



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 27, 2022

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.

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.

9:00 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

THE BOARD RECESSED AT 9:01 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 Rabbi Amnon Shor/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).

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CONSENT CALENDAR (Items # 1-15)

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 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)

3. Approve the Budget Transfer in the amount of \$9,500 to cover the sales tax not appropriated for the purchase of Asset No. 86238 -1 Bobcat with 6 Attachments in last fiscal year's budget.

Health

4. Approve and authorize the Board Chair to sign Amendment No. 2 to Contract No. 2019348 with REACH Air Medical Services, LLC for air ambulance services, modifying the term end date from September 30, 2022 to December 31, 2027.

Behavioral Health and Recovery Services

5. Approve and authorize the Board Chair to sign the Reinstatement to Contract No. 2021029 with Golden Valley Health Centers for the provision of the Cultural Brokers for Mental Health Program, extending the term end date from June 30, 2022 to June 30, 2023 and increasing the total contract amount from \$194,083.50 to \$323,472.50.

Workforce Investment

6. Accept Modification No. 1 to Subgrant AA311015 (County Contract No. 2022184) with the State of California, Employment Development Department to incorporate Round 1 Workforce Innovation and Opportunity Act formula funding for Program Year 2022-2023 in grant code 201, 292, 501, 540, effective April 1, 2022 through June 30, 2024 in the amount of \$635,720.

Probation

7. Approve and authorize the Board Chair to sign the Revival to Contract No. 2021304 with Symple Equazion for paid work experience, extending the term end date from June 30, 2022, to June 30, 2023, and increasing the total contract amount from \$135,902 to \$312,405.

Fire

8. Approve and authorize the Board Chair to sign the Reinstatement of Contract No. 2022087 with the City of Los Banos for Stop Gap Fire Protection services, to extend the term end date from August 31, 2022 to September 30, 2022, and increase the contract amount from \$44,176 to \$55,220.

Sheriff

9. Approve and authorize the Board Chair to sign Amendment No. 9 to Contract No. 2012188 with Global Tel*Link for inmate telephone services, extending the term end date from September 30, 2022 to December 31, 2022.
10. Approve Budget Transfer in the amount of \$52,000 for the purchase of a search light for the Huey Helicopter to be used for night patrols and suspect searches.
11. Approve Budget Transfer in the amount of \$125,000 in order to replenish a CI Fund for the MAGNET Task Force as needed. (4/5 Vote Required)

Human Resources/Risk Management

12. 1) Act on Claims for Damages submitted by Liberty Mutual OBO Maria Guadalupe Mendoza Ochoa and Matthew S. Valdez as recommended by Risk Management and County Counsel; and 2) Approve Assistant County Executive Officer, or designee, to send notice of said action on claims.

Board Recognition

- 13. Ratify Certificate of Recognition to Atwater Big Lots Store in celebration of their Grand Opening and Ribbon Cutting Ceremony, presented September 24, 2022.
- 14. Ratify Certificate of Recognition to Blazin' Birdz Restaurant in celebration of their Grand Opening and Ribbon Cutting Ceremony at their new Merced location, presented September 16, 2022.
- 15. Ratify the Proclamation presented to the President of the Republic of Portugal, Marcelo Rebelo de Sousa on September 25, 2022.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

- 16. 1) Find that substantial evidence demonstrates that an emergency exists regarding the damaged padding of the safety cell at the Main Jail, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action to replace the damaged padding is necessary to respond to the emergency. (4/5 Vote Required) 2) Approve associated budget transfer.

APPROVED AS RECOMMENDED AYES: ALL

- 17. Find that substantial evidence demonstrates that an emergency exists regarding several damaged windows 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 windows is necessary to respond to the emergency. (4/5 Vote Required)

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

- 18. Approve and authorize the Board Chair to sign the Standard Agreement for Grant Number RR-MCDPH-22-24 with the California Department of Social Services for Road to Resilience Partnership Funding, effective July 1, 2022 through June 30, 2024 for an amount not to exceed \$849,501.

AUTHORIZED CONTRACT NO. 2022197 AS RECOMMENDED AYES: ALL

- 19. Approve plans and authorize the Board Chair to sign the Certification Statements to receive grant funds in an amount not to exceed \$965,081.47 from the California Department of Health Care Services for the Child Health and Disability Prevention Program, Lead Poisoning Prevention Program, and Health Care Program for Children in Foster Care, effective July 1, 2022 through June 30, 2023.

AUTHORIZED CONTRACT NO. 2022198 AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

- 20. Approve and authorize the Board Chair to sign a contract with Turning Point Community Programs to provide specialty mental health, employment, and housing services as a full-

service program under the Mental Health Services Act Community Services and Supports Community Assistance Recovery Enterprise Program, effective October 1, 2022 through June 30, 2025, for a total contract amount of \$5,735,389.

AUTHORIZED CONTRACT NO. 2022199 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

21. Approve acceptance of award and authorize the Director of Human Services Agency, acting on behalf of the Collaborative Applicant for the Continuum of Care to submit a Planning Application to the United States Department of Housing and Urban Development for the Fiscal Year 2021 Continuum of Care Competitive and NonCompetitive Award of Youth Homeless Demonstration Program Renewal and Replacement Grants, effective December 1, 2022 through November 30, 2023, in the amount of \$34,260.

APPROVED AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

22. 1) Find the sale of APN 051-010-024, the vacated portion of Jetstream Drive, and an adjacent property exempt from further CEQA review under CEQA Guidelines section 15312. 2) Approve the sale of APN: 051-010-024 located South of Jetlift Drive, East of C Street, North of Jetstream Drive, and West of D Street, the vacated portion of Jetstream Drive, and an adjacent property of approximately 0.4 acres located between Jetstream Drive, D Street, and Spacecraft Drive to Nolan Lane Properties, LLC for \$280,000 with the commitment by the buyer to demolish and remediate the facility at an estimated cost of \$78,500, and authorize the Board Chair to execute all necessary documents to effectuate the sale and transfer of subject property to Nolan Lane Properties, LLC. (4/5 Vote Required) 3) Authorize Board Chair to execute Quitclaim Deed upon close of escrow.

AUTHORIZED CONTRACT NO. 2022200 AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

23. Approve and authorize the Board Chair to sign the retroactive Workforce Innovation and Opportunity Act Memorandum of Understanding with all mandated America's Job Centers of California Partners, effective July 1, 2022 through June 30, 2025.

AUTHORIZED CONTRACT NO. 2022201 AS RECOMMENDED AYES: ALL

ELECTIONS

24. 1) Adopt the Resolution modifying the County Employees as Volunteer Poll Workers Program; 2) Encourage participation in the County Employees as Volunteer Poll Workers Program.

ADOPTED RESOLUTION NO. 2022-98 AS RECOMMENDED AYES: ALL

PROBATION

25. Approve and authorize the Chief Probation Officer to submit said report to the Board of State and Community Corrections, the expenditure and data report for the Juvenile Justice Crime Prevention Act for Fiscal Year 2021-2022.

APPROVED AS RECOMMENDED AYES: ALL

DISTRICT ATTORNEY

26. Approve and authorize the Board Chair and District Attorney to electronically sign and submit the Equitable Sharing Agreement and Certification with the Department of Justice, allowing the District Attorney's Office continued participation in the Federal Forfeiture Program for Fiscal Year 2022-2023.

AUTHORIZED CONTRACT NO. 2022202 AS RECOMMENDED AYES: ALL

27. Adopt a Resolution ratifying the District Attorney's submission of a grant proposal to California Department of Insurance for continued participation in the Workers' Compensation Insurance Fraud Program and authorizing the District Attorney to sign the Grant Award Agreement in the amount of \$258,096 for Fiscal Year 2022-2023, including modifications, amendments and extensions upon review and approval of County Counsel and Risk Management.

ADOPTED RESOLUTION NO. 2022-99 AND AUTHORIZED CONTRACT NO. 2022203 AS RECOMMENDED AYES: ALL

28. Adopt a Resolution ratifying the District Attorney's submission of a grant proposal to California Department of Insurance for continued participation in the Automobile Insurance Fraud Program and authorizing the District Attorney to sign the Grant Award Agreement in the amount of \$132,453 for Fiscal Year 2022-2023, including modifications, amendments and extensions upon review and approval of County Counsel and Risk Management.

ADOPTED RESOLUTION NO. 2022-100 AND AUTHORIZED CONTRACT NO. 2022204 AS RECOMMENDED AYES: ALL

SHERIFF

29. Approve and authorize the Board Chair to sign a contract with Merced County Office of Education for education services to inmates confined in Merced County Jail facilities, effective July 1, 2022 through June 30, 2023.

AUTHORIZED CONTRACT NO. 2022205 AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

30. Appoint Alfonso Peterson to the Merced County Deferred Compensation Standing Committee for the Member At-Large committee member.

APPROVED AS RECOMMENDED AYES: ALL

31. Reappoint Robert Haden to serve as a member of the Assessment Appeals Board, until September 1, 2025.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

32. Sheriff re: Annual reporting requirements on Inmate Welfare Trust Fund for Fiscal Year 2021-2022 in accordance with Penal Code Section 4025(e).

REPORTS/BOARD DIRECTION

Board of Supervisors Members, County Counsel, County Executive Officer

THE BOARD ADJOURNED THE MEETING AT 12:30 P.M. UNTIL TUESDAY, OCTOBER 4, 2022, AT 10:00 A.M.

10:00 A.M. SCHEDULED ITEM
2022-09-27 PUBLIC OPPORTUNITY

Amy Taylor, Merced County Librarian provides an update on the new book mobile. She reports that the new book mobile is going to be delivered tomorrow, so they will be able to train staff, load it up, and get it back out and have a working book mobile for our rural communities very soon.

Nancy Young Bergman with Merced County Education Foundation speaks about their upcoming fundraiser, "Oktober Fest" to support arts education and Camp Green Meadows on October 8, 2022 at 5:30 p.m. at the Merced County Office of Education Downtown Professional Development Center and submits flyers in the board bin.

Present: Pareira, Espinosa, Pedrozo, McDaniel, Silveira