



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 16, 2019

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

GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA ITEMS)

10:00 A. M.

INVOCATION led by Mark Cowart/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 - 9)

PUBLIC HEARING:

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To consider Amendment of the Agricultural Preserve as per the California Land Conservation Act of 1965 (Williamson Act) in Merced County.

RECOMMENDATION:

1) Open the Public Hearing and receive testimony; 2) Close the Public Hearing; 3) Find the removal and addition of the land in the Agricultural Preserve pertaining to: a) PLA 17-019 located on the southwest corner of W. Walnut Avenue and N. Vine Avenue in the Winton area, b) PLA 18-012 located on the North side of W. Bambauer Road, 950 feet West of N. Hunt Road in the Newman area, c) PLA 19-002 located on the West side of S. Mercey Springs Road, 0.5 miles South of W. Henry Miller Avenue, in the Los Banos area, d) PLA 19-003 located on the North side of E. Stretch Road, 2,400 feet East of Piedmont Drive, in the Merced area, e) PLA 19-004 located on the Southeast corner of S. Mercey Springs Road and W. Copa de Ora Avenue, in the Los Banos area, f) PLA 19-005 located on the Northeast corner of W. Sunset Drive and N. Sultana Drive in the Atwater area, g) PLA 19-006 located on the Northwest corner of W. Bradshaw Road and N. Fox Road in the Atwater area, h) VM 18-004 located on the Southwest corner of N. Sultana Drive and Eucalyptus Avenue in the Livingston area, are exempt from CEQA under Section 15183, Projects Consistent with a Community Plan or Zoning based on the findings listed in the Board Agenda Item; and 4) Adopt the Resolution to amend the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.

REVIEW BOARD ORDER – SEE PAGE 8

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-9)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Approve and authorize the Chairman to sign Amendment Contract No. 2017137 with NV5, Inc. for survey and engineering services.

Behavioral Health and Recovery Services

2. Approve and authorize the Chairman to sign Amendment Contract No. 2017167 with Creative Alternatives, Inc. for the provision of specialty mental health services to youth clients, adding two new certified sites.

Human Services Agency

3. Proclaim the month of May, 2019 as "Older Americans Month" in Merced County.

Community and Economic Development

4. Approve and authorize the Chairman to sign Amendment Contract No. 2016071 with Dimension Data North America, Inc. for FOCUS Program providing telecommunications technology solutions; and authorize the Chairman to sign one-year extension announcement letter.

Administrative Services

5. Approve and authorize the Chairman to sign Amendment Contract No. 2010124 with Tyler Technologies for the conversion to the FBI's National Incident-Based Reporting System, implementation of In-Car Mapping, and address verification and consolidation in the GIS system.

Executive Office

6. Act on Claims for Damages submitted by Michael Moitozo, Gabriella Vovk, Estate of John David Moitozo, Michelle Costa and Donald Wilkinson as recommended by Risk Management and County Counsel.
7. Approve travel request received from Administrative Services as recommended by Executive Office.

Board Recognition

8. Authorize Certificates of Recognition to various individuals for their contributions toward the success of the 14th Annual Veterans Day Parade.
9. Authorize Certificates of Recognition for graduation from the Parent Leadership Training Institute in Los Banos to Erick Bautista, Lliana Contreras Isaola, Lizbeth Heredia, Paula Lopez, Maria Pasillas, Sandra Sanchez, and Irma L. Alvarez.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

10. Contract with Merced County Association of Governments (MCAG) for Bradbury Road - Measure V Regional Project Funding Agreement in the amount of \$950,000; and approve related budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2019101 AS RECOMMENDED AYES: ALL

11. Contract with Merced County Association of Governments (MCAG) for Sandy Mush Road - Measure V Regional Project Funding Agreement in the amount of \$2,465,420; and approve related budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2019102 AS RECOMMENDED AYES: ALL

12. Roadway Maintenance Agreement with the City of Gustine for maintenance of Mills Road North of the Southeast Gustine Reorganization annexation boundary extending to Sullivan Road and the East portion of Noble Road extending to Hunt Road after review by County Counsel.

AUTHORIZED CONTRACT NO. 2019103 AS RECOMMENDED AYES: ALL

HEALTH

13. 1) Approve submission and authorize Chairman to sign the Application Certification of the Solid Waste Local Enforcement Agency grant application for FY 2019-2020 to support local solid waste enforcement programs; 2) Authorize the Public Health Director or designee to submit the online grant application and any administrative requests necessary to secure the grant funds and implementation of the project when approved; 3) Adopt the Resolution authorizing submission of grant application to the California Department of Resources Recycling and Recovery (CalRecycle); and 4) Return to the Board for contract approval if awarded.

ADOPTED RESOLUTION NO. 2019-26 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

14. Contract with Alliance for Community Transformations, Inc. to provide the services of a Family Violence Advocate to victims of domestic violence and sexual assault.

AUTHORIZED CONTRACT NO. 2019104 AS RECOMMENDED AYES: ALL

15. Memorandum of Understanding with Madera County Department of Social Services to resolve conflict of interest issues during federal case reviews.

AUTHORIZED CONTRACT NO. 2019105 AS RECOMMENDED AYES: ALL

16. Contract with Merced Union High School District for adult education services.

AUTHORIZED CONTRACT NO. 2019106 AS RECOMMENDED AYES: ALL

17. PULLED

18. Contract with University of California, Davis for child welfare services staff training and development.

AUTHORIZED CONTRACT NO. 2019107 AS RECOMMENDED AYES: ALL

19. Contract with University of California, Davis for Human Services Agency staff training and development.

AUTHORIZED CONTRACT NO. 2019108 AS RECOMMENDED AYES: ALL

20. Interdepartmental Agreement with Merced County Library for literacy training services.

AUTHORIZED CONTRACT NO. 2019109 AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 8

21. Contract with Merced County Office of Education through A Child Care and Education Services System (ACCESS) to provide stage one child care services.

AUTHORIZED CONTRACT NO. 2019110 AS RECOMMENDED AYES: ALL

22. Contract with Merced County Office of Education for the regional occupation program to provide vocational training services for Welfare-to-Work participants.

AUTHORIZED CONTRACT NO. 2019111 AS RECOMMENDED AYES: ALL

23. Contract with AssureCare for a mandated reporting system for Area Agency on Aging and multipurpose senior services programs.

PULLED – NO ACTION TAKEN

24. Approve the FY 2019-2020 Area Plan Update for the Merced County Area Agency on Aging; and authorize the Chairman to sign transmittal letter.

APPROVED AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

25. Interdepartmental Agreement with Department of Workforce Investment for mail courier services.

AUTHORIZED CONTRACT NO. 2019112 AS RECOMMENDED AYES: ALL

26. Contract with Discovery Practice Management for the provision of specialty mental health services to youth consumers.

AUTHORIZED CONTRACT NO. 2019113 AS RECOMMENDED AYES: ALL

27. 1) Authorize Behavioral Health and Recovery Services to submit grant application to California Department of Housing and Community Development for the No Place Like Home County acceptance of Noncompetitive Allocation Funds in the amount of \$631,401; 2) Authorize the Director of Behavioral Health and Recovery Services to sign the application for County acceptance of the Noncompetitive Allocation Funds for submission to the California Department of Housing and Community Development; 3) Adopt Resolution; and 4) Return to the Board upon receipt of award and for all other actions related to the execution of the grant agreement.

ADOPTED RESOLUTION NO. 2019-27 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

28. 1) Adopt Resolution authorizing application for and receipt of SB 2 Planning Grant Program funds; 2) Authorize the Director of Community and Economic Development to submit application to the SB 2 Planning Grant Program in the amount of \$310,000 for the development of an update to the Franklin-Beachwood Community Specific Plan; and 3) Direct staff to return to the Board for acceptance of the grant, if awarded.

ADOPTED RESOLUTION NO. 2019-28 AS RECOMMENDED AYES: ALL

29. 1) Ratify the Central Delta-Mendota Multi-Agency Groundwater Sustainability Agency (GSA) Steering Committee Chairperson's execution of the Local Project Sponsor Agreement on behalf of the GSA, which allowed for the GSA to accept state funding for the Proposition 1 Sustainable Groundwater Planning Grant in the amount of \$485,000 in the Delta-Mendota Subbasin; and 2) Approve and authorize the Central Delta-Mendota Multi-Agency GSA Steering Committee Chairperson to execute the Technical Support Services Agreement on behalf of the GSA, which will allow the GSA to accept state services for installing various monitoring wells within the Subbasin.

AUTHORIZED CONTRACT NOS. 2019114 (LOCAL PROJ. SPONSOR) & 2019115 (TECHNICAL SUPPORT SERV.) AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

30. 1) Authorize Administrative Services, in conjunction with Workforce Investment, to prepare and release an RFP for career service providers, to select the most responsive provider for such services, and negotiate an agreement with the awarded provider; and 2) Return to the Board with the prepared agreement, upon review by County Counsel and Risk Management, for final approval and signature.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOES: 1

REVIEW BOARD ORDER – SEE PAGES 8 AND 9

ADMINISTRATIVE SERVICES

31. Contract with Mission Linen Supply for floor mat rental services.

AUTHORIZED CONTRACT NO. 2019116 AS RECOMMENDED AYES: ALL

PROBATION

32. Interdepartmental Agreement with Merced County Sheriff's Office to provide meals and laundry services to the Iris Garrett Juvenile Justice Correctional Complex.

AUTHORIZED CONTRACT NO. 2019117 AS RECOMMENDED AYES: ALL

33. Contract with California Forward to provide a comprehensive jail utilization review study; and approve related budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2019118 AS RECOMMENDED AYES: ALL

FIRE

34. 1) Appoint David Scheurich as the Merced County Office of Emergency Services Battalion Chief and the Merced County Office of Emergency Services Deputy Director - Administration pursuant to County Ordinance No. 1567; and 2) Adopt the Resolution to designate David Scheurich as the Merced County Office of Emergency Services Deputy Director - Administration.

ADOPTED RESOLUTION NO. 2019-29 AS RECOMMENDED AYES: ALL

SPRING FAIR

35. 1) Approve a cash flow loan to Spring Fair from the General Fund of up to \$800,000 bearing an interest rate equal to the rate earned by the Merced County Treasury, with loan

repayments made as payments are received from buyers, prior to October 31, 2019; 2) Authorize the Auditor-Controller to utilize \$8,000 of the loan proceeds to increase Spring Fair's change fund for operation of the 2019 Fair. Spring Fair will return the \$8,000 at the close of the fair; and 3) Approve related budget transfer. (4/5 Vote Required)

APPROVED AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

36. Contract with Hyas Group, LLC for financial consulting for the Deferred Compensation Program and approve related budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2019119 AS RECOMMENDED AYES: ALL

37. 1) Contract with Merced County Rescue Mission for bridge housing services; 2) Authorize County Executive Officer to hold implementation of agreement between Merced County and Merced County Rescue Mission until such time as Merced County Rescue Mission and Dignity Health finalize negotiations for balance of funding; and 3) Approve related budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2019120 AS RECOMMENDED AYES: ALL

38. 1) Certify that the appointment of this employee is necessary before 180 days has passed; 2) Approve the appointment of Ron Brandt to return to work for a period of time determined by the County Executive Officer beginning April 17, 2019; and 3) Adopt Resolution.

ADOPTED RESOLUTION NO. 2019-30 AS RECOMMENDED AYES: ALL

39. Contract with State of California Complete Count Census 2020 Office to provide outreach and engagement activities in support of the 2020 Census and approve related budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2019121 AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

40. Community and Economic Development re: Emergency Public Works project to repair Castle Commerce Center fence line along Santa Fe Drive pursuant to California Public Contract Code Section 22050.
41. Fish and Game Commission re: proposed regulatory actions relative to "Mammal Hunting Regulations" in section 362, 364, 364.1 and 708.6, identified in Title 14, California Code of Regulations, which appeared in the California Regulatory Notice Register on January 11, 2019, may be continued to the Commission's teleconference meeting on May 16, 2019.

THE BOARD ADJOURNED THE MEETING AT 11:19 A.M. UNTIL TUESDAY, MAY 7, 2019, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – APRIL 16, 2019

10:00 A.M. SCHEDULED ITEM

2019-04-16 PUBLIC OPPORTUNITY

Martha Armas-Kelly, interpreter with Healthy House introduces herself and speaks about Merced County Worknet and the rapport they have created in our community. She further states she has used their services throughout the years and they have a great program and provide great services to our community.

Present: Pareira, Espinoza, Lor, McDaniel, Silveira

10:00 A.M. SCHEDULED ITEM

2019-04-16 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING

The time and date previously scheduled to consider Amendment of the Agricultural Preserve as per the California Land Conservation Act of 1965 (Williamson Act) in Merced County.

Director of Community and Economic Development, Mark Hendrickson 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 Silveira, seconded by Supervisor McDaniel, duly carried, the Board finds the removal and addition of the land in the Agricultural Preserve are exempt from CEQA under Section 15183, Projects Consistent with a Community Plan or Zoning based on the findings listed in the Board Agenda Item. Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, duly carried, the Board adopts Resolution No. 2019-31 to amend the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

ACTION ITEM NO. 20

2019-04-16 HUMAN SERVICES AGENCY

The Clerk announces an Interdepartmental Agreement with Merced County Library for literacy training services is before the Board for consideration.

County Executive Officer Jim Brown states there is a typographical error on page 2 of the Board Agenda Item and clarifies that the actual expenditures line of \$67,717.21 should be as of December 2018 not December 2019 as listed.

Upon motion of Supervisor Lor, seconded by Supervisor Espinoza, duly carried, the Board approves Contract No. 2019109 with the Merced County Library for literacy training services.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

ACTION ITEM NO. 30

2019-04-16 WORKFORCE INVESTMENT

The Clerk announces authorizing Administrative Services, in conjunction with Workforce Investment, to prepare and release an RFP for career service providers, to select the most

responsive provider for such services, and negotiate an agreement with the awarded provider is before the Board for consideration.

Supervisor McDaniel states he asked for some clarity on this item and that he sits on the Workforce Development Board and was not able to vote on this item at their meeting and requests more information on the letter issued by the State and questions how much control the Board has over this.

David Mirrione, Director of Workforce Investment states that he did hear back from the State but at this time the State is still reviewing whether to blanket extend those who want the extension of the waiver.

The Board has lengthy discussion on this item.

The Chairman asks if there is anyone in the audience wishing to speak on this item the following speak.

The following speak stating concerns with the item:

Mary McWaters with AFSCME Local 2703; Savina Buendia, employee with Workforce Investment; Cheryl Lewis, employee with Workforce Investment; Jeib Thianpimmai, employee with Workforce Investment; Jamie Gutierrez, employee with Workforce Investment; Sugar Ray Bridges, employee with Workforce Investment; Liisi Warren, employee with Workforce Investment;

The following speak stating their support with the item:

Steve Newvine, member of Workforce Development Board; Nick Loret De Mola, Deputy Director of Workforce Investment reads a statement on behalf of Mike Altomare, Chairman of Workforce Development Board; and Tim O'Neil, member of Workforce Development Board.

The Chairman closes the Public Comment period.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, duly carried, the Board approves authorizing Administrative Services, in conjunction with Workforce Investment, to prepare and release an RFP for career service providers, to select the most responsive provider for such services, and negotiate an agreement with the awarded provider.

Ayes: Pareira, Lor, McDaniel, Silveira

Noes: Espinoza