

Health

4. Proclaim the week of April 1 - 7, 2019 as "National Public Health Week".
5. Approve and authorize the Chairman to sign Amendment Contract No. 2010280 (Intergovernmental Agreement No. 16-93695 A1) with the California Department of Health Care Services regarding transfer of public funds and amend the (Intergovernmental Transfer Assessment Fee Contract No. 16-93726 A1).

Behavioral Health and Recovery Services

6. Approve Budget Transfer in the amount of \$100,000 to purchase a specialized van to expand capacity building as identified in the Mental Health Services Act (MHSA) plan update.

Probation

7. Approve Budget Transfer in the amount \$7,000 to purchase one freezer for Building 2 at the Juvenile Justice Correctional Complex.
8. Approve Budget Transfer in the amount \$6,000 to purchase one refrigerator for Building 2 at the Juvenile Justice Correctional Complex.

District Attorney

9. Proclaim the week of April 7-13, 2019 as "Victims' Rights Week" in Merced County.

Workforce Investment

10. Accept Modification (12) to Workforce Innovation and Opportunity Act Subgrant K8106644 (Amendment Contract No. 2017211) with the State Employment Development Department to replace exhibits with revised exhibits for the Slingshot Regional Plan Implementation Project.
11. Approve and authorize the Chairman to sign the Amendment Contract 2018086 with Foundation for California Community College for employment services.

Sheriff

12. Approve Budget Transfer in the amount of \$10,000 to increase the Evidence Warehouse Camera CIP Project. (4/5/ Vote Required)

Executive Office

13. Act on Claim for Damages submitted by Jesus Hernandez as recommended by Risk Management and County Counsel.

Board of Supervisors

14. Approve minutes for February 26, 2019, February 26, 2019 Joint Board of Supervisors and Planning Commission Study Session and March 12, 2019.

Board Recognition

15. Authorize Certificates of Recognition to James Corbin and Simon Castro for Graduation from Merced County Superior Court Drug Treatment Court.
16. Authorize Certificate of Recognition to Houa Vang for 32 years of dedicated service to Merced LAO Family as Executive Director.
17. Authorize Certificates of Recognition to various individuals for contributions as 2018 Memorial Hospital Los Banos Volunteer.
18. Authorize Certificates of Recognition to various individuals for being selected for attaining 85 years of age and 50 years of residency in the County of Merced.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

19. Adopt Resolution designating the intersection of Keaton Road and Third Avenue in the Stevinson area as an all-way stop intersection; and direct the Public Works Director to post stop signs on the Third Avenue approaches to its intersection with Keaton Road.

ADOPTED RESOLUTION NO. 2019-23 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

20. Adopt Resolution approving the list of projects to be funded by Senate Bill 1 (SB1) for the Road Repair and Accountability Act for Fiscal Year 2019-2020.

ADOPTED RESOLUTION NO. 2019-24 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

21. Contract with Tacos Los Rodriguez to allow operation of a taco truck at the Winton Park located at the corner of Olive Avenue and Winton Way in Winton. (4/5 Vote Required)
AUTHORIZED CONTRACT NO. 2019091 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

HEALTH

22. Contract with All Health Services, Inc. for Supplemental Health Care Nursing Services.
AUTHORIZED CONTRACT NO. 2019092 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1
23. Contract with California Health Collaborative to provide technical support for the Merced County Tobacco Control Program.
AUTHORIZED CONTRACT NO. 2019093 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

BEHAVIORAL HEALTH AND RECOVERY SERVICES

24. Contract with Regents of University of California for clinical learning experience for medical student interns from University of California, Davis.
AUTHORIZED CONTRACT NO. 2019094 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

HUMAN SERVICES AGENCY

25. Interdepartmental Agreement with Merced County Sheriff's Department for social worker safety and support.
AUTHORIZED CONTRACT NO. 2019095 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1
26. Contract with Jump Technology Services for an online software system for Merced County Adult Protective Services.
AUTHORIZED CONTRACT NO. 2019096 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1
27. Contract with Merced County Office of Education to provide a camping trip for foster youth in the Independent Living Program (ILP).
AUTHORIZED CONTRACT NO. 2019097 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1
28. Contract with Merced County Office of Education to provide a camping trip for foster youth.
AUTHORIZED CONTRACT NO. 2019098 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

WORKFORCE INVESTMENT

29. Approve the Local Workforce Development Board Recertification Request for program years 2019-2021 to continue providing employment-related services to businesses and job seekers under the Workforce Innovation and Opportunity Act (WIOA) in Merced County.
APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

SHERIFF

30. Contract with Winton School District for School Resource Officer.

AUTHORIZED CONTRACT NO. 2019099 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

HUMAN RESOURCES

31. Contract with Liebert Cassidy Whitmore to provide mandatory Sexual Harassment Training as outlined in Assembly Bill 1825 and 2053 and in Senate Bill 1300 and 1343.

AUTHORIZED CONTRACT NO. 2019100 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

32. Approve the following departmental personnel actions: Change one Legal Assistant-Confidential, Position 4, Class 7594, in Budget Unit 12500 to a Risk Analyst II, Class 7728, Step 3 and approve the amendments to the Position Allocation Resolution 06-120A.

ADOPTED RESOLUTION NO. 2019-25 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

BOARD OF SUPERVISORS

33. Accept 2018 Local Agency Biennial Notice from Ballico-Cressey School District as submitted with no amendment required, and authorize notification to the agency of action taken.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

BOARD APPOINTMENTS

34. Reappoint Albert Moitoso and Jeremy Boland to serve as members of the Snelling Cemetery District until July 1, 2022.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

35. Appoint Paula Mason representing Appointed Member-At-Large to serve on the Merced County Behavioral Health Board until June 30, 2021.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: 2, 3, 4, 5 NOT PRESENT: 1

36. Merced County Mosquito Abatement District re: General Manager's Report February 19 - March 19, 2019.

THE BOARD ADJOURNED THE MEETING AT 11:46 A.M. UNTIL TUESDAY, APRIL 16, 2019, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – APRIL 9, 2019

10:00 A.M. SCHEDULED ITEM

2019-04-09 PUBLIC OPPORTUNITY

Jeremy Rahn, Merced County Fire Division Chief introduces the two new Battalion Chiefs, David Scheurich and Chris Bernard. David Scheurich will be the local Office of Emergency Services (OES) Coordinator and Chris Bernard will be Battalion 16 Chief working out in the field. Chief Rahn also speaks about their weed abatement program starting on April 15 and the annual fire fighter of the year event being held at the Legion Hall in Merced.

Rebecca Nanyonjo-Kemp, Director of Public Health introduces the new Assistant Public Health Director of Administration, Yadira Vasquez, Assistant Public Health Director of Operations, Jessica Montoya-Juarez and the Interim County Health Officer, Dr. Kenneth Bird.

Dr. Kenneth Bird, Interim County Health Officer introduces himself, talks about the roles of the Health Officer and gives information on his background to the Board.

Susan Flinspach, resident of Merced speaks about the need for libraries to stay open more hours, especially in the evenings and also speaks about Faculty Families who are now living in Merced that share a desire for programs at night. She further states that the Friends of the Merced County Library has allocated \$5,000 for programing this year and \$5,000 for next year at the library.

District Attorney Kimberly Lewis speaks about Item 9 on the agenda, proclaiming the week of April 7-13, 2019 as “Crime Victims’ Rights Week” in Merced County and invites the Board to the National Crime Victims’ Rights Week Ceremony taking place at noon in Courthouse Park today.

Diana Westmoreland-Pedrozo, representative for Senator Anna Caballero introduces herself and gives their office address and phone number.

Present: Pareira, Lor, McDaniel, Silveira

Absent: Espinoza