



## 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, DECEMBER 15, 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](http://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](mailto: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](http://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): 1) Nunez v. County of Merced, et al., Merced Superior Court Case No.: 20CV-02624; 2) Chavez v. County of Merced, et al., Merced Superior Court Case No.: 20CV-

01929; and 3) Duval, et al. v. County of Merced, et al., Merced Superior Court Case No. 18CV-02377.

**THE BOARD RECESSED AT 9:01 A.M. WITH SUPERVISOR ESPINOZA NOT PRESENT 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 Captain Ryan Miller, Corps Officer with the Salvation Army 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 8**

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

**PRESENTATION:**

**MISSION, VISION, VALUES AWARD PROGRAM**

**REVIEW BOARD ORDER – SEE PAGE 8**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, Board of Supervisors Members

**CONSENT CALENDAR (Items # 1-13)**

**APPROVED AS RECOMMENDED AYES: ALL**

**Public Works**

- 1) Approve and authorize the Chairman to sign Amendment to Contract No. 2019323 with Merced Irrigation District for the relocation of utilities to accommodate the construction of Campus Parkway Segment 3; and 2) Authorize the Director of Public Works to execute the Amendment upon review by County Counsel and Risk Management.
- Approve and authorize the Chairman to sign Amendment to Contract No. 2019018 with DMC Construction, for Building Construction Remodeling, Repairs and Maintenance Services to extend the term of the contract and allow for payment for Job Orders issued prior to the expiration of the contract.
- Approve Budget Transfer in the amount of \$45,000 to establish appropriation for John Latorracca Correctional Center Dorm 402 shower drain emergency repair.

4. Approve Budget Transfer in the amount \$250,000 to establish the Del Hale Hall Renovation Project to enable architectural work to begin under CDBG Planning Grant 20-CDBG-12031. (4/5 Vote Required)

#### Behavioral Health and Recovery Services

5. Approve and authorize the Chairman to sign Amendment to Contract No. 2020006 (Standard Agreement No. 18-95256) with Department of Health Care Services including all related contract documents for the zero-dollar Performance Contract; and adopt the Resolution.

#### **ADOPTED RESOLUTION NO. 2020-130**

6. Approve and authorize the Chairman to sign Interdepartmental Amendment to Contract No. 2020098 with Human Services Agency for the Navigation-Supportive Services Center, revising Exhibits A and B; and approve related Budget Transfers. (4/5 Vote Required)

#### Human Services Agency

7. Approve and authorize the Chairman to sign Amendment to Contract No. 2018181 with Turning Point Community Programs, providing an Outreach and Engagement Center.
8. Approve and authorize the Chairman to sign Amendment to Contract No. 2020123 with the Merced Rescue Mission for the Management and Operations of the Merced Navigation Center for those individuals facing homelessness.
9. Approve and authorize the Chairman to sign Amendment to Contract No. 2020007 with Merced Rescue Mission for homeless services.

#### Community and Economic Development

10. Approve and authorize the Chairman to sign Amendment to Contract No. 2016011 with Adrienne L. Graham for the preparation of Vehicle Miles Traveled analysis for the Winton Community Plan update Environmental Impact Report.

#### Sheriff

11. Approve Budget Transfer in the amount of \$38,055.76 to increase Plane Operating cost account due to additional repairs needed. (4/5 Vote Required)

#### Executive Office

12. Act on Claims for Damages submitted by Priscilla Greunke, Pedro Correa Campos, Shayda Haddad and Cameron Haddad as recommended by Risk Management and County Counsel.

#### Board Recognition

13. Certificates of Appreciation for Commitment and Service to the Voters of Merced County during the Presidential General Election to various individuals.

### **REGULAR CALENDAR**

### **BOARD ACTION**

PUBLIC WORKS

14. 1) Approve a Retainer Agreement with Hamner, Jewell & Associates (DBA Beacon Integrated Professional Resources) for on-call right-of-way services upon approval by County Counsel and Risk Management; 2) Authorize the Chairman of the Board of Supervisors to execute the Agreement; and 3) Authorize the Director of Public Works to execute project supplement agreements.

**AUTHORIZED CONTRACT NO. 2020241 AS RECOMMENDED AYES: ALL**

15. 1) Approve the Utility Agreement with Merced Irrigation District for the relocation of utilities to accommodate the construction of Campus Parkway Segment 3; and 2) Authorize the Chairman to execute the Utility Agreement upon review by County Counsel and Risk Management.

**AUTHORIZED CONTRACT NO. 2020242 AS RECOMMENDED AYES: ALL**

16. 1) Adopt the Resolution designating the Intersection of Market Street and Second Street in the Volta area as a stop intersection; and 2) Direct the Director of Public Works to post stop signs on the Market Street approaches to its intersection with Second Street.

**ADOPTED RESOLUTION NO. 2020-131 AS RECOMMENDED AYES: ALL**

17. 1) Adopt the Resolution designating the Intersection of Center Street and Second Street in the Volta area as a stop intersection; and 2) Direct the Director of Public Works to post stop signs on the Center Street approaches to its intersection with Second Street.

**ADOPTED RESOLUTION NO. 2020-132 AS RECOMMENDED AYES: ALL**

18. 1) Adopt the Resolution approving submittal of an application to the California Department of Parks and Recreation for a Statewide Park Development and Community Revitalization Program grant for O'Banion Park in Dos Palos; 2) Authorize the Director of Public Works to sign all documents relating to the grant; and 3) Direct the Public Works Director to return to the Board with application results and to accept the award.

**ADOPTED RESOLUTION NO. 2020-133 AS RECOMMENDED AYES: ALL**

19. 1) Adopt the Resolution approving submittal of an application to the California Department of Parks and Recreation for a Statewide Park Development and Community Revitalization Program grant to create a new park in the Franklin-Beachwood area; 2) Authorize the Director of Public Works to sign all documents relating to the grant; and 3) Direct the Public Works Director to return to the Board with application results and to accept the award.

**ADOPTED RESOLUTION NO. 2020-134 AS RECOMMENDED AYES: ALL**

HEALTH

20. Ratify the Director of Public Health to sign all the copies of the non-binding letter of intent to enter into the Intergovernmental Transfer funding mechanism with the Central California Alliance for Health.

**APPROVED AS RECOMMENDED AYES: ALL**

**REVIEW BOARD ORDER – SEE PAGE 9**

BEHAVIORAL HEALTH AND RECOVERY SERVICES

21. 1) Approve and authorize the Director of Behavioral Health and Recovery Services (BHRS) to sign the Merced County Homeless Plan, the Merced County Supportive Services Plan, and any additional documents and plans related to the No Place Like Home (NPLH) Project; 2) Authorize the Director of BHRS to develop and sign zero-dollar Memorandum of Understandings (MOUs) with the Development Sponsors Urban Property Advisors LLC, and UP Holdings LLC, for project development and property management of the NPLH project, and coordination of tenant services, upon review and concurrence with County Counsel and Risk; 3) Approve BHRS to submit the application and project for the NPLH Noncompetitive Extension Fund request to the California Department of Housing and Community Development and adopt the Resolution; 4) Approve BHRS to submit the NPLH Competitive Allocation Funds request to the California Department of Housing and Community Development and adopt the Resolution; and 5) Return to the Board upon notification of award and for any additional actions related to the NPLH Project.

**ADOPTED RESOLUTION NOS. 2020-135 (COMPETITIVE) AND 2020-136 (NONCOMPETITIVE) AS RECOMMENDED AYES: ALL**

22. Contract with Merced Lao Family Community, Inc. to provide services through the Integrated Primary Care Program for Mental Health Services Program as part of the Mental Health Services Act Prevention and Early Intervention.

**AUTHORIZED CONTRACT NO. 2020243 AS RECOMMENDED AYES: ALL**

23. Approve and authorize the Chairman to sign Amendment to the Administrative Services Contract No. 13257 with Merced Lao Family Community, Inc. under the Mental Health Services Act-Prevention and Early Intervention component, for services provided through the Cultural Brokers Program, amending Exhibit B and E.

**AUTHORIZED CONTRACT NO. 2020244 AS RECOMMENDED AYES: ALL**

ADMINISTRATIVE SERVICES

24. Authorize the Director of Administrative Services to negotiate and sign a final statement of work and related change orders with NEC Corporation of America for the update of the County's Enhanced E911 system; and approve related Budget Transfer. (4/5 Vote Required)

**AUTHORIZED CONTRACT NO. 2020245 AS RECOMMENDED AYES: ALL**

HUMAN RESOURCES

25. Effective December 21, 2020, approve the amendments to the Salary Allocation Resolution 06-120 and the Position Allocation Resolution 06-120/A for the minimum wage increase.

**ADOPTED RESOLUTION NOS. 2020-137 (SALARY) 2020-138 (POSITION) AS RECOMMENDED AYES: ALL**

PROBATION

26. Contract with BI Incorporated to provide juvenile and adult GPS monitoring.

**AUTHORIZED CONTRACT NO. 2020246 AS RECOMMENDED AYES: ALL**

BOARD OF SUPERVISORS

27. Accept 2020 Local Agency Biennial Notice for the Conflict of Interest Code from Snelling Cemetery District, Laguna Water District, East Merced Resource Conservation District, Delhi County Water District, Volta Community Services District and Planada Community Services District as submitted with no amendments required, and authorize notification to the agency of action taken.

**APPROVED AS RECOMMENDED      AYES: ALL**

**THE BOARD ADJOURNED THE MEETING AT 10:59 A.M. UNTIL TUESDAY, JANUARY 5, 2021, AT 10:00 A.M.**

## **BOARD ORDERS – SUMMARY ACTION MINUTES – DECEMBER 15, 2020**

### **10:00 A.M. SCHEDULED ITEM** **2020-12-15 PUBLIC OPPORTUNITY**

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

Jeremy Rahn, Division Chief, and on behalf of Fire Chief, Mike van Loben Sels, shares with the Board the recent retirements they have had in their Division. Billy Pimentel out of Ballico Fire Station, Hazmat Fire Captain Steve Carrick, and Battalion Chief Brian Neely

Mary McWatters with AFSCME speaks regarding item 25 (Human Resources – Amendments to Salary and Position Resolutions) and the Union’s formal request to meet and confer.

The Clerk plays a voicemail received from: Jennifer Xiong, Online Community Manager with the Hmong Community Center, who acknowledges Supervisor Lor for her exceptional service to the Community.

Present: Espinoza, Lor, McDaniel, Pareira, Silveira

### **10:00 A.M. SCHEDULED ITEM** **2020-12-15 PRESENTATION – MISSION, VISION, VALUES AWARD PROGRAM**

Chairman Espinoza recognizes the winners of Merced County’s Mission, Vision, Values (MVV) Award’s Program for 2020. The MVV Awards Program was established by the Board of Supervisors last year with the purpose of recognizing County agencies, programs, committees, commissions, and districts that best exemplify the County’s Mission, Vision and Values.

Chairman Espinoza states that this year, we received 10 entries that were all competitive. In order to determine winners, a scoring committee comprised of the Board Chair, Vice-Chair, and three at-large members appointed by the remaining Supervisors was created to rank the nominees and select a winner from an internal county organization as well as an external organization. The Chairman gives a thank you to the three at-large members of the scoring committee: Jeanie Knight, Michele Uribe and Natasha Crivelli. Chairman Espinoza states that we’re proud to announce that Behavioral Health and Recovery Services “Strengthening Families Program” was selected as the winner for the internal organizations category, and the Merced County Mosquito Abatement District was selected as the winner for the external organizations and presents certificates of recognitions to representatives from both agencies.

At this time Supervisor Pareira on behalf of the Board presents Supervisor Lor with a plaque in appreciation of her service as District Two Board of Supervisor for the past 4 years. Supervisor Lor delivered a speech and thanked among others supporters, volunteers, residents, community partners and County staff for their unwavering support and dedication.

Present: Espinoza, Lor, McDaniel, Pareira, Silveira



**ACTION ITEM NO. 20**  
**2020-12-15 HEALTH**

The Clerk announces item to ratify the Director of Public Health to sign all the copies of the non-binding letter of intent to enter into the Intergovernmental Transfer funding mechanism with the Central California Alliance for Health and announces a correction on the summary of the Board Agenda Item: The rating period to develop IGTs is incorrectly listed as July 1, 2020 through December 21, 2021. The correct rating period is January 1, 2021 through December 31, 2021 and is before the Board for consideration.

Upon motion of Supervisor Pareira, seconded by Supervisor Lor, duly carried, the Board ratifies the Director of Public Health to sign all the copies of the non-binding letter of intent to enter into the Intergovernmental Transfer funding mechanism with the Central California Alliance for Health.

Ayes: Espinoza, Lor, McDaniel, Pareira, Silveira