



BOARD OF SUPERVISORS

Chairman Rodrigo Espinoza, *District 1*

Lee Lor, *District 2*

Daron McDaniel, *District 3*

Lloyd Pareira, *District 4*

Scott Silveira, *District 5*

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

SUMMARY ACTION MINUTES - FINAL

TUESDAY, JANUARY 28, 2020

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

**10:00 A. M. THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA-
TESTIMONY IS LIMITED TO THREE MINUTES PER PERSON**

**GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA
ITEMS)**

10:00 A. M. INVOCATION led by Pastor Hilario Perez/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)

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 13)

PRESENTATION:

WORKFORCE DEVELOPMENT BOARD ANNUAL REPORT

REVIEW BOARD ORDER – SEE PAGE 8

PUBLIC HEARING:

PUBLIC HEALTH - PUBLIC HEARING

To consider the Report of Demolition and consider adding costs of demolition to the Tax Assessment Roll.

RECOMMENDATION:

- 1) Open the Public Hearing to consider the Report of Demolition of the structure located at 13638 Volta Road, Los Banos (APN 081-060-021);
- 2) Close the Public Hearing; and
- 3) Authorize the Auditor-Controller and Tax Collector to assess the cost of demolition for a total amount of \$30,962.21, on the Assessment Roll as a Special Assessment and a lien on the property, pursuant to the Uniform Housing Code Section 1605.3.

REVIEW BOARD ORDER – SEE PAGES 8 AND 9

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-13)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Set a first reading on February 11, 2020 at 10:00 a.m. to consider the amendment of a proposed ordinance increasing the refuse service fees for County Solid Waste Franchise Areas 1 through 5, (Amends Ordinance No. 1957 and Chapter 5.90 to the Merced County Code).
2. Approve Budget Transfer in the amount of \$97,000 to replace wrecked patrol vehicle nos. 49509 and 53412, including replacement of the light bars. (4/5 Vote Required)

Human Services Agency

3. Approve and authorize the Chairman to sign Amendment Contract No. 2019258 (State Revenue Contract No. Sp-1920-31) with the California Department of Aging for Supplemental Nutrition Assistance Program Education Services; adopt Resolution and approve related budget transfer. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2020-06

Community and Economic Development

4. Set a Public Hearing for February 25, 2020 at 10:00 a.m. to receive public testimony, consider the Planning Commission's recommendations, determine that the application does not require additional environmental review under CEQA Guidelines Section 15183 "Projects Consistent with a Community Plan or Zoning" and Section 15301 "Existing Facilities", and take action on Zone Change Application No. ZC19-005 and related Zone Change Ordinance for Mr. Randy J. Beard regarding rezoning property located at the northwest corner of Stephens Street and Locust Street within the Delhi Urban Community, from General Commercial (C-2) to Mixed-Use (MU).

Administrative Services

5. Approve and authorize the Chairman to sign Amendment Contract No. 2010124 with Tyler Technologies to incorporate a Maintenance and Support Agreement in support of the Sheriff's Public Safety software system.
6. Approve and authorize the Chairman to sign Amendment Contract No. 2018283 with Michael Baker International, Inc. to provide additional remediation and validation services in support of County-wide 9-1-1 operations and approve related budget transfer. (4/5 Vote Required)

Workforce Investment

7. Accept Modification fourteen (14) to Workforce Innovation and Opportunity Subgrant K8106644 (Amendment Contract No. 2017211) to replace exhibits with revised exhibits.

Recorder

8. Approve and authorize the Chairman to sign Amendment Contract No. 2019088 with PFA, Inc. for the creation of electronic images of microfilm and microfiche records.

Executive Office

9. Act on Claim for Damages submitted by Desiree Mercado as recommended by Risk Management and County Counsel.

Board Recognition

10. Certificate of Recognition to Golden Valley Health Centers Northview Health Center's Grand Opening and Ribbon Cutting Ceremony, presented January 16, 2020.
11. Certificate of Recognition for Shattuck Park Head Start's Grand Opening and Ribbon Cutting Ceremony in Delhi on January 13, 2020.
12. Certificates of Recognition for being selected to receive the First Annual Dr. Martin Luther King Community Service Award to: Marilyn Mochel, Jerome Rasberry Jr. and Alicia Rodriguez, presented January 20, 2020.
13. Certificate of Recognition to Merced County Association of Realtors for Grand Opening, presented January 21, 2020.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

14. Pursuant to Public Contract Code Section 22050, determine that an emergency continues to exist and there is a need to continue the repairs to the Atwater Veterans Hall roof without giving notice to bid the project. (4/5 Vote Required)

APPROVED AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

15. Retroactively approve contract with City of Livingston to fund a Police Officer for the Mental Health and Police in Schools program at Livingston Middle School.

AUTHORIZED CONTRACT NO. 2020014 AS RECOMMENDED AYES: ALL

16. Retroactively approve contract with Livingston Union School District to provide Prevention and Early Intervention services through the placement of County staff and provision of mental health services at Livingston schools.

AUTHORIZED CONTRACT NO. 2020015 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

17. Approve and authorize the Chairman to sign the Subvention Certificate of Compliance to apply and qualify for the fiscal year 2019-2020 subvention funds for Veteran Services.

APPROVED AS RECOMMENDED AYES: ALL

18. Approve and authorize the Chairman to sign the Medi-Cal Certificate of Compliance to apply and qualify for the fiscal year 2019-2020 Medi-Cal cost avoidance funds for Veteran Services.

APPROVED AS RECOMMENDED AYES: ALL

19. 1) Ratify the submission of a Letter of Interest to the California Department of Health Care Services for One-Time Funds to Initiate a Whole Person Care Pilot Program; 2) Adopt a Resolution accepting and authorizing the Chairman to execute the transaction with the California Department of Health Care Services (DHCS) for One-Time funds for the Whole Person Care Pilot Program in the amount of \$482,441.40 beginning February 1, 2020 through June 30, 2025; and 3) Authorize Human Services Agency to accept any future reallocation of funding for this program.

AUTHORIZED CONTRACT NO. 2020013 AND ADOPTED RESOLUTION NO. 2020-07 AS RECOMMENDED AYES: ALL

20. 1) Accept an allocation in the amount of \$208,999 from the California Office of Emergency Services for the Child Abuse Treatment Program; and 2) Approve related budget transfer. (4/5 Vote Required)

APPROVED AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

21. Adopt Resolution approving updates to the County's Housing Rehabilitation Program Guidelines and the Homebuyer Acquisition Only/Acquisition with Rehabilitation Program Guidelines.

ADOPTED RESOLUTION NO. 2020-08 AS RECOMMENDED AYES: ALL

22. 1) Approve the FY 2020-2021 budget for the Central Delta-Mendota Activity Agreement, as recommended by the Agreement's Management Committee, for the performance of services necessary to comply with the Sustainable Groundwater Management Act (SGMA). 2) Approve the FY 2020-2021 budget for the Northern Delta-Mendota Activity Agreement, as recommended by the Agreement's Management Committee, for the performance of services necessary to comply with SGMA. 3) Authorize payment to the San Luis & Delta-Mendota Water Authority for Merced County's allocation of the Central and Northern region Delta-Mendota Activity Agreement budgets in the approximate amounts of \$72,150 and \$13,431, respectively.

APPROVED AS RECOMMENDED AYES: ALL

23. Adopt resolution authorizing the submittal of a Proposition 68 Sustainable Groundwater Planning Grant program application on behalf of the Northwestern Delta-Mendota GSA.

ADOPTED RESOLUTION NO. 2020-09 AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

24. Contract with Merced College to implement a Laborers' International Union of North America (LiUNA) Infrastructure Construction Training Cohort.

AUTHORIZED CONTRACT NO. 2020016 AS RECOMMENDED AYES: ALL

DISTRICT ATTORNEY

25. Memorandum of Understanding (MOU) between California State University, Stanislaus and Merced County for student internship placements within the Merced County District Attorney's Office for a one year period, renewing automatically for up to three years, commencing on the date the MOU is fully executed.

AUTHORIZED CONTRACT NO. 2020017 AS RECOMMENDED AYES: ALL

FIRE

- 26. 1) Authorize the Merced Office of Emergency Services to accept the Federal Emergency Management Agency Hazard Mitigation Grant Program award in the amount of \$160,260 to update the current Local Hazard Mitigation Plan, identifying hazards and long-term mitigation actions; and 2) Approve related budget transfer. (4/5 Vote Required)

APPROVED AS RECOMMENDED AYES: ALL

SHERIFF

- 27. Approve and authorize the Sheriff to sign the Letter of Agreement and supporting documents with the Drug Enforcement Administration to accept funding in the amount of \$150,000 for the 2020 Domestic Cannabis Eradication and Suppression Program (DCESP) for the eradication of illegal cannabis in Merced County for the period of October 1, 2019 to September 30, 2020.

AUTHORIZED CONTRACT NO. 2020018 AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

- 28. Approve the amended December 10, 2019 Board Assistant Policy to include the Extra Help Student Intern classification.

APPROVED AS RECOMMENDED AYES: ALL

- 29. 1) Authorize the remaining balance estimated at \$38,863 of District Two's District Project Funds to be utilized until funds have been depleted to hire Extra-Help Student Intern(s) to provide general assistance to the the District Two Supervisor; and 2) Approve related budget transfer. (4/5 Vote Required)

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

REVIEW BOARD ORDER – SEE PAGES 9 AND 10

BOARD APPOINTMENTS

- 30. Consider Anthony F. Neves for appointment to the Los Banos Cemetery District, until June 7, 2023.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

- 31. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to subsection (b)(91.2) of Section 7.50, Title 14, California Code of Regulations, relating to upper Klamath-Trinity spring Chinook salmon sport fishing, which was published in the California Regulatory Notice Register on January 10, 2020.
- 32. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to subsection (f) of Section 5.87, and subsection (b)(91.1) of Section 7.50, Title 14, California Code of Regulations, relating to Klamath River Basin sport fishing regulations, which was published in the California Regulatory Notice Register on January 10, 2020.
- 33. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to sections 2.35 and 7.00, and subsections (b)(5), (b)(68), (b)(124), and (b)(156.5) of Section 7.50, Title

14, California Code of Regulations, relating to Central Valley sport fishing regulations, which was published in the California Regulatory Notice Register on January 10, 2020.

34. Fish and Game Commission re: 15-day continuation notice for the Experimental Fishing Permit (EFP) Program (Phase 1) regulations, published in the California Regulatory Notice Register on August 23, 2019, Notice No. Z2019-0813-01, and adopted by the Fish and Game Commission on October 10, 2019 in Valley Center.

THE BOARD RECESSED TO MEET AS A MERCED COUNTY DELTA-MENDOTA GROUNDWATER SUSTAINABILITY AGENCY AND RECONVENED TO MEET AS A BOARD OF SUPERVISORS

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF LUCY HIGGS, OSCAR GUILLEN AND ADJOURNED THE MEETING AT 11:30 A.M. UNTIL TUESDAY, FEBRUARY 11, 2020 AT 10:00 A.M

BOARD ORDERS – SUMMARY ACTION MINUTES – JANUARY 28, 2020

10:00 A.M. SCHEDULED ITEM

2020-01-28 PRESENTATION – WORKFORCE DEVELOPMENT BOARD ANNUAL REPORT

David Mirrione, Assistant County Executive Officer and Director of Workforce Investment and Nick De Mola Loret, Assistant Director of Workforce Investment give a power point presentation covering the following: Department of Workforce Investment Year in Review 2019, Overview of Workforce Development, Workforce Board Membership, Overview of Workforce Development, Funder Activities in 2019, Convenor Activities in 2019, Workforce Leader Activities in 2019, Funder Activities in 2020, Convenor Activities in 2020, and Workforce Leader Activities in 2020.

Mr. Mirrione introduces Moses Casada a participant of the LiUNA program. Mr. Casada speaks about how the LiUNA program changed his life and states he graduated first place in his class.

Supervisor McDaniel comments that the Workforce Development Board is one of the most fulfilling Boards that he sits on and appreciates the partnership with LiUNA and also the presentation.

Supervisor Lor thanks Mr. Mirrione and Mr. De Mola Loret for the great presentation and the great work that they do. She states that the Department of Workforce Investment is a great resource for the community.

Supervisor Pareira thanks Mr. Mirrione and Mr. De Mola Loret for the presentation and also thanks Mr. Casada for sharing his story. He questions if Workforce Investment does outreach in the high schools.

Mr. Mirrione responds they do and that they have a contract with Merced County Office of Education.

Supervisor Silveira thanks Mr. Mirrione and Mr. De Mola Loret for the presentation and states what a successful program they have. He further thanks Mr. Casada for sharing his story and experience with the program.

Supervisor Espinoza thanks Mr. Mirrione and Mr. De Mola Loret for a great presentation.
Present: Espinoza, Lor, McDaniel, Pareira, Silveira

10:00 A.M. SCHEDULED ITEM

2020-01-28 PUBLIC HEALTH – PUBLIC HEARING

The time and date previously scheduled to consider the Report of Demolition and consider adding costs of demolition to the Tax Assessment Roll.

Vicki Jones, Director of Environmental Health reviews the staff report and gives a power point presentation showing a map of the property and before and after photos of the property.

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.

Supervisor Silveira questions if this is the standard amount of time that it takes for something like this to happen.

Ms. Jones states that a few factors go into the timing, and that it just depends on the site/project of abatement. She further states her department is usually only able to complete a couple per year.

Supervisor Silveira states that he went by the site the other day and it looks great.

Supervisor McDaniel states that a year to get this complete is very good.

Supervisor Lor states that this obviously does not happen overnight and reminds residents to please be patient with us because there are guidelines we have to follow.

Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, duly carried, the Board authorizes the Auditor-Controller and Tax Collector to assess the cost of demolition for a total amount of \$30,962.21, on the Assessment Roll as a Special Assessment and a lien on the property, pursuant to the Uniform Housing Code Section 1605.3

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

ACTION ITEM NO. 29

2020-01-28 BOARD OF SUPERVISORS

The Clerk announces an item to authorize the remaining balance estimated at \$38,863 of District Two's District Project Funds to be utilized until funds have been depleted to hire Extra-Help Student Intern(s) to provide general assistance to the District Two Supervisor; and approve related budget transfer (4/5 Vote Required) is before the Board for consideration.

Supervisor Silveira comments that he is a little frustrated and that he does not have any Board Special Project Funds and that this item is to consider hiring more help. He states that this does not seem fair. He further states he cannot see himself supporting this.

Supervisor Lor responds that she appreciates Supervisor Silveira's feedback and states that after the Board Assistant Policy was approved last time, she went back and looked at the student intern classification and looked at the salary scale and it is the same as the Extra Help Assistant that we approved. She states that if she happens to hire someone from UC Merced then she may use the other to hire someone from Merced College and states that it is to support her but also more for the internship, and this would give students from both the UC and JC an equal opportunity. She further states that she and Supervisor McDaniel worked together in the past and revived the student interns.

Supervisor Espinoza comments that we have been very supportive of student interns.

Supervisor Silveira states that he agrees and just wished he had the same opportunity as well in his district.

Supervisor McDaniel states that he understands what Supervisor Silveira is saying but we've all received the same amount of funds and unfortunately they have been expended in his district.

Supervisor Silveira comments that the point was well taken, but he did not have that option as of January 7, 2019.

Upon motion of Supervisor Lor, seconded by Supervisor McDaniel, the Board authorizes the remaining balance estimated at \$38,863 of District Two's District Project Funds to be utilized until funds have been depleted to hire Extra-Help Student Intern(s) to provide general assistance to the District Two Supervisor and approves related budget transfer (4/5 Vote Required).

Ayes: Espinoza, Lor, McDaniel Pareira

Noes: Silveira