



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, MAY 19, 2020

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

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, board chambers will be closed to the public during the Merced County Board of Supervisors meetings. The following alternatives are available to members of the public to watch these meetings and provide comments to the Board before and during the meeting:

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>.

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 COMMENT (Email): If you wish to make either a general public comment for items not on the day's agenda or to comment on a specific agenda item, please submit your comment, limited to 250 words or less, via email. To ensure your comments are read into the record, we encourage the public to please submit by 5:00pm on the Monday prior to the Board meeting to the Clerk of the Board at publiccomments@countyofmerced.com. Every effort will be made to read all comments received prior to the Board meeting into the record, but some comments may not be read due to time limitations. 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 read into the record of the meeting. All comments received during the meeting will be made part of the record and will not be read at the Board meeting due to time limitations. Comments made on Facebook are not considered part of the official record and will not be shared with the Board.

PUBLIC COMMENT (Voicemail): You may 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. 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 HEARINGS: Public comment for public hearings will be taken via email and voicemail. Once the public hearing is opened, the Board of Supervisors will pause the meeting for ten minutes in order to receive emails directed at the public hearing (up to 250 words). All emails received prior to and during the Public Hearing will be read into the record after resuming the meeting. Voicemails directed to the Public Hearing will be accepted up to 9:00 am on the day of the meeting. Please indicate that comments are for a particular public hearing by putting "Public Hearing" in the subject line of the email and the title of the public hearing. Email comments to publiccomments@countyofmerced.com or call 209-385-7319 to leave a voicemail.

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 may comment on any matter to be considered for closed session using the email procedure set forth above. As set forth above, if public comment concerns a closed session item, please include the title of the item in the subject line.

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

9:00 A. M. THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA

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: American Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6 and 8; United Public Employees (UPE), Unit 3; Merced County Attorney Association (MCAA), Unit 7; Teamsters (Corrections), Unit 2; Merced County Law Enforcement Sergeants, Unit 30; Merced County Deputy Sheriff Association (DSA), Unit 10; Teamsters (Non-Safety Corrections), Unit 12; Merced County Public Safety Services Unit (MCPSSU), Unit 14; Probation Supervising Employees, and Unit 11. 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.

INVOCATION led by Pastor Paul Fandl, Delhi Community Presbyterian Church/PLEDGE OF ALLEGIANCE

In order to minimize the spread of COVID-19 the Board Chambers is closed to the public. Members of the public are able to submit comments via email and voicemail.

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

REVIEW BOARD ORDER – SEE PAGE 10

CENSUS UPDATE

REVIEW BOARD ORDER – SEE PAGE 10

COVID-19 UPDATE

REVIEW BOARD ORDER – SEE PAGES 10 AND 11

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 10)

PUBLIC HEARINGS:

PUBLIC WORKS - PUBLIC HEARING

To solicit comments on submission of an application for 2019-2020 State Community Development Block Grant (CDBG) funding for planning and technical assistance

RECOMMENDATION:

- 1) Open the Public Hearing to solicit comments regarding the submission of a CDBG application for Planning and Technical Assistance; and close the Public Hearing;
- 2) Adopt the Resolution: a) Approving submittal of the CDBG grant application for Planning and Technical Assistance; b) Authorizing the Chairman to execute the CDBG grant application and any additional documents necessary to complete the application process; c) Upon a successful award authorizing the Chairman to execute standard agreements to accept the award and any subsequent amendments that are necessary to participate in the CDBG program subject to approval by Counsel; d) Authorizing the Director of Public Works to administer the CDBG grant, and authorize the Department of Public Works Director or Assistant Public Works Director to execute documents necessary for the proper administration of the CDBG program.
- 3) Direct the Department of Public Works to return to the Board of Supervisors with an informational item of all actions taken.

REVIEW BOARD ORDER – SEE PAGES 12 AND 13

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To solicit comments on submission of an application for 2019-2020 State Community Development Block Grant (CDBG) funding for code enforcement

RECOMMENDATION:

- 1) Open Public Hearing to solicit comments regarding the submission of a CDBG application for Code Enforcement; and close the Public Hearing;
- 2) Adopt the Resolution approving submittal of the CDBG grant application for Code Enforcement;
- 3) Authorize the Director of Community and Economic Development: a) To execute the CDBG grant application and any additional documents necessary to complete the application process; and b) Upon a successful award, to accept the award by executing standard agreements and any subsequent amendments that are necessary to participate in the CDBG program subject to approval by Counsel;
- 4) Direct the Community and Economic Development to return to the Board of Supervisors with an informational item of all actions taken; and
- 5) Authorize the Community and Economic Development Director to administer the CDBG grant, and authorize the Community and Economic Development Director or Deputy Director of Planning to execute documents necessary for the proper administration of the CDBG program.

REVIEW BOARD ORDER – SEE PAGES 13 AND 14

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-10)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

- 1. Approve and authorize the Chairman to sign Amendment Contract No. 2016030 with Carter Goble Associates, LLC for the John Latorraca Correctional Center SB 863 Project Design-Build Bridging Documentation Design and Construction Quality Assurance, substituting the name CGL Companies, LLC, for the name Carter Goble Associates, LLC wherever Carter Goble Associates, LLC appears in the Contract.
- 2. Approve Budget Transfer in the amount of \$25,000 for an upgrade to the Main Administration Building's Non Skid Front Entry surface. (4/5 Vote Required)

Behavioral Health and Recovery Services

- 3. Approve and authorize the Chairman to sign Amendment Contract No. 2018051 with Dr. Cynthia Hunt, M.D. for psychiatric services for youth clients.
- 4. 1) Approve and authorize the Chairman to sign Amendment Contract No. 2018234 with Aegis Treatment Centers, LLC for Drug Medi-Cal outpatient narcotic treatment services; and 2) Approve the associated Budget Transfer.

5. Approve and authorize the Chairman to sign Amendment to Interdepartmental Agreement No. 2011145 with Human Services Agency for services provided through the Cultural and Linguistic Outreach for Veterans Program, as part of the Mental Health Services Act.

Human Services Agency

6. Adopt Resolution approving and authorizing the Chairman to sign Amendment Contract No. 2019257 with California Department of Aging for the CalFresh Expansion Program to provide outreach and application assistance to SSI/SSP recipients age 60 or older and disabled adults residing in Merced County.

ADOPTED RESOLUTION NO. 2020-40

7. Set a Public Hearing for 10:00 a.m. on June 9, 2020 to receive comments on the proposed Permanent Local Housing Allocation Five Year Expenditure Plan.

Workforce Investment

8. Accept modification seven (7) to Subgrant K9110025 (Amendment Contract No. 2018218) incorporating Workforce Innovation and Opportunity Act (WIOA) 15% funding for the Regional Organizers / Regional Training Coordinators for PY 18-19 project into grant code 1144 and the SlingShot 2.0 Regional Plan Implementation PY 18-19 project into grant code 1145. This modification also restores program integrity set aside for WIOA Formula Funds to grant code 302, grant code 202, and grant code 502 per TEGl 16-17, Change 2.
9. Accept modification eight (8) to Subgrant K9110025 (Amendment Contract No. 2018218) to deobligate \$50,000 of National Dislocated Worker Grant funds (NDWG) from the 2018 Opioid Crisis NDWG in grant code 1139 and redirect to another project operator; and 2) Approve related Budget Transfer. (4/5 Vote Required)
10. Accept modification nine (9) to Subgrant K9110025 (Amendment Contract No. 2018218) incorporating \$100,000 of Workforce Innovation and Opportunity Act (WIOA) 25% Additional Assistance funds to the Business Engagement COVID-19 Support AA Project in grant code 1191; and 2) Approve related Budget Transfer. (4/5 Vote Required)

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

11. 1) Adopt the Plans and Specifications for the Lobo Avenue Complete Streets Improvement Project, a project to install sidewalks and drainage facilities along Lobo Avenue between B & B Boulevard and Drake Avenue in the Merced area; 2) Authorize the Department of Public Works (DPW) to advertise the project and conduct a public bid opening; 3) Authorize the Director of Public Works to award and execute a construction contract to the lowest responsible bidder provided said bid is within the established budget upon approval of County Counsel and Risk Management; and 4) Direct the DPW to return to the Board with an information item describing all actions taken.

AUTHORIZED CONTRACT NO. 2020091 AS RECOMMENDED AYES: ALL

12. 1) Adopt a Resolution directing the Department of Public Works to submit an application to Merced County Association of Governments (MCAG) for Congestion Mitigation Air Quality

(CMAQ) funds for use on the Plainsburg Road Complete Street Upgrade Project, by June 3, 2020, and endorsing said project; 2) Authorize the Director of Public Works to accept the grant funds and execute any related documents if awarded; and 3) Direct the Department of Public Works to return to the Board at a later date with an informational item noting all actions taken.

ADOPTED RESOLUTION NO. 2020-41 AS RECOMMENDED AYES: ALL

13. Contract with the Office of the State Controller, Division of Local Government Audits for services to prepare the Annual Street and Road Report of Fiscal Year 2019/2020.

AUTHORIZED CONTRACT NO. 2020092 AS RECOMMENDED AYES: ALL

14. 1) The Director of Public Works requests the Board find that substantial evidence demonstrates that an emergency exists regarding the HVAC System at the Dos Palos Veterans Hall such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency; and 2) Direct the Public Works to replace the HVAC system at the Dos Palos Veterans Hall, pursuant to California Public Contract Code Section 22050.

APPROVED AS RECOMMENDED AYES: ALL

15. 1) Accept award of \$2,500,000 from the Central California Alliance for Health for Capital implementation (construction) expenses of the Merced Navigation Center and Homeless Shelter; 2) Designate the Director of Public Works to sign the grant agreement and any associated documents; 3) Increase the project budget by \$1,480,000 for a total project budget of \$6,480,000; 4) Authorize the Director of Public Works to award and execute a construction Contract that is within the increased project budget amount for the site work and installation of modular buildings to the lowest responsible bidder, upon review by Risk Management and County Counsel; and 5) Approve the related budget transfers. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2020093 AS RECOMMENDED AYES: ALL

16. 1) The Director of Public Works requests the Board find that substantial evidence demonstrates that an emergency exists regarding the roofs of Buildings 1, 2, and 3 at the Human Services Agency (HSA) Wardrobe Avenue campus, such that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency (4/5 vote required); 2) Pursuant to Public Contract Code Section 20134, approve replacing the roofs at the HSA Wardrobe Avenue campus without adopting plans, specifications, strain sheets or working details and authorize the Director of Public Works to enter into contracts after review by County Counsel and Risk Management to have the work performed; and 3) Approve the associated Budget Transfer. (4/5 vote required)

APPROVED AS RECOMMENDED AYES: ALL

AG. COMMISSIONER

17. Contract with California Department of Food and Agricultural (Agreement Number 18-0715-000-SA-1) for Industrial Hemp Cultivation Program activities.

AUTHORIZED CONTRACT NO. 2020094 AS RECOMMENDED AYES: ALL

18. Contract with USDA-APHIS-Wildlife Services (Agreement Number: 20-73-06-0262-RA Annual Work Plan) for predatory animal control in Merced County.

AUTHORIZED CONTRACT NO. 2020095 AS RECOMMENDED AYES: ALL

19. Retroactively approve and authorize the Chairman to sign contract with California Department of Food and Agriculture (CDFA) (Agreement Number 19-0994-015-SF) for European Grapevine Moth detection trapping activities.

AUTHORIZED CONTRACT NO. 2020096 AS RECOMMENDED AYES: ALL

20. Memorandum of Understanding with Cooperative Agricultural Support Services (CASS) to provide agricultural support services in plant pest detection, trapping, quarantine, eradication, and/or other services.

AUTHORIZED CONTRACT NO. 2020097 AS RECOMMENDED AYES: ALL

HEALTH

21. Contract with California Department of Public Health - Division of Communicable Disease Control (State Contract No. 19-10897) for Infectious Disease Infrastructure Activities; and adopt the Resolution.

AUTHORIZED CONTRACT NO. 2020090 AND ADOPTED RESOLUTION NO. 2020-42 AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

22. 1) Adopt the Resolution authorizing the submission to the Department of Health Care Services and the Mental Health Services Oversight and Accountability Commission, a Program Update to the Fiscal Year 2019-2020 Mental Health Services Act Annual Update, including all comments and any updates from the April 24, 2020 Behavioral Health Board Public Hearing; 2) Authorize the Auditor-Controller to sign the necessary document in this Program Update certifying fiscal accountability of the Mental Health Services Act Programs; 3) Authorize the Behavioral Health and Recovery Services Director to sign all necessary documents for submission; and 4) Adopt and authorize for submission to the Department of Health Care Services and the Mental Health Services Oversight and Accountability Commission the Program Update to the Fiscal Year 2019-2020 Mental Health Services Act Annual Update, including all comments and any updates from the April 24, 2020 Behavioral Health Board Public Hearing.

ADOPTED RESOLUTION NO. 2020-43 AS RECOMMENDED AYES: ALL

23. Contract with Central Star Behavioral Health, Inc. to operate and provide crisis stabilization services at the new Youth Crisis Stabilization Unit located in Merced.

AUTHORIZED CONTRACT NO. 2020097A AS RECOMMENDED AYES: ALL

24. Retroactively approve Interdepartmental Agreement with Human Services Agency for Navigation-Supportive Services Center.

AUTHORIZED CONTRACT NO. 2020098 AS RECOMMENDED AYES: ALL

25. 1) Retroactively approve and authorize Behavioral Health and Recovery Services to submit the COVID-19 Preparedness and Response Activities Grant Application documents; 2) Authorize the Director of Behavioral Health and Recovery Services to sign grant documents necessary for submittal of application and processing of the award; 3) Retroactively approve the Sub-award agreement # 106244027; and 4) Return to the Board to accept the funds if awarded.

AUTHORIZED CONTRACT NO. 2020099 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

26. Contract with Crestview Clinical Lab to provide drug testing of Child Welfare clients.

AUTHORIZED CONTRACT NO. 2020100 AS RECOMMENDED AYES: ALL

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

AUTHORIZED CONTRACT NO. 2020101 AS RECOMMENDED AYES: ALL

PUBLIC DEFENDER

28. Approve and authorize Chairman to sign Contract with Justice Benefit, Inc. for all Title IV-E legal representation claiming purposes; and assist the Public Defender in applying for and obtaining federal matching funds through Targeted Case Management Claiming.

AUTHORIZED CONTRACT NO. 2020102 AS RECOMMENDED AYES: ALL

SHERIFF

29. Contract with City of Gustine for animal services.

AUTHORIZED CONTRACT NO. 2020103 AS RECOMMENDED AYES: ALL

30. Contract with NVA Merced Veterinary Management, Inc. for veterinary medical services.

AUTHORIZED CONTRACT NO. 2020104 AS RECOMMENDED AYES: ALL

31. 1) Ratify the submission of the application to the California State Parks, Division of Boating and Waterways for boating Safety and Enforcement Equipment assistance in the amount of \$150,000; 2) Authorize match from the Federal Asset Forfeiture Account Trust 2614 in an amount not to exceed \$50,000; and 3) Direct the Sheriff-Coroner to return to the Board with the application results and to accept award.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

32. 1) Approve and authorize the Chairman to execute an agreement with the Merced County Food Bank in the amount of \$300,000 for the procurement and distribution of food to qualified individuals during the COVID-19 emergency for a term of thirty days from agreement execution; and 2) Direct staff to return to the Board with an informational item detailing any time extensions to the term of the agreement.

AUTHORIZED CONTRACT NO. 2020105 AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

33. 1) Change Extra Help Spring Fair Assistant, Class 0523, \$13/hour to \$20/hour in Budget Unit 18100; 2) Approve the modifications to classification specification Extra Help Spring Fair Assistant; 3) Approve amendments to the Position Allocation Resolution 06/120 and 06-120/A; and 4) Approve amendments Human Resources Rules and Regulations 2007-22.

ADOPTED RESOLUTION NOS. 2020-44, 2020-45 AND 2020-46 AS RECOMMENDED AYES: ALL

34. Approve and authorize the Chairman to sign Amendment Contract No. 2006036 approving amendments to the Joint Powers Agreement (JPA) with California State Association of

Counties (CSAC) Excess Insurance Authority (EIA) as listed, including changing its name to Public Risk Innovation, Solutions and Management (PRISM).

AUTHORIZED CONTRACT NO. 2020106 AS RECOMMENDED AYES: ALL

SPRING FAIR

35. 1) Approve and authorize Chairman to sign Memorandum of Understanding (Exhibit B) with California Department of Food and Agricultural, associated Resolution (Exhibit A), and attachments 1 and 2 (Contracting/Work Conditions Policies) in order to receive AB 1499 funding; and 2) Authorize the Spring Fair Manager to sign any associated documents.

AUTHORIZED CONTRACT NO. 2020107 AND ADOPTED RESOLUTION NO. 2020-47 AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

36. 1) Discussion and possible action regarding the next steps on the Variance to Stage Two of California's Roadmap to Modify the Stay-at-Home Order; and 2) Discussion and possible action to proclaim a Local Economic Emergency due to COVID-19.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGES 11 AND 12

BOARD APPOINTMENTS

37. 1) Appoint Manny Sousa to serve on the Solid Waste Independent Hearing Panel representing Public Member At-Large filling a four (4) year term until April 7, 2024; and 2) Appoint Sean Pinkston to serve on the Solid Waste Independent Hearing Panel representing Technical Expert filling a four (4) year term until April 7, 2024.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

38. California Fish and Game Commission re: A notice of receipt of the petition to change the status of Agassiz's desert tortoise (*Gopherus agassizii*) from threatened to endangered under the California Endangered Species Act (CESA); a notice of findings on the petition to list Shasta snow-wreath (*Neviusia Cliftonii*) as endangered under CESA; and a notice of findings on the Petition to list an evolutionary significant unit of mountain lions (*Puma concolor*) in southern and central coastal California as threatened or endangered under CESA.
39. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer of up to 2,000 acre-feet of water from Carmichael Water District to State Water Contractor Water Agencies under license 1387 (Application 138).

THE BOARD ADOPTED RESOLUTION IN MEMORY OF JOE JAMERO AND ADJOURNED THE MEETING AT 1:51 P.M. UNTIL TUESDAY, JUNE 9, 2020, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – MAY 19, 2020

10:00 A.M. SCHEDULED ITEM **2020-05-19 PUBLIC OPPORTUNITY**

Public Comments received via email are read and voicemails played for Public Opportunity and Scheduled Items, and are on file with the Clerk.

Comments received from the following relating in general to the County's Health Order and reopening of Merced County amid concerns for safety as well as the impact on owners of small business:

Lesanne Jacobsen, Jordan Hansell, Meaghan Altman, Jason Emory, Erica Meza, Kent Sandhagen, Nathan Leon, Matt Hatcher, Tracy Hawkins, Louanna Mejia, Manuel Berrospe, William Allen, Ryan Cromar, Amber Webster, Geneva Brett, Tamara McDaniels, Arlene Cardoza, and Rita Spaur.

Present: Espinoza, Lor, McDaniel, Pareira, Silveira

10:00 A.M. SCHEDULED ITEM **2020-05-19 CENSUS UPDATE**

Alexandra Pierce, Deputy County Executive Officer and Patricia Ramos-Anderson, Partnership Specialist with the U.S. Census Bureau (via phone) review a power point presentation on the Merced County Census 2020 covering the following: United States Census, California Complete Count, California Regional Approach, Merced County Demographics, Merced County Complete Count Committee, Outreach Strategies, and Contact Information.

Present: Espinoza, Lor, McDaniel, Pareira, Silveira

10:00 A.M. SCHEDULED ITEM **2020-05-19 COVID-19 UPDATE**

Jim Brown, County Executive Officer states that Item 36 on the agenda gives the ability to provide direction or action related to Stage Two and the COVID situation and recommends moving item 36 up to the front of the agenda to partner with the update and have the discussion and dialogue at the same time.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, duly carried, the Board moves to consider Item 36 after the COVID-19 Update.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

Dr. Sandoval, Health Officer opens the COVID-19 Update and reviews power point presentation covering the following: Presentation Outline, Current Merced County Case Count, Cases by City: Los Banos and Merced City Comparison, COVID-19 Death Information, Hospitalizations, Patients with Prolonged ICU Stays and Reopening Safely.

Dr. Rebecca Nanyonjo-Kemp, Public Health Director thanks Chairman Espinoza for his signature late last night on the attestation and continues the power point presentation covering the following: Attestation Readiness Criteria-Review, Attestation Update-Epidemiologic Criteria, Attestation Update-Testing Capacity, Attestation Timeline, Consequences of Misalignment with State and Reopening Stages for Merced County.

The Board has lengthy discussion on the update.

Genevieve Valentine, Director of Behavioral Health and Recovery Services takes over the power point presentation and reviews slides covering: Current Status of BHRS, Our Collaborative Efforts, Future Areas of Focus as a Result of the Pandemic, Current Areas of Focus, and For Up to Date Information.

Present: Espinoza, Lor, McDaniel, Pareira, Silveira

ACTION ITEM NO. 36

2020-05-19 EXECUTIVE OFFICE

The Clerk announces discussion and possible action regarding the next steps on the Variance to Stage Two of California's Roadmap to Modify the Stay-at-Home Order; and discussion and possible action to proclaim a Local Economic Emergency due to COVID-19 is before the Board for consideration.

Public Comments submitted from the following:

J.A.Thomas, regarding giving small businesses the same rights as larger corporations.

Beverly Bomersbach, regarding rescinding the health order in Merced County.

2 voicemails received are on file with the Clerk.

Supervisor Silveira comments and makes a motion that we will wait until noon tomorrow for the State's approval and if they do not post we will self-attest, post on our website and enter into Phase 2B in Merced County.

Jim Brown, County Executive Officer clarifies that the Board at its last meeting authorized submission of all documents and a letter to the State for self-attestation, and ratify letter sent last night, if the maker of the motion would be willing to accept this.

Supervisor Silveira agrees for that to be included in the motion.

Supervisor McDaniel seconds the motion and comments that we are using science to move forward but the State is using politics. He states that all of his conversations with the Sheriff have been to open up safely. We are advocating for businesses and their employees as well.

Supervisor Lor comments that this pandemic is shining a brighter light on the generational social inequities, the economic inequities and the disparities in our community. We need to reopen safely, and hopes the community adheres to the guidelines put in place. She states that she does have a question on the proclamation and what the advantage/disadvantage of approving the proclamation of a local economic state of emergency.

Supervisor McDaniel responds that this sends a message to the Governor that we are hurting here and exactly what is going on in our County at this time.

Supervisor Lor clarifies that this is just formalizing it then.

Supervisor McDaniel states that is correct.

Supervisor Pareira comments that it is unfortunate that we have come to this point in our community. He asks for clarification on the motion as to whether it is to move us into 2.5 on the stay at home order or to 2.5 on the Governor's Road Map?

Forrest Hansen, County Counsel responds that it is on the Governor's Resilience Road Map, phase 2B.

Supervisor Silveira states that its 2B or 2.5 guidance that the Governor gave out yesterday that lists the businesses that can reopen.

Supervisor Espinoza comments that we are not going to be out of compliance or not breaking any laws and that we just need to be safe as we begin to reopen.

Supervisor Silveira comments that we are going to meet the attestation from the State.

Supervisor Lor requests Supervisor Silveira repeat the whole motion.

Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, duly carried the Board moves that as a result of the self-attestation process, in close collaboration with our Public Health Officer and Public Health Director, that we are in compliance and by noon tomorrow will move Merced County into Stage 2B, and it will be posted on our website also with staff's recommendations to submit all the proper documentation.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

Upon motion of Supervisor McDaniel, seconded by Supervisor Pareira, duly carried the Board proclaims a Local Economic Emergency due to COVID-19.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

10:00 A.M. SCHEDULED ITEM
2020-05-19 PUBLIC WORKS – PUBLIC HEARING

The time and date previously scheduled to solicit comments on submission of an application for 2019-2020 State Community Development Block Grant (CDBG) funding for planning and technical assistance.

Dana Hertfelder, Director of Public Works provides an overview of the submission of an application for 2019-2020 State Community Development Block Grant (CDBG) funding for planning and technical assistance and speaks about Del Hale Hall in O'Banion Park.

The Chairman opens the Public Hearing.

The Board takes a 10 minute break to receive public comments via e-mail.

The Clerk states that there were 2 emails received from the following:

April Hogue, Mayor of Dos Palos submits letter of support for the project.

Jovana Morales-Tilgren, Leadership Counsel for Justice and Accountability questions why the County is only applying for Technical Assistance for planning of the Del Hale Hall.

The Chairman closes the Public Hearing.

Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, duly carried, the Board adopts Resolution No. 2020-48, a) approving submittal of the CDBG grant application for Planning and Technical Assistance; b) Authorizing the Chairman to execute the CDBG grant application and any additional documents necessary to complete the application process; c) Upon a successful award authorizing the Chairman to execute standard agreements to accept the award and any subsequent amendments that are necessary to participate in the CDBG program subject to approval by Counsel; d) Authorizing the Director of Public Works to administer the CDBG grant, and authorize the Department of Public Works Director or Assistant Director to execute documents necessary for the proper administration of the CDBG program; and directs the Department of Public Works to return to the Board of Supervisors with an informational item of all actions taken.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

10:00 A.M. SCHEDULED ITEM

2020-05-19 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING

The time and date previously scheduled to solicit comments on submission of an application for 2019-2020 State Community Development Block Grant (CDBG) funding for code enforcement.

Mark Hendrickson, Director of Community and Economic Development gives an overview of the submission of an application for 2019-2020 State Community Development Block Grant (CDBG) funding for code enforcement.

The Chairman opens the Public Hearing.

The Board takes a 10 minute break to receive public comments via e-mail.

The Clerk states that there was an email received from the following:

Jovana Morales-Tilgren, Leadership Counsel for Justice and Accountability questions if the CDBG funding is only for code enforcement.

Two voicemails were received and are on file with the Clerk.

Mr. Hendrickson responds that there are two different CDBG funding opportunities, and that they intend to apply for the grant funding to assist small businesses once they are released.

Supervisor Silveira comments that we have only two Code Enforcement Officers for Merced County and shared how the City of Los Banos utilized this grant opportunity in the past.

The Chairman closes the Public Hearing.

Upon motion of Supervisor Silveira, seconded by Supervisor Pareira, duly carried, the Board adopts Resolution No. 2020-49, approving submittal of the CDBG grant application for Code Enforcement; authorizes the Director of Community and Economic Development: a) To execute the CDBG grant application and any additional documents necessary to complete the application process; and b) Upon a successful award, to accept the award by executing standard agreements and any subsequent amendments that are necessary to participate in the CDBG program subject to approval by Counsel; Directs the Community and Economic Development Department to return to

the Board with an informational item of all actions taken; and authorizes the Community and Economic Development Director to administer the CDBG grant, and authorize the Community and Economic Development Director or Deputy Director of Planning to execute the documents necessary for the proper administration of the CDBG program.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira