



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, AUGUST 25, 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 (In Person): 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.

PUBLIC COMMENT (Voicemail): You may also 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, as time allows. 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. Please see separate instructions for Public Hearing voicemail comments.

PUBLIC COMMENT (Email): Email public comments will not be read during the meeting, but will be delivered to the Board of Supervisors prior to the meeting if received by 5:00pm on the Monday prior to the Board meeting. Please send email public comments to the Clerk of the Board at publiccomments@countyofmerced.com. 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 made part of the record of the meeting. Comments made on Facebook are not considered part of the official record and will not be shared with the Board.

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 HEARINGS (In Person):

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.

PUBLIC HEARINGS (Via Voicemail): Public comment for public hearings will be taken in person and by voicemail. Voicemails directed to the public hearing will be accepted up to and during the public hearing and will be limited to three minutes in length. The Board of Supervisors will take a brief pause during the public hearing for persons using voicemail. Please call 209-726-2755 to leave your voicemail.

In an effort to assist the Clerk in identifying the Public Hearing agenda item relating to your public comment please identify the subject matter 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.

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:

It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT, Title: Registrar of Voters

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

PULLED – NO ACTION TAKEN

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 Yvonnia Brown, Director of Human Services Agency/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 12

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 14)

COVID-19 UPDATE

REVIEW BOARD ORDER – SEE PAGE 12

PUBLIC HEARINGS:

PUBLIC WORKS - PUBLIC HEARING

To Consider General Vacation of Amsterdam Road, From Princeton Road to North End of Amsterdam Road

RECOMMENDATION:

- 1) Open public hearing and accept public comments;
- 2) Close public hearing;
- 3) Adopt the Resolution authorizing the General Vacation of Amsterdam Road, from Princeton Road to the North End, which the Community and Economic Development Department has determined is exempt from California Environmental Quality Act (CEQA) under section 15301, subdivision (c), of the CEQA guidelines; and
- 4) Direct the Clerk of the Board to record the Resolution.

REVIEW BOARD ORDER – SEE PAGES 12 AND 13

BEHAVIORAL HEALTH AND RECOVERY SERVICES - PUBLIC HEARING

To Consider Proposed Ordinance Amending Mental Health Services Fee Schedule

RECOMMENDATION:

- 1) Introduce the proposed Ordinance, amending the Fee Schedule for Mental Health Services and Alcohol and Drug Services;
- 2) Waive further reading;
- 3) Open Public Hearing and receive testimony;
- 4) Close the Public Hearing; and
- 5) Adopt Ordinance known as Mental Health Fees (Amends Chapter 9.48 Section 9.48.030 and Amends Ordinance 1978).

REVIEW BOARD ORDER – SEE PAGE 13

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To Consider Amendment of the Agricultural Preserve as per the California Land Conservation Act of 1965 (Williamson Act) in Merced County

RECOMMENDATION:

- 1) Open the Public Hearing and receive testimony;
- 2) Close the Public Hearing;
- 3) Find that the removal of 5.34 acres from the Agricultural Preserve pertaining to: a) PLA 20-008 and located on the north side of W. Brooks Road, approximately 658 feet west of South Buhach Road in the Merced area, b) PLA 20-009 located on the east side of Keyes Road approximately 1,400 feet north of Montgomery Street in the Snelling area, is exempt from California Environmental Quality Act (CEQA) under Section 15183, Projects Consistent with a Community Plan or Zoning based on the findings listed in the BAI; and
- 4) Adopt a Resolution to amend the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.

REVIEW BOARD ORDER – SEE PAGES 13 AND 14

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-14)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. 1) Approve the Amended Utility Agreement No. 10-UT-3904.51 and 10-UT-3904.52 (Contract No. 2017013) with Pacific Bell Telephone Company (dba AT&T California) for the relocation of utilities to accommodate the construction of Campus Parkway Segment 2; and 2) Authorize the Director of Public Works to execute the Amended Utility Agreement upon review by County Counsel and Risk Management.

Behavioral Health and Recovery Services

2. Proclaim the month of September 2020 as Suicide Prevention Month in Merced County.
3. Proclaim the month of September 2020 as National Recovery Month in Merced County.
4. Approve and Authorize the Chairman to sign Amendment Contract No. 2019234 with Kings View Corporation, for Electronic Health Record System Support services as part of the Mental

Health Services Act, 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. 2018272 with Resource Development Associates to develop, implement and evaluate the effectiveness of the Innovative Strategist Network program and compilation of the final Innovation Report for the Mental Health Services Oversight and Accountability Commission and the Department of Health Care Services, amending pricing conditions, updating the insurance to meet County standards and revising Exhibit A, B, C, and E.
6. Approve and Authorize the Chairman to sign Amendment Contract No. 2018179 with Aspiranet to provide wraparound and specialty mental health services to Youth Beneficiaries in Merced County, extending the compensation terms and conditions due to the COVID-19 Pandemic.
7. Approve and Authorize the Chairman to sign Amendment Contract No. 2017197 with Aspiranet, for services provided through the Wraparound, Empowerment, Compassion, and Needs Program as part of the Mental Health Services Act, extending the COVID-19 relief payment provisions due to the ongoing COVID-19 Pandemic.

Community and Economic Development

8. 1) Approve and Authorize the Chairman to sign Amendment Contract No. 2015156 with AT&T Corp. for a FOCUS Program agreement providing telecommunications technology solutions; and 2) Authorize the Chairman to sign extension announcement letter.

Assessor

9. Set public hearing date of September 15, 2020 at 10 a.m. to consider a proposed Ordinance amending Assessor Fee Schedule (Amends Ordinance Number 1951 and Merced County Code Chapter 5.91.030).

Library

10. Proclaim the month of September 2020 as Library Card Sign-up Month in Merced County.

REVIEW BOARD ORDER – SEE PAGE 14

Probation

11. Approve and Authorize the Chief Probation Officer to sign Amendment Contract No. 2019316 with the Board of State and Community Corrections, to provide mental health training for custody and field services staff.

Sheriff

12. Approve and Authorize the Chairman to sign Amendment Contract No. 2016287 with Axon Enterprise, Inc. for the purchase of 26 additional body worn cameras.

Executive Office

13. Act on Claims for Damages submitted by Jesus Nunez, Cyrus Nownejad, Gita Nownejad, Estate of Edyna Sisch-Nownejad, Amanda Benefield, and Cristobal Carlos Leon as recommended by Risk Management and County Counsel.

Board Recognition

14. Certificates of Recognition for Graduation from the 1000 Books Before Kindergarten Program to various individuals, presented on August 14, 2020.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

15. Adopt Resolution authorizing the Director of Public Works or his designee to sign Regional Surface Transportation Program (RSTP) Exchange Fund Apportionments Claim for Fiscal Year 19/20 in the amount of \$931,999 and submit said Claim to the Merced County Association of Governments (MCAG) for processing.

ADOPTED RESOLUTION NO. 2020-81 AS RECOMMENDED AYES: ALL

16. 1) Approve a Special Services Agreement with The Gordian Group, Inc. dba The Mellon group (Gordian) of Greenville, South Carolina, to provide Job Order Contracting (JOC) Program Development, implementation, and management services; and 2) Authorize the Chairman to execute the agreement after review by County Counsel and Risk Management.

AUTHORIZED CONTRACT NO. 2020172 AS RECOMMENDED AYES: ALL

17. The Director of Public Works request the Board find that substantial evidence demonstrates that an emergency continues to exist regarding the HVAC Systems 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: ALL

AG COMMISSIONER

18. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 20-0270-012-SF) for Light Brown Apple Moth pest detection trapping activities.

AUTHORIZED CONTRACT NO. 2020173 AS RECOMMENDED AYES: ALL

19. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 20-0371-000-SA) for nematode control program activities.

AUTHORIZED CONTRACT NO. 2020174 AS RECOMMENDED AYES: ALL

20. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 20-0289-000-SG) for Bee Safety Inspection activities.

AUTHORIZED CONTRACT NO. 2020175 AS RECOMMENDED AYES: ALL

21. 1) Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 20-0085) for inspection of incoming high-risk plant material and quarantine enforcement; and 2) Authorize the Chairman to sign the State Certifications Forms CCC and CalRecycle.

AUTHORIZED CONTRACT NO. 2020176 AS RECOMMENDED AYES: ALL

22. Retroactively approve contract with the California Department of Food and Agriculture (Agreement No. 20-0333-000-SA) for Industrial Hemp Cultivation Program activities.

AUTHORIZED CONTRACT NO. 2020177 AS RECOMMENDED AYES: ALL

HEALTH

23. 1) Ratify the July 3, 2020 submission of an application for the Epidemiology and Laboratory Capacity CARES Act funding for local health jurisdictions capacity building activities with costs being reimbursed from May 1, 2020 through May 23, 2022 in the amount estimated at \$257,742; and 2) Return to the Board for contract approval when awarded this grant.

APPROVED AS RECOMMENDED AYES: ALL

24. 1) Approve State Contract No. 20-10125 with the California Department of Public Health, Office of AIDS for AIDS Drug Assistance Program enrollment site services; 2) Authorize the Chairman to sign all copies of the contract and required documents; and 3) Adopt the Resolution authorizing the Chairman to sign the contract.

AUTHORIZED CONTRACT NO. 2020171 AND ADOPTED RESOLUTION NO. 2020-82 AS RECOMMENDED AYES: ALL

25. 1) Ratify the submission of an application to the California Department of Justice, California Tobacco Grant Program for a 24 to 36 month period starting January 1, 2021; and 2) Return to the Board if awarded this grant.

APPROVED AS RECOMMENDED AYES: ALL

BEHAVIORAL HEALTH AND RECOVERY SERVICES

26. 1) Contract (Standard Agreement No. 31429) with the State of California, Department of Rehabilitation for vocational rehabilitation services for consumers; and 2) Adopt Resolution to approve and authorize execution of the Standard Agreement.

AUTHORIZED CONTRACT NO. 2020178 AND ADOPTED RESOLUTION NO. 2020-83 AS RECOMMENDED AYES: ALL

27. Contract with California State University Stanislaus for placement of Social Work student interns to complete their field practicum requirements with Merced County Department of Behavioral Health and Recovery Services.

AUTHORIZED CONTRACT NO. 2020179 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

28. Ratify the Human Services Agency's acceptance of Central Valley Community Foundation for the Edward K. Martin Legacy Fund Grant in the amount of \$50,000 beginning July 1, 2020 through June 30, 2021, supporting Veterans Programs and COVID-19 response targeting Merced County Veterans.

APPROVED AS RECOMMENDED AYES: ALL

29. Contract with California State University Stanislaus for Master of Social Work Program (field practicum) to provide field experience for students and graduates.

AUTHORIZED CONTRACT NO. 2020180 AS RECOMMENDED AYES: ALL

30. 1) Adopt the Resolution approving and authorizing the Chairman to execute the State Revenue Contract No. MI-2021-31 and required forms CCC-04-2017, CDA 1024, and CDA

9026, with the California Department of Aging for a Medicare Improvement for Patient and Provider Act Program.

AUTHORIZED CONTRACT NO. 2020181 AND ADOPTED RESOLUTION NO. 2020-84 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

31. Contract with Brenda Lee, Applicant for the payment of costs charged by De Novo Planning Group for the preparation of an Initial Study for the Snelling Road Event Center project (CUP 20-003) which is generally located on the east side of N. Snelling Road, adjacent to the Merced River in the Snelling area.

AUTHORIZED CONTRACT NO. 2020182 AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGES 14 AND 15

32. Contract with De Novo Planning Group to prepare an Initial Study for the Snelling Road Event Center project (CUP 20-003) which is generally located on the east side of N. Snelling Road adjacent to the Merced River, in the Snelling area.

AUTHORIZED CONTRACT NO. 2020183 AS RECOMMENDED AYES: ALL

33. Approve payment to the East Turlock Subbasin Groundwater Sustainability Agency (GSA) for FY 2020-2021 GSA Administration, Well Monitoring Program, Proposition 218 contribution and Groundwater Sustainability Plan development costs in the amount of \$109,594.39.

APPROVED AS RECOMMENDED AYES: ALL

34. Approve and authorize payment for Merced County's funding contribution of the Merced Integrated Regional Water Management Authority's FY 2020-2021 budget in an amount not to exceed \$16,465.80.

APPROVED AS RECOMMENDED AYES: ALL

AUDITOR

35. Adopt the Resolution establishing tax rates and levying taxes on the secured roll, for the Countywide rate of one percent, voter approved indebtedness, ad valorem taxes for revenue districts, and unitary taxes in Merced County for the Fiscal Year 2020-21.

ADOPTED RESOLUTION NO. 2020-85 AS RECOMMENDED AYES: ALL

ELECTIONS

36. 1) Adopt the Resolution to call for and consolidate the Presidential General Election on November 3, 2020 with: County Supervisorial District Two run-off and the listed City, School Districts, Special Districts and Measures elections; and 2) Authorize the Elections Division of the Registrar of Voters/Elections Department to procure and furnish those election services requested by each entity as more fully set forth in their Resolutions, and to submit a cost bill to each entity for reimbursement of the election services provided to them.

ADOPTED RESOLUTION NO. 2020-86 AS RECOMMENDED AYES: ALL

37. 1) Adopt the Resolution to call for an election on October 6, 2020 to fill the Merced County Employees' Retirement Association (MCERA) Board seats set to expire December 31, 2020 for #3 General, #8 Retired and #8 Alternate Retired members for the new term commencing January 1, 2021; and 2) Authorize the Elections Division of the Registrar of Voters to procure

and furnish those election services requested by MCERA as more fully set forth in the Resolution, and to submit a cost bill to MCERA for reimbursement of the election services provided.

ADOPTED RESOLUTION NO. 2020-87 AS RECOMMENDED AYES: ALL

LIBRARY

38. 1) Retroactively authorize Merced County Library to submit an application for the Southern California Library Cooperative, in partnership with the California State Library Second Opportunity Electronic Resources Collection Funding for California Public Libraries; and 2) If awarded, Authorize the County Librarian or designee to sign documents and expend funds prior to the September 16, 2020 deadline.

APPROVED AS RECOMMENDED AYES: ALL

PROBATION

39. Appoint Genevieve Valentine, LMFT, Behavioral Health and Recovery Services Director, to the Executive Committee of the Community Corrections Partnership.

APPROVED AS RECOMMENDED AYES: ALL

TREASURER

40. Acceptance of the Quarterly Investment Report for the Quarter Ending June 30, 2020.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

41. 1) Adopt a Resolution confirming the existence of a local emergency proclaimed on August 19, 2020 due to extreme heat conditions resulting in high animal mortality rates and carcass accumulation in the Central Valley; and 2) Continue the emergency to the Board of Supervisor meeting scheduled for September 15, 2020; OR determine the hazard no longer exists and terminate the local emergency.

ADOPTED RESOLUTION NO. 2020-78 AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 15

COUNTY COUNSEL

42. 1) Change one Assistant County Counsel, classification 1347, salary range 91.5, position no. 6 in budget unit 12500 to Chief Deputy County Counsel, classification 7826, salary range 88.8 in budget unit 12500; 2) Add one (1) Chief Deputy County Counsel position, classification 7826, salary range 88.8 in budget unit 12500; and 3) Approve the amendment to the Position Allocation Resolution 06-120/A.

ADOPTED RESOLUTION NO. 2020-88 AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

43. Approve the modifications to the job classification specification of Director Workforce Investment.

APPROVED AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

44. 1) Approve and Authorize the Chairman to sign a Resolution approving the issuance and sale by the California County Tobacco Securitization Agency of Tobacco Settlement Bonds, authorize the execution and delivery by the County of a Certificate of the County, and authorize the execution and delivery of and approving other related documents and actions in connection with the financing; 2) Approve and Authorize the Chairman to execute an agreement with KNN Public Finance, LLC to serve as Municipal Advisor for the refunding of tobacco settlement asset-backed bonds, not to exceed \$153,000; 3) Approve and Authorize the Chairman to execute an agreement with the law firm of Hawkins, Delafield, and Wood, LLP to serve as Bond and Disclosure Counsel for the refunding of tobacco settlement asset-backed bonds, not to exceed \$265,000; 4) Approve selection of Jefferies, LLC as the Underwriter for the refunding of tobacco settlement, subject to the terms and conditions of the Bond Purchase agreement, with estimated costs of \$262,000; and 5) Ratify the execution of engagement letters and expenditures, totaling \$150,000 for S&P Global Ratings related to the sale of tobacco settlement asset-backed bonds.

AUTHORIZED CONTRACT NOS. 2020184 (HAWKINS) & 2020185 (KNN) AND ADOPTED RESOLUTION NO. 2020-89 AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGES 15 AND 16

45. Confirm the appointment of Darlene Ingersoll as Registrar of Voters and approve A level benefits with an effective date of September 14, 2020.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGES 16 AND 17

BOARD APPOINTMENTS

46. 1) Appoint Genevieve Valentine, Director of Behavioral Health and Recovery Services as a Designated Member serving at the pleasure of the Board; 2) Appoint Mickey Brunelli as Field Personnel Representative EMT or EMT-P with a term expiring 6/30/23; 3) Appoint Luis Lara as the California Highway Patrol Representative with a term expiring 6/30/23; 4) Appoint Ruben Chavez as the Law Enforcement Representative with a term expiring 6/30/24; 5) Reappoint Tushar Patel as the Emergency Room Physician Representative with a term expiring 6/30/23; and 6) Reappoint Mason Hurley as the Fire Service Representative position with a term expiring 6/30/23 to the Emergency Medical Care Committee.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

47. Public Works RE: Contract No. 2020063 was awarded to Teichert Construction, from Fresno, CA in the amount of \$3,714,000 for the Childs Avenue Pavement Rehabilitation Project.
48. California Fish and Game Commission RE: Notice of Receipt of Petition from the Center for Biological Diversity and the Endangered Habitats League on June 29, 2020 to list Quino checkerspot butterfly (*Euphydryas editha quino*) as endangered under the California Endangered Species Act.
49. California Fish and Game Commission RE: Notice of Proposed Regulatory Action Relative to Amending Sections 27.30, 27.35, 27.45, 28.27, 28.28, 28.54, 28.55, 28.65, and 150.16, Title

14, CCR, relating to recreational and commercial fishing regulations for federal groundfish and associated species for consistency with federal rules in 2021 and 2022.

50. Merced County Mosquito Abatement District RE: General Manager's Report for June 16 through July 21, 2020.
51. California State Water Resources Control Board RE: Notice of Petition for Temporary Change Involving the Transfer of up to 500 Acre-Feet of Water under Permit 12860 (Application 15764) of the U.S. Bureau of Reclamation.
52. WARN Notice: Golden Valley Health Center - 9235 West Broadway, Planada, CA 95365.

THE BOARD ADJOURNED THE MEETING AT 1:07 P.M. UNTIL TUESDAY, SEPTEMBER 15, 2020, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – AUGUST 25, 2020

10:00 A.M. SCHEDULED ITEM **2020-08-25 PUBLIC OPPORTUNITY**

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

Shawnesti Machado, Supervising Elections Specialist speaks in opposition of Item 45 regarding the appointment of the Registrar of Voters until after the Election.

Dr. Sima Asadi speaks regarding COVID-19 and for a safe re-opening of schools.

Siya, Jessica, Anali and Ashwini, Local High School Freshmen speak about “The Mask Project” and encourages everyone to sign their pledge; a poster of their project was submitted.

The Clerk plays voicemails received from Mr. Lopez, Carmen Ojeda, Gabriella Salcedo, Benita Regalado, Aracella Hernandez, Jovana Morales and Blanca Ojeda.
Present: Espinoza, Lor, McDaniel, Pareira, Silveira

10:00 A.M. SCHEDULED ITEM **2020-08-25 COVID-19 UPDATE**

Dr. Rebecca Nanyonjo-Kemp, Director of Public Health opens and introduces Dr. Kristynn Sullivan, Supervising Epidemiologist who reviews the following slides: Current Merced County Case Count, Merced County COVID-19 Deaths, COVID-19 Cases per 1,000 Residents, Current State Watch List Metrics, and Data Issues Affecting Watch List.

Dr. Nanyonjo-Kemp reviews the following slides: State Visit Feedback, and Paycheck Protection Program & Health Care Enhancement Act Funding Update.

Dr. Salvador Sandoval, County Health Officer reviews the following slide: Grassroots Efforts.

David Mirrione, Assistant County Executive Officer/Director of Workforce Investment reviews the following slides: Local Partners, Ready2Open Merced County, Ready2Open Small Business Assistance Program and Stay Safe, Stay Open.

The Board has lengthy discussion on the update.
Present: Espinoza, Lor, McDaniel, Pareira, Silveira

10:00 A.M. SCHEDULED ITEM **2020-08-25 PUBLIC WORKS – PUBLIC HEARING**

The time and date previously scheduled to consider General Vacation of Amsterdam Road, From Princeton Road to North End of Amsterdam Road.

Dana Hertfelder, Director of Public Works reviews the staff report and gives an overview of the General Vacation of Amsterdam Road and states that Public Works has not received any opposition to the proposal.

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

The Board takes a brief pause to receive public comments via voicemail.

The Clerk announces that there were no voicemails received for the Public Hearing.

The Chairman closes the Public Hearing.

Upon motion of Supervisor Silveira, seconded by Supervisor Pareira, duly carried, the Board adopts Resolution No. 2020-79 authorizing the General Vacation of Amsterdam Road, from Princeton Road to the North End, which the Community and Economic Development Department has determined is exempt from California Environmental Quality Act (CEQA) under section 15301, subdivision (c), of the CEQA guidelines and directs the Clerk of the Board to record the Resolution.
Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

10:00 A.M. SCHEDULED ITEM

2020-08-25 BEHAVIORAL HEALTH AND RECOVERY SERVICES – PUBLIC HEARING

The time and date previously scheduled to consider proposed Ordinance amending Mental Health Services Fee Schedule.

Genevieve Valentine, Director of Behavioral Health and Recovery Services gives an overview of the amendment to the Mental Health Services Fee Schedule.

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

The Board takes a brief pause to receive public comments via voicemail.

The Clerk announces that there were no voicemails received for the Public Hearing.

The Chairman closes the Public Hearing.

Upon motion of Supervisor Silveira, seconded by Supervisor Pareira, duly carried, the Board waives further reading of the proposed ordinance and adopts Ordinance No. 1995 known as Mental Health Fees (Amends Chapter 9.48 Section 9.48.030 and amends Ordinance No. 1978).
Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

10:00 A.M. SCHEDULED ITEM

2020-08-25 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING

The time and date previously scheduled to consider amendment of the Agricultural Preserve as per the California Land Conservation Act of 1965 (Williamson Act) in Merced County.

Mark Hendrickson, Director of Community and Economic Development gives an overview of the amendment of the Agricultural Preserve as per the California Land Conservation Act of 1965 (Williamson Act) in Merced County.

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

The Board takes a brief pause to receive public comments via voicemail.

The Clerk announces that there were no voicemails received for the Public Hearing.

The Chairman closes the Public Hearing.

Upon motion of Supervisor Pareira, seconded by Supervisor Silveira, duly carried, the Board finds that the removal of 5.34 acres from the Agricultural Preserve pertaining to: a) PLA 20-008 and located on the north side of W. Brooks Road, approximately 658 feet west of South Buhach Road in the Merced area, b) PLA 20-009 located on the east side of Keyes Road approximately 1,400 feet north of Montgomery Street in the Snelling area, is exempt from California Environmental Quality Act (CEQA) under Section 15183, Projects Consistent with a Community Plan or Zoning based on the findings listed in the BAI; and adopts Resolution No. 2020-80 to amend the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

CONSENT ITEM NO. 10
2020-08-25 LIBRARY

The Clerk announces item proclaiming the month of September 2020 as Library Card Sign-up Month in Merced County is before the Board for consideration.

Supervisor Lor asks how folks can sign up for a library card and what kind of services and programs families can access for free to complement their formal education.

Amy Taylor, County Librarian responds that while libraries are closed due to COVID-19, County residents can access library cards or receive library cards two ways: They can call the library and an application is completed over the phone and a card mailed to them, or a second way is an e-library card whereby residents fill out an application online. Once received, their library card number is issued instantly and they have access to all of the virtual databases and e-books, streaming videos, and many different things. Ms. Taylor further states that the e-card is not good for print material, but they can easily turn it into a card that is available for them to check out items through curbside. Regarding programming, Ms. Taylor responds that they are still offering virtual programs and just launched four book challenges for different age groups for Kindergarten through Sixth grade, Junior High, High School and adults and they are available to sign up through the website. She further states that they did a virtual "Thousand Books Before Graduation" ceremony yesterday.

Upon motion of Supervisor Lor, seconded by Supervisor Silveira, duly carried, the Board proclaims the month of September 2020 as Library Card Sign-up Month in Merced County.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

ACTION ITEM NO. 31
2020-08-25 COMMUNITY AND ECONOMIC DEVELOPMENT

The Clerk announces contract with Brenda Lee, Applicant for the payment of costs charged by De Novo Planning Group for the preparation of an Initial Study for the Snelling Road Event Center project (CUP 20-003) which is generally located on the east side of N. Snelling Road, adjacent to the Merced River in the Snelling area is before the Board for consideration.

Supervisor Espinoza questions if this is a CUP application or for a permit in the Snelling area and if this is standard for an agriculture property, and if citizens can apply for special events.

Mark Hendrickson, Director of Community and Economic Development responds that this is very similar to other environmental review contracts that the Board has approved in the past. For this particular case, you have one item which actually allows the applicant to pay the County for an environmental review. He states that in the Ag Zone Event Centers, which is what this is proposing is allowed subject to the approval of a conditional use permit. Mr. Hendrickson further states this is the beginning of the process and has to go through environmental review before going to the Planning Commission.

Upon motion of Supervisor McDaniel, seconded by Supervisor Silveira, duly carried, the Board approves Contract No. 2020182 with Brenda Lee, Applicant for the payment of costs charged by De Novo Planning Group for the preparation of an Initial Study for the Snelling Road Event Center project (CUP 20-003) which is generally located on the east side of N. Snelling Road, adjacent to the Merced River in the Snelling area.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

ACTION ITEM NO. 41

2020-08-25 FIRE

The Clerk announces item to adopt Resolution confirming the existence of a local emergency proclaimed on August 19, 2020 due to extreme heat conditions resulting in high animal mortality rates and carcass accumulation in the Central Valley; and continuing the emergency to the Board of Supervisors meeting scheduled for September 15, 2020; or determine the hazard no longer exists and terminate the local emergency is before the Board for consideration.

Supervisor Lor comments that recommendation two on the item states to continue emergency or determine the hazard no longer exists and terminate the local emergency and if the maker of the motion can determine either or. Jim Brown, County Executive Officer, explains the outcome of the actions before the Board.

Upon motion of Supervisor Silveira, seconded by Supervisor Lor, duly carried, the Board adopts Resolution No. 2020-78 confirming the existence of a local emergency proclaimed on August 19, 2020 due to extreme heat conditions resulting in high animal mortality rates and carcass accumulation in the Center Valley and continues the emergency to the Board of Supervisors meeting scheduled for September 15, 2020.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

ACTION ITEM NO. 44

2020-08-25 EXECUTIVE OFFICE

The Clerk announces an item to 1) Approve and Authorize the Chairman to sign a Resolution approving the issuance and sale by the California County Tobacco Securitization Agency of Tobacco Settlement Bonds, authorize the execution and delivery by the County of a Certificate of the County, and authorize the execution and delivery of and approving other related documents and actions in connection with the financing; 2) Approve and Authorize the Chairman to execute an agreement with KNN Public Finance, LLC to serve as Municipal Advisor for the refunding of tobacco settlement asset-backed bonds, not to exceed \$153,000; 3) Approve and Authorize the Chairman to execute an agreement with the law firm of Hawkins, Delafield, and Wood, LLP to serve as Bond and Disclosure Counsel for the refunding of tobacco settlement asset-backed bonds, not to exceed \$265,000; 4) Approve selection of Jefferies, LLC as the Underwriter for the refunding of tobacco settlement, subject to the terms and conditions of the Bond Purchase agreement, with estimated costs of \$262,000; and 5) Ratify the execution of engagement letters and expenditures, totaling

\$150,000 for S&P Global Ratings related to the sale of tobacco settlement asset-backed bonds is before the Board for consideration.

David Mirrione, Assistant County Executive Officer gives a presentation on the Issuance and Sale of Tobacco Settlement Bonds. The following slides were reviewed: Tobacco Master Settlement Agreement Background, Merced County Tobacco Bonds, Tobacco Bond Financing Overview, Detail Bond Structure, Post 2020 Refunding Projected Cash Flow and Next Steps.

Upon motion of Supervisor Silveira, seconded by Supervisor McDaniel, duly carried, the Board approves and authorizes the Chairman to sign a Resolution (No. 2020-89) approving the issuance and sale by the California County Tobacco Securitization Agency of Tobacco Settlement Bonds, authorize the execution and delivery by the County of a Certificate of the County, and authorize the execution and delivery of and approving other related documents and actions in connection with the financing; Approves and authorizes the Chairman to execute an agreement with KNN Public Finance, LLC (Contract No. 2020185) to serve as Municipal Advisor for the refunding of tobacco settlement asset-backed bonds, not to exceed \$153,000; Approves and authorizes the Chairman to execute an agreement with the law firm of Hawkins, Delafield, and Wood, LLP (Contract No. 2020184) to serve as Bond and Disclosure Counsel for the refunding of tobacco settlement asset-backed bonds, not to exceed \$265,000; Approves selection of Jefferies, LLC as the Underwriter for the refunding of tobacco settlement, subject to the terms and conditions of the Bond Purchase agreement, with estimated costs of \$262,000; and ratifies the execution of engagement letters and expenditures, totaling \$150,000 for S&P Global Ratings related to the sale of tobacco settlement asset-backed bonds.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

ACTION ITEM NO. 45

2020-08-25 EXECUTIVE OFFICE

The Clerk announces item to confirm the appointment of Darlene Ingersoll as Registrar of Voters and approve A level benefits with an effective date of September 14, 2020 if before the Board for consideration.

Jim Brown, County Executive Officer gives an overview of the Registrar of Voters position that the Board approved in May and established as a separate dedicated Registrar of Voters position to oversee the Elections function. Mr. Brown states that with challenging legislative regulatory changes, increased security demands and public interests in the elections process, it was felt that it was critical to have some overlap to provide the opportunity for transition. Mr. Brown further states that Ms. Levy will still be responsible for the election process and providing leadership through the election. Mr. Brown shared Ms. Ingersoll's background and experience.

Ms. Ingersoll introduces herself and states that she is truly honored and humbled by the responsibility that has been entrusted to her and will do everything to the best of her ability to serve Merced County and the employees of the department with excellence.

Supervisor Espinoza congratulates Ms. Ingersoll.

Supervisor Pareira congratulates and welcomes Ms. Ingersoll.

Upon motion of Supervisor Lor, seconded by Supervisor Silveira, duly carried, the Board confirms the appointment of Darlene Ingersoll as Registrar of Voters and approve A level benefits with an effective date of September 14, 2020.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira