

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, JUNE 07, 2011
Closed Session – 8:30 a.m.
Regular Meeting – 10:00 a.m.

MERCED COUNTY
ADMINISTRATION BUILDING
2222 “M” STREET
BOARD ROOM, THIRD FLOOR
MERCED, CALIFORNIA 95340
(209) 385-7366

CHAIRMAN JOHN PEDROZO.....DISTRICT 1
HUBERT “HUB” WALSH, JR.....DISTRICT 2
LINN DAVIS.....DISTRICT 3
DEIDRE F. KELSEY....DISTRICT 4
JERRY O’BANION.....DISTRICT 5
Lydia A. Beiswanger, Chief Clerk

LARRY T. COMBS
COUNTY EXECUTIVE OFFICER

JAMES N. FINCHER
COUNTY COUNSEL

*All supporting documentation is available for public review in the Office of the Clerk of the Board of Supervisors located in the County Administration Building, Third Floor, 2222 “M” Street, Merced, California, 95340
During regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday.*

The Agenda is available online at www.co.merced.ca.us

Any material related to an item on this Agenda submitted to the Clerk after distribution of the Agenda packet is available for public inspection in the Office of the Clerk of the Board

Members of the public are advised that all pagers, cellular telephones and any other communication devices are to be turned off upon entering the Board Chambers

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE
INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE

Persons who require accommodation for any audio, visual or other disability 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 addressed 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

The Agenda is divided into three sections:

CONSENT CALENDAR – These matters include routine financial and administrative actions and are approved by a single majority vote.

SCHEDULED ITEMS – These items are noticed hearings, work sessions and public hearings.

REGULAR CALENDAR – These items include significant policy and administration 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.

SCHEDULED ITEMS

8:30 A. M.

**THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA-
TESTIMONY IS LIMITED TO FIVE MINUTES PER PERSON**

CLOSED SESSION - CONFERENCE WITH REAL PROPERTY

NEGOTIATOR: It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator(s) Mark Hendrickson, Director-Commerce, Aviation and Economic Development pursuant to Government Code Section 54956.8 as follows: Castle Challenger Center

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL -

SIGNIFICANT EXPOSURE TO LITIGATION: It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Government Code Section 54956(b): One Case

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(c): One Case

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(a): (1) County of Merced v. Bandoni, Inc., et al., Merced Court Case No.: CV000818.and (2) Valley Citizens, Justin Bernard v. County of Merced, et al [George Simmons, Jeanne Simmons, The Blohm Road Joint Venture, The Don Chapin Co., Inc., Real Parties in Interest], Merced Court Case No. CV001427

CLOSED SESSION: It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957.6 concerning a Conference with County of Merced Staff Negotiators concerning negotiations with American Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6 and 8; Independent Employees of Merced County (IEMC), Unit 3; Merced County Lawyers Association, Unit 7; Merced County Sheriff Employee Association (MCSEA), Unit 2; Merced County Law Enforcement Sergeants, Unit P; Deputy Sheriff Association, Unit 10 and Non-Safety Corrections, Unit 12

THE BOARD RECESSED AT 8:30 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED DIRECTION WAS PROVIDED TO STAFF

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 five minutes per person)

REVIEW BOARD ORDER – SEE PAGE 13

PRESENTATIONS:

(1) Executive Office - Budget Presentation

REVIEW BOARD ORDER – SEE PAGE 13

(2) University of California, Merced Progress Report on Mapping Health Disparity Project in Merced County by Students Elaine Lai and Johnny Moua

REVIEW BOARD ORDER – SEE PAGE 13

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 42)
APPROVED AS RECOMMENDED REMOVING CONSENT ITEM #18
FROM THE AGENDA AYES: ALL**

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To receive comments on the Proposed Revisions to the Owner-Occupied Housing Rehabilitation Program Guidelines and the Homebuyer Acquisition Only/Acquisition with Rehabilitation Program Guidelines and adopt Resolution **RECOMMENDATION:**

Open Public Hearing to receive testimony; and adopt the Resolution approving the Revisions to the Owner-Occupied Housing Rehabilitation Program Guidelines and the Homebuyer Acquisition Only/Acquisition with Rehabilitation Program Guidelines

REVIEW BOARD ORDER – SEE PAGE 14

PLANNING - PUBLIC HEARING

To Set Aside and Vacate the Approval of Minor Subdivision Application No. MS07-027 and Administrative Permit No. AA08-033 and the adoption of the Mitigated Negative Declaration. Application submitted by George Simmons (MS07-027) and Don Chapin Company (AA08-033) to subdivide 26.9 acres into four parcels: Parcel 1=15.0 acres, Parcel 2=3.46 acres, Parcel 3=3.46 acres and Parcel 4=5.0 acres (MS07-027) and to construct a 4.03 acre concrete batch plant on proposed Parcel 1 (AA08-033) on the southeast corner of Henry Miller Avenue and Volta Road in the Volta SUDP

RECOMMENDATION: Open Public Hearing to receive testimony; and adopt the Resolution to Set Aside and Vacate prior decisions adopting the Mitigated Negative Declaration for the Don Chapin Company Concrete Batch Plant and Simmons Subdivision in Volta and approval of Minor Subdivision Application No. MS07-027 and Administrative Permit No. AA08-033

REVIEW BOARD ORDER – SEE PAGE 14

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items #1 - 42)

APPROVED AS RECOMMENDED REMOVING ITEM NO. 18 FROM THE AGENDA

AYES: ALL

Public Works

1. Approve Budget Transfer in the amount of \$450,000 to move remaining design funds to construction phase of scalehouse.
2. Approve Budget Transfer in the amount of \$338 for re-carpeting and replacement of blinds at the Law Library.
3. PULLED
4. PULLED
5. PULLED

Commerce, Aviation and Economic Development

6. Approve and authorize Chairman to sign Renewal Contract No. 2009177 with AT&T DataComm, Inc. for FOCUS Program Procurement Vehicle and authorize Two-Year Extension Announcement Letter.

Aq. Commissioner

7. Approve and authorize Chairman to sign Renewal Contract No. 2004260 with California Dept. of Food and Agriculture for Egg Quality Control Inspections and adopt Resolution.

ADOPTED RESOLUTION NO. 2011-72

Mental Health

8. Approve and authorize Chairman to sign Renewal Contract No. 2009267 with Human Services Agency for Program to Encourage Active, Rewarding Lives for Seniors (PEARLS) as part of the MHSA Prevention and Early Intervention, add Extra Help Community Workers to be increased in accordance with the level of skills and duties required of the position and adopt Resolution.

ADOPTED RESOLUTION NO. 2011-73

9. Approve and authorize Chairman to sign Renewal Contract No. 2010006 with Golden Valley Health Centers for implementation of the Cultural Brokers for Mental Health Services Program for Spanish Speakers Program as part of the MHSA Prevention and Early Intervention.
10. Approve and authorize Chairman to sign Renewal Contract No. 2005173 with University of California, San Francisco-School of Nursing for Practitioner Internship Program for placement of student interns interested in the field of Mental Health.
11. Approve and authorize Chairman to sign Renewal Contract No. 2009249 with Golden Valley Health Centers for implementation of Integrated Mental Health in Primary Care Settings Program as part of the MHSA Prevention and Early Intervention.

12. Approve and authorize Chairman to sign Renewal Contract No. 2009143 with Merced County Office of Education for Expansion of the Second Step Program.

Human Services Agency

13. Approve and authorize Chairman to sign Renewal Contract No. 2004249 with California Dept. of Aging for Health Insurance Counseling and Advocacy Program (HICAP) and adopt the Resolution.

ADOPTED RESOLUTION NO. 2011-74

14. Approve and authorize Chairman to sign Renewal Contract No. 2004222 with California Dept. of Aging for Area Plan Contract for the Title III, VII, III E and CBSP for Senior Programs and adopt Resolution.

ADOPTED RESOLUTION NO. 2011-75

15. Approve and authorize Chairman to sign Renewal Contract No. 2008172 with CareAccess for Q Continuum software system for mandated reporting system for AAA and MSSP Programs.

16. Approve and authorize Chairman to sign Renewal Contract No. 2008164 with In-Home Supportive Services Public Authority for In-Home Supportive Services administration.

17. Approve and authorize Chairman to sign Renewal Contract No. 2008198 with San Mateo County Consortium for Cash Assistance Program for Immigrants (CAPI).

Health

18. Approve and authorize Chairman to sign Amendment to Contract No. 2004009 with Decade Software Company, LLC for support of Envision software.

NO ACTION TAKEN - REMOVED FROM THE AGENDA

19. Approve and authorize Chairman to sign Renewal Contract No. 2006016 with CalRecycle for Waste Tire Enforcement Grant (Cycle 18); authorize Director of Public Health or Designee to sign all payment requests and adopt Resolution.

ADOPTED RESOLUTION NO. 2011-76

District Attorney

20. Approve and authorize Chairman to sign Renewal Contract No. 2006233 with Calif. Dept. of Insurance for Workers Compensation Insurance Fraud Program and adopt Resolution.

ADOPTED RESOLUTION NO. 2011-77

21. Approve and authorize Chairman to sign Renewal Contract No. 2001104 with Calif. Emergency Management Agency for Central Valley Rural Crime Prevention Program and adopt Resolution.

ADOPTED RESOLUTION NO. 2011-78

22. Approve and authorize Chairman to sign Renewal Contract No. 2004181 with Calif. Emergency Management Agency for Vertical Prosecution Block Grant Program and adopt Resolution.

ADOPTED RESOLUTION NO. 2011-79

Dept. of Workforce Investment

23. Approve and authorize Workforce Investment Dept. Director to sign Addendum to Contract No. 2009089 with State Employment Development Dept. for Workforce Investment Act/American Recovery and Reinvestment Act (WIA/ARRA) funding for new youth

participants entering the Merced Project; funds to be used to provide paid work experience in a "green" occupation, community service, environmental stewardship and civic responsibility course for Merced Youth enrolled in the Project.

24. Approve and authorize Workforce Investment Director to sign Addendum to Contract No. 2009222 with State Employment Development Dept. for Workforce Investment Act Subgrant Agreement K074150 accepting Modification nine adding Exhibits A-E and J necessary for the National Emergency Grant/American Recovery and Reinvestment Act On-the-Job (NEG/OJT) Project in Merced County providing outreach, orientations, assessments, creation of individual Employment Plans for selected individuals, job placement and OJT's.

Counsel

25. Set a public hearing for June 28, 2011 at 10:00 a.m. to consider Amendment to Resolution No. 97-191, Endorsing Registration Fees for Court Appointed Counsel, to make the Resolution consistent with the legislative fee pursuant to California Penal Code Section 987.5 effectively increasing the fee from \$25.00 to \$50.00.

Human Resources

26. Approve and authorize Chairman to sign Renewal Contract No. 2007154 with Dr. Jocelyn Roland for pre-employment/fitness for Duty Psychological Examinations.
27. Approve and authorize Chairman to sign Renewal Contract No. 2009173 with Professional Health Services, Inc. for Comprehensive Occupational Health Examinations.

Fire

28. Approve and authorize Chairman to sign Renewal Contract No. 2010181 with Howell Consulting for Revision Services to the Emergency Operations Plan to include the recent annexes to the Cities of Atwater, Dos Palos, Livingston, Los Banos, Gustine and Merced.

Sheriff

29. Approve and authorize Chairman to sign Amendment to Contract No. 2003157 with Hilmar School District for Canine Patrol services.

Executive Office

30. Approve the CSAC Challenge Award Application submitted by Human Services Agency for Foster Parent Orientation: Experience the Reality and adopt the Resolution.

ADOPTED RESOLUTION NO. 2011-80

31. Approve Travel Requests submitted by Sheriff as recommended by Executive Office.

Planning

32. Approve Budget Transfer in the amount of \$50,000 for the completion of the EIR's for four Community Plan Updates. (4/5 Vote Required)

Assessor-Recorder

33. Approve Budget Transfer in the amount of \$4,100 for Capital Asset Electric Embosser Sealer to replace manual units that are not adequate for use on certified documents.

Board Recognition

34. Authorize Certificate of Recognition to Guy & Big Will's at Sir James in celebration of their Ribbon Cutting.

35. Authorize Certificate of Recognition to Valley Crisis Center in Celebration of their Open House and Ribbon Cutting.
36. Authorize Certificate of Recognition to Vernita Noe in celebration of her selection as Volunteer of the Year by Memorial Hospital of Los Banos.
37. Authorize Certificates of Recognition to the Firefighters of the Year recognized by the American Legion as follows: City of Atwater-Career, Fire Captain Scott Phillips; City of Dos Palos-Volunteer, Firefighter David Jordan; City of Gustine-Volunteer, Firefighter Eric Watts; City of Livingston-Volunteer, Firefighter Armando Aguilar; City of Los Banos-Career, Firefighter Josh Houtekamer and Volunteer, Lieutenant Rob Barajas; City of Merced-Career, Fire Captain John McMillen and County of Merced-Career, Fire Apparatus Engineer Mario Rivera and Volunteer, Firefighter Dustin McDonough.
38. Authorize Certificates of Recognition in honor of attaining 85 years of age and 50 years of residency in the County of Merced to the following: Betty Bernard, John Bommarito, James Cavalla, Joseph Cox, Lucille Espinosa, Mamie Fonseca, Robert George, Theresa Giannone, Joe A. Giannone, Tony Gomes, Wilber E. Gomes, Irene Rose Gomes, Nadine Haynes, Elsie Hunwardsen, George Macedo, Angelina Maranta, Gemma Minetti, Arthura Monez Desa, Andrew Murphy, Adelaide Nannini, Sally Paternain, Joseph Pereira, Mary Theresa Pimentel, Blix Pluim, Margaret Randolph, John Rocha, Rinks Sano, Rose Saramago, Mary Stephanio, Betty Stewart, Lois Taylor, Ascencion John Torres, Gladys Walstead, Pearl White, Leonard Aue, Mary Ann Speed, Nick Califro and Doris Hamill.
39. Authorize Certificates of Recognition to the Hispanic Chamber of Commerce honorees in recognition of their contributions to Merced County and its residents: Nelda Banuelos, Olivia Olson, Roseanne Johnson, Theresa Rodriguez and Josephine Ellie.
40. Authorize Plaque in honor of Winton Historical Society celebrating the Winton Centennial dated 1911 - 2011.
41. Authorize Plaque in honor of Hilmar Historical Society celebrating Hilmar Centennial dated 1911 - 2011.
42. Authorize Certificate of Recognition to Alan and Kathy Wilber in celebration of their 50th Wedding Anniversary.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

43. Contract with George A. Rooker for acquisition of right-of-way and accepting Grant Deed and an Easement Deed for a Slope Easement for the Campus Parkway Project; authorize payment to Fidelity National Title Company for the appraised value of property plus escrow and any other transaction fees and adopt Resolution.

AUTHORIZED CONTRACT NO. 2011081 AND ADOPTED RESOLUTION NO. 2011-81 (EASEMENT DEED) AND RESOLUTION NO. 2011-82 (GRANT DEED) AS RECOMMENDED AYES: ALL

44. Accept Grant in the amount of \$40,000 from U.S. Fish and Wildlife Service and authorize Chairman to sign Contract to fund repairs to Wolfsen Road Bridge over Salt Slough;

approve amended 2010-11 Road Division Work Program to include said Repair Project and adopt Resolution.

AUTHORIZED CONTRACT NO. 2011080 AND ADOPTED RESOLUTION NO. 2011-83 AS RECOMMENDED AYES: ALL

45. Approve Contract (MOA) with County of Stanislaus for the Hills Ferry/River Road Bridge Seismic Rehabilitation Project and authorize Chairman to sign after review by Counsel; approve amended 2010-11 Road Division Work Program to include said Project and adopt Resolution.

AUTHORIZED CONTRACT NO. 2011082 AND ADOPTED RESOLUTION NO. 2011-84 AS RECOMMENDED AYES: ALL

46. Amend the Road Division Work Program for FY 2010/2011 Fiscal Year to include the following Bridges: a) Santa Fe Avenue over Deadman Creek, b) Baxter Road over Deadman Creek, c) Lake Road over Le Grand Canal and, d) Los Cerritos Road over Dry Creek.

APPROVED AS RECOMMENDED AYES: ALL

47. Authorize circulation of the Old County Hospital & Site Re-Use Request for Proposals with Alternative re-use scenarios to include but not limited to:

1) Renovation and improvements to the existing 1963 and 1981 structures including on and off-site improvements;

2) Providing certain additions to and renovations and improvements of the existing 1963 and 1981 structures including on and off-site improvements; and

3) Demolition of the 1963 and 1981 structures and construction of new facilities including on and off-site improvements;

with proposers required to provide firms financial ability to undertake a particular development proposal and including a financing plan for the re-use alternative and after approval by the Board, be required to provide full CEQA documentation and obtain necessary approvals for the project at no cost to the County.

APPROVED AS RECOMMENDED AYES: ALL

48. Approve the rate adjustments for solid waste collection services as provided by Gilton Solid Waste Management Inc. and Waste Management, Inc. (DBA Winton Disposal) for Franchise Service Areas 1 through 7 effective July 1, 2011 due to the tipping fee increase for the "base Can monthly rate" and "base Bin monthly rate" recommended change as follows: No. 1-Can to \$18.64 and Bin to \$13.57; No. 2-Can to \$17.55 and Bin to \$12.76; No. 3-Can to \$17.01 and Bin to \$12.23; No. 4-Can to \$18.64 and Bin to \$13.57; No. 5-Can to \$19.29 and Bin to \$14.01; No. 6-Can to \$16.65 and Bin to \$13.36 and No. 7-Can to \$16.65 and Bin to \$13.36.

APPROVED AS RECOMMENDED AYES: ALL

49. Contract with Merced County Regional Waste Management Authority for services that may be provided by the County during and after the transition for a period of one year.

AUTHORIZED CONTRACT NO. 2011083 AS RECOMMENDED AYES: ALL

COMMERCE, AVIATION & ECONOMIC DEVELOPMENT

50. Authorize support in efforts to pursue Grant Funding through the Calif. Advanced Services Fund (CASF) to promote and support broadband infrastructure deployment to unserved and underserved communities in the region and name the California Partnership for the San Joaquin Valley as the San Joaquin Valley Regional Broadband Consortium and adopt

Resolution.

ADOPTED RESOLUTION NO. 2011-85 AS RECOMMENDED AYES: ALL

MENTAL HEALTH

51. Contract with Golden Years Residential Care Home for the provision of residential care to consumers.

AUTHORIZED CONTRACT NO. 2011084 AS RECOMMENDED AYES: ALL

52. Contract with Nevada County Behavioral Health Dept. for Inpatient Services at Marie Green Psychiatric Health Facility.

AUTHORIZED CONTRACT NO. 2011085 AS RECOMMENDED AYES: ALL

53. Contract with Davis Guest Home for specialized residential placement for clients in need of assisted living.

AUTHORIZED CONTRACT NO. 2011086 AS RECOMMENDED AYES: ALL

54. Contract with California Institute for Mental Health for California Brief Multicultural Service Trainings.

AUTHORIZED CONTRACT NO. 2011087 AS RECOMMENDED AYES: ALL

55. Contract with Country Villa Merced Behavioral Health for services of an Institute for Mental Disease.

AUTHORIZED CONTRACT NO. 2011088 AS RECOMMENDED AYES: ALL

56. Contract with 7th Avenue Center for services of a Mental Health Rehabilitation Center.

AUTHORIZED CONTRACT NO. 2011089 AS RECOMMENDED AYES: ALL

57. Contract with Merced County Community Action Agency for property management and supportive services activities related to the implementation of Project Home Start.

AUTHORIZED CONTRACT NO. 2011090 AS RECOMMENDED AYES: ALL

58. Contract with Norman Wyman for services of a qualified administrator to assist with managing the clinical and program planning activities in the maximum amount of \$35,000; establish the classification of Contract Interim Assistant Mental Health Director and adopt Position and Salary Resolutions.

REVIEW BOARD ORDER – SEE PAGE 15

59. Contract with Founder's House of Hope for the provision of residential care to consumers.

AUTHORIZED CONTRACT NO. 2011092 AS RECOMMENDED AYES: ALL

HEALTH

60. Contract with The Abaris Group for consultant services for the Ground Ambulance and Secondary public safety answering point services procurement process not to exceed \$72,520 based on RFP evaluation of January 4, 2011.

AUTHORIZED CONTRACT NO. 2011093 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

61. Contract with Valley Caregiver Resource Center for National Family Caregiver Support Program.

AUTHORIZED CONTRACT NO. 2011094 AS RECOMMENDED AYES: ALL

FIRE

62. Authorize Application with Federal Dept. of Homeland Security for Governor's Office of Emergency Services Emergency Management Performance Grant for funding of Merced County Office of Emergency Services with specifics to be provided upon approval; authorize Fire to return to the Board upon grant award, authorize OES to act on behalf of Merced County Operational Area in said Grant and adopt Resolution.

ADOPTED RESOLUTION NO. 2011-88 AS RECOMMENDED AYES: ALL

DEPT. OF ADMIN. SERVICES

63. Contract with Megabyte Systems, Inc. for access to an Assessment Appeals Module that is integrated into the property tax systems and for the maintenance and support for the property tax system and authorize Director of Admin. Services to sign upon concurrence of Counsel.

AUTHORIZED CONTRACT NO. 2011095 AS RECOMMENDED AYES: ALL

64. Declare miscellaneous office furniture, assorted office equipment and miscellaneous supplies as Surplus Property and authorize its disposal of items on Exhibit A through internet public auction.

APPROVED AS RECOMMENDED AYES: ALL

65. Contract with Kronos for the purchase of additional licenses and consulting support to complete implementation of the Time Management System.

REVIEW BOARD ORDER – SEE PAGE 15

COUNSEL

66. Authorize the Clerk of the Board to execute and issue the Memorandum or Notice of Non-Authorization pursuant to Government Code Section 53853(b) and serve notice to the relevant Districts that the Board of Supervisors will not authorize issuance of the TRANS within 45 calendar days, thereby freeing the Districts to issue the TRANS on their own respective behalves.

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

67. Authorize Special Board Project Funds-District Four in the amount of \$1,900 to Hilmar Chamber of Commerce for the painting of the Hilmar Picnic Shelter.

APPROVED AS RECOMMENDED AYES: ALL

68. PULLED

69. Authorize Special Board Project Funds-District One in the amount of \$1,500 to be forwarded to the Merced County Chamber of Commerce for sponsorship of the Merced County Exhibit at the 2011 California State Fair.

REVIEW BOARD ORDER – SEE PAGE 15 AND 16

70. Accept and approve the Amendments to the Conflict of Interest Code for Merced Irrigation District as submitted and authorize notification of the action taken as required by Fair Political Practices Commission.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

- 71. Change Supervising Probation Officer (Class 4025) and Supervising Juvenile Institutions Officer (Class 4721) classifications to Bargaining Unit 11-AFSCME-Probation Supervising Employees, effective June 6, 2011.

APPROVED AS RECOMMENDED AYES: ALL

- 72. Approve the modification of representation for the Deputy Coroners to be represented by Merced County Deputy Sheriff Association (MCDSA), and approve the modification of representation for the Sheriff Dispatchers to either (a) Become represented by MCDSA or (b) Remain with current representation by Merced County Sheriff Employees Association (MCSEA).

REVIEW BOARD ORDER – SEE PAGE 16 AND 17

EXECUTIVE OFFICE

- 73. Contract with City of Merced for County Owned Parking lots for a period of two years, commencing July 7, 2011, with the City of Merced retaining all revenues generated from the parking citations.

AUTHORIZED CONTRACT NO. 2009174 AS RECOMMENDED AYES: ALL

- 74. Set a Study Session to review Merced County's FY 2011-12 Proposed Budget on Friday, June 24, 2011 at 10:00 a.m.

REVIEW BOARD ORDER – SEE PAGE 16

APPOINTMENTS

- 75. Planada Recreation Committee – Appointed Jose Villarreal until July 12, 2015.

APPROVED AS RECOMMENDED AYES: ALL

- 76. Housing Authority of the County of Merced – Reappointed Margaret Pia, representing At Large, until February 18, 2015.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

- 77. Dept. of Admin. Services re: Notice of purchases for Public Works-Road Division pursuant to Ordinance No. 1678, which falls under Category 1: Purchase of In-Road Warning Lights to support Road Division Road Warning Systems from Spot Devices, Inc.
- 78. San Joaquin River Restoration Program re: Program Update dated May, 2011 Newsletter.
- 79. State Water Resources Control Board re: Notice of Opportunity to Comment on Proposed Approval of an Amendment to the Water Quality Control Plan for the Los Angeles Region to Incorporate a Total Maximum Daily Load (TMDL) for Indicator Bacteria in the Los Angeles River Watershed - deadline to comment is June 20, 2011.
- 80. State Water Resources Control Board re: Notice of Opportunity to Comment on Proposed Approval of Amendments to the Water Quality Control Plan for the Colorado River Basin Region to Establish a Total Maximum Daily Load and Implementation Plan for Bacterial Indicators in the Coachella Valley Storm Water Channel, deadline to comment is June 20, 2011.

81. State Water Resources Control Board re: Notice of Adoption Hearing, Notice of Opportunity to Comment on Proposed Amendment to the Water Quality Control Policy on the use of Coastal and Estuarine Waters for Power Plant Cooling, hearing set for July 19, 2011.
82. State Water Resources Control Board re: Notice of Public Workshop, Agricultural Water Use Efficiency set for July 20, 2011 in Sacramento, CA.
83. State Water Resources Control Board re: Notice of Adoption Hearing and Notice of Availability of Documents re: Proposed Russian River Frost Protection Regulation set for September 20, 2011.
84. Central Valley Regional Water Quality Control Board re: Notice of Meeting set for June 9 and 10, 2011.

THE BOARD RECESSED INTO CLOSED SESSION AT 11:30 A.M. AND RECONVENED AT 12 NOON WITH ALL MEMBERS PRESENT.

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF GARY HERNANDEZ AND HENRY MELLO AND ADJOURNED MEETING UNTIL TUESDAY, JUNE 28, 2011 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 7, 2011

10:00 A.M. SCHEDULED ITEM **2011-06-07 PUBLIC OPPORTUNITY**

Sheriff Correctional Officer Greg Rich, works at the Main Jail, speaks against closure of the Main Jail and reads a statement regarding the “Beds for Feds” program and “Ice Detainer” program.

Supervisor Kelsey states concerns with the jail closure stating she has not been briefed on any proposals.

Herb Regora addresses elder abuse of his mother and states he is unable to get a copy of her death certificate.

Present: Pedrozo, Walsh, Davis, Kelsey O’Banion

10:00 A.M. SCHEDULED ITEM **2011-06-07 PRESENTATION – Budget**

Deputy Executive Office/Budget Scott DeMoss provides a power point presentation on the County Budget and reviews the Update of: Revenues vs. Expenditures (General Fund), Cash Flow Comparison-General Fund, Available Fund Balance-After Reserves, General Purpose Revenue–Annual Trend, Local Resources and Proposed Budget Timeframes (Supplemental No. 2).

Present: Pedrozo, Walsh, Davis, Kelsey, O’Banion

10:00 A.M. SCHEDULED ITEM **2011-06-07 PRESENTATION – University of California**

UC Merced Students Elaine Lai and Johnny Moua provide a power point presentation titled: Community Engaged Scholarship: A Case Study with GIS Asset Mapping of Merced County and review the Study Objectives, Community-Engaged Scholarship (CES), Core Principles of CES Research Question, Maps, Conclusions, Limitations, Lessons Learned about CES, Recommendations, Next Steps and Acknowledgments including Mapping Scholars, Center of Excellence First Cohort and References. (Supplemental No. 1)

Present: Pedrozo, Walsh, Davis, Kelsey, O’Banion

10:00 A.M. SCHEDULED ITEM

2011-06-07 COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT – PUBLIC HEARING

The time and date previously set for a public hearing to receive comments on the proposed revisions to the Owner-Occupied Housing Rehabilitation Program Guidelines and Homebuyer Acquisition Only/Acquisition with Rehabilitation Program Guidelines and consider resolution approving the revisions as submitted by Commerce, Aviation and Economic Development.

Director of Commerce, Aviation and Economic Development Mark Hendrickson reviews the staff report.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak. No one speaks. The Chairman closes the public hearing.

Upon motion of Supervisor Kelsey, seconded by Supervisor Davis, duly carried, the Board approves the Revisions to the Owner-Occupied Housing Rehabilitation Program Guidelines and the Homebuyer Acquisition Only/Acquisition with Rehabilitation Program Guidelines and adopts Resolution No. 2011-70.

Ayes: Pedrozo, Walsh, Davis Kelsey

Not Present: O'Banion

10:00 A.M. SCHEDULED ITEM

2011-06-07 PLANNING – PUBLIC HEARING

The time and date previously set for a public hearing to consider To Set Aside and Vacate the Approval of Minor Subdivision Application No. MS07-027 and Administrative Permit No. AA08-033 and the adoption of the Mitigated Negative Declaration. Application submitted by George Simmons (MS07-027) and Don Chapin Company (AA08-033) to subdivide 26.9 acres into four parcels: Parcel 1=15.0 acres, Parcel 2=3.46 acres, Parcel 3=3.46 acres and Parcel 4=5.0 acres (MS07-027) and to construct a 4.03 acre concrete batch plant on proposed Parcel 1 (AA08-033) on the southeast corner of Henry Miller Avenue and Volta Road in the Volta SUDP as submitted by Planning Department.

Interim Development Services Director Paul Fillebrown briefly reviews the staff report.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak. No one speaks. The Chairman closes the public hearing.

Upon motion of Supervisor Walsh, seconded by Supervisor Kelsey, duly carried, the Board sets aside and vacates adoption of the Mitigated Negative Declaration and approval of Minor Subdivision Application No. MS07-027 and Administrative Permit No. AA08-033 vacating prior decisions for Don Chapin Company Concrete Batch Plant & Simmons Subdivision in Volta, and adopts Resolution No. 2011-71.

Ayes: Pedrozo, Walsh, Davis, Kelsey, O'Banion

ACTION ITEM NO. 58

2011-06-07 MENTAL HEALTH

The Clerk announces the contract for services of a qualified administrator to assist with managing activities for clinical and program planning is before the Board for consideration.

Discussion is had on how services are currently provided and what is planned.

Mental Health Director Manual Jimenez reviews the staff report and the utilization of the position.

Following discussion, Supervisor Kelsey moves, seconded by Supervisor O'Banion, the Board approve and authorize the Chairman to sign Contract No. 2011091 with Norman Wyman for services of a qualified administrator to assist with planning, organizing and managing the activities related to clinical and program planning for Mental Health through August 31, 2011; establish the classification of Contract Interim Assistant Mental Health Director and adopt Resolution No. 2011-86 (Position) and Resolution No. 2011-87 (Salary).

The Chairman calls for a Vote on the Motion.

Supervisor Davis votes "no". Motion carries.

Ayes: Pedrozo, Walsh, Kelsey, O'Banion

Noes: Davis

ACTION ITEM NO. 65

2011-06-07 DEPT. OF ADMIN. SERVICES

The Clerk announces Contract with Kronos for a Time Management System is before the Board for consideration.

Discussion is had on the process and the licenses to be purchased.

Admin. Services Director Mark Cowart reviews the staff report and responds to Board questions.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board approves the Amendment to Contract No. 2010122 with Kronos for the purchase of additional licenses and consulting support for a Time Management System.

Ayes: Pedrozo, Walsh, David, Kelsey, O'Banion

ACTION ITEM NO. 69

2011-06-07 BOARD OF SUPERVISORS

The Clerk announces Special Board Project Funds-District One for the Merced County Chamber of Commerce is before the Board for consideration. The Clerk states a letter has been received from Alan Schoff and provided to the Board (Supplemental No. 3).

Supervisor O'Banion moves, seconded by Supervisor Davis, the Board authorize Special Board Project Funds-District One in the amount of \$1,500 be forwarded to the Merced County Chamber of Commerce for sponsorship of the Merced County Exhibit at the 2011 California State Fair.

Jean Okuye, a concerned citizen, submits Letter dated June 7, 2011 and reads the letter into the record stating her concern with the State Fair Booth matter handled by the County Chamber and objects to the monies of the people of the County being used unless the conditions are met as voted on by the Board at the December 14, 2010 meeting.

Supervisor Kelsey states she has not seen the booth and does not understand why no collaboration with the Chamber and the other interested parties has not occurred.

Admin. Services Director Mark Cowart states he has met with the Chamber and the Chamber was the Lead Agency on this matter. He further states he does not have an update on that collaboration at this time.

Discussion is had on the people and the organizations that requested to be contacted relative to the Exhibit.

Following further discussion, Supervisor O'Banion withdraws his motion on the Floor. Supervisor Davis agrees and withdraws the second on the Floor.

Following further discussion Supervisor O'Banion moves, to set aside the matter of the funds for the State Fair Booth in order to provide more information on the next agenda of June 28 2011.

Supervisor Davis seconds the motion.

The Chairman calls for a Vote on the Motion on the Floor. Motion carries.
Ayes: Pedrozo, Walsh, Davis, Kelsey, O'Banion

ACTION ITEM NO. 72
2011-06-07 HUMAN RESOURCES

Upon motion of Supervisor Kelsey, seconded by Supervisor Davis, duly carried, the Board approves the modification of representation for the Deputy Coroners to be represented by MCDSA and approves the modification of representation for the Sheriff Dispatchers.

Ayes: Pedrozo, Walsh, Davis, Kelsey, O'Banion

Later in the day, the Chairman states it was brought to the Board's attention that the Board needs to make a selection on Item No. 72.

Supervisor O'Banion moves, seconded by Supervisor Davis, the Board reconsider Item No. 72 and have on the record, our intent of the Action intended for clarification.

The Chairman calls for a Vote on the Motion. Motion carries.

Ayes: Pedrozo, Walsh, Davis, O'Banion

Not Present: Kelsey

Upon motion of Supervisor O'Banion, seconded by Supervisor Davis, duly carried, the Board clarifies the action taken on Action Item No. 72 as follows:

The Board approves the modification of representation for the Deputy Coroners to be represented by Merced County Deputy Sheriff Association (MCDSA) and approves the modification of representation for the Sheriff Dispatches to be represented by Merced County Deputy Sheriff Association (MCDSA).

Ayes: Pedrozo, Walsh, Davis, O'Banion

Not Present: Kelsey

ACTION ITEM NO. 74

2011-06-07 EXECUTIVE OFFICE

The Clerk announces the proposal to schedule a Study Session on the Proposed Budget is before the Board for consideration.

Discussion is had on information that will be presented at the Study Session. The Board requests the following: additional information regarding how adjustments in staffing will occur across the organization relative to possible minimized services; identify, if possible, acquisition of fixed assets not included in the budget; challenges and implications on AB109; information from the Auditor on where County funds are before budget discussion and the projected tax roll information for next year.

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board sets the Study Session to review the County's FY 2011-2012 Proposed Budget for June 24, 2011 at 10:00 a.m.

Ayes: Pedrozo, Walsh, Davis, Kelsey, O'Banion