



BOARD OF SUPERVISORS

Rodrigo Espinosa, *District 1*

Josh Pedrozo, *District 2*

Daron McDaniel, *District 3*

Chairman Lloyd Pareira, Jr., *District 4*

Vice Chairman Scott Silveira, *District 5*

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

SUMMARY ACTION MINUTES - FINAL

TUESDAY, SEPTEMBER 13, 2022

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.

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: <https://www.countyofmerced.com/1581/Comcast-Ch-96-Broadcast>

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

PUBLIC COMMENT

Time allotted to each speaker is determined by the Board Chair. At his/her discretion, the Chair may modify public opportunity to speak by reducing individual speaking time limits and/or expanding the allocated total time limit(s) set forth below.

At the designated times, please raise your hand and you will be directed to the podium.

CLOSED SESSION ITEMS

Public opportunity to speak on any matter to be considered in Closed Session will be taken prior to the Board adjourning into the Closed Session. In order that interested individuals have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes.

NON-AGENDA ITEMS

Public opportunity to speak on any matter of public interest within the Board's jurisdiction will be taken at the beginning of the Board Meeting. In order that interested individuals have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes. The Non-Agenda Item Public Comment period will be limited to twenty (20) minutes total. The Board may not take action on any item that does not appear on the posted agenda.

AGENDA ITEMS

Public opportunity to speak on items on the Board's Agenda will be heard following announcement of each section or subsection of the Agenda. In order that interested individuals have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes per section or subsection of the Agenda. Please note, the Consent Calendar is considered one section.

PUBLIC HEARINGS

Public opportunity to speak regarding public hearings will be heard following the reading, and if applicable, presentation of the public hearing. In order that interested individuals have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes.

GENERAL PUBLIC COMMENT INFORMATION

Speakers may not yield their time to another person.

Comments made on social media are not considered part of the official record and will not be shared with the Board.

The Public may provide email or telephonic comments to the Board of Supervisors at any time, however, these comments will not be made part of the official record.

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 **REGULAR MEETING** is divided into three sections:

- **CONSENT CALENDAR:** These matters include routine financial and administrative action and usually are approved by a single vote.
- **REGULAR CALENDAR:** These items include significant policy and administrative actions and are divided into subsections by Department
- **SCHEDULED ITEMS:** These items are noticed hearings, work sessions and public hearings

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 by 4:00 PM the Friday 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.

8:30 A.M. CLOSED SESSION

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 (TESTIMONY LIMITED TO THREE MINUTES PER PERSON)

CLOSED SESSION:

It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957.6 concerning a Conference with County of Merced Staff Negotiators concerning negotiations with: Teamsters (Corrections), Unit 2; Merced County Deputy Sheriff Association (DSA), Unit 10; Teamsters (Non-Safety Corrections), Unit 12; and Merced County Public Safety Services Unit (MCPSSU), Unit 14. Agency Negotiator: Marci Barrera

CLOSED SESSION:

It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957: Public Employee Semi-Annual Performance Evaluation Title: County Executive Officer

THE BOARD RECESSED AT 8:31 A.M. 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. – REGULAR MEETING**

INVOCATION by Stacy Cooley/PLEDGE OF ALLEGIANCE

PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION EXCLUDING ITEMS ON THE BOARD'S AGENDA (TESTIMONY LIMITED TO THREE MINUTES PER PERSON AND TWENTY MINUTES TOTAL).

SEE PAGE 10

PRESENTATION:

BEHAVIORAL HEALTH ADVISORY BOARD ANNUAL REPORT

SALLY RAGONUT, BEHAVIORAL HEALTH ADVISORY BOARD SECRETARY AND BRUCE METCALF, BEHAVIORAL HEALTH ADVISORY BOARD CHAIRMAN REVIEWED THE POWER POINT PRESENTATION AND SUPERVISOR SILVEIRA PROVIDED COMMENTS.

CONSENT CALENDAR (Items # 1-12)**APPROVED AS RECOMMENDED AYES: ALL**Public Works

1. Find that substantial evidence demonstrates that an emergency continues to exist regarding the roof beams at the Los Banos Spring Fair Germino Building, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the roof beams is necessary to respond to the emergency. (4/5 Vote Required)
2. Find that substantial evidence demonstrates that an emergency continues to exist regarding the Uninterrupted Power Supply (UPS) backup system at the Juvenile Justice Facility, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the UPS is necessary to respond to the emergency. (4/5 Vote Required)
3. Find that substantial evidence demonstrates that an emergency continues to exist regarding the crematory at the Merced County Animal Shelter located at 2150 Shuttle Dr., Atwater, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the crematory is necessary to respond to the emergency. (4/5 Vote Required)
4. Adopt a Resolution approving and authorizing the Board Chair to sign Amendment No. 2 to Contract No. 2011082, a Memorandum of Agreement with Stanislaus County, for the Preliminary Engineering Phase of the Hills Ferry / River Road Bridge Project, authorizing an increase to the local match contribution from \$94,972 to \$203,936.75.

ADOPTED RESOLUTION NO. 2022-87Health

5. Approve and authorize the Board Chair to sign the Revival of Contract No. 2011135 with Dignity Health dba: Mercy Medical Center for the continued use of the Helipad physically located at the Merced hospital campus located at 333 Mercy Avenue, Merced, as an emergency landing site for medical air support, modifying the term end date from June 30, 2022 to June 30, 2027.
6. Approve and authorize the Board Chair to sign Reinstatement to Contract No. 2021083 with Sierra Vista Child and Family Services, to continue to provide in-home case management services to pregnant and early post-partum women with known histories of substance abuse, extending the term end date from June 30, 2022 to June 30, 2024, and increasing the contract amount from \$390,800 to \$877,270.
7. Approve and authorize the Board Chair to sign Amended Grant Agreement Number 19-10343, A01 (County Contract No. 2019264) with California Department of Public Health for the CalFresh Healthy Living Program, modifying the term end date from September 30, 2022 to September 30, 2023 and increasing the grant amount from \$1,518,747 to \$2,024,996.
8. Approve and authorize the Board Chair to sign Amendment No. 01 to Contract No. 2019381 with Air Methods Corporation for Air Medical Transportation Services, modifying the term end date from September 30, 2022 to September 30, 2027.

Behavioral Health and Recovery Services

9. Approve and authorize the Board Chair to sign the Reinstatement of Contract No. 2021002 with Community Social Model Advocates, Inc. for sober living environment residential recovery services, extending the term end date from June 30, 2022 to June 30, 2023 and increasing the contract amount from \$204,392 to \$340,653.

Community and Economic Development

10. Approve and authorize the Board Chair to sign the Reinstatement of Contract No. 2020155 with the Merced Subbasin Groundwater Sustainability Agency (GSA) for the County's provision of staff support services to the GSA, extending the term from June 30, 2022 to June 30, 2023, and increasing the payment from the GSA to the County from \$135,000 to \$210,000.

Administrative Services

11. Approve the Budget Transfer in the amount of \$55,000 to replace the controller components of the system utilized by the Sheriff Office Dispatch Call Center to accept emergency 911 calls. (4/5 Vote Required)

Board Recognition

12. Ratify Certificates of Recognition to Melody Castillo, Billy Blake, Marisol Gaitan, Zachary Ramos, Greg Petersen, Juliana Lopez, and Jason Moe for being awarded the First 5 Hands on Heroes Award for 2022, presented August 31, 2022.

REGULAR CALENDAR**BOARD ACTION**PUBLIC WORKS

13. 1) Find that substantial evidence demonstrates that an emergency exists regarding the water heater at the John Latorraca Correctional Center dorms 401-406, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the water heater is necessary to respond to the emergency (4/5 Vote Required); and 2) Approve associated budget transfer.

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

14. 1) Approve the Mariposa and Merced Healthcare Partnership for Emergency Preparedness Mutual Aid Memorandum of Understanding for Healthcare Facilities; 2) Authorize Merced County Department Heads (electing to join) to sign on behalf of their department the participatory Attachment A within the Memorandum of Understanding; and 3) Authorize the Public Health Director, County Health Officer, or designee to sign all copies of the participatory Attachment A within the Memorandum of Understanding on behalf of the County of Merced.

AUTHORIZED CONTRACT NO. 2022185 AS RECOMMENDED AYES: ALL

15. Ratify submission of a grant application submitted by the Department of Public Health to the Department of Justice for participation in the Tobacco Grant Program, effective October 1, 2022 through September 30, 2025 in the amount of \$1,079,739.

APPROVED AS RECOMMENDED AYES: ALL

SUPERVISOR PEDROZO AND PUBLIC HEALTH DIRECTOR REBECCA NANYONJO-KEMP PROVIDED COMMENTS

16. Approve and authorize the Board Chair to sign the retroactive Grant Agreement No. 21-10567 with the California Department of Public Health, Sexually Transmitted Disease Control Branch, for the County to implement the Disease Intervention Specialist Workforce Development program, effective July 1, 2021 through December 31, 2025, for a total grant amount not to exceed \$684,070.

AUTHORIZED CONTRACT NO. 2022186 AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

17. 1) Ratify submission of a grant application submitted by the Director of Behavioral Health and Recovery Services to the Department of Health Care Services for the Behavioral Health Justice Intervention Services Project Grant, and accept funding; and 2) Approve and authorize the Board Chair to sign the retroactive Grant Agreement No. 21-10349 with Advocates for Human Potential, Incorporated, through the California Department of Health Care Services, for the Behavioral Health Justice Intervention Services Grant funding, effective February 15, 2022 through February 14, 2023, in the amount of \$700,000.

AUTHORIZED CONTRACT NO. 2022187 AS RECOMMENDED AYES: ALL

18. Approve and authorize Behavioral Health and Recovery Services to accept donations for the Annual Toy Drive, with monetary donations to be used for the Toy Drive and for no other purpose, and to conduct Toy Drives on behalf of underserved youth from September 15, 2022 until December 31, 2022.

APPROVED AS RECOMMENDED AYES: ALL

19. Approve the termination of Contract No. 2021256 with John M. Yarbrough, M.D., M.B.A., for psychiatric services, effective August 1, 2022.

APPROVED AS RECOMMENDED AYES: ALL

20. Adopt a Resolution to approve and authorize the Board Chair to sign a new, no cost Contract (State Standard Agreement No. 22-20115) with the California Department of Health Care Services for the Managed Care Mental Health Plan for Fiscal years 2022-2027, effective July 1, 2022 through June 30, 2027.

ADOPTED RESOLUTION NO. 2022-88 AND AUTHORIZED CONTRACT NO. 2022188 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

21. Approve and authorize the Board Chair to sign a no-cost Memorandum of Understanding with Livingston Community Health dba Livingston Medical Group for time and space for the Health

Insurance Counseling and Advocacy Program, effective upon final execution through June 30, 2024.

AUTHORIZED CONTRACT NO. 2022189 AS RECOMMENDED AYES: ALL

22. Adopt a Resolution approving and authorizing the Board Chair to sign the retroactive State Revenue Contract No. MI-2223-31 with the California Department of Aging (CDA), for the Medicare Improvement for Patient and Provider Act Program, effective September 1, 2022 through August 31, 2023, for a total contract amount not to exceed \$34,112.

ADOPTED RESOLUTION NO. 2022-89 AND AUTHORIZED CONTRACT NO. 2022190 AS RECOMMENDED AYES: ALL

23. Approve and authorize the Board Chair to sign a no-cost Memorandum of Understanding with the Merced County Community Action Board to provide referrals to Human Service Agency's All Dads Matter and All Moms Matter Boot Camps, provide recommendations for potential Boot Camp coaches, and coordinate the availability of space, effective September 13, 2022 through August 31, 2027.

AUTHORIZED CONTRACT NO. 2022191 AS RECOMMENDED AYES: ALL

24. Authorize the Human Services Agency to accept donations, and to engage in fundraising activities, on behalf of foster and at-risk youth, families, and seniors beginning on October 1, 2022 through June 30, 2023.

APPROVED AS RECOMMENDED AYES: ALL

LIBRARY

25. 1) Ratify submission of the grant application submitted by the County Librarian to California Library Literacy Services (CLLS) for participation in the CLLS AmeriCorps Initiative, effective August 12, 2022 through September 20, 2023; 2) Accept Grant Award from California Library Literacy Services, for CLLS AmeriCorps Initiative, effective September 13, 2022 through September 30, 2023; and 3) Authorize County Librarian or designee to sign all documents related to CLLS AmeriCorps Initiative award, subject to County Counsel and Risk approval.

APPROVED AS RECOMMENDED AYES: ALL

PROBATION

26. Approve the Fiscal Year 2022-2023 Juvenile Justice Crime Prevention Act & Youthful Offender Block Grant Consolidated Annual Plan, as approved and recommended by the Juvenile Justice Coordinating Council.

APPROVED AS RECOMMENDED AYES: ALL

CHIEF PROBATION OFFICER KALISA ROCHESTER REVIEWS POWER POINT PRESENTATION. ALL BOARD MEMBERS PROVIDED COMMENTS

27. Approve and authorize the Board Chair to sign a no cost Memorandum of Understanding with the Merced Union High School District for integration of Deputy Probation Officers on high school campuses to provide consultation, prevention, early intervention, and diversionary

strategies with at-risk youth and their families on school campuses, effective September 13, 2022 through June 30, 2023.

AUTHORIZED CONTRACT NO. 2022192 AS RECOMMENDED AYES: ALL

SHERIFF

28. Authorize Probation, Sheriff's Office and Merced County Fire to accept donations and conduct toy drives for the Operation Christmas Star Toy Drive from October 1, 2022 until December 31, 2022.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

29. Adopt the Resolution approving and authorizing the Assistant Chief of the Merced County Fire Department to execute the final form of the draft Grant Agreement, provided with this item, with the State of California Office of Traffic Safety for the purchase of extrication equipment, effective October 1, 2022 through September 30, 2023, in the amount of \$91,262.

ADOPTED RESOLUTION NO. 2022-90 AND AUTHORIZED CONTRACT NO. 2022193 AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

30. Approve and authorize the Board Chair to sign a retroactive contract with Arbor E&T LLC, dba Equus Workforce Solutions for Workforce Innovation and Opportunity Adult and Dislocated Worker services, effective July 1, 2022 through June 30, 2023, for a total contract amount not to exceed \$1,451,215.

AUTHORIZED CONTRACT NO. 2022194 AS RECOMMENDED AYES: ALL

SUPERVISOR MCDANIEL PROVIDED COMMENTS

DISTRICT ATTORNEY

31. Adopt a Resolution ratifying the District Attorney's submission of a grant proposal to Cal OES; authorizing the District Attorney to sign the Grant Award Agreement for federal fiscal year 2022-2023, including modifications, amendments and extensions upon review and approval of County Counsel and Risk Management; and that the District Attorney and the Chair of the Board of Supervisors are authorized to sign the Certification of Assurance of Compliance for participation in the California Governor's Office of Emergency Services' Victim Witness Assistance Center Program effective October 1, 2022 through September 30, 2023 in the amount of \$635,864.

ADOPTED RESOLUTION NO. 2022-91 AND AUTHORIZED CONTRACT NO. 2022195 AS RECOMMENDED AYES: ALL

ELECTIONS

32. 1) Adopt the Resolution to call for and consolidate the November 8, 2022 General Election with: Cities, School Districts, Special Districts, and Measures listed in the Resolution; and 2) Authorize the Elections Division of the Registrar of Voters/Elections Department to procure and furnish those election services requested by each entity as more fully set forth in their

Resolutions, and to submit a cost bill to each entity for reimbursement of the election services provided.

ADOPTED RESOLUTION NO. 2022-92 AS RECOMMENDED AYES: ALL

ADMINISTRATIVE SERVICES

33. Declare assorted motor vehicles (listed on Exhibit A) as Surplus Property, as recommended.

APPROVED AS RECOMMENDED AYES: ALL

SUPERVISOR PAREIRA PROVIDED COMMENTS

HUMAN RESOURCES

34. 1) Acknowledge the 2023 premium increase of 8.7% for all medical plans; 2) Authorize premium payments to the Third Party Administrator, Benefit Coordinators Corporation; 3) Authorize an increase to the County Health Savings Account contribution for the employee only plan from \$1,400 annually to \$1,500 annually; and 4) Authorize the Board Chair to sign all related documents.

APPROVED AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

35. Approve and authorize the Board Chair and Auditor-Controller to sign the retroactive contract with Merced County Superior Court for Court Operations effective July 1, 2022 through June 30, 2025.

AUTHORIZED CONTRACT NO. 2022196 AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

36. Appoint Shawn Reel to serve as the County Northern Rural member of the Merced County Mosquito Abatement District Board of Trustees, for the unexpired term, until January 2, 2023.

APPROVED AS RECOMMENDED AYES: ALL

37. Appoint William Teixeira to fill an unexpired term on the Charleston Drainage District Board of Directors, until December 2024.

APPROVED AS RECOMMENDED AYES: ALL

SCHEDULED ITEMS:

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

A Public Hearing to Consider the General Vacation of Jetstream Drive at Castle Commerce Center

RECOMMENDATION:

- 1) Open the public hearing and accept public testimony;
- 2) Close the public hearing;

3) Approve the Resolution authorizing the General Vacation of Jetstream Drive, from D Street to C Street (approximately 306 feet in length) at the Castle Commerce Center.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR MARK HENDRICKSON AND SUPERVISOR ESPINOSA PROVIDED COMMENTS

OPPORTUNITY WAS GIVEN FOR INTERESTED PERSONS TO ADDRESS THE BOARD NO INTERESTED PERSON ADDRESSED THE BOARD

THE CHAIRMAN CLOSED THE PUBLIC HEARING

ADOPTED RESOLUTION NO. 2022-86 AS RECOMMENDED AYES: ALL

REPORTS/BOARD DIRECTION

Board of Supervisors Members, County Counsel, County Executive Officer

THE BOARD ADJOURNED THE MEETING AT 11:30 A.M. UNTIL TUESDAY, SEPTEMBER 27, 2022, AT 10:00 A.M.

10:00 A.M. SCHEDULED ITEM
2022-09-13 PUBLIC OPPORTUNITY

Darlene Ingersoll, Merced County Registrar of Voters provides information on the November 8, 2022 General Election. She states that voters can expect to get their county ballots mailed beginning October 10 and they will also receive the State Voter Information Guide. She reminds the public that Merced County is a Voters Choice Act, where voters can choose how, when and where to cast their ballot. Mrs. Ingersoll also provides contact information: (209) 385-7541, Toll Free Number 1-800-561-0619 or mercedelections.org.

Present: Pareira, Espinosa, Pedrozo, McDaniel, Silveira