



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, SEPTEMBER 29, 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

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.

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. 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 - 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. AND RECONVENED AT 10:00
A.M. WITH ALL MEMBERS PRESENT, AND THE CHAIRMAN ADVISED
APPROVAL WAS GIVEN TO COUNTY COUNSEL TO INITIATE LITIGATION**

AFTER CONSULTATION IN CLOSED SESSION UNDER GOVERNMENT CODE 54956.9. THE ACTION, DEFENDENTS, AND OTHER PARTICULARS SHALL BE DISCLOSED TO ANY PERSON UPON INQUIRY ONCE LITIGATION IS FORMALLY COMMENCED

GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA ITEMS)

10:00 A. M. INVOCATION led by Pastor John Motz, New Life Community Church, Atwater/PLEDGE OF ALLEGIANCE

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

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

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-10)

APPROVED AS RECOMMENDED AYES: ALL

Health

1. Approve and authorize the Chairman to sign Amendments 22 and 23 to Contract No. 2010280 with Central California Alliance for Health to use discretion with implementation of Medi-Cal and Medicare fee schedule and to provide for Medi-Cal managed care capitation rate increase.

Behavioral Health and Recovery Services

2. Approve and authorize the Chairman to sign Amendment Contract No. 2017167 with Creative Alternatives, Inc. for the provision of specialty mental health services to youth clients.

Human Services Agency

3. Approve and authorize the Chairman to sign Amendment Contract No. 2020127 with Taher, Inc. to provide cold meals for individuals who qualify for and are served by Project Room Key.

Workforce Investment

4. Approve and authorize the Director of Workforce Investment to sign Amendment Contract No. 2020054 with California Workforce Development Board for AB 1111 - Breaking Barriers to Employment initiative.
5. Approve and authorize the Chairman to sign Amendment Contract No. 2020055 with Central Valley Opportunity Center (CVOC) for job readiness and competency skills training.

6. Approve and authorize the Chairman to sign Amendment Contract No. 2020056 with La Cooperativa Campesina de California for technical assistance.
7. Approve and authorize the Chairman to sign Interdepartmental Amendment Contract No. 2020057 with Merced County Behavioral Health and Recovery Services for health related services.

Fire

8. Proclaim the week of October 4-10, 2020 as Fire Prevention Week in the County of Merced.

Board of Supervisors

9. Approve the minutes of the Board of Supervisors meetings of July 14, 2020, and July 28, 2020; and approve the minutes of the Chowchilla GSA meeting of July 14, 2020.

Board Recognition

10. Proclaim the month of October 2020 as Domestic Violence Awareness in Merced County.

REGULAR CALENDAR

BOARD ACTION

AG. COMMISSIONER

11. Retroactively approve and authorize the Chairman to sign Agreement Number 20-0404-000 with California Department of Food and Agriculture to provide nursery stock activities at county locations.

AUTHORIZED CONTRACT NO. 2020199 AS RECOMMENDED AYES: ALL

HEALTH

12. Contract with California Department of Mental Health for the Adolescent Family Life Program.

AUTHORIZED CONTRACT NO. 2020200 AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 7

BEHAVIORAL HEALTH AND RECOVERY SERVICES

13. Retroactively appoint Jacqueline Coulter, LMFT as the Clinical Director for the Marie Green Psychiatric Facility for Behavioral Health and Recovery Services, effective May 28, 2020.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 7

14. Appoint Dr. Jin Soffi as the Medical Director for Behavioral Health and Recovery Services effective November 5, 2020.

APPROVED AS RECOMMENDED AYES: ALL

15. Retroactively approve Memorandum of Understanding for the Mobile Crisis Response Team, comprised of the Merced County Behavioral Health and Recovery Services, Merced City Police Department and Merced County Sheriff Department, for the purpose of expanding

Crisis Support Services within the community, beginning July 1, 2020 until terminated, with no financial obligation.

AUTHORIZED CONTRACT NO. 2020201 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

16. Accept the 2019/2020 Fiscal Year Domestic Violence Annual Report from Alliance for Community Transformations, Inc., dba as Valley Crisis Center.

APPROVED AS RECOMMENDED AYES: ALL

17. Approve the Fiscal Year 2020-2024 Four-Year Plan for the Merced County Area Agency on Aging; and authorize the Chairman to sign the transmittal letter.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 7

FIRE

18. Accept award from the Fiscal Year 2020 Emergency Management Performance Grant, COVID-19 Supplement (EMPG-S) in the amount of \$96,594.

AUTHORIZED CONTRACT NO. 2020202 AS RECOMMENDED AYES: ALL

SHERIFF

19. Approve and authorize the Chairman to sign Amendment Contract No. 13103 with CFMG for jail intake nursing services.

AUTHORIZED CONTRACT NO. 2020203 AS RECOMMENDED AYES: ALL

RETIREMENT

20. Adopt Employer Contribution Rates as recommended by the Ad Hoc Actuarial Analysis for Miscellaneous/Safety Tiers 1, 2, 3, 3R, and 4 effective on the payroll of October 12, 2020.

APPROVED AS RECOMMENDED AYES: ALL

COUNTY COUNSEL

21. 1) Deny the Claim for Refund of Property Taxes claim submitted by Level 3 Communications, LLC for the amount of \$13,023.16 levied for the fiscal year of 2015-2016; and 2) Authorize the Chair to execute and direct the Clerk to send the Denial of Claim.

APPROVED AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

22. Approve and authorize the Board Chairman to execute the Compensation Agreement with the City of Los Banos related to the disposition of properties formally owned by the former Los Banos Redevelopment Agency for a term to be determined by the disposition of affected properties.

AUTHORIZED CONTRACT NO. 2020204 AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 8

BOARD OF SUPERVISORS

23. 1) Receive the results of the August 25, 2020, LeGrand-Athlone Water District General District Election; 2) Certify and record the results of the General District Election conducted by the LeGrand-Athlone Water District.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

24. Fish and Game Commission re: Notice of Findings regarding the petition to list the Pacific leatherback sea turtle (*Dermochelys coriacea*) as endangered under the California Endangered Species Act.
25. Fish and Game Commission re: Notice of Proposed Changes in Regulations.
26. Merced County Mosquito Abatement District Re: General Manager's Report for August 18 through September 15, 2020.

THE BOARD ADOPTED RESOLUTION IN MEMORY OF DR. CHRISTIAN GALLERY AND ADJOURNED THE MEETING AT 10:29 A.M. UNTIL TUESDAY, OCTOBER 6, 2020, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – SEPTEMBER 29, 2020

ACTION ITEM NO. 12

2020-09-29 HEALTH

The Clerk announces contract with California Department of Public Health for the Adolescent Family Life Program and notes a correction and that the agenda should read, contract with California Department of Public Health not Mental Health and is before the Board for consideration.

Upon motion of Supervisor Lor, seconded by Supervisor Silveira, duly carried, the Board approves Contract No. 2020200 with California Department of Public Health for the Adolescent Family Life Program.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

ACTION ITEM NO. 13

2020-09-29 BEHAVIORAL HEALTH AND RECOVERY SERVICES

The Clerk announces item to retroactively appoint Jacqueline Coulter, LMFT as the Clinical Director for the Marie Green Psychiatric Facility for Behavioral Health and Recovery Services, effective May 28, 2020 and that there is a correction and it should read May 28, 2019 and is before the Board for consideration.

Supervisor Silveira comments that in the staff report it states 2020 but in the summary of the Board Agenda Item it references 2019 and asks for clarification.

Genevieve Valentine, Director of Behavioral Health and Recovery Services explains the reasons for the date being retroactive and clarifies that May 28, 2019 is the correct date.

Upon motion of Supervisor Lor, seconded by Supervisor Pareira, duly carried, the Board approves to retroactively appoint Jacqueline Coulter, LMFT as the Clinical Director for the Marie Green Psychiatric Facility for Behavioral Health and Recovery Services, effective May 28, 2019.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

ACTION ITEM NO. 17

2020-09-29 HUMAN SERVICES AGENCY

The Clerk announces item to approve the Fiscal Year 2020-2024 Four-Year Plan for the Merced County Area Agency on Aging; and authorizing the Chairman to sign the transmittal letter is before the Board consideration.

Supervisor Silveira comments that he was very impressed by the details in the report and how it was broken down by age groups, and ethnicities and states that a great job was done.

Upon motion of Supervisor Lor, seconded by Supervisor Silveira, duly carried, the Board approves the Fiscal Year 2020-2024 Four-Year Plan for the Merced County Area Agency on Aging and authorizes the Chairman to sign the transmittal letter.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira

ACTION ITEM NO. 22

2020-09-29 EXECUTIVE OFFICE

The Clerk announces item to approve and authorize the Chairman to execute the Compensation Agreement with the City of Los Banos related to the disposition of properties formally owned by the former Los Banos Redevelopment Agency for a term to be determined by the disposition of affected properties and announces a correction on page 2, paragraph 4 of the Staff Report, this paragraph should read: Three Rail Trail Properties (APN 025-054-005, 025-054-007, and 025-072-036) have been previously developed with a public walking trail and neighborhood park. These properties will be subdivided and the currently developed property will be retained by the City for governmental use subject to the twenty (20) year period. Parcel B of 025-054-005 and 025-054-007, and Parcel C of 025-072-036 shall be retained by the City for future development in accordance with the agreement and is before the Board for consideration.

Upon motion of Supervisor Silveira, seconded by Supervisor Lor, duly carried, the Board approves and authorizes the Chairman to execute the Compensation Agreement (Contract No. 2020204) with the City of Los Banos related to the disposition of properties formally owned by the former Los Banos Redevelopment Agency for a term to be determined by the disposition of affected properties.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira