



BOARD OF SUPERVISORS

Rodrigo Espinoza, *District 1*

Josh Pedrozo, *District 2*

Chairman Daron McDaniel, *District 3*

Lloyd Pareira, *District 4*

Scott Silveira, *District 5*

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

SUMMARY ACTION MINUTES - DRAFT

TUESDAY, MAY 18, 2021

Closed Session – 8:30 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.

Important Notice Regarding COVID-19

Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID 19 virus, the Board Chambers will have limited public seating during the Merced County Board of Supervisors meetings. The County will conduct business in compliance with social distancing requirements with seating for the public limited to 25. The County will also provide some overflow space on a first come first served basis.

The following alternatives are available to members of the public to watch these meetings:

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: <http://www.co.merced.ca.us/1581/Comcast-Ch-96-Broadcast>

Live stream of the Board of Supervisors meetings at <https://www.facebook.com/MercedCounty/> or <https://www.co.merced.ca.us/2206/Board-of-Supervisors-Meetings>.

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).

All comments for items on the agenda other than those scheduled as public hearings will be taken at the beginning of the Board Meeting during the public comment period. 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. Please raise your hand when requested and you will be directed to the podium. Please note that in order to maintain social distancing only one person may speak at a time, at the podium

PUBLIC COMMENT (Voicemail): You may also submit a general public comment for items not on the day's agenda or comment on an agenda item via voice message by calling 209-385-7319. All voicemails received prior to 9:00 am on the day of the meeting will be played during the meeting, as time allows. Voicemails will be limited to three minutes in length. Please submit one comment per voicemail and if commenting on an agenda item, please identify the agenda item number in your voicemail. If you wish to do so, please identify yourself in your voicemail. Phone numbers will not be made part of the record of the meeting.

PUBLIC COMMENT (Email): Email public comments will not be read during the meeting, but will be delivered to the Board of Supervisors prior to the meeting if received by 5:00pm on the Monday prior to the Board meeting. Please send email public comments to the Clerk of the Board at publiccomments@countyofmerced.com. These comments will be made part of the record.

In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Board of Supervisors Agenda) and item number (i.e. Item No. 10). If you wish to do so, please identify yourself in the email. Email

addresses will not be made part of the record of the meeting. Comments made on Facebook are not considered part of the official record and will not be shared with the Board.

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.

PUBLIC HEARINGS: (In Person)

Public opportunity to provide testimony is limited to three (3) minutes per person. Please raise your hand and you will be directed to the podium. Please note that in order to maintain social distancing only one person may speak at a time, at the podium.

PUBLIC HEARINGS: (Via Voicemail) Public comment for public hearings will be taken in person and by voicemail. Voicemails directed to the public hearing will be accepted up to and during the public hearing. The Board of Supervisors will take a brief pause during the public hearing for persons using voicemail. Please call 209-726-2755 to leave your voicemail.

In an effort to assist the Clerk in identifying the Public Hearing agenda item relating to your public comment please identify the subject matter in your voicemail. If you wish to do so, please identify yourself in your voicemail. Phone numbers will not be made part of the record of the meeting.

CLOSED SESSION: This 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.

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

REASONABLE ACCOMMODATIONS: Persons who require accommodation for any audio, visual or other disability or Spanish or Hmong interpretation 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

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 - 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) Dana Hertfelder, Director of Public Works pursuant to Government Code Section 54956.8 as follows:

Property: APN #373-010-045, (+/- 3 acres) Vacant parcel, located on Luis Avenue and Vera Cruz Drive, in the Santa Nella area.

Agency Negotiator: Dana Hertfelder, Director of Public Works

Negotiation Party: Hovanian K. Foremost Homes, Inc.

Under Negotiation: To request authority to negotiate proposed purchase

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION:

It is the intention of the Board to meet in Closed Session concerning Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4): One Case

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: Approximately 2 acres of property generally bordered by Spacecraft Drive, Spaceport Drive and Santa Fe Avenue at Castle Commerce Center.

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

Negotiation Parties: Patriot Rail & Ports

Under Negotiation: To request authority to negotiate proposed lease of facility and value

THE BOARD RECESSED AT 8:32 A.M. WITH SUPERVISOR ESPINOZA AND SUPERVISOR PAREIRA NOT PRESENT AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT, AND THE CHAIRMAN ADVISED DIRECTION TO INITIATE LITIGATION FOR ONE CASE HAS BEEN GIVEN TO COUNTY COUNSEL AND THE CEO (VOTE). THE DEFENDANTS, AND THE OTHER PARTICULARS SHALL BE DISCLOSED ONCE THE ACTION IS FORMALLY COMMENCED. IN ADDITION, STAFF WAS GIVEN DIRECTION REGARDING THE REAL PROPERTY NEGOTIATION ITEMS

GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA ITEMS)

10:00 A. M.

INVOCATION led by Pastor Bruce Logue, LifeSpring Church, Merced/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

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 12)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-12)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Approve and authorize the Chairman to sign the Amendment to Contract No. 2018127 with Pazin and Myers, Inc. to furnish and deliver vehicle fuels.
2. Approve and authorize the Chairman to sign the Amendment to Contract No. 2018128 with Southern Counties Oil Co., dba SC Fuels to furnish and deliver vehicle fuels.
3. 1) Adopt the Resolution for the Summary Vacation of Storm Drain Basin Easement on lots 38 and 39 of the Rockwood Estates, Major Subdivision MAS 00003, in the Winton area; and 2) Direct the Clerk of the Board of Supervisors to record the adopted Resolution.

ADOPTED RESOLUTION

4. Approve Budget Transfer in the amount of \$14,500 to increase appropriations for the Main Jail water heater project.
5. Approve Budget Transfer in the amount of \$182,000 to establish appropriation to install a perimeter fence around the Elections/Warehouse facility.

Health

6. Approve Budget Transfer in the amount of \$101 to cover freight charges not included in original quote for PortCount Tablet.

REVIEW BOARD ORDER

Human Services Agency

7. Approve Budget Transfer in the amount of \$1,500 to increase appropriations for the Health Insurance Counseling Advocacy Program based on increased revenue from the California Health Advocates Senior Medicare Patrol Grant. (4/5 Vote Required)

Fire

8. 1) Approve Budget Transfer in the amount of \$770,000 from the savings on the CAL FIRE Service Agreement to establish an asset account for the purpose of purchasing a Type 1 Fire Engine; 2) Approve "Payment in Full" upon placing current and future orders with Rosenbauer through their regional distributor for the purchase of Fire Apparatus, upon concurrence of the County Executive Office.

Probation

9. Approve Budget Transfer in the amount of \$28,000 for the purchase of a logging recorder for the radio at the Iris Garrett Juvenile Justice Correctional Complex.
10. Approve Budget Transfer in the amount of \$6,000 for the replacement of a copy machine at the Juvenile office.

Executive Office

11. Act on Claims for Damages submitted by Andrew Prillwitz and Liberty Mutual A/S/O Andrew Prillwitz as recommended by Risk Management and County Counsel.

Board Recognition

12. Proclamation in recognition of May, 2021 as Asian American and Native Hawaiian/Pacific Islander Heritage (AANHPI) Month in Merced County.

Supervisor Espinoza presented proclamation to Tsia Xiong, Director of API Leadership with Faith in the Valley

REGULAR CALENDAR

BOARD ACTION

AG COMMISSIONER

13. Retroactively approve contract with the California Department of Food and Agriculture (Agreement number 20-0976-000-SA) for Noxious Weed Management activities.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

14. Retroactively approve contract with California Department of Food and Agriculture (Agreement number 20-0709-006-SF) for an Asian Citrus Psyllid Survey program.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

15. Retroactively approve contract with California Department of Food and Agriculture (Agreement number 20-1036-012-SF) for European Grapevine Moth detection trapping activities.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

16. 1) Approve and authorize the Agricultural Commissioner/Sealer of Weights and Measures to approve, and execute on behalf of the County of Merced, specific revenue agreements for FY 2021-22 and FY 2022-23 subject to approval by County Counsel, Auditor-Controller, and Risk Management; and 2) Approve and authorize the Agricultural Commissioner/Sealer of Weights and Measures to approve, and execute on behalf of the County of Merced, amendments to these same revenue agreements which may increase or decrease each agreement maximum by an amount not to exceed the greater of 15% of the agreement maximum, or \$10,000, subject to approval by County Counsel, Auditor/Controller, and Risk Management.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER

BEHAVIORAL HEALTH AND RECOVERY SERVICES

17. Contract with Central Star Behavioral Health for Youth Psychiatric Health Facility Services.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

18. Accept the Department of Health Care Services, Projects for Assistance in Transition from Homelessness Grant for 2021-2022, in the amount of \$95,742.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

19. 1) Retroactively approve and authorize Behavioral Health and Recovery Services to submit Substance Abuse Prevention and Treatment Block Grant application documents for 2021-2022 to the State of California Department of Health Care Services for approval, for the proposed amount of \$1,413,947; 2) Authorize the Director of Behavioral Health and Recovery Services to sign all documents necessary for submittal of the grant; and 3) Return to the Board upon receipt of approval and award of the Substance Abuse Prevention and Treatment Block Grant by State of California Department of Health Care Services.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

20. Contract with Merced County Office of Education to provide support to clients and their children through CalWorks Home Visiting Initiative Program.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

21. Ratify submission and acceptance of revised award in the amount of \$1,351,000 related to the Housing for the Harvest Director Certification and funding terms and conditions submitted to the California State Department of Social Services by the Human Services Agency Director for the Housing for the Harvest Support Services Program.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

22. Contract with Aspiranet to provide housing and supportive services to young adults transitioning out of Foster Care.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

23. Contract with Merced County Office of Education to provide Stage One Child Care Services through A Child Care and Education Services System (ACCESS).

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

24. Contract with Aspiranet to provide SB 163 Wraparound services that facilitate the safe return of children/youth in high level out-of-home placements to their homes or less restrictive placements within their community.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

25. 1) Adopt the Resolution authorizing an agreement with AMS.NET, Inc. to provide telecommunications technology procurement solutions through the County's Fast Open Contracts Utilization Services (FOCUS) Program to other public agencies; 2) Approve and authorize the Chairman to sign the agreement with AMS.NET, Inc. allowing AMS.NET, Inc. to participate in the County's FOCUS Program, subject to the payment of the County's administrative fee, providing telecommunications technology procurement solutions to public agencies; and 3) Authorize the Chairman to sign the AMS.NET contract award announcement letter.

ADOPTED RESOLUTION AND AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

26. 1) Approve the Merced County Local Workforce Plan for 2021-2024; and 2) Authorize the Chair to sign all copies of the Merced County Local Workforce Plan for 2021-2024.

APPROVED AS RECOMMENDED AYES: ALL

27. Memorandum of Understanding (MOU) with Merced Community College District (MCCD) to establish roles and responsibilities to provide career and job placement services to MCCD students.

AUTHORIZED CONTRACT AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

28. Nominate Jim Cunningham to serve an additional two (2) year term on the Measure V Citizens Oversight Committee, with the final appointment to be made by the Merced County Association of Governments Governing Board.

APPROVED AS RECOMMENDED AYES: ALL

LIBRARY

29. Approve Budget Transfer in the amount of \$54,000 to increase appropriation for the purchase of a new Book Mobile.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER

**THE BOARD ADOPTED RESOLUTION IN MEMORY OF MARY HOFMANN AND
ADJOURNED THE MEETING AT 11:00 A.M. UNTIL TUESDAY, JUNE 8, 2021, AT 10:00
A.M.**