

# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

### Regular Meeting

**TUESDAY, JUNE 26, 2012**

Closed Session – 9:00 a.m.

Regular Meeting – 10:00 a.m.

FY 12/13 Proposed Budget – 1:30 p.m.

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

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

JAMES L. BROWN  
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](http://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

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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**

9:00 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 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): Department of Public Works former employee No. 62442 - California State Mediation Case Nos. ARB-09-0582 and ARB-11-0532.

**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 Merced County Sheriff Employee Association (MCSEA), Unit 2; and Non-Safety Corrections, Unit 12.

**THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED THERE WERE NO REPORTABLE ITEMS**

**GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)**

10:00 A. M.

**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**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 54)**

**APPROVED AS RECOMMENDED EXCEPT ITEM NO. 28  
CONSIDERED SEPARATELY AYES: ALL**

**TAX COLLECTOR - PUBLIC HEARING - PROPOSED ORDINANCE AND POSSIBLE ADOPTION**

To consider Proposed Ordinance titled: Amending Merced County Code section 17.04.070 and Amends Ord. Nos. 1246, 1349 and 1367, to require security for the payment of estimated taxes or special assessments prior to the

recordation of a notice of merger to voluntarily merge contiguous parcels under subsection 17.04.070.C

RECOMMENDATION: Open public hearing; Waive further reading of proposed ordinance and adopt Ordinance

**REVIEW BOARD ORDER – SEE PAGE 14**

**LUNCH BREAK**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, Board of Supervisors Members

1:30 P.M.

**PROPOSED BUDGET FOR FY 2012-2013**

**(1) Adopt the Proposed Budget for FY 2012/2013 as an operating budget** until the Board adopts a Final Budget. (2) Direct that no capital assets recommended in the Proposed Budget be purchased until the adoption of the Final Budget, except the following: a) BU 17000 account 87011 Martin Luther Clean Up, BU 17000 account 87012 Hospital Facility Reuse, BU 17000 account 87098 Kane Building Remodel, BU 17000 account 87099 Probation-Sheriff AB 109 Remodel, and BU 23300 account 84035 Surveillance Camera Upgrade. (3) Direct that no Out-of-County Overnight or Out-of-State travel take place unless authorized by the County Executive Officer, or designee, and authorize the County Executive Officer, or designee, to approve Out-of-State travel submitted between Proposed and Final budget. (4) Request the Clerk of the Board make available copies of the FY 2012/2013 Proposed Budget to all interested people and advertise the final budget hearings to commence on August 21, 2012 at 1:30 p.m. (5) Schedule the Public Hearing on Proposition 4 Appropriation Limit on August 21, 2012 at 1:30 p.m.

**REVIEW BOARD ORDER – SEE PAGE 14 AND 15**

**CONSENT CALENDAR (Items # 1-54)**

**APPROVED AS RECOMMENDED EXCEPT ITEM NO. 28 CONSIDERED SEPARATELY**

**AYES: ALL**

Ag. Commissioner

1. Approve and authorize the Chairman to sign Renewal Contract No. 2001105 with California Dept. of Food and Ag. for quality standards fruit and vegetable inspections and adopt resolution.

**ADOPTED RESOLUTION NO. 2012-59**

2. Approve and authorize the Chairman to sign Renewal Contract No. 2004082 with California Dept. of Food and Ag. for registration and inspections of organic producers and adopt resolution.

**ADOPTED RESOLUTION NO. 2012-60**

3. Approve and authorize the Chairman to sign Renewal Contract No. 2004057 with California Crop Improvement Association for services to the Seed Certification Program.

Public Works

4. Approve Budget Transfer in the amount of \$268,987 to set aside funds for future capital projects due to Energy Savings achieved through the new solar array system at the John Latorocca Adult Correctional facility and the Iris Garrett Juvenile Justice facility. (4/5 Vote Required)
5. Approve Budget Transfer in the amount of \$121,567 to increase appropriations in the Emergency Operations Center for revenue received from Fire/OES grant to offset half the cost of the generator and UPS battery costs. (4/5 Vote Required)
6. Approve and authorize the Chairman to sign Amendment Contract No. 2009033 with Swatt/Miers Architects for the County Emergency Operations and Consolidated 911 Dispatch Center at Castle Airport; and approve the related budget transfers. (4/5 Vote Required)

**REVIEW BOARD ORDER – SEE PAGES 15 – 17**

**Mental Health**

7. Approve and authorize the Chairman to sign Amendment Contract No. 2012074 with University of California, Merced for provision of psychiatric services on the UC Merced campus.
8. Approve and authorize the Chairman to sign Renewal Contract No. 2009267 with Human Services Agency/Area Agency on Aging for implementation of the Program to Encourage Active, Rewarding Lives for Seniors (PEARLS).
9. Approve and authorize the Chairman to sign Renewal Contract No. 2011177 with Human Services Agency/Area Agency on Aging for implementation of the Older Adult System of Care Program.
10. Approve and authorize the Chairman to sign Renewal Contract No. 2009249 with Golden Valley Health Centers for implementation of the Integrated Mental Health in Primary Care Settings Program.
11. Approve and authorize the Chairman to sign Renewal Contract No. 2010006 with Golden Valley Health Centers for implementation of the Cultural Brokers for Mental Health Services Program.
12. Approve and authorize the Chairman to sign Renewal Contract No. 2009338 with Los Banos Unified School District for placement of County clinical staff at school sites to provide mental health services, outreach and education.
13. Approve and authorize the Chairman to sign Renewal Contract No. 2009143 with Merced County Office of Education for expansion of their existing Second Step Program.
14. Approve and authorize the Chairman to sign Renewal Contract No. 2012010 with Merced Community College District for California Association of Social Rehabilitation Agencies Instructional Courses.
15. Approve and authorize the Chairman to sign Renewal Contract No. 2010230 with Transit Joint Powers Authority of Merced County - The Bus, for bus transportation services for the Wellness Center.

## Public Health

16. Approve Budget Transfer in the amount of \$60,000 for to cover costs of replacing failing repeaters at Mt. Bullion site which provide communication capabilities for emergency medical services throughout the county. (4/5 Vote Required)

### **REVIEW BOARD ORDER – SEE PAGE 17**

17. Approve and authorize the Chairman to sign Renewal Contract No. 2011096 with the Santa Cruz-Monterey-Merced Managed Medical Care Commission d.b.a. The Central California Alliance for Health for provision of the Healthy Kids Program services.
18. Approve and authorize the Chairman to sign Renewal Contract No. 2011097 with The Central California Alliance for Health which authorizes the County to act as trustee on behalf of 100 Healthy Kids between the ages of 6-18 years old for their premium contribution for health coverage.
19. Approve and authorize the Chairman to sign Renewal Contract No. 2004009 with Decade Software Company, LLC for support of Envision Connect Data Management System software.

## Human Services Agency

20. Approve and authorize the Chairman to sign Renewal Contract No. 2009119 with Airport Warehouse Rentals for Grogan Avenue Storage Space.
21. Approve and authorize the Chairman to sign Renewal Contract No. 2011152 with the Public Health Department for Home Visitor Case Management services.
22. Approve and authorize the Chairman to sign Renewal Contract No. 2010175 with Transit Joint Powers Authority of Merced County for No Cost Transportation Program.
23. Approve and authorize the Chairman to sign Renewal Contract No. 2008172 with CareAccess for mandated reporting system for Area Agency on Aging and Multipurpose Senior Services Programs.
24. Approve and authorize the Chairman to sign Renewal Contract No. 2011094 with Valley Caregiver Resource Center for caregiving support networks.
25. Approve and authorize the Chairman to sign Renewal Contract No. 2009145 with Central California Legal Services Inc. for Senior Legal Assistance Program.

## Workforce Investment

26. Approve and authorize the Chairman to sign Amendment Contract No. 2011162 with Workforce Investment Board of Tulare County to provide Workforce Investment a five month grant extension to fulfill the Regional Economic Impact/National Emergency Grant requirements of providing training to Merced County participants.
27. Accept Modification (5) to Contract No. 2011151 with State of Calif. Employment Development Dept. for Workforce Investment Act Subgrant Agreement K282484 Special Adult Funds to Merced County in the amount of \$60,000.

## Library

28. Approve closure of the Los Banos Library on Thursday, October 25, 2012 at 3:00 P.M. upon provision of insurance, to prepare for Friends of the Los Banos Library fundraising

reception; authorize organizers to serve wine after necessary permits are obtained.

**REVIEW BOARD ORDER – SEE PAGE 17**

29. Approve and authorize the Chairman to sign Amendment Contract No. 2003032 with Housing Authority of Merced County for lease of Office Space for the George Branch Library located at 401 Leshar Drive, Suite E, in order to achieve savings through reduced payment for the remainder of the lease (10 months) through January 31, 2013.

Child Support Services

30. Approve and authorize the Chairman to sign Renewal Contract No. 2004387 with Dept. of Administrative Services-Information Systems for data processing support of county based systems.

Dept. Admin. Services

31. Approve Budget Transfer in the amount of \$300,000 to address shortfall in budgeted accounts for the FY 11/12.
32. Approve Budget Transfer in the amount of \$60,000 for the replacement of failing repeaters at Mt. Bullion site. (4/5 Vote Required)
33. Declare all items indentified (listed on Exhibit A) as Surplus Property as recommended, and authorize its disposal by approved internet public auction.

Fire

34. Approve Budget Transfer in the amount of \$121,567 to offset generator and UPS battery costs for Emergency Operations Center Project using supplemental Emergency Management Performance Grant funding. (4/5 Vote Required)
35. Approve and authorize the Chairman to sign Renewal Contract No. 2006251 with Merced Community College District for firefighting training for FY 12/13.

District Attorney

36. Approve the District Attorney's participation in the Worker's Compensation Insurance Fraud Program (Renewal Contract No. 2006233); and authorize the District Attorney to accept grant funds for the California Dept. of Insurance in the amount of \$149,588 for FY 12/13; and adopt resolution.

**ADOPTED RESOLUTION NO. 2012-61**

37. Approve the District Attorney's participation in the Victim Witness Assistance Program (Renewal Contract No. 2007148); authorize the District Attorney to apply for continued grant funding for FY 12/13 in the amount of \$198,168; authorize the District Attorney to sign the Grant Award Agreement; authorize the Chairman to sign the Certifications of Assurance of Compliance; and adopt the resolution.

**ADOPTED RESOLUTION NO. 2012-62**

Sheriff

38. Approve Budget Transfer in the amount of \$1,114,917 to reconcile overdrawn account to balance budget unit 23000.

39. Approve Budget Transfer in the amount of \$70,292 to reconcile overdrawn account to balance sub-budget unit 22103 for increase in expense accounts offset by an increase in revenue to support the CalMMET program. (4/5 Vote Required)
40. Approve Budget Transfer in the amount of \$79,600 to reconcile overdrawn account to balance sub-grant unit 22109 for court security.

#### Probation

41. Approve and authorize the Chairman to sign Renewal Contract No. 2004237 with Los Banos Unified School District to station a Deputy Probation Officer at Los Banos Unified High School campus.
42. Approve Budget Transfer in the amount of \$298,848 to bring the Sheriff's Department total AB 109 allocation to the FY 11/12 approved amount. (4/5 Vote Required)

#### Human Resources

43. Approve and authorize the Chairman to sign Renewal Contract No. 2009173 with Professional Health Services, Inc. for comprehensive occupational health examinations.
44. Approve and authorize Chairman to sign Amendment Contract No. 2011219 with Merced County Law Enforcement Sergeant's Association (MCLES) representing Bargaining Unit 30.

#### Executive Office

45. Approve and authorize the Chairman to sign Amendment Contract No. 2007140 with Administration Office of the Courts for Lease of Department 10 Courtroom at 700 W. 22nd Street, Merced.
46. Approve and authorize the Chairman to sign Amendment Contract No. 2005143 with Horizon Health for Employee Assistance Program.
47. Act on Claim for Damages received from Jose Vega Jr.

#### Board Recognition

48. Authorize Certificate of Recognition for the Felix Torres Farmworker Housing Center in celebration of Grand Opening.
49. Authorize Certificate of Recognition to 7-Eleven for Ribbon Cutting.
50. Authorize Certificate of Recognition to Lucinda Martinez for being chosen as Grand Marshal of the Planada Community Day Parade.
51. Authorize Certificates of Recognition to the following individuals for being selected by the Soroptimist International of Los Banos: Toni M. Silva, June Erreca Award; Sarah F. Lopes, Violet Richardson Award; Amy Jimenez, Women's Opportunity Award; Pastor Susan Young, The Soroptimist Ruby Award; Los Banos Fire Department, Friends of Soroptimist Award; Susie Toscano, 2012 Soroptimist of the Year Award; and Los Banos Soroptimist International for their 50th Anniversary.
52. Authorize Certificate of Recognition to Granada High School Athletic Facilities for ribbon cutting.
53. Authorize Certificates of Recognition to various individuals for being selected as 2012 Outstanding Senior Volunteers.

**REVIEW BOARD ORDER – SEE PAGE 18**

54. Authorize Resolution of Commendation to Richard L. Dahlgren for his efforts in serving the Seniors of Merced County.

## **REGULAR CALENDAR**

### **BOARD ACTION**

#### **PUBLIC WORKS**

55. Contract with Hilmar Swim Club to maintain and operate the Hilmar Swimming Pool.  
**AUTHORIZED CONTRACT NO. 2012125 AS RECOMMENDED AYES: ALL**

#### **MENTAL HEALTH**

56. Contract with Merced Drug for the provision of pharmacy services to clients and bulk pharmaceuticals to Marie Green Psychiatric Center.  
**AUTHORIZED CONTRACT NO. 2012126 AS RECOMMENDED AYES: ALL**
57. Contract with Mission Linen Supply for linen and laundry services at the Marie Green Psychiatric Facility.  
**AUTHORIZED CONTRACT NO. 2012127 AS RECOMMENDED AYES: ALL**
58. Contract with U.S. Dept. of Housing and Urban Development for 2011 Supportive Housing Program Renewal Grant for Project Home Start.  
**AUTHORIZED CONTRACT NO. 2012124 AS RECOMMENDED AYES: ALL**
59. Contract with St. Joseph's Medical Center, dba HealthCare Clinical Laboratories to provide laboratory testing for consumers at all Mental Health Department facilities.  
**AUTHORIZED CONTRACT NO. 2012128 AS RECOMMENDED AYES: ALL**

#### **PUBLIC HEALTH**

60. Contract with ATC Associates, Inc. to provide environmental assessment and clean up services for the underground storage tank located at 2104 G Street, Merced (site #R10-063).  
**AUTHORIZED CONTRACT NO. 2012129 AS RECOMMENDED AYES: ALL**
61. Amendment Contract No. 2008171 with California Forensic Medical Group, Inc. which extends the contract to provide medical services for Juvenile Hall and medical, dental and mental health services for the adult correctional facilities.  
**AUTHORIZED CONTRACT NO. 2008171 AS RECOMMENDED AYES: ALL**  
**REVIEW BOARD ORDER – SEE PAGE 18**

#### **HUMAN SERVICES AGENCY**

62. Authorize the designation of James Kanabay, Staff Services Analyst II, Human Services Agency as Merced County Veterans Service Officer, effective July 1, 2012.  
**APPROVED AS RECOMMENDED AYES: ALL**
63. Authorize the Human Services Agency Director to sign and submit grant application to the Dept. of Health and Human Services Administration on Children, Youth and Families for expanded Transitional Housing Plus Program services and return to the Board to process grant documents if awarded.  
**APPROVED AS RECOMMENDED AYES: ALL**



- 64. Contract with Merced College Workplace Learning Resource Center for Allied Health Workforce Training services and approve related budget transfer.  
**AUTHORIZED CONTRACT NO. 2012122 AS RECOMMENDED AYES: ALL**
- 65. Contract with Aspiranet to provide home visitor services.  
**AUTHORIZED CONTRACT NO. 2012130 AS RECOMMENDED AYES: ALL**
- 66. Contract with Court Appointed Special Advocates (CASA) for Family Finding and Engagement services.  
**AUTHORIZED CONTRACT NO. 2012131 AS RECOMMENDED AYES: ALL**  
**REVIEW BOARD ORDER – SEE PAGES 18 AND 19**
- 67. Contract with Community Action Board for a Congregate Meals Program.  
**AUTHORIZED CONTRACT NO. 2012132 AS RECOMMENDED AYES: ALL**  
**REVIEW BOARD ORDER – SEE PAGE 19**
- 68. Contract with Community Action Board for a Home-Delivered Meals Program.  
**AUTHORIZED CONTRACT NO. 2012133 AS RECOMMENDED AYES: ALL**  
**REVIEW BOARD ORDER – SEE PAGE 19 AND 20**

**WORKFORCE INVESTMENT**

- 69. Contract with Merced County Office of Education to provide Workforce Investment Act In-School youth services.  
**AUTHORIZED CONTRACT NO. 2012134 AS RECOMMENDED AYES: ALL**
- 70. Contract with Merced County Office of Education to provide Workforce Investment Act Out-of-School youth services.  
**AUTHORIZED CONTRACT NO. 2012135 AS RECOMMENDED AYES: ALL**
- 71. Contract with Merced College for Customer Service, Diversity, and Employability Skills customized training serving Workforce Investment Act (WIA) participants.  
**AUTHORIZED CONTRACT NO. 2012136 AS RECOMMENDED AYES: ALL**
- 72. Contract with Merced College for an Advanced Welding Training Course for Workforce Investment Act (WIA) participants.  
**AUTHORIZED CONTRACT NO. 2012137 AS RECOMMENDED AYES: ALL**
- 73. Contract with Merced Adult School for Basic Education services.  
**AUTHORIZED CONTRACT NO. 2012138 AS RECOMMENDED AYES: ALL**
- 74. Contract with Merced Adult School to provide computer literacy instructional services located at Merced Worknet Employment Resource Center for Workforce Investment Act participants.  
**AUTHORIZED CONTRACT NO. 2012139 AS RECOMMENDED AYES: ALL**
- 75. Contract with CBS Outdoor for billboards and bulletins designed to provide outreach services for employability services at the Worknet Employment Resources Centers located in Merced and Los Banos.  
**AUTHORIZED CONTRACT NO. 2012123 AS RECOMMENDED AYES: ALL**
- 76. Contract with State of Calif. Employment Development Department (EDD) to provide EDD services at the One Stop location in Los Banos.  
**AUTHORIZED CONTRACT NO. 2012140 AS RECOMMENDED AYES: ALL**

FIRE

77. Authorize the Merced Office of Emergency Services to accept the Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation (PDM) Competitive Grant Program to initiate a plan, identify hazards, and identify mitigation actions; authorize Merced County Office of Emergency Services in conjunction with Support Services, to begin the Request for Proposal process; and adopt the resolution.

**AUTHORIZED CONTRACT NO. 2012141 AND ADOPTED RESOLUTION NO. 2012-63 AS RECOMMENDED AYES: ALL**

SHERIFF

78. Authorize the Sheriff to submit the 2012 State Criminal Alien Assistance Program (SCAAP) through the computerized Internet application process; and to return to the Board for acceptance of funding if awarded.

**APPROVED AS RECOMMENDED AYES: ALL**

79. Approve and authorize the Sheriff to donate \$5,000 from the State Asset Forfeiture Trust Fund 2609 to the United Way for the purpose of offsetting the costs associated with the public swimming pool at the McNamara Park in the City of Merced; and approve the related budget transfer. (4/5 Vote Required)

**APPROVED AS RECOMMENDED AYES: ALL**

**REVIEW BOARD ORDER – SEE PAGE 20**

SPRING FAIR

80. Contract with Assyrian American Aid Association, Inc. to host Bingo events at the Merced County Spring Fair.

**AUTHORIZED CONTRACT NO. 2012142 AS RECOMMENDED AYES: ALL**

ELECTIONS

81. Certify results of the Statewide Primary Elections held on June 5, 2012 and adopt resolution.

**ADOPTED RESOLUTION NO. 2012-64 AS RECOMMENDED AYES: ALL**

ASSESSOR/RECORDER

82. Approve early closure of the Clerk/Recorder's Office on July 9, 10 and 11, 2012 at 12:00 noon, due to renovation.

**APPROVED AS RECOMMENDED AYES: ALL**

HUMAN RESOURCES

83. Approve reorganization of Sheriff Management Structure; establish the classification of Lieutenant; change one vacant Commander-Corrections, position #32 Budget Unit 23000 to Lieutenant; add one Lieutenant to Budget Unit 23000; change title of two Commander-Operations, position #6 and #9 Budget Unit 22100 to Captain and approve modifications to the classification specification; and approve amendments to the Position and Salary Allocation resolutions.

**ADOPTED RESOLUTION NO. 2012-65 (POSITION) AND NO. 2012-66 (SALARY) AS RECOMMENDED AYES: ALL**

**REVIEW BOARD ORDER – SEE PAGE 20 AND 21**

EXECUTIVE OFFICE

84. Authorize a temporary transition pay differential up to six percent, for the acting Director of Workforce Investment, subject to the approval of the County Executive Office, effective June 4, 2012.

**APPROVED AS RECOMMENDED      AYES: ALL**

BOARD OF SUPERVISORS

85. Authorize \$1,000 of Special Board Project Funds - District One to be forwarded to the Le Grand American Legion Post 660 in support of the Every Fifteen Minute Program.

**APPROVED AS RECOMMENDED      AYES: ALL**

86. Authorize \$1,000 of Special Board Project Funds - District One to be forwarded to the Livingston 4th of July Committee to support their annual 4th of July Festival and Fireworks Show.

**APPROVED AS RECOMMENDED      AYES: ALL**

87. Authorize \$1,000 of Special Board Project Funds - District One to be forwarded to the Central California Regional Obesity Prevention Program (CCROPP) to provide County Parks and Recreation with a Livescan fingerprinting system that would be used to fingerprint coaches and assistant coaches and other volunteers who participate in physical activities with various youth organizations and programs throughout the County.

**APPROVED AS RECOMMENDED      AYES: ALL**

88. Authorize \$5,000 of Special Board Project Funds - District Two to be forwarded to the United Way Merced County for capital repairs on lift and/or gunite for McNamara Public Pool in South Merced.

**APPROVED AS RECOMMENDED      AYES: ALL**

89. Authorize \$1,000 of Special Board Project Funds - District Four to be forwarded to the Central California Regional Obesity Prevention Program (CCROPP) to provide County Parks and Recreation with a Livescan fingerprinting system that would be used to fingerprint coaches and assistant coaches and other volunteers who participate in physical activities with various youth organizations and programs throughout the County.

**APPROVED AS RECOMMENDED      AYES: ALL**

90. Authorize \$1,750 of Special Board Project Funds - District Four to be forwarded to the Winton Baseball and ASA Cheer Committee to support their baseball program for Winton area youth.

**APPROVED AS RECOMMENDED      AYES: ALL**

91. Authorize \$1,000 of Special Board Project Funds - District Five to be forwarded to the Central California Regional Obesity Prevention Program (CCROPP) to provide County Parks and Recreation with a Livescan fingerprinting system that would be used to fingerprint coaches and assistant coaches and other volunteers who participate in physical activities with various youth organizations and programs throughout the County.

**APPROVED AS RECOMMENDED      AYES: ALL**

BOARD APPOINTMENTS

92. Mental Health Advisory Board – Reappointed Charles McClure to serve as Member At Large until June 30, 2015.

**APPROVED AS RECOMMENDED      AYES: ALL**

93. City of Merced RDA Successor Agency Oversight Board – Appointed Adam Cox as the Public Member to serve at the pleasure of the Board.

**APPROVED AS RECOMMENDED AYES: ALL**

**BOARD INFORMATION & POSSIBLE ACTION**

**ACCEPTED AND PLACED ON FILE AYES: ALL**

94. Commerce, Aviation and Economic Development re: Lease agreement issued to McKuin Pipeline, Inc. for use of Facility Area 526 (approximately 1.10 acres) with adjacent parking area located at Castle Commerce Center.

**CONTRACT NO. 2012143**

95. Commerce, Aviation and Economic Development re: Facility Use Agreement issued to Moore's Karate for Moore's Karate Camp 2012 held May 18 - 20, 2012.

**CONTRACT NO. 2012144**

96. Public Works Department re: Contract awarded to George Reed, Inc. of Modesto, CA in the amount of \$1,637,500 for the Shanks Road/Letteau Avenue Intersection Improvement Project.

**CONTRACT NO. 2012145**

97. Dept. of Veterans Affairs re: Recognize the Merced County Veterans Service Officer (CVSO) for his diligent efforts, claim advocacy services, and high quality representation in assisting veterans and their family members in Merced County to obtain cash payments and tuition savings among other services to benefit the veteran population who have served our Country.

98. State Fish and Game Commission re: Notice of Regulatory Action relative to Section 632, Title 14, California Code of Regulations, relating to Blue Cavern State Marine Conservation Area, which was published in the California Regulatory Notice of Register on June 8, 2012.

99. State Fish and Game Commission re: Notice of Regulatory Action relative to Sections 27.65 and 28.30, Title 14, California Code of Regulations, relating to kelp bass, barred sand bass and spotted sand bass sport fishing, which was published in the California Regulatory Notice of Register on June 8, 2012.

100. State Fish and Game Commission re: Notice of Regulatory Action relative to Section 300, Title 14, California Code of Regulations, relating to upland game hunting, which was published in the California Regulatory Notice Register on June 15, 2012.

**THE BOARD RECESSED TO MEET AS AN IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND RECONVENED TO MEET AS A BOARD OF SUPERVISORS**

**ADOPTED RESOLUTIONS IN MEMORY OF JOSE RODRIGUEZ, BRIAN KELLY, MARY FRANCES GOODWIN, AND ARTHUR VINCENT MENDES, AND ADJOURNED THE MEETING UNTIL JULY 10, 2012, AT 10:00 A.M.**

## **BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 26, 2012**

### **10:00 A.M. SCHEDULED ITEM** **2012-06-26 PUBLIC OPPORTUNITY**

Mary Ann McKissick, District Two constituent, speaks regarding Special Board Project Funds. She requests that the Board relinquish the funds, make a structural change, and stop the policy. Ms. McKissick reviews information she has with regard to District Two current balance of Special Board Project Funds. She states that she would like to see the funds go into Public Safety accounts.

Mental Health Director Manuel Jimenez introduces new Assistant Mental Health Director Kurt Willems who comes from San Joaquin County where he served as Drug and Alcohol Administrator and ran the psychiatric health facility.

Assistant Mental Health Director Kurt Willems states he is looking forward to being a part of Merced County and providing his experience and expertise to the community.

Mary Nickels, Friends of the Hilmar Library, presents the Board with a petition signed by 1,092 people of the Hilmar community. The petition is for keeping the Hilmar Library open and increasing the hours of service. Ms. Nickels provides the Board with an overview of services offered by the Hilmar Library.

Chris Navarro, Merced citizen, Merced County Sheriff employee, and President of MCSEA Bargaining Units 2 and 12, speaks regarding Action Item 83 on today's agenda. Mr. Navarro states that he believes it is not necessary for the item to be before the Board. Mr. Navarro believes that creating upper middle management positions does not seem like a good idea, more people on frontline, deputies on the street, and officers in the jail are needed. He states that this action is an impractical step considering the budget restraints. Mr. Navarro urged the Board to use common sense and think for the betterment of the people, and restates that the item is unnecessary and money can be spent in other areas that will benefit them.

Carol Campodonica, Merced resident, speaks regarding Special Board Project Funds and states that she would like to see the funds no longer used and returned to the safety budget or general fund to lessen the deficit of the County. Ms. Campodonica also speaks regarding her opposition to high speed rail and an issue with the sale of property at Castle to an individual who did not have sufficient funds and as a result money was misused and mishandled.

The Chairman states that Special Board Project Funds, libraries, and other critical services will be part of Final Budget discussion in terms of operations. The Chairman states that questions about RDA contributions to the Library as well as AB 109 will also be discussed during Final Budget.

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

**10:00 A.M. SCHEDULED ITEM**

**2012-06-26 TAX COLLECTOR – PUBLIC HEARING – ORDINANCE NO. 1895**

The time and date previously set for a public hearing to consider proposed Ordinance amending Merced County Code Section 17.04.070 and amends Ordinance Nos. 1246, 1349, and 1367, to require security for the payment of estimated taxes or special assessments prior to the recordation of a notice of merger to voluntarily merge contiguous parcels.

The Chairman opens the public hearing.

Tax Collector Karen Adams provides staff report. Karen Adams presents the Board with a powerpoint covering Background; a Board Agenda Item that went before the Board on May 8, 2007; Current Process; Scenario of Farmer Joe with 5 parcels to be merged into 1 parcel; Scenario with Farmer Joe posting estimated taxes and a new map recorded; Facts; and County & Department Budgetary Impact.

Assessor Kent Christensen provides Board information with regard to splits, mergers, and practices of title companies involved.

Supervisor O'Banion provides a hypothetical situation where a property owner whose taxes have been paid and Planning has approved a merger. Supervisor O'Banion states that he is opposed to requiring the property owner to pay his taxes ahead of time.

Supervisor Kelsey states two property owners in her district were faced with having to pre-pay taxes and found that the solution was to get a surety bond from an insurance company.

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

Following lengthy discussion, Supervisor O'Banion moves to deny the proposed Ordinance.

The Chairman calls for the vote on the motion and states the motion dies for lack of second.

Upon motion of Supervisor Davis, seconded by Supervisor Walsh, the Board waives further reading of the Ordinance and adopt Ordinance No. 1895.

The Chairman calls for a vote on the motion.

Supervisor O'Banion votes "no", motion carries.

Ayes: Walsh, Pedrozo, Davis, Kelsey

Noes: O'Banion

**1:30 P.M. SCHEDULED ITEM**

**2012-06-26 COUNTY EXECUTIVE OFFICE – PROPOSED BUDGET FOR FY 2012-2013**

County Executive Officer James Brown thanks all elected officials, department heads, and their staff for their efforts during development of the budget. He states it has not been easy for anyone, there have been many challenging decisions, and there are more difficult ones ahead. He states we need to continue to work toward bringing expenses in line with revenues. Mr. Brown

advises that this proposed budget provided today is a work in progress and provides a temporary operating plan until final budget. County Executive Officer Brown reviews the powerpoint slide on FY 12/13 Proposed Budget

Assistant County Executive Officer Scott DeMoss reviews the following powerpoint slides: Revenues vs. Expenditures (General Fund); Cash Flow (General Fund)-June Year End; Local Revenue-Annual Revenue Trend; Available Fund Balance-After Reserves; Local Resources; Financing Requirements; Budget Overview; Reserves; General Fund Contingency; and BU 17000 Capital Projects.

County Executive Officer Brown reviews the following powerpoint slides: Ongoing vs. One-Time Expenditures; Net County Cost by Area-Comparison; Net County Costs; Health and Human Services-Net County Cost (General Fund); Public Safety/Justice System-Net County Cost (General Fund); Municipal Co-Wide Services-Net County Cost (General Fund); and Support Services/CIP-Net County Cost (General Fund).

County Executive Officer Brown opens Public Opportunity to Speak.

Ann Anderson, League of Women Voters, comments on the budget process and requests that the League of Women Votes be advised of 12/13 budget sessions. She requests that the Board of Supervisors hold Public Budget Study Sessions.

Following discussion of State budget, County budget, AB 109, Redevelopment Agencies, Williamson Act, potential realignment of IHSS, trailer bills, and final budget numbers, the Board:

(1) Adopts the Proposed Budget for FY 2012/2013 as an operating budget until the Board adopts a Final Budget. (2) Directs that no capital assets recommended in the Proposed Budget be purchased until the adoption of the Final Budget, except the following: a) BU 17000 account 87011 Martin Luther Clean Up, BU 17000 account 87012 Hospital Facility Reuse, BU 17000 account 87098 Kane Building Remodel, BU 17000 account 87099 Probation-Sheriff AB 109 Remodel, and BU 23300 account 84035 Surveillance Camera Upgrade. (3) Directs that no Out-of-County Overnight or Out-of-State travel take place unless authorized by the County Executive Officer, or designee, and authorize the County Executive Officer, or designee, to approve Out-of-State travel submitted between Proposed and Final budget. (4) Requests the Clerk of the Board make available copies of the FY 2012/2013 Proposed Budget to all interested people and advertise the final budget hearings to commence on August 21, 2012 at 1:30 p.m. (5) Schedules the Public Hearing on Proposition 4 Appropriation Limit on August 21, 2012 at 1:30 p.m.

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

## **CONSENT ITEM NO. 6**

### **2012-06-26 PUBLIC WORKS**

The Clerk announces amendment to Contract No. 2009033 with Swatt / Miers Architects is before the Board for consideration.

Supervisor Davis requests clarification with regard to the \$48,405 for design.

Acting Director of Public Works Richard Schwarz reviews the staff report and states that the services that the architect is providing is for the complete audio/visual design for equipment and

infrastructure in the new emergency operations center at Castle. He states that a grant from Fire was received that would fund a portion of those fees, and there are existing funds in the appropriation to pay for the match that the grant provides for these technology enhancements for the EOC.

Supervisor Davis states he understands that the A/V design will not be used for some time until we are able to purchase the equipment.

Acting Director Schwarz states that the architect is preparing the package so that it is in a condition that can be used by Administrative Services to bid out and purchase all the A/V equipment as soon as the funding is identified.

Supervisor Davis asks if the money was initially appropriated out of Tobacco money and if this is money that is left over because we are receiving some grant money from somewhere else.

Acting Director Schwarz states the costs are not increasing and Tobacco funds are being used to match the grant so there is a savings of Tobacco fund usage.

Supervisor Davis asks if this should be delayed until we have the equipment and again questions the design.

Acting Director Schwarz explains that the design includes the infrastructure that needs to be in place to support the installation of the equipment at a later date. He states that the condition of the project is bare studs, nothing has been sheet rocked so now is the time to put in all the conduit boxes.

Supervisor Davis requests clarification re \$8,000 for incidentals and asks if that is extra money that is going forward or is it part of the 10% overrun that is figured on these projects.

Acting Director Schwarz states it is part of the contingency fund.

Supervisor Kelsey requests clarification with regard to the \$24,000 and asks if it is money left over from a previous project that had originally been funded with Tobacco Securitization money, and now the balance is being moved into this project, or is this another tap on the Securitization funds.

Acting Director Schwarz states according to Fire, the grant is money that they received for technical enhancement for the EOC so Tobacco money is being used to match the \$24,000 grant, and essentially it is \$48,406 grant amount if you include the grant money and the match.

Supervisor Kelsey states she is concerned about the Tobacco Securitization funds that were one time money that were put aside 16 years ago that collect interest and she does not want to "tap" it all the time.

Acting Director Schwarz states the Tobacco funds that are being used are monies that were already appropriated for the project. Supervisor Kelsey states her question is answered.

Upon motion of Supervisor Pedrozo, seconded by Supervisor O'Banion, duly carried, the Board authorizes amendment No. 4 to Contract No. 2009033 with Swatt / Miers Architects in the



amount of \$54,205 for the County Emergency Operations and Consolidated 911 Dispatch Center at Castle Airport and approves related Budget Transfers in the amount of \$24,203.

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

**CONSENT ITEM NO. 16**

**2012-06-26 PUBLIC HEALTH**

The Clerk announces a Budget Transfer to cover costs of replacing failing repeaters at Mt. Bullion is before the Board for consideration.

Supervisor Davis questions who uses the repeaters, how many repeaters are being replaced, and what type are they.

Administrative Services Director Mark Cowart states EMS and the ambulance service utilizes the repeaters, and it is a set of repeaters that are no longer serviceable that are being replaced. He further states that the repeaters are for emergency radio communication between dispatch and the ambulance service and between the hospital and ambulance service.

Upon motion of Supervisor Pedrozo, seconded by Supervisor O'Banion, duly carried, the Board authorizes the Budget Transfer in the amount of \$60,000 to cover costs of replacing failing repeaters at the Mt. Bullion site which provide communication capabilities for emergency medical services throughout the county.

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

**CONSENT ITEM NO. 28**

**2012-06-26 LIBRARY**

The Clerk announces approval of closure of the Los Banos Library to prepare for Friends of the Los Banos Library fundraising reception and authorization to serve wine is before the Board for consideration.

Supervisor Davis states he wishes to go on the record that he has issues with the serving of alcohol in any public library.

Supervisor O'Banion moves, seconded by Supervisor Pedrozo, the Board authorize closure of the Los Banos Library on Thursday, October 25, 2012, at 3 p.m. upon provision of insurance, to prepare for Friends of the Los Banos Library fundraising reception and authorize organizers to serve wine after necessary permits are obtained.

The Chairman calls for the Vote on the Motion.

Supervisor Davis votes "no." Motion carries.

Ayes: Walsh, Pedrozo, Kelsey, O'Banion

Noes: Davis

**CONSENT ITEM NO. 53**

**2012-06-26 BOARD OF SUPERVISORS**

Upon motion of Supervisor Pedrozo, seconded by Supervisor O'Banion, duly carried, the Board authorizes Certificates of Recognition to the following for being selected as 2012 Outstanding Senior Volunteers: Don Lee and Margaret Lawrence, Merced Senior Citizen's Inc.; Fred Buckingham, Merced Over 50 Club; Dorothy Souza and Claudia Wittrock, Merced AARP #282; Yvonne Vaughn and Edna Davis, Merced Senior Social Club; Margaret "Peggy" Merritt, Atwater AARP #2194; Madeline Feist and Marie Ruiz, Atwater Senior Social Club; Jackie Hall, Merced-Mariposa Retired Teachers Association; Joan Scott, Sierra Meadows Senior Apartments; Henry Gomez and Jessica Lazano, Winton Senior Social Club; Marlene Terry and Charlene Di Giorno, Gustine Senior Citizen's Club; Jackie Wirth and Bill Wirth, Hilmar Senior Citizen's Club; Shirley Flowers and Loretta Edminster, Delhi Senior Club; Billie Jordan and Marie Von Allman, Dos Palos Senior Social Club.

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

**ACTION ITEM NO. 61**

**2012-06-26 PUBLIC HEALTH**

The Clerk announces amendment to Contract No. 2008171 with California Forensic Medical Group, Inc. for medical services for Juvenile Hall and medical, dental, and mental health services for the adult correctional facilities is before the Board for consideration.

Director of Public Health Kathleen Grassi informs the Board that the contract needs correction because the calculations were made using the consumer price index which was an error. Ms. Grassi provides two corrected copies and states that the corrected copy also includes an additional amount for insurance as recommended by County Counsel.

Upon motion of Supervisor O'Banion, seconded by Supervisor Pedrozo, duly carried, the Board authorizes the amendment to Contract No. 2008171 with California Forensic Medical Group, Inc., to increase funding from \$18,757,337 to \$19,874,289 to provide medical services for Juvenile Hall and medical, dental, and mental health services for the adult correctional facilities .

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

**ACTION ITEM NO. 66**

**2012-06-26 HUMAN SERVICES AGENCY**

The Clerk announces contract with Court Appointed Special Advocates (CASA) for Family Finding and Engagement services is before the Board for consideration.

Supervisor Davis asks if this is a conflict of interest.

Human Services Agency (HSA) Director Ana Pagan states this is not a conflict of interest, and HSA and CASA are working for the good of the foster youth who are emancipating. Ms. Pagan further states that the purpose of Family Finding and Engagement services is to make certain that children who emancipate do not go homeless, and it is a collaborative effort between HSA, CASA, and the Court.

Upon motion of Supervisor Pedrozo, seconded by Supervisor O'Banion, duly carried, the Board authorizes Contract No. 2012131 with CASA for the period July 1, 2012 through May 31, 2013, in the amount of \$40,000 for Family Finding and Engagement Services.  
Ayes: Walsh, Pedrozo, Davis, Kelsey, O'Banion

**ACTION ITEM NO. 67**  
**2012-06-26 HUMAN SERVICES AGENCY**

The Clerk announces contract with Community Action Board for a Congregate Meals Program is before the Board for consideration.

Tony Dossetti, Merced County resident, speaks in favor of the Congregate Meals Program and Home Delivered Meals and hopes that the service is kept local. He states that people who receive services are homebound and they look forward to visitors because some of them are shut-ins.

Supervisor Davis states the Board Agenda Item indicates funding is not coming from General Fund in order to extend contract for the next few months and asks if that was a misprint. He further asks if there was an increase in the price for meals.

Human Services Agency Deputy Director Michelle Roe states that is current and further states that State and Federal dollars are received for this program; however the grant money is only sufficient for the next three months. Ms. Roe also answers Mr. Davis' question regarding the price per meal and states that the price has not increased.

Upon motion of Supervisor Pedrozo, seconded by Supervisor O'Banion, duly carried, the Board authorizes Contract No. 2012132 with Community Action Board for a congregare Meals Program in the amount of \$83,121 beginning July 1, 2012, and ending on or before September 30, 2012.  
Ayes: Walsh, Pedrozo, Davis, Kelsey, O'Banion

**ACTION ITEM NO. 68**  
**2012-06-26 HUMAN SERVICES AGENCY**

The Clerk announces contract with Community Action Board for a Home-Delivered Meals Program is before the Board for consideration.

Tony Dossetti, Merced County resident, speaks in favor of the Congregate Meals Program and Home Delivered Meals and hopes the service is kept local. He states that people who receive services are homebound and they look forward to visitors because some of them are shut-ins.

Supervisor Davis states the Board Agenda Item indicates funding is not coming from General Fund in order to extend contract for the next few months and asks if that was a misprint. He further asks if there was an increase in the price for meals.

Deputy Director Michelle Roe states that is current and further states that State and Federal dollars are received for this program; however the grant money is only sufficient for the next three months. Ms. Roe also answers Mr. Davis' question regarding the price per meal and states that the price has not increased.

Upon motion of Supervisor Pedrozo, seconded by Supervisor O'Banion, duly carried, the Board authorizes Contract No. 2012133 with Community Action Board for a Home-Delivered Meals Program in the amount of \$66,900 beginning July 1, 2012 and ending on or before September 30, 2012.

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

**ACTION ITEM NO. 79**  
**2012-06-26 SHERIFF**

The Clerk announces donation from the State Asset Forfeiture Trust Fund to the United Way is before the Board for consideration.

Supervisor Davis asks how the funds from this Trust Fund are normally used. He states that he supports this item but thought the funds for this item would have come out of the Sheriff's Association fund.

Sheriff Pazin responds and states that the funds are used for youth services and for purchase of law enforcement equipment.

Upon motion of Supervisor Pedrozo, seconded by Supervisor O'Banion, duly carried, the Board authorizes the Sheriff to donate \$5,000 from the State Asset Forfeiture Trust Fund 2609 to the United Way for the purpose of offsetting the costs associated with the public swimming pool at the McNamara Park in the city of Merced and approve the related Budget Transfer in the amount of \$5,000.

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

**ACTION ITEM NO. 83**  
**2012-06-26 HUMAN RESOURCES**

The Clerk announces reorganization of the Sheriff Management Structure is before the Board for consideration.

Supervisor Pedrozo requests explanation of this transition.

Sheriff Pazin provides history of the Sheriff Department management staff and states that they have gone from 5 to 2.5 Commanders. Sheriff Pazin states his department's plan is to restructure, at no cost to the County, to return back to basics with a Captain and Lieutenant to oversee the middle management area. He states that they lost 60% of middle management personnel.

Upon motion of Supervisor Pedrozo, seconded by Supervisor Davis, duly carried, the Board (1) approves reorganization of the Sheriff Management Structure; (2) establishes the classification

of Lieutenant; (3) changes one vacant Commander-Corrections, position number 32, in Budget Unit 23000 to Lieutenant; (4) adds one Lieutenant to Budget Unit 23000; changes title of two Commander-Operations, position numbers 6 and 9 in Budget Unit 22100, to Captain; and (5) adopts Resolution No. 2012-65 (Position) and Resolution No. 2012-66 (Salary).

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