



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, AUGUST 07, 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

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

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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 REAL PROPERTY NEGOTIATOR: It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator(s) pursuant to Government Code Section 54956.8 as follows:

- (1) Property: Castle Property, Building 1360
Agency Negotiator: Mark Hendrickson, Director-Commerce, Aviation and Economic Development
Negotiating parties: Loren Gonella
Under negotiation: Lease rates and terms
- (2) Property: 301 E. 13th Street, Merced, CA 95341
Agency Negotiator: Richard Schwarz, Acting Director Public Works
Negotiating parties: Steiner Development, Inc.
Under negotiation: Price and terms of payment

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, 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

PRESENTATIONS

- 1) Central Valley Sports Academy, Panther Track
NICK NAVARETTE PROVIDED THE BOARD WITH THE ORGANIZATION'S GOALS IN WORKING WITH YOUTH. SUPERVISOR PEDROZO PRESENTED MR. NAVARETTE A CERTIFICATE OF RECOGNITION FOR DEDICATION AND COMMITMENT TO THE YOUTH OF MERCED.
- 2) Fire - California Fire Fee - State Responsibility Area
FIRE DIVISION CHIEF MARK LAWSON AND DEPUTY CHIEF KEVIN SMITH PROVIDED THE BOARD WITH A POWERPOINT PRESENTATION UPDATE

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 15)

REPORTS/BOARD DIRECTION

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

CONSENT CALENDAR (Items # 1 - 15)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Adopt Resolution designating the intersections of Pandit Noor Way and Sohan Drive with Franklin Road as stop intersections and authorize the installation of stop signs at the Pandit Noor Way approach and the Sohan Drive approach to their intersection with Franklin Road.

ADOPTED RESOLUTION

2. Adopt Resolution restricting parking along a portion of Broadway in the Planada area, and authorize painting the curb and posting the sign to inform motorists of said parking restriction.

ADOPTED RESOLUTION

Mental Health

3. Approve and authorize the Chairman to sign Amendment Contract No. 2010211 with Challenged Family Resource Center, updating the hourly rate for the peer mentors.

Health

4. Approve and authorize the Chairman to sign Amendment Contract No. 2010251 with First 5 Merced County for Comprehensive Children's Injury Prevention Program services extending the term six months through December 31, 2012.
5. Approve and authorize Chairman to sign Renewal Contract No. 200239 with Dignity Health, dba Mercy Medical Center for Base Hospital activities.

Workforce Investment

6. Approve and authorize the Chairman to sign Amendment Contract 2010155 with the City of Atwater for the Enterprise Zone marketing and management.

7. Approve and authorize the Chairman to sign Amendment Contract No. 2010071 with Merced County Commerce, Aviation, and Economic Development for the Enterprise Zone marketing and management.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2010222 with the City of Dos Palos for the Enterprise Zone marketing and management.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2010277 with the City of Gustine for the Enterprise Zone marketing and management.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2010157 with the City of Livingston for the Enterprise Zone marketing and management.
11. Approve and authorize the Chairman to sign Amendment Contract No. 2012079 with the City of Los Banos for the Enterprise Zone marketing and management.
12. Approve and authorize the Chairman to sign Amendment Contract No. 2010156 with the City of Merced for the Enterprise Zone marketing and management.

Board Recognition

13. Authorize Certificate of Recognition to Retired Major General Michael Adams for his presentation at the Military Officer Association of America and for his medical and military service to our country.
14. Authorize Certificate of Recognition and Plaque to the Family of Joseph G. Garcia Rose in commemoration of the donation of Joseph G. Garcia Rose's Purple Heart to Gustine VFW.
15. Authorize plaque in honor of the retirement of Jesse Brown, Director of Merced County Association of Governments.

REGULAR CALENDAR

BOARD ACTION

MENTAL HEALTH

16. Contract with Calaveras County Behavioral Health Services for the provision of inpatient services at the Marie Green Psychiatric Health Facility.

APPROVED AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

17. Contract with State of California Employment Development Department (EDD) to coordinate orientations to assist Unemployment Insurance (UI) claimants in the Reemployment Eligibility Assessments (REA) program, work search activities, and/or approved training.

APPROVED AS RECOMMENDED AYES: ALL

18. Contract with State of California Employment Development Department to accept Subgrant K386306 initiating Program Year (PY) 2012-13 Workforce Investment (WIA) subgrant and providing WIA Youth formula funds in the amount of \$1,357,060 to Merced County under grant code 301.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

19. Appoint Mark Lawson as the Merced Division Chief and Merced County Office of Emergency Services Deputy Director-Operations pursuant to County Ordinance No. 1567; identify the authorized agents for the Merced County Office of Emergency Services (OES) as Nancy Koerperich, Director/Office of Emergency Services; Mark Lawson, Deputy Director-Operations/Office of Emergency Services; and Cecil Ed Banks, Deputy Director-Administration/Office of Emergency Services; and adopt Resolution.

ADOPTED RESOLUTION AS RECOMMENDED AYES: ALL

HEALTH

20. Authorize the property transfer of one 2009 Chevy Malibu sedan, VIN #1G1ZH57B69F136334 from Delhi Unified School District back to possession of First 5 Merced County.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

21. Ratify the Memorandum of Understanding between Merced County and Merced County Sheriff's Employee Association (MCSEA) representing bargaining unit 2; ratify the Memorandum of Understanding between Merced County and MCSEA representing bargaining unit 12.

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

22. Authorize \$2,500 of Special Board Project Funds - District One to be forwarded to the Tri City Youth Football organization for equipment for their youth program in the Planada/Le Grand/Plainsburg area.

APPROVED AS RECOMMENDED AYES: ALL

23. Authorize \$1,000 of Special Board Project Funds - District Three to be forwarded to Public Works Recreation Division to assist with costs of providing a Movie in the Park event in Atwater.

APPROVED AS RECOMMENDED AYES: ALL

24. Authorize \$7,500 of Special Board Project Funds - District Four to be forwarded to the West Side Theatre Foundation Broadcasting Project for assistance with the cost of equipment purchases.

APPROVED AS RECOMMENDED AYES: ALL

25. Authorize \$15,000 of Special Board Project Funds - District Five to be forwarded to Merced County Association of Governments for the Continuum of Care Program and the implementation of the 10-Year Plan to End Homelessness.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

26. Merced County Employees' Retirement Association Board - Reappoint David Ness representing Appointed Member-At-Large to serve until July 1, 2015.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

27. State Fish and Game Commission re: Notice of Proposed Regulatory Action relative to amending various sections and adding Sections 1.45 and 5.9, Title 14, California Code of Regulations, relating to Sport Fishing Regulations which are published in the California Regulatory Notice Register on July 27, 2012.
28. California Emergency Management Agency re: Notice of U.S. Small Business Administration declared certain counties in the states of Arizona, California, Nevada, and Oregon a disaster area as a result of four July 12, 2012, U.S. Department of Agriculture disaster designations due to drought severity levels of D2 (for eight consecutive weeks), D3, or D4 as identified on the U.S. Drought Monitor.
29. California Emergency Management Agency re: Notification of U.S. Department of Agriculture granted four Secretarial disaster designations for certain counties in the states of Arizona, California, Nevada, and Oregon a disaster area as a result of the final rule announced for the USDA Disaster Designation Process (7 CFR 759), which includes the nearly automatic approval for counties with drought intensity levels of D2 (for 8 consecutive weeks), D3, and D4 as reported on the U.S. Drought Monitor.
30. Letter from Cathy Duncan re: Request for letter of opposition to Senate Bill 1221 banning the use of dogs while hunting bear and bobcat.

REVIEW BOARD ORDER

ADOPTED RESOLUTIONS IN MEMORY OF ROSEMARY SILVA, JANELLE COOK, AND ELIZABETH MILLER, AND ADJOURNED THE MEETING UNTIL AUGUST 21, 2012, AT 10:00 A.M.