



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, JULY 31, 2012

Closed Session – 9:00 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

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

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

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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 - 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): Four Cases

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: 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; Non-Safety Corrections, Unit 12; and Probation Supervising Employees, Unit 11.

THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT. COUNTY COUNSEL REPORTS THE BOARD VOTED 5-5 TO AUTHORIZE THE COUNTY TO PURSUE LITIGATION IN 4 DIFFERENT CASES TO RECOVER MONIES PAID IN PROPERTY DAMAGE AND WORKER'S COMPENSATION BENEFITS PAID TO COUNTY EMPLOYEES FROM VARIOUS VEHICLE ACCIDENTS.

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)

PRESENTATIONS

United Way of Merced County--Recognition of Merced County Campaign
**UNITED WAY EXECUTIVE DIRECTOR FLIP HASSETT, MARY BIGELOW,
AND BERNADETTE MELO PRESENT THE CHAIRMAN WITH AN AWARD
IN RECOGNITION OF MERCED COUNTY EMPLOYEES' SUPPORT IN THE
2011-12 CAMPAIGN.**

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 37)

COMMERCE, AVIATION, & ECONOMIC DEVELOPMENT - PUBLIC HEARING

To receive comments on the State Community Development Block Grant (CDBG) Annual Grantee Performance Reports for Grant Number 10-STBG-6729.

RECOMMENDATION:

Open Public Hearing to receive testimony; accept the Annual Grantee Performance Report.

REVIEW BOARD ORDER

COMMERCE, AVIATION, & ECONOMIC DEVELOPMENT - PUBLIC HEARING

To receive public input on the CalHome Program, Community Development Block Grant (CDBG) Program, and the HOME Investment Partnership program revisions to the Homebuyer Program Guidelines and Housing Rehabilitation Program Guidelines.

RECOMMENDATION:

Open Public Hearing to receive testimony; and adopt Resolution approving the revisions to the Homebuyer Program Guidelines and the Housing Rehabilitation Guidelines for the CalHome, CDBG, and HOME Programs.

REVIEW BOARD ORDER

REPORTS/BOARD DIRECTION

County Executive Officer—Budget Update, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items #1 - 37)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

- 1. Adopt Resolution for the Summary Vacation of Third Street, a portion of N Street, and Block 77 Alleyway in the Town of Ingomar.

ADOPTED RESOLUTION

- 2. Adopt Resolution for the Summary Vacation of Public Utility Easement off Lake Road in the Merced Area.

ADOPTED RESOLUTION

Mental Health

3. Approve and authorize the Chairman to sign Amendment Contract No. 2011088 with Country Villa Merced Behavioral Health for mental health placement services, reflecting the rate changes for the 2012/2013 portion of the July 1, 2011 through June 30, 2014 term.
4. Approve and authorize the Chairman to sign Amendment Contract No. 2011113 with Crestwood Behavioral Health, Inc. to add the rates for the 2012/2013 portion of the contract period July 1, 2011 to June 30, 2014.
5. Approve and authorize the Chairman to sign Amendment Contract No. 2011010 with Willow Glen Care Center for residential care services for consumers, updating the 2012/2013 service rates.

Planning

6. Approve and authorize the Chairman to sign Amendment Contract No. 2012068 with Tony Meirinho for the consultant, Environmental Planning Partners, Inc., to complete Tasks 5, 6, and two optional tasks - Nuisance Insect Evaluation and contingency, as part of the Environmental Impact Report for the Meirinho Dairy Expansion project (CUP11-012).
7. Approve and authorize the Chairman to sign Amendment Contract No. 2012069 with Environmental Planning Partners, Inc., to complete Tasks 5, 6, and two optional tasks - Nuisance Insect Evaluation and contingency, as part of the Environmental Impact Report for the Meirinho Dairy Expansion project (CUP11-012).

Human Services Agency

8. Approve and authorize the Chairman to sign Renewal Contract No. 2009120 with T. Kaljian Investments for lease of property at 848 6th Street, Los Banos.

Health

9. Approve and authorize the Chairman to sign Renewal Contract No. 2006002 with James Andrews, M.D., extending his service as the Medical Director for the Merced County Emergency Medical Services Agency through June 30, 2015.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2007274 with First 5 for the Children's Health Initiative-Healthy Kids Program for outreach, enrollment, and health insurance premium support for children from birth to 5 years of age.
11. Approve and authorize the Chairman to sign Amendment Contract No. 2009278 with First 5 Merced County for the Universal Developmental Screening Program for early screening, referral, assessment, and services for children 0-5 years of age.
12. Approve and authorize the Chairman to sign Amendment Contract No. 2009269 with First 5 for Ready, Set, Go! Program to provide health consultation, child health resource information, technical assistance, developmental screening to children ages 0-5, and home visiting to families who have children identified with special needs to assist with linking them to appropriate community resources and early intervention services.
13. Approve and authorize the Chairman to sign Amendment Contract No. 2003162 with Riggs Ambulance for ground ambulance service.
14. Approve and authorize the Chairman to sign Amendment Contract No. 2008143 with VIA Adventures, Inc., for collaboration in the "Going Places" project that provides transportation

services for pregnant women and children, from birth through age five, for their medical needs.

Probation

15. Approve and authorize the Chairman to sign Renewal Contract No. 2010001 with California Emergency Management Agency (Cal EMA) for Evidence-Based Probation Supervision Program.

District Attorney

16. Approve and authorize the District Attorney to sign Renewal Contract No. 2006234 with Calif. Dept. of Insurance for participation in the Automobile Insurance Fraud Program in the amount of \$94,542 and adopt Resolution.

ADOPTED RESOLUTION

Ag Commissioner

17. Approve and authorize the Chairman to sign Renewal Contract No. 2010115 with California Department of Food and Agriculture for Asian Citrus Psyllid pest detection trapping and survey activities; and adopt Resolution.

ADOPTED RESOLUTION

18. Approve and authorize the Chairman to sign Renewal Contract No. 2007246 with California Department of Food and Agriculture (CDFA) for nursery stock inspection activities at County nursery locations; and adopt Resolution.

ADOPTED RESOLUTION

19. Approve and authorize the Chairman to sign Renewal Contract No. 2004260 with California Department of Food and Agriculture (CDFA) for Egg Quality Control Program inspections; and adopt Resolution.

ADOPTED RESOLUTION

Workforce Investment

20. Approve and authorize the Chairman to sign the required Subgrantee Information Change Form - Type 1 to provide the State with updated Workforce Investment Act Subgrantee information for the Entity Director/Administrator Point of Contact.

Executive Office

21. Act on Claims for Damages received from Shawn Moore and Amanda Duran.

Board Recognition

22. Proclaim August 2012 as Child Support Awareness Month for Merced County.
23. Authorize Certificate of Recognition to Merced Downtown Business Hub for Ribbon Cutting.
24. Authorize Certificates of Recognition to the following individuals for County Historical Society Charter Membership since 1975: Frank Bartholome, David Bultena, Ralph Busby, Bunny Busby, Janet Cross, Elizabeth Fretz, Shirley Kirby, Wendell Olson, Margaret Randolph, Roberta Saling, and Caryl Wayne.
25. Authorize Certificate of Recognition to Merced County Historical Society for 50th Anniversary.

26. Authorize Certificate of Recognition to the Stevinson Pentecost Association in support of the Annual Religious Parade.
27. Authorize Certificate of Recognition to Reverend Frank R. Piro for 50th Anniversary of the Ordination to the Priesthood.
28. Authorize Certificates of Recognition to various individuals for being selected by the Father of the Year Committee as 2012 essay contest winners
29. Authorize Certificate of Recognition to Jedd Medefind for being selected by the Father of the Year Committee as 2012 Father of the Year.
30. Authorize plaque for Van and Carolyn Sweet in recognition of their 60th wedding anniversary.
31. Authorize Certificates of Recognition to various individuals for being honored by The Greater Merced Chamber of Commerce as graduates of Leadership Merced Class 27.
32. Authorize Certificates of Recognition to the following individuals for being selected by the Los Banos Chamber of Commerce: Tony Dutra--Betty Trauba Business Person of the Year Award; Mark Menchaca--Friend of the Chamber Award; Kathy Bengston--Wilma Keokuk Volunteer of the Year Award; Morning Star Packing Company--Bill Marchese Business of the Year Award; Troy Thoreson--Outgoing Director; and Duane Brehm--Outgoing President.
33. Authorize Certificate of Recognition to Seivert & Associates for Ribbon Cutting and Open House.
34. Authorize Certificate of Recognition to Michael O. Sullivan in celebration of 40 years of service in meeting the health care needs of the medically underserved of Merced and Stanislaus Counties.
35. Authorize Certificate of Recognition to APG Solar for Ribbon Cutting.
36. Authorize Certificates of Recognition to various individuals for being selected by the Greater Merced Chamber of Commerce at the Installation and Awards Ceremony.
37. Authorize Certificate of Recognition to Dr. Benjamin T. Duran for retirement from Merced Community College after 40 years of service as an educator in Merced County.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

38. Approve Plans and Specifications for the Planada Pedestrian Improvement Project, and direct Public Works to return to the Board with an Informational Item disclosing all actions taken on the project.
APPROVED AS RECOMMENDED AYES: ALL
39. Approve Plans and Specifications for the Merced Falls Road & Olive Avenue Reconstruction Project, and direct Public Works to return to the Board with an Informational Item disclosing all actions taken on the project.
APPROVED AS RECOMMENDED AYES: ALL
40. Find that replacement of Henderson Park Well #1 is an emergency as defined by Public Contract Code Section 1102; authorize the CEO, DPW, County Counsel, Purchasing, and Environmental Health to proceed with all necessary action to replace and destroy existing

Well #1 in accordance with Public Contract Code Section 20134 (a) and 22050(a)(1) & (2).
(4/5 Vote Required)

MODIFIED RECOMMENDATION AYES: ALL
REVIEW BOARD ORDER

MENTAL HEALTH

41. Contract with Community Social Model Advocates, Inc., for the provision of perinatal residential substance abuse services.

APPROVED AS RECOMMENDED AYES: ALL

42. Contract with Turning Point Community Services for implementation of the Community Assistance Recovery Enterprise (CARE) Program for specialty mental health, employment and housing services.

APPROVED AS RECOMMENDED AYES: ALL

43. Contract with California Department of Mental Health and California Department of Health Care Services for a Managed Mental Health Care Plan; and adopt resolution.

ADOPTED RESOLUTION AS RECOMMENDED AYES: ALL

44. Contract with Regents of the University of California, Davis, for staff trainings and development.

APPROVED AS RECOMMENDED AYES: ALL

45. Contract with Mariposa County Behavioral Health and Recovery for the provision of inpatient services at the Marie Green Psychiatric Health Facility.

APPROVED AS RECOMMENDED AYES: ALL

46. Contract with Probation for the services of a Deputy Probation Officer related to the Adult Mental Health Court.

APPROVED AS RECOMMENDED AYES: ALL

47. Contract with Aegis Medical Systems, Inc., to provide Drug Medi-Cal outpatient narcotic treatment services.

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

48. Contract with California Health Collaborative for implementation of the California Community Transformation Grant.

APPROVED AS RECOMMENDED AYES: ALL

PLANNING

49. Adopt the Updated Guidance Package for preparation of the Community Plan and Environmental Impact Report for the Yosemite Lake Estates General Plan Amendment Project.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

50. Contract with Howell Consulting for the revision of the Continued Operations Plan (COOP) and Continuity of Government (COG) plan.

APPROVED AS RECOMMENDED AYES: ALL

51. Contract with Howell Consulting for the revision of the Access and Functional Needs Plan.
APPROVED AS RECOMMENDED AYES: ALL
52. Authorize the department to submit online application for the FEMA Assistance to Firefighters Grant Program-Fire Operations and Safety and return to the Board prior to accepting funds.
APPROVED AS RECOMMENDED AYES: ALL
53. Authorize department to submit online application for the FEMA Assistance to Firefighters Grant Program-Vehicle Acquisition and return to the Board prior to accepting funds.
APPROVED AS RECOMMENDED AYES: ALL

AG COMMISSIONER

54. Contract with California Agricultural Commissioners and Sealers Association for Pesticide Use Reporting.
APPROVED AS RECOMMENDED AYES: ALL

PROBATION

55. Contract with Community Social Model Advocates, Inc., to provide residential alcohol and drug treatment and recovery services.
APPROVED AS RECOMMENDED AYES: ALL
56. Authorize Administrative Services to prepare and release Request for Proposal for securing the services of a qualified contractor to provide a Cognitive Behavioral Services program to adults, and direct Probation to return to the Board for final approval.
APPROVED AS RECOMMENDED AYES: ALL
57. Authorize Probation to submit the formal application to the Sierra Health Foundation to participate in the Positive Youth Justice Initiative grant program, and direct Probation to return to the Board for final approval.
APPROVED AS RECOMMENDED AYES: ALL

COUNTY COUNSEL

58. Contract with LexisNexis for a three year subscription for Online Legal Research.
APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

59. Authorize \$3,500 of Special Board Project Funds - District Four to be forwarded to the Winton Cowboys organization for purchase of uniforms/equipment for their youth programs.
APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

60. May Day Fair Board - Reappointed Pat Gallichio, Scott Silveira, and Nikki Patricio, representing District Five, to serve until July 1, 2016.
APPROVED AS RECOMMENDED AYES: ALL
61. May Day Fair Board - Reappointed Mark Pazin, representing District One, to serve until July 1, 2016.
APPROVED AS RECOMMENDED AYES: ALL

62. Mental Health Advisory Board - Reappointed Vince Ramos, representing District Two, to serve until June 30, 2015.

APPROVED AS RECOMMENDED AYES: ALL

63. Planada Recreation Committee - Appointed Alejandro Garcia to serve until July 12, 2015, and reappoint John Martinez, Ersilia Sofia Pena, Elida Angel, and Lucinda Martinez to serve until July 12, 2015.

APPROVED AS RECOMMENDED AYES: ALL

64. Local Child Care and Development Planning Council - Appointed Krista Saxon to serve as Community Representative until June 30, 2014; and reappoint Danielle Waite to serve until June 1, 2014 and Nicholas Moreno to serve until June 1, 2013.

APPROVED AS RECOMMENDED AYES: ALL

65. Workforce Investment Board - Appoint James "Jim" Kanabay Jr., to serve as the Veterans representative until June 30, 2016.

APPROVED AS RECOMMENDED AYES: ALL

66. Lower San Joaquin Levee District – Appointed a representative to fill the unexpired term of June 4, 2013, as the Division Three representative.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

67. Commerce, Aviation and Economic Development re: Lease agreement issued to Vortex Air Cargo, LLC for Building 1404 and Ramp Area 13 located at Castle Airport.

68. Commerce, Aviation and Economic Development re: Lease agreement issued to Vortex Air Cargo, LLC for Building 1405 and Land located at Castle Airport.

69. State Fish and Game Commission re: Notice of Proposed Regulatory Action relative to Sections 163 and 164, Title 14, California Code of Regulations, relating to the commercial herring fishery, which will be published in the California Regulatory Notice Register on July 6, 2012.

70. Merced County Mosquito Abatement District re: Manager's Report for June 2012.

ADOPTED RESOLUTIONS IN MEMORY OF JEANETTE ALBERTI, JoANN HENDRICKS, MANUEL GONCALVES, MIKE HERNANDEZ, FRANK COELHO, AND MANUEL VIEIRA JR., AND ADJOURNED THE MEETING UNTIL AUGUST 7, 2012, AT 10:00 A.M.