



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, JULY 28, 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

The Board of Supervisors welcomes you to its meetings which are regularly held on a scheduled Tuesday and your interest is encouraged and appreciated.

Important Notice Regarding COVID-19

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

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

AUDIO/VIDEO BROADCAST: All board meetings are normally broadcast live and replayed on local cable television. A list of cable channels and broadcast times are available at the following website: <http://www.co.merced.ca.us/1581/Comcast-Ch-96-Broadcast>

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

PUBLIC COMMENT PERIOD: Public opportunity to speak on any matter of public interest within the Board's jurisdiction including items on the Board's agenda, except for those items specifically scheduled as public hearings (testimony limited to three (3) minutes per person).

All comments for items on the agenda other than those scheduled as public hearings will be taken at the beginning of the Board Meeting during the public comment period. In order that interested parties have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes. Please raise your hand when requested and you will be directed to the podium. Please note that in order to maintain social distancing only one person may speak at a time, at the podium.

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.

If you choose not to attend the Board of Supervisors meeting but desire to make general public comment, or comment on a specific item on the agenda, you may do so as follows:

WRITTEN COMMENTS: Members of the public may submit written comments as follows: by email to publiccomments@countyofmerced.com,

by mail or hand delivery at the Clerk of the Board's Office at the above address. Comments should be submitted as soon as possible but not later than 5:00 p.m. on the Monday prior to the Board meeting. You will need to provide the following information: Board Meeting Date, Item Number, and your comments. Please submit a separate email for each item you are commenting on. Please be aware that public comments received that do not specify a particular agenda item will be made part of the record of proceedings as a general public comment. Written comments will be provided to the Board Members, and will be part of the record of the meeting, but will not be read during the meeting.

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

CLOSED SESSION: This is the portion of the meeting conducted in private without the attendance of the public or press to discuss certain confidential matters specifically permitted by the Brown Act. The public will be provided an opportunity to comment on any matter to be considered in closed session prior to the Board adjourning into the closed session.

BOARD AGENDA AND MINUTES: Board agendas, minutes, and copies of items to be considered by the Board of Supervisors are posted on the Internet at least 72 hours preceding a Tuesday meeting at the following website: www.countyofmerced.com

REASONABLE ACCOMMODATIONS: Persons who require accommodation for any audio, visual or other disability or Spanish or Hmong interpretation in order to review an agenda, or to participate in a meeting of the Board of Supervisors per the American Disabilities Act (ADA), may obtain assistance by requesting such accommodation in writing. Please address your written request to the Clerk of the Board, 2222 M Street, Merced, CA 95340 or telephonically by calling (209) 385-7366. Any such request for accommodation should be made at least 48 hours prior to the scheduled meeting for which assistance is requested.

Spanish and Hmong interpreters are available.

Interpretes de espanol y hmong estan disponibles.

Peb muaj tug paab txhais lug Mev hab Hmoob.

SCHEDULED ITEMS

**9:00 A. M. THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA-
TESTIMONY IS LIMITED TO THREE MINUTES PER PERSON**

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

It is the intention of the Board to meet in Closed Session concerning Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Munguia, et al. v. County of Merced, et al. Merced Superior Court Case No. 18CV-00792.

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

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

THE BOARD RECESSED AT 9:02 A.M. WITH CHAIRMAN ESPINOZA NOT PRESENT AND RECONVENED AT 10:00 A.M. WITH CHAIRMAN ESPINOZA NOT PRESENT, AND THE VICE- CHAIR ADVISED STAFF WAS GIVEN DIRECTION

GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA ITEMS)

10:00 A. M.

**INVOCATION led by Father Juan Maldonado, Sacred Heart Church,
Merced/PLEDGE OF ALLEGIANCE**

PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (TESTIMONY LIMITED TO THREE MINUTES PER PERSON)

REVIEW BOARD ORDER – SEE PAGE 10

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

COVID-19 UPDATE

REVIEW BOARD ORDER – SEE PAGE 10

SCHEDULED ITEMS:

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To consider General Vacation of F Street at the Mid-California International Trade District at Castle.

RECOMMENDATION:

- 1) Open Public Hearing and accept public comments;
- 2) Close Public Hearing; and,
- 3) Adopt the Resolution authorizing the General Vacation of F Street, from Airflight Drive to Academy Drive (approximately 315 feet in length) at the Mid-California International Trade District at Castle.

REVIEW BOARD ORDER – SEE PAGES 10 AND 11

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To consider Proposed Ordinance Approving Development Agreement DA19-001, a project consisting of 1,836 Proposed Homesites located between South State Highway 33 and South Hilldale Avenue, north of the California Aqueduct, including approximately 0.2 miles of land north of the Delta Mendota Canal.

RECOMMENDATION:

- 1) Introduce the proposed ordinance entitled "An Ordinance of the Board of Supervisors of the County of Merced Approving Development Agreement No. DA19-001 by and between The County of Merced and Parkway South Inc., A California Corporation, AKT Santa Nella Investors, LLC, and RCI-SN Parkway 348, LLC.";
- 2) Waive further reading;
- 3) Open the Public Hearing and receive testimony;
- 4) Close the Public Hearing;
- 5) Consider the Planning Commission's recommendation in favor of adopting the proposed ordinance;

- 6) Determine the proposed Ordinance and associate Development Agreement are exempt from further environmental review under Section 15162 - "Subsequent EIRs and Negative Declarations" of the CEQA guidelines; and,
- 7) Adopt the proposed ordinance approving Development Agreement DA19-001.

REVIEW BOARD ORDER – SEE PAGE 11

PUBLIC WORKS - SECOND READING - PROPOSED ORDINANCE

Conduct a second reading of an ordinance amending chapter 5.64 of the Merced County Code and Superseding Ordinance 1970 entitled "User Charge Rates for Zones of Benefit", which would set County Service Area Number One User Charge Rates at their current rates for Fiscal Year 2020/2021.

RECOMMENDATION:

- 1) Conduct a second reading of a proposed ordinance establishing the County Service Area Number One User Charge Rates for Zones of Benefit in the 2020/2021 Fiscal Year", which sets County Service Area Number One User Rates for the 2020/2021 fiscal year at current rates, and supersedes Merced County Ordinance No. 1970;
- 2) Waive further reading of the proposed ordinance; and,
- 3) Adopt the Ordinance.

REVIEW BOARD ORDER – SEE PAGES 11 AND 12

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-13)

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

Public Works

1. Set a Public Hearing for Tuesday, August 25, 2020 at 10:00 a.m. to consider adoption of the proposed Resolution for the General Vacation of Amsterdam Road from Princeton Road to the north end of Amsterdam Road in the Winton area.

Behavioral Health and Recovery Services

2. Approve and authorize the Chairman to sign Amendment Contract No. 2019113 with Discovery Practice Management, Inc., for the treatment of eating disorders, updating the terms and Insurance conditions to meet County standards and converts agreement to a rate based contract.
3. Approve and authorize the Chairman to sign Amendment Contract No. 2018129 with National Alliance on Mental Illness for Mental Health Services Act Prevention and Early Intervention, for capacity building activities and support services, amending the pricing conditions and revising Exhibits A, B, C, E, and M.

REVIEW BOARD ORDER – SEE PAGE 12

4. Approve and authorize the Chairman to sign Amendment Contract No. 2017094 with Trilogy Integrated Resources, LLC for Network of Care website maintenance and e-learning, amending pricing conditions, updating the insurance to meet County standards and revising Exhibit A, B, C, and E.
5. Approve and authorize the Chairman to sign Amendment Contract No. 2018098 with California State University Stanislaus, to continue the implementation of the Mental Health Services Act, Workforce, Education and Training Stipend Program for Master of Social Work students.
6. Approve and authorize the Chairman to sign Amendment Contract No. 2017195 with Turning Point Community Programs, for services provided through the Community Assistance Recovery Enterprise Program as part of the Mental Health Services Act, amending pricing conditions, updating the insurance to meet County standards and revising Exhibit A, B, C, E and M.

Human Services Agency

7. Approve and authorize the Chairman to sign Amendment Contract No. 2020074 with Merced Inn and Suites to provide hotel rooms for identified population.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2020127 with Taher, Inc. to provide cold meals for the identified population.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2020083 with the Merced Rescue Mission for emergency shelter management services at motels/hotels in the community.

Elections

10. Approve Budget Transfer in the amount of \$244,014 to re-budget Fixed Asset #85458 voting system for the upcoming November 2020 Presidential General Election due to many requirements and recent changes in legislation caused by COVID-19. (4/5 Vote Required)

Administrative Services

11. Approve and authorize the Chairman to sign Amendment Contract No. 2018171 with Delta Wireless for Public Safety Radio Infrastructure Maintenance.

Executive Office

12. Act on Claim for Damages submitted by Sheldon Hancock and James Stewart as recommended by Risk Management and County Counsel.
13. Approve Budget Transfer in the amount of \$9,750,000 to offset actual costs incurred by County departments from March 1, 2020 through June 30, 2020 in response to the COVID-19 pandemic. Funding for these costs are through the Coronavirus Relief Fund enacted by the CARES Act. (4/5 Vote Required)

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

14. Right-of-Way Agreement with Merced Pipeline, LLC to complete a biogas pipeline route encompassing approximately 10.5 miles of County right-of-way as generally described and identified in Exhibit A of said agreement.

**AUTHORIZED CONTRACT NO. 2020143 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

15. 1) Direct the Department of Public Works to submit an application to Caltrans for Highway Safety Improvement Project funds to use on the Traffic Sign Improvement Project (North), by September 4, 2020; 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.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

16. The Director of Public Works request the Board find that substantial evidence demonstrates that an emergency continues to exist regarding the HVAC System at 1900 Airdrome Entry (Castle), 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)

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

17. The Director of Public Works requests the Board find that substantial evidence demonstrates that an emergency continues to exist regarding the HVAC System at Castle Building 1340, 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)

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

AG COMMISSIONER

18. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 20-0205-000-SA) for Organic Producer Registration and inspection activities.

**AUTHORIZED CONTRACT NO. 2020144 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

19. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 20-0147-000-SA) to provide Certified Farmers Market inspection activities.

**AUTHORIZED CONTRACT NO. 2020145 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

20. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 20-0113-000-SA) for fruit and vegetable quality standards inspection.

**AUTHORIZED CONTRACT NO. 2020146 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

21. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 19-1192-00-SG) for Noxious Weed Management activities.

**AUTHORIZED CONTRACT NO. 2020147 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

22. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 19-0727-041-SF) for Glassy-winged Sharpshooter (GWSS) detection and survey activities.

AUTHORIZED CONTRACT NO. 2020148 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

23. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 20-0022-000-SA) for Weighmaster Inspection activities.

AUTHORIZED CONTRACT NO. 2020149 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

24. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 20-0074-000-SA) for Fuels, Lubricants and Automotive Products Inspection activities.

AUTHORIZED CONTRACT NO. 2020150 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

HEALTH

25. 1) Approve the acceptance of the FY 20-21 Tuberculosis Subvention grant award from the State Tuberculosis Control Branch for tuberculosis control and prevention services in an amount not to exceed \$64,414; and 2) Authorize the Chairman to sign the "Acceptance of Award" form and related documents.

AUTHORIZED CONTRACT NO. 2020151 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

26. Contract with the California Department of Public Health-Maternal, Child and Adolescent Health Division (State Contract No. CHVP SGF EXP 19-24) for the expansion of the California Home Visiting Program.

AUTHORIZED CONTRACT NO. 2020152 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

BEHAVIORAL HEALTH AND RECOVERY SERVICES

27. Retroactively approve contract with God's Love Outreach Ministries, Adult Residential facilities for enhanced Board and Care.

AUTHORIZED CONTRACT NO. 2020153 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

28. Contract with Merced Community College District for Psychosocial Rehabilitation (PSR) instructional courses.

AUTHORIZED CONTRACT NO. 2020154 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1

HUMAN SERVICES AGENCY

29. Appoint Ralph Silva-Rodriguez as the County Veterans Service Officer.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

REVIEW BOARD ORDER - SEE PAGE 12

COMMUNITY AND ECONOMIC DEVELOPMENT

30. Contract with Merced Subbasin Groundwater Sustainability Agency (GSA) for support services from the County's Community and Economic Development Department.

**AUTHORIZED CONTRACT NO. 2020155 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

ELECTIONS

31. Adopt a Resolution approving entering into a contract with the California Secretary of State to provide Merced County with new federal Help America Vote Act (HAVA) funding to be used for election activities related to the coronavirus pandemic, and; authorizing the Registrar of Voters to execute the contract with the Secretary of State and all other documents related to this funding allocation.

AUTHORIZED CONTRACT NO. 2020156 AND ADOPTED RESOLUTION NO. 2020-72 AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

REVIEW BOARD ORDER – SEE PAGES 12 AND 13

32. 1) Approve to relieve the Elections Department of accountability for the following Fixed Assets (Model 100 Optical Scanner) #0055389, #0055393, #0055402, #0055413, #0055427, #0055428, #0055440, #0055463, #0055483, #0055485 from Budget Unit 14000 and Fixed Assets #0056010, #0056014, #0056803, #0056804, #0056805, #0056807, #0056809, #0056810 from Budget Unit 14200; and 2) Approve the Auditor-Controller to remove the items from the ROV/Elections Fixed Asset Inventory.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

SHERIFF

33. Contract with the Merced County Office of Education to provide education services to inmates confined in the Merced County Jail facilities.

**AUTHORIZED CONTRACT NO. 2020157 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

34. 1) MOU with Fresno County Sheriff-Coroner's Office for participation and reimbursement of High Intensity Drug Trafficking Area (HIDTA) overtime and expenses; and 2) Authorize the Sheriff to sign the MOU with CEO and Counsel approval.

**AUTHORIZED CONTRACT NO. 2020158 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

ADMINISTRATIVE SERVICES

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

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

EXECUTIVE OFFICE

36. Adopt a Resolution calling for an election to be held in the Boards jurisdiction on November 3, 2020, for the purpose of submitting to voters a general tax measure, to establish a retail transactions and use tax (sales tax) at the rate of 1/2 % (1/2 cent per dollar) for a period of fifteen (15) years; and consolidate said election with the Statewide General Election to be

conducted on the same date; and to permit the Elections Department to provide elections services. (4/5 Vote Required)

ITEM CONTINUED TO A SPECIAL MEETING

REVIEW BOARD ORDER – SEE PAGES 13 AND 14

37. Contract with Central Valley Opportunity Center for services which consist of providing education and outreach regarding COVID-19 to local farmworkers.

**AUTHORIZED CONTRACT NO. 2020159 AS RECOMMENDED AYES: 2, 3, 4, 5
NOT PRESENT: 1**

REVIEW BOARD ORDER – SEE PAGES 14 AND 15

38. 1) Approve the Local Planning Council (LPC) County Priorities Report; and 2) Authorize the Chairman to sign the LPC County Priorities Report Form as required by the California Department of Education.

APPROVED AS RECOMMENDED AYES: 2, 3, 4, 5 NOT PRESENT: 1

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: 2, 3, 4, 5 NOT PRESENT: 1

39. WARN Notices: Western Dental & Orthodontics - 12 W. 20th St. Merced, 1124 W. Olive Ave. Merced, and 1153 W. Pacheco Blvd. Los Banos.
40. California Fish and Game Commission re: Notice of proposed regulatory action relative to amending sections 3.00, 4.00, 5.00, 5.41, 5.85, 7.00, 7.50, 8.10, and adding sections 5.84, 5.89, 7.40, Title 14, California Code of Regulations, relating to Simplification of Statewide Inland Sport Fishing Regulations.

**THE BOARD ADOPTED RESOLUTION IN MEMORY OF FRANCIS “BUTCH”
HUGHES AND ADJOURNED THE MEETING AT 12:44 P.M. UNTIL TUESDAY, AUGUST
11, 2020, AT 10:00 A.M.**

BOARD ORDERS – SUMMARY ACTION MINUTES – JULY 28, 2020

10:00 A.M. SCHEDULED ITEM **2020-07-28 PUBLIC OPPORTUNITY**

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

Dr. Sima Asadi, Merced Pediatrician speaks about the research she has done on COVID-19 over the last 5 months and speaks about the importance of in-person school for children and advocates on their behalf.

Present: Lor, McDaniel, Pareira, Silveira

Absent: Espinoza

10:00 A.M. SCHEDULED ITEM **2020-07-28 COVID-19 UPDATE**

Dr. Rebecca Nanyonjo-Kemp, Public Health Director opens and introduces Dr. Kristynn Sullivan, Supervising Epidemiologist. Dr. Sullivan reviews power point presentation covering the following: Current Merced County Case Count, Merced County COVID-19 Deaths, County Monitoring List – State “Watch List”, Current State Watch List Metrics, and Treatment of COVID-19.

Dr. Nanyonjo-Kemp reviews slides covering the following: Merced County Updates, Operations Section Updates, Contract Tracing, Youth Sports & State School Guidance, Community Outreach, Outreach Statistics, and Merced County Outreach Social Media Campaigns.

The Board has lengthy discussion on the update.

Present: Lor, McDaniel, Pareira, Silveira

Absent: Espinoza

10:00 A.M. SCHEDULED ITEM **2020-07-28 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING**

The time and date previously scheduled to consider General Vacation of F Street at the Mid-California International Trade District at Castle.

Mark Mimms, Deputy Director of Economic Development gives an overview of the General Vacation of F Street at the Mid-California International Trade District at Castle.

Supervisor McDaniel comments that he has witnessed for himself vehicles traveling in the wrong direction on F Street at Castle.

The Vice Chair opens the Public Hearing and asks if there is anyone present wishing to speak.

No one speaks.

The Vice Chair closes the Public Hearing.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, duly carried, the Board adopts Resolution No. 2020-74 authorizing the General Vacation of F Street, from Airflight

Drive to Academy Drive (approximately 315 feet in length) at the Mid-California International Trade District at Castle.

Ayes: Lor, McDaniel, Pareira, Silveira

Absent: Espinoza

10:00 A.M. SCHEDULED ITEM

2020-07-28 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING

The time and date previously scheduled to consider Development Agreement DA19-001, a project consisting of 11836 proposed homesites located between south State Highway 33 and south Hilldale Avenue, north of the California Aqueduct, including approximately 0.2 miles of land north of the Delta Mendota Canal.

Steve Maxey, Deputy Director of Planning gives an overview of the Development Agreement and the project.

The Vice Chair opens the Public Hearing and asks if there is anyone present wishing to speak.

John Palmer, representative for AKT Development thanks Steve Maxey, Tiffany Ho and Jeff Grant for all of their work on this project.

The Vice Chair closes the Public Hearing.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, duly carried, the Board waives further reading of the proposed ordinance.

Ayes: Lor, McDaniel, Pareira, Silveira

Absent: Espinoza

Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, duly carried, the Board considers the Planning Commission's recommendation in favor of adopting the proposed ordinance and determines the proposed Ordinance and associate Development Agreement are exempt from further environmental review under Section 15162-“Subsequent EIRs and Negative Declarations” of the CEQA guidelines.

Ayes: Lor, McDaniel, Pareira, Silveira

Absent: Espinoza

Upon motion of Supervisor Silveira, seconded by Supervisor Pareira, duly carried, the Board adopts Ordinance No. 1993 approving Development Agreement DA19-001.

Ayes: Lor, McDaniel, Pareira, Silveira

Absent: Espinoza

10:00 A.M. SCHEDULED ITEM

2020-07-28 PUBLIC WORKS – SECOND READING – PROPOSED ORDINANCE

The time and date previously scheduled to conduct a second reading of an ordinance amending Chapter 5.64 of the Merced County Code and Superseding Ordinance 1970 entitled “User Charge Rates for Zones of Benefit”, which would set County Service Area Number One User Charge Rates at their current rates for Fiscal Year 2020/2021.

Upon motion of Supervisor Silveira, seconded by Supervisor Pareira, duly carried, the Board waives further reading of the proposed ordinance and adopts Ordinance No. 1994 “An Ordinance

establishing the County Service Area Number One User Charge Rates for Zones of Benefit in the 2020/2021 Fiscal Year”, which sets County Service Area Number One User Rates for the 2020/2021 fiscal year at current rates, and supersedes Merced County Ordinance No. 1970.

Ayes: Lor, McDaniel, Pareira, Silveira

Absent: Espinoza

CONSENT ITEM NO. 3

2020-07-28 BEHAVIORAL HEALTH AND RECOVERY SERVICES

The Clerk announces item to approve and authorize the Chairman to sign Amendment Contract No. 2018129 with National Alliance on Mental Illness for Mental Health Services Act Prevention and Early Intervention, for capacity building activities and support services is before the Board for consideration.

Jim Brown, County Executive Officer clarifies on the contract extension that the recommendation states to go through December 31, 2020 and that the typographical error on Exhibit B of the contract will be corrected to reflect that date.

Upon motion of Supervisor Silveira, seconded by Supervisor Pareira, duly carried, the Board approves and authorizes the Chairman to sign Amendment Contract No. 2018129 with National Alliance on Mental Illness for Mental Health Services Act Prevention and Early Intervention, for capacity building activities and support services.

Ayes: Lor, McDaniel, Pareira, Silveira

Absent: Espinoza

ACTION ITEM NO. 29

2020-07-28 HUMAN SERVICES AGENCY

The Clerk announces item to appoint Ralph Silva-Rodriguez as the County Veterans Service Officer is before the Board for consideration.

Yvonnia Brown, Director of Human Services Agency introduces and gives the Board Mr. Silva-Rodriguez’s background.

Mr. Silva-Rodriguez thanks Ms. Brown and the Board for the opportunity and states the veterans and their families deserve the very best and that is what he plans to give him.

Supervisor McDaniel thanks Mr. Silva-Rodriguez for his service and for stepping up into this new role.

Upon motion of Supervisor Pareira, seconded by Supervisor Silveira, duly carried, the Board appoints Ralph Silva-Rodriguez as the County Veterans Service Officer.

Ayes: Lor, McDaniel, Pareira, Silveira

Absent: Espinoza

ACTION ITEM NO. 31

2020-07-28 ELECTIONS

The Clerk announces item to adopt a resolution approving entering into a contract with the Secretary of State to provide Merced County with new federal Help America Vote Act (HAVA) funding to be used for election activities related to coronavirus pandemic, and authorizing the Registrar of Voters to execute the contract and all other documents to this funding allocation is before the Board

for consideration. The Clerk announces that the summary in the Board agenda item states that funds must be expended by December 31, 2020 and meet the federally mandated 20% match requirement and states that the 20% match requirement is no longer required; and paragraph 4 of the supporting Resolution will be modified to remove reference of the 20% match requirement.

Barbara Levey, Assessor/Clerk-Recorder/Registrar of Voters clarifies that the match requirement was removed yesterday and the amounts were also released. She states that Merced County will receive just over \$332,000 in funding for a good portion of the election in response to the coronavirus pandemic. She further states that in addition they will also receive almost \$61,000 for their outreach and education efforts for the change to the all-mail election.

Upon motion of Supervisor Pareira, seconded by Supervisor McDaniel, duly carried the Board adopts Resolution No. 2020-72 approving entering into a contract with the Secretary of State to provide Merced County with new federal Help America Vote Act (HAVA) funding to be used for election activities related to coronavirus pandemic and authorizes the Registrar of Voters to execute Contract No. 2020156 with the Secretary of State and all other documents related to this funding allocation.

Ayes: Lor, McDaniel, Pareira, Silveira

Absent: Espinoza

ACTION ITEM NO. 36
2020-07-28 EXECUTIVE OFFICE

The Clerk announces item to adopt Resolution calling for an election to be held in the Boards jurisdiction on November 3, 2020, for the purpose of submitting to voters a general tax measure, to establish a retail transactions and use tax (sales tax) at the rate of $\frac{1}{2}$ % (1/2 cent per dollar) for a period of fifteen (15) years; and consolidate said election with the Statewide General Election to be conducted on the same date; and to permit the Elections Department to provide elections services (4/5 Vote Required) is before the Board for consideration.

Jim Brown, County Executive Officer comments that the economic downturn caused by the global pandemic has substantially effected the fiscal landscape at the federal, state and local levels. These impacts extend to the County's budget including availability of resources to provide essential programs and services to ensure the health and safety of our local communities and gives an overview of the proposed general tax measure for the voters to decide by placing a temporary 15 year one half cent sales tax measure on the November ballot.

Supervisor McDaniel comments that they did put this in their long-term goals and that this was more focused on infrastructure as opposed to a specified measure; he states that he would like the whole board to be here and participate in this discussion and would like to see five votes on this item.

Supervisor Pareira comments that he would like to see a $\frac{1}{4}$ % or $\frac{1}{3}$ % increase instead of the $\frac{1}{2}$ %.

Supervisor Silveira comments that no one likes taxes and we are trying to find a way to fund necessities. He states that he knows that the timing is horrible for this right now but the cleanest way to do this would be a sales tax measure.

Supervisor McDaniel states that they have received many emails on this item and thinks there is some confusion on it with the public. He makes a motion to continue this item.

Supervisor Lor comments that it is not our job to advocate one way or the other but to educate folks on what they will receive for this money that they will be contributing to through the sales tax measure and requests a full staff report on this item. She speaks about Board priorities, requests a presentation from the consultant and states that she supports continuing the item.

Forrest Hansen, County Counsel, states the item could be tabled, continued to another meeting, or a special meeting. He clarifies the timeline and states that the measure has to be submitted to the Registrar of Voters by August 7, 2020.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, to continue item to Friday, July 31, 2020 at 9:00 a.m.

Mr. Brown comments that the consultant may not be available at that time but would like to get something definitive scheduled if possible.

Supervisor Pareira suggests a Special Meeting for Monday, August 3, 2020.

Mr. Hansen clarifies that it will need to continue to a special meeting prior to the August 7, 2020 deadline.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, to continue the item to a Special Meeting.

Vice Chair Lor calls for a roll call vote.

Supervisor McDaniel: Yes
Supervisor Lor: Yes
Supervisor Pareira: Yes
Supervisor Silveira: Yes
Supervisor Espinoza: Absent

Motion carries.

ACTION ITEM NO. 37
2020-07-28 EXECUTIVE OFFICE

The Clerk announces contract with Central Valley Opportunity Center for services, which consist of providing education, and outreach regarding COVID-19 to local farmworkers is before the Board for consideration.

Alexandra Pierce, Deputy County Executive Officer gives an overview of the contract with Central Valley Opportunity Center (CVOC) and the services they will be providing. Ms. Pierce introduces Jorge De Nava Jr., Executive Director of Central Valley Opportunity Center.

Mr. De Nava speaks about their community based organization and the services they provide.

Supervisor McDaniel thanks Mr. De Nava and questions if they are providing these services to Stanislaus and Madera counties.

Mr. De Nava responds that they are in discussions with the two counties and that no action has yet been taken.

Supervisor Lor comments that she had the opportunity to speak with Mr. De Nava last week and appreciated learning more about what they do and what they plan to do with this partnership.

Upon motion of Supervisor Pereira, seconded by Supervisor McDaniel, duly carried the Board approves Contract No. 2020159 with Central Valley Opportunity Center for services, which consist of providing education and outreach regarding COVID-19 to local farmworkers.

Ayes: Lor, McDaniel, Pereira, Silveira

Absent: Espinoza