



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 - FINAL

TUESDAY, OCTOBER 1, 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 Board's 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. Carlos Lopez v. County of Merced, Workers Compensation Appeals Board Case Nos. ADJ10282916, ADJ8872142 and ADJ9537303.

THE BOARD RECESSED AT 9:04 A.M. WITH SUPERVISOR PAREIRA NOT PRESENT 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 led by Pastor Cesar Johnson/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 11

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 17)

SCHEDULED ITEMS:

COUNTY EXECUTIVE OFFICE - SECOND READING

Conduct a Second Reading and consider adoption of an ordinance entitled "An Ordinance Repealing and Replacing Chapter 5.12, Title 5, of the Merced County Relating to County Purchasing and Purchasing Agent Authority"

RECOMMENDATION:

1) Conduct a Second Reading of the proposed ordinance entitled "An Ordinance Repealing and Replacing Chapter 5.12, Title 5, of the Merced County Code Relating to County Purchasing and Purchasing Agent Authority"; 2) Waive further reading of the proposed ordinance; and 3) Adopt the ordinance.

REVIEW BOARD ORDER – SEE PAGE 11

COUNTY EXECUTIVE OFFICE - SECOND READING

Conduct a Second Reading and consider adoption of an ordinance entitled "An Ordinance adding Chapter 5.14 to the Merced County Code relating to the adoption of an alternative leasing procedure for County-owned real property and designating authority to county officials for various real property transactions"

RECOMMENDATION:

1) Conduct a Second Reading of a proposed ordinance entitled "An Ordinance adding Chapter 5.14 to the Merced County Code relating to the adoption of an alternative leasing procedure for County-owned real property and designating authority to county officials for various real property transactions" 2) Waive further reading of proposed ordinance; 3) Adopt the Ordinance.

REVIEW BOARD ORDER – SEE PAGE 11

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-17)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

- 1) Approve and authorize the Chairman to sign Amendment Contract No. 2012125 with Hilmar Aquatics Club to change the name of the responsible entity for the operation and maintenance of the Hilmar Community Pool in Hilmar from the Hilmar Swim Club to the Hilmar Aquatics Club; and 2) Amend section 10.6 of the original agreement to reflect current insurance standards per County Risk Management.

Health

- 1) Set a First Reading at 10:00 a.m. on October 22, 2019, to consider amending an ordinance entitled To Establish Ambulance Service Exclusive Operating Areas to Include Provisions for Ambulance Service Licensing and Operations, and Convalescent Transport, Ordinance No. 1925 to codify this as Title 9, General Health and Safety, Chapter 9.44; and 2) Set a Second Reading and possible adoption of the proposed Ordinance on November 5, 2019 at 10:00 a.m.
- Approve and authorize the Chairman to sign Amendment Contract No. 2016226 with Air Methods, Inc. for rotor-wing ambulance services in accordance with the approved fee schedule established pursuant to Merced County Ordinance Code, Title 9, General Health and Safety, Chapter 9.49020, Clinical Fees.

Behavioral Health

- Approve and authorize the Chairman to sign Amendment Contract No. 2017185 with Merced Drug for the provision of pharmacy services to clients and bulk pharmaceuticals to Marie Green Psychiatric Center.

5. Proclaim the week of October 23-31, 2019, as Red Ribbon Celebration Week in Merced County; and 2) Authorize and encourage all County departments and employees to wear red ribbons and to display red ribbons on County buildings and vehicles during that week.

Administrative Services

6. Approve and authorize the Chairman to sign Amendment Contract No. 2010124 with Tyler Technologies for services in support of the implementation of Tyler Technologies' Warrant System.

Workforce Investment

7. Approve and authorize the Chairman to sign Amendment Contract No. 2018198 with Economic Modeling, LLC (EMSI) for ten (10) users to prepare industry sector reports.

Probation

8. Approve and authorize the Chairman to sign Amendment Contract No. 2017213 with Dr. Edward Flores, Ph. D. to comply with the Board of State and Community Corrections new special terms and conditions.

Sheriff

9. Approve Budget Transfer in the amount of \$8,000 to purchase a new AC unit for the Castle Office of the Sheriff Airwing.

Executive Office

10. Act on Claims for Damages submitted by Margarita Marie Velasquez, Lea McDermott, Holly Tucker, Ricardo Perez, Ricardo Zermeno and Rene Snider, Lyza Lynn Martinez, Drea Lee Martinez, Denise Sawyer, Douglas Snider and the Estate of Rene Snider as recommended by Risk Management and County Counsel.
11. Set Public forum in accordance with Government Code Section 7283.1 (d) regarding local law enforcement agencies' interaction and communication with the United States Immigration and Customs Enforcement in 2018 for November 19, 2019 at 1:30 p.m. in the Board Chambers at 2222 M Street Merced, California 95340.

Community and Economic Development

12. Set a Public Hearing for October 22, 2019 at 10:00 a.m. to consider adoption of the Revised Draft Zoning Ordinance which replaces Title 18 (Zoning) The purpose of the amendment is: 1) To implement the 2030 Merced County General Plan's goals and policies; 2) To make the zone code user friendly by way of logical organization, clear language, and easy to understand tables and graphics; 3) To fix longstanding issues identified by staff; 4) To address policy issues recommended by the Board of Supervisors; and, 5) To bring the code into conformance with State and Federal Laws. The provisions of this text amendment would be effective in all unincorporated areas of the County of Merced.

Board Recognition

13. Authorize Proclamation in Recognition of Domestic Violence Awareness for the month of October 2019 in Merced County.

Supervisor Espinoza presents Proclamation to Lideres Campesinas and Supervisor Lor presents Proclamation to Valley Crisis Center

14. Authorize Certificates of Recognition to Westside Community Healthcare District-Paramedics, Westside Community Healthcare District-Emergency Medical Technicians, Gustine Fire Department and Gustine Police Department for the 2019 Candlelight Memorial Walk Remembering the Victims and the Heroes of 9-11 "We Will Never Forget".
15. Authorize Proclamation in Recognition of Constitution Week in Merced County.
16. Authorize Certificate of Recognition to Merced County Office of Education Family Resource Council in Celebration of 25th Anniversary.
17. Authorize Certificate of Recognition to David Santos Farming for being honored as the Agriculture Business of the Year for 2019 by the Los Banos Downtown Association.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

18. Adopt Resolution establishing a crosswalk across Ballico Avenue at Gregg Street in the Ballico area.

ADOPTED RESOLUTION NO. 2019-91 AS RECOMMENDED AYES: ALL

19. 1) Adopt the Resolution establishing a 45 MPH speed zone on Farmland Avenue from 900 feet east of G Street (Merced City Limits) to Golf Road; and 2) Direct the Department of Public Works to install and maintain speed limit signs to provide notice to motorists of the reduced speed limit.

ADOPTED RESOLUTION NO. 2019-92 AS RECOMMENDED AYES: ALL

20. 1) Consider the proposed Mitigated Negative Declaration for the County of Merced Streams Group Flood Control Channel Maintenance program 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 2) Adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for the County of Merced Flood Control Channel Maintenance Program, a program for routine maintenance of County Flood Control Channels which includes approximately 139 miles of flood control channels in eastern Merced County and Los Banos Creek in western Merced County.

APPROVED AS RECOMMENDED AYES: ALL

21. 1) Consider the proposed Mitigated Negative Declaration for the County of Merced Bridge Maintenance Program 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, 2) Adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for the County of Merced Bridge Maintenance Program, a program for routine maintenance and repair of the 396 road bridge/culverts in the County.

APPROVED AS RECOMMENDED AYES: ALL

22. Contract with Santos Excavating, Inc. for waste water pond cleaning at the County's correctional facilities on Sandy Mush Road in the Merced area.

AUTHORIZED CONTRACT NO. 2019296 AS RECOMMENDED AYES: ALL

23. 1) Approve the Agreement for Purchase of Real Property between Merced County and Dole Packaged Foods, LLC, a California Limited Liability Company, for acquisition of property located on Los Cerritos Road (APNs 038-050-024 & 038-050-025) for the Los Cerritos Road Over Dry Creek Bridge Project at a cost of \$12,100; and 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; and, 3) Adopt Resolution accepting the Easement Deed from Dole Packaged Foods, LLC, a California Limited Liability Company, for acquisition of property for the Los Cerritos Road Over Dry Creek Bridge Project; and, 4) Approve payment to a title company for the accepted value of property plus escrow and any other transaction fees.

AUTHORIZED CONTRACT NO. 2019297 AND ADOPTED RESOLUTION NO. 2019-96 AS RECOMMENDED AYES: 2, 3, 4, 5 ABSTAIN: 1

REVIEW BOARD ORDER – SEE PAGE 11 AND 12

24. 1) Approve the agreement for Purchase of a Temporary Construction Easement between Merced County and Dry Creek Almond Ranch, LLC, a California Limited Liability Company, for a temporary construction easement located on Los Cerritos Road (APN: 038-050-074) for the Los Cerritos Road Over Dry Creek Bridge Project at a cost of \$500; and 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; and, 3) Approve payment to Dry Creek Almond Ranch LLC, a California Limited Liability Company for the accepted value of the Temporary Construction Easement.

AUTHORIZED CONTRACT NO. 2019298 AS RECOMMENDED AYES: ALL

25. 1) Approve a retainer agreement with Tanaka Design Group for landscape architecture services; 2) Authorize the Chairman to execute the agreement; and, 3) Authorize the Director of Public Works to execute Project Supplement Agreements in an amount not-to-exceed \$250,000.

AUTHORIZED CONTRACT NO. 2019299 AS RECOMMENDED AYES: ALL

AG. COMMISSIONER

26. Contract with United States Department of Agriculture - APHIS - Wildlife services for Annual Work Plan (Agreement Number: 19-73-06-0262-RA) for predatory animal control in Merced County.

AUTHORIZED CONTRACT NO. 2019300 AS RECOMMENDED AYES: ALL

HEALTH

27. Ratify the acceptance of the Fiscal Year 2019/2020 LabAspire Grant award totaling \$79,416 from the California Department of Public Health Emergency Preparedness for LabAspire fellowship training services; and authorize the Chairman to sign the "Acceptance of Award" form and related documents.

AUTHORIZED CONTRACT NO. 2019301 AS RECOMMENDED AYES: ALL

28. 1) Contract with the California Department of Public Health-Office of AIDS for HIV Surveillance Program (State Contract No. 19-10430); and 2) Authorize the Chairman to sign all copies of the contract and required documents; and 3) Adopt the Resolution authorizing the Chairman to sign the contract.

AUTHORIZED CONTRACT NO. 2019302 AND ADOPTED RESOLUTION NO. 2019-93 AS RECOMMENDED AYES: ALL

29. Contract with California Department of Resources Recycling and Recovery for the Solid Waste Local Enforcement Agency Grant (No. EA 30-19-0003) for Fiscal Year 2019/2020; and adopt the Resolution authorizing the Chairman to sign the Grant agreement and authorizing the Director of Public Health or Designee to sign all payment requests.

AUTHORIZED CONTRACT NO. 2019303 AND ADOPTED RESOLUTION NO. 2019-97 AS RECOMMENDED AYES: ALL

30. Ratify the (State Contract No. CHVP 19-24) with California Department of Public Health approving Merced County Department of Public Health's acceptance of Maternal, Infant and Early Childhood Home Visiting funding through the California Department of Public Health Maternal Child and Adolescent Health Division.

AUTHORIZED CONTRACT NO. 2019304 AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

31. Contract with Turner Residential, Inc. for residential care services to Behavioral Health and Recovery Services consumers.

AUTHORIZED CONTRACT NO. 2019305 AS RECOMMENDED AYES: ALL

32. Contract with JDT Consultants, Inc. for specialty mental health services for youth clients placed out-of-county.

AUTHORIZED CONTRACT NO. 2019306 AS RECOMMENDED AYES: ALL

33. Contract with Charis Youth Center for the provision of specialty mental health services to youth clients placed out-of-county.

AUTHORIZED CONTRACT NO. 2019307 AS RECOMMENDED AYES: ALL

34. Contract with Helios Healthcare, LLC for services of a Skilled Nursing Facility.

AUTHORIZED CONTRACT NO. 2019308 AS RECOMMENDED AYES: ALL

35. Retroactively authorize the Behavioral Health and Recovery Services Director, to sign and submit the sponsorship request in the amount of \$1,500 to The California Endowment for Youth to Youth Conference.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

36. 1) Authorize the Human Services Agency to accept donations for Fiscal Year 2019/2020 to be earmarked for underserved and at risk youth and no other use; and 2) Authorize the Human Services Agency to engage in fundraising activities on behalf of foster and at risk youth.

APPROVED AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

37. Contract with Regents of the University of California to provide business assistance services and to administer the Business Revolving Loan Fund through its Small Business Development Center (SBDC).

AUTHORIZED CONTRACT NO. 2019309 AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 12

38. 1) Authorize the Director of Community and Economic Development to submit an application to the Sustainable Transportation Planning Grant Program for the development of a multi-modal transportation interconnectivity plan; and 2) Direct Staff to return to the Board for acceptance of the grant, if awarded.

APPROVED AS RECOMMENDED AYES: ALL

ADMINISTRATIVE SERVICES

39. 1) Approve and authorize the Chairman to sign the Master Agreement with AT&T that establishes the general terms and conditions that will apply to the County's purchase of communications services from AT&T through individual service orders; 2) Approve and authorize the Chairman to sign the Network Integration Services Agreement to provide the additional equipment and services required for the County's integrated voice and data network; and, 3) Authorize the Director of Administrative Services to negotiate and sign a final Master Agreement and Network Integration Services Agreement and related change orders.

PULLED – NO ACTION TAKEN

40. Contract with Innovative Private Security for security guard services; and authorize the Director of Administrative Services to sign contract amendments that update the scope of work.

AUTHORIZED CONTRACT NO. 2019310 AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

41. Accept the Prison to Employment Initiative Direct and Support Services Grant in the amount of \$125,125 to provide employment-related services to 5 formerly incarcerated and justice-involved individuals in Merced County.

AUTHORIZED CONTRACT NO. 2019311 AS RECOMMENDED AYES: ALL

DISTRICT ATTORNEY

42. Approve and authorize the District Attorney or her designee to electronically submit the Equitable Sharing Agreement and Certification for the Federal Forfeiture Program for Fiscal Year 2018/2019, and authorize the Chairman to sign the agreement and certification.

AUTHORIZED CONTRACT NO. 2019312 AS RECOMMENDED AYES: ALL

43. Adopt the Resolution authorizing the District Attorney's participation in the California Department of Insurance Automobile Insurance Fraud Program, authorizing the District Attorney to submit the grant application and authorizing the District Attorney to execute the Grant Award Agreement to receive grant funds in the requested amount of \$147,824 for Fiscal Year 2019/2020.

AUTHORIZED CONTRACT NO. 2019313 AND ADOPTED RESOLUTION NO. 2019-94 AS RECOMMENDED AYES: ALL

ELECTIONS

44. Contract with Democracy Live, Inc. for OMNIBALLOT RAVBM Voting System.

AUTHORIZED CONTRACT NO. 2019314 AS RECOMMENDED AYES: ALL

PROBATION

45. Contract with B.I. Incorporated dba BI Correctional Services, Inc. to provide a jail re-entry program inside the John Latorraca Correctional Facility.

AUTHORIZED CONTRACT NO. 2019315 AS RECOMMENDED AYES: ALL

46. 1) Approve and authorize the Chairman to retroactively approve the acceptance of the Board of State and Community Corrections Mental Health Training Grant to offset new training costs for mental health related courses for a total of \$35,100 and authorize the Chief of Probation Officer to sign the grant award agreement; and 2) Approve related Budget Transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2019316 AS RECOMMENDED AYES: ALL

SHERIFF

47. Authorize the Sheriff to sign a contract with the State of California to accept the Board of State and Community Corrections (BSCC) funding in the amount of \$27,000 to provide mental health training to corrections personnel; and approve Budget Transfer increasing appropriations by \$27,000 in the Sheriff's Budget Unit 23000 for Fiscal Year 2019/2020 budget.

AUTHORIZED CONTRACT NO. 2019317 AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

48. Ratify the Memorandum of Understanding with Merced County Law Enforcement Sergeants (MCLES) representing Bargaining Unit 30.

AUTHORIZED CONTRACT NO. 2019318 AS RECOMMENDED AYES: ALL

49. Ratify the Memorandums of Understanding with American Federation of State, County, and Municipal Employees (AFSCME) representing Bargaining Units 4,5,6,8.

AUTHORIZED CONTRACT NO. 2019319 AS RECOMMENDED AYES: ALL

50. 1) Approve the change of one Employment & Training Worker I/II position, classification 4452/4453, salary range 64.8/66.8 in Budget Unit 50050 to Employment & Training Worker III, classification 4454, salary range 68.8; 2) Approve the modifications to the following existing job classification specifications; Social Worker I/II/III; 3) Approve amendments to the Position Allocation Resolution 06-120/A.

ADOPTED RESOLUTION NO. 2019-95 AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

51. Authorize the Chairman to sign the Civil Grand Jury letter of response pertaining to matters under the control of the Board as noted in the Fiscal Year 2018/2019 Civil Grand Jury Report.

APPROVED AS RECOMMENDED AYES: ALL

52. Provide staff direction regarding a contribution of approximately \$1,500 in Sheriff security services towards the First Annual Merced County Nut Festival at the Merced County Fairgrounds on October 26, 2019.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 12 AND 13

BOARD APPOINTMENTS

53. Amend the Appointment of Brian Pena to serve as a member of the Behavioral Health Board, representing District One and not District Two filling an unexpired term until June 30, 2021.

APPROVED AS RECOMMENDED AYES: ALL

54. Reappoint Amelia Johnson to serve as a member of the Library Advisory Commission, representing District Two, until August 31, 2022 and reappoint Mary Guidone to serve as a member of the Library Advisory Commission, representing District Two, until August 31, 2023.

APPROVED AS RECOMMENDED AYES: ALL

55. Appoint Susan Ochoa to serve as a member of the Winton Municipal Advisory Council until March 31, 2021.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

56. Community and Economic Development re: Delta-Mendota Subbasin Proposition 1 Sustainable Groundwater Management Grant Program reimbursement to Merced County.
57. Sheriff-Coroner re: Annual reporting requirement on Inmate Welfare Trust Fund for Fiscal Year 2018-2019 in accordance with Penal Code Section 4025(e).
58. Elections re: To inform the Board of the upcoming Presidential Primary Election to be held on Tuesday, March 3, 2020; and the department will return to the Board for adoption of a resolution consolidating local elections with Presidential Primary 2020 Election and directing the Registrar of Voters to provide election services.
59. Fire re: Notification to the Board of Supervisors and residents of Merced County that October 6 through October 12, 2019 is National Fire Prevention Week in the United States.
60. Law Library re: Submission of 2018-2019 Annual Report pursuant to Business and Professions Code 6349.
61. State Board of Equalization re: Annual Meeting of the State Board of Equalization and County Assessors on October 23, 2019.
62. Merced County Mosquito Abatement District re: General Manager's Report for August 20 through September 17, 2019.

THE BOARD RECESSED TO MEET AS AN IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND RECONVENED TO MEET AS A BOARD OF SUPERVISORS

THE BOARD ADJOURNED THE MEETING AT 11:02 A.M. UNTIL TUESDAY, OCTOBER 22, 2019, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – OCTOBER 1, 2019

10:00 A.M. SCHEDULED ITEM **2019-10-01 PUBLIC OPPORTUNITY**

Fernando Aguilera, Merced resident shares about their event that took place on September 15th in downtown Merced and thanks Supervisor Espinoza and Mayor Murphy for attending.

Dave Lockridge, ACE Overcomers Executive Director thanks the Board and Chief Kettering for their support. He states that ACE Overcomers works with people who suffer abuse, neglect and household dysfunction.

10:00 A.M. SCHEDULED ITEM **2019-10-01 COUNTY EXECUTIVE OFFICE – SECOND READING – PROPOSED ORDINANCE**

The time and date previously scheduled to conduct a second reading and consider adoption of an ordinance entitled “An Ordinance Repealing and Replacing Chapter 5.12, Title 5, of the Merced County Code relating to County Purchasing and Purchasing Agent Authority”.

Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, duly carried, the Board waives further reading of the proposed ordinance.

Upon motion of Supervisor Lor, seconded by Supervisor Espinoza, duly carried, the Board adopts Ordinance No.1974 Repealing and Replacing Chapter 5.12, Title 5, of the Merced County Code relating to County Purchasing and Purchasing Agent Authority.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

10:00 A.M. SCHEDULED ITEM **2019-10-01 COUNTY EXECUTIVE OFFICE – SECOND READING – PROPOSED ORDINANCE**

The time and date previously scheduled to conduct a second reading and consider adoption of an ordinance entitled “An Ordinance adding Chapter 5.14 to the Merced County Code relating to the adoption of an alternative leasing procedure for County-owned real property and designating authority to County officials for various real property transactions”.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, duly carried, the Board waives further reading of the proposed ordinance.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, duly carried, the Board adopts Ordinance No. 1975 adding Chapter 5.14 to the Merced County Code relating to the adoption of an alternative leasing procedure for County-owned real property and designating authority to County officials for various real property transactions.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

ACTION ITEM NO. 23 **2019-10-01 PUBLIC WORKS**

The Clerk announces agreement for purchase of real property between Merced County and Dole Packaged Foods, LLC, a California Limited Liability Company, for acquisition of property located on Los Cerritos Road (APNs 038-050-024 & 038-050-025) for the Los Cerritos Road over Dry Creek Bridge Project at a cost of \$12,100; authorizing the Chairman to sign the agreement listing the terms and conditions of the acquisition; adopting the Resolution accepting the Easement Deed

from Dole Packaged Foods, LLC, a California Limited Liability Company, for acquisition of property for the Los Cerritos Road over Dry Creek Bridge Project; and approving payment to a title company for the accepted value of property plus escrow and any other transaction fees is before the Board for consideration.

Supervisor Espinoza states that he has a conflict because he sells peaches to Dole Packaged Foods, LLC and abstains from voting on the item.

Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, the Board approves Contract No. 2019297 for purchase of real property between Merced County and Dole Packaged Foods, LLC, a California Limited Liability Company, for acquisition of property located on Los Cerritos Road (APNs 038-050-024 & 038-050-025) for the Los Cerritos Road over Dry Creek Bridge Project at a cost of \$12,100; authorizes the Chairman to sign the agreement listing the terms and conditions of the acquisition; adopts Resolution No. 2019-96 accepting the Easement Deed from Dole Packaged Foods, LLC, a California Limited Liability Company, for acquisition of property for the Los Cerritos Road over Dry Creek Bridge Project; and approves payment to a title company for the accepted value of property plus escrow and any other transaction fees.

Ayes: Pareira, Lor, McDaniel, Silveira

Abstain: Espinoza

ACTION ITEM NO. 37

2019-10-01 COMMUNITY AND ECONOMIC DEVELOPMENT

The Clerk announces contract with The Regents of the University of California to provide business assistance services and to administer the Business Revolving Loan Fund through its Small Business Development Center (SBDC).

Curt Clark, Director of Small Business Development Center thanks the Board and states that this is the 6th year the Board has supported this contract. He gives the Board an update on the services they provide.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, duly carried, the Board approves Contract No. 2019309 with The Regents of the University of California to provide business assistance services and to administer the business Revolving Loan Fund through its Small Business Development Center.

Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira

ACTION ITEM NO. 52

2019-10-01 EXECUTIVE OFFICE

The Clerk announces item to provide staff direction regarding a contribution of approximately \$1,500 in Sheriff security services towards the First Annual Merced County Nut Festival at the Merced County Fairgrounds on October 26, 2019 is before the Board for consideration.

Necola Adams thanks staff for putting this item on the agenda.

Jim Brown, County Executive Officer clarifies the item and states that there is an advertising budget and there is money in the budget for it if the Board desires to move forward with the contribution.

Supervisor McDaniel states that we need to be supportive but also need to be tactful with this. He further states that this should be done through a budget transfer from the Sheriff's Office and that we need stronger policy direction for these types of events.

Supervisor Silveira states that he agrees with Supervisor McDaniel and that he likes the fact that we will be using Merced County Sheriff's Department for the event security.

Supervisor Pareira states that he often gets emails from community members regarding donations. He further states that this is a new festival and this is not our purpose.

Supervisor Lor states that this is a great event and has asked staff about past practices with these types of events. She questions how the County can help launch other events such as this one. She further states that when they give a lot of times, they give out of their own pockets, not as a Board and that she agrees with Supervisor Pareira.

Supervisor Espinoza states that he agrees with Supervisor Lor that we should not just support farming events but other events in the County as well.

Upon motion of Supervisor Espinoza, seconded by Supervisor Lor, duly carried the Board directs staff to contribute \$1,500 in Sheriff security services towards the First Annual Merced County Nut Festival at the Merced County Fairgrounds on October 26, 2019.
Ayes: Pareira, Espinoza, Lor, McDaniel, Silveira