



# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

### Regular Meeting

**TUESDAY, AUGUST 27, 2013**

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  
HUBERT “HUB” WALSH, JR....DISTRICT 2  
LINN DAVIS.....DISTRICT 3  
CHAIRMAN 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

**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 action and usually are approved by a single vote.

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

**REGULAR CALENDAR** – These items include significant policy and 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(d)(1): Goins, et al. v. County of Merced, et al. Federal Case No. 1:13-cv-1245 AWI SKO

**THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT, AND THE CHAIRMAN ADVISED THE BOARD UNANIMOUSLY APPROVED AND AUTHORIZED COUNTY COUNSEL TO TAKE ACTIONS AS NEEDED AND AS NECESSARY TO DEFEND THE CASE GENERALLY STYLED AS GOINS ET AL VS. MERCED COUNTY ET AL AND AUTHORIZE THE CHAIR TO SIGN CONTRACTS CONSISTENT THERE WITHIN.**

**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**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 11)**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, Board of Supervisors Members

**LUNCH BREAK**

1:30 P.M.                    **FY 2013-2014 FINAL BUDGET HEARINGS (SEE SEPARATE AGENDA)**

**CONSENT CALENDAR (Items # 1-11)**

**APPROVED AS RECOMMENDED EXCEPT ITEM 11 MODIFIED AYES: ALL**

Health

1. Approve and authorize Chairman to sign Renewal Contract No. 2007062 with California Department of Resources Recycling and Recovery for Solid Waste Local Enforcement Agency Grant Cycle EA 24 for FY 2013-14; authorize the Director of Public Health or Designee to sign all payment requests; and adopt Resolution.

**ADOPTED RESOLUTION**

2. Approve and authorize Chairman to sign Amendment Contract No. 2003162 with Riggs Ambulance Service, Inc. for ground ambulance service.

Agricultural Commissioner

3. Approve and authorize Chairman to sign Renewal Contract No. 2004324 with California Department of Food and Agriculture for Pink Bollworm Cotton Plowdown and Host-Free Monitoring program; and adopt Resolution.

**ADOPTED RESOLUTION**

Mental Health

4. Approve and authorize Chairman to sign Amendment Contract No. 2009247 with Aspiranet for implementation of the Transition to Independence Process (TIP), as part of the Mental Health Services Act Prevention and Early Intervention.
5. Approve and authorize Chairman to sign Amendment Contract No. 2009141 with Merced County Office of Education for expansion of their existing Caring Kids Program providing services to young children, as part of the Mental Health Services Act.
6. Approve and authorize Chairman to sign Amendment Contract No. 2010209 with Merced Lao Family for the implementation of the Southeast Asian Community Advocacy Program, as part of the Mental Health Services Act.
7. Approve and authorize Chairman to sign Amendment Contract No. 2012114 with Guardco Security Services for security services at the inpatient unit and other facilities.
8. Approve and authorize Chairman to sign Amendment Contract No. 2011146 with Aspiranet for specialty mental health services to clients.
9. Proclaim September 2013 as "National Recovery Month" in Merced County.

Fire

10. Approve and authorize Chairman to sign Renewal Contract No. 2012152 with Everbridge Inc. for emergency notification system.

County Executive Office

11. Act on Claims for Damages received from Cindy Freitas, Leonard Jones, Diane Goins, Wesley Rentfrow, and Rachel Bruce/Funch.

**MODIFIED RECOMMENDED** **AYES: ALL**  
**REVIEW BOARD ORDER**

## **REGULAR CALENDAR**

### **BOARD ACTION**

#### **PUBLIC WORKS**

12. Authorize Public Works Director or his designee to sign Regional Surface Transportation Program (RSTP) Exchange Fund Apportionments claim for Fiscal Year 12/13 in the amount of \$885,340, and submit said Claim to the Merced County Association of Governments for processing; and adopt Resolution.

**ADOPTED RESOLUTION AS RECOMMENDED      AYES: ALL**

13. Approve the Retainer Agreement for Special Services with Fremming, Parson & Pecchenino for surveying and Civil Engineering Services; authorize the Chairman to execute the Retainer Agreement; authorize the Director of Public Works to execute Project Supplement Agreements and Amendments to the Retainer Agreements.

**APPROVED AS RECOMMENDED      AYES: ALL**

#### **MENTAL HEALTH**

14. Contract with Madera County Behavioral Health Services for the purchase of a dedicated bed and the provisions of inpatient services at the Marie Green Psychiatric Health Facility.

**APPROVED AS RECOMMENDED      AYES: ALL**

#### **PROBATION**

15. Authorize Administrative Services, in conjunction with the Probation Department, to prepare and release a Request for Proposal for securing the services of a qualified contractor to provide a Jail Re-Entry Program to incarcerated adult clients, and return to the Board for contract approval.

**APPROVED AS RECOMMENDED      AYES: ALL**

16. Contract with Humboldt County Probation to provide residential treatment services for hard to place, dual-diagnosed juvenile court wards.

**APPROVED AS RECOMMENDED      AYES: ALL**

#### **FIRE**

17. Authorize Department Head or designee to annually apply for Emergency Management Performance Grant, Homeland Security Grant, Localized Disaster Mitigation Planning Grant, Assistance to Firefighters Grants, Office of Traffic and Safety, and California Department of Forestry and Fire Protection Volunteer Fire Assistance (VFA) and Cooperative Forestry Assistance Act (CFAA) Grants; returning to the Board for acceptance; and adopt Resolution.

**ADOPTED RESOLUTION AND MODIFIED RECOMMENDATION AYES: ALL**

**REVIEW BOARD ORDER**

#### **AUDITOR**

18. Set the Secured Property Tax Rates for 2013/2014 fiscal year and adopt Resolution.

**ADOPTED RESOLUTION AS RECOMMENDED      AYES: ALL**

## LIBRARY

19. Authorize closure of the Los Banos Library at 2 p.m. on October 24, 2013, to prepare for the Annual Gala Event; authorize the County Librarian to allow Friends of the Library to use the Los Banos Library during closed hours (2 - 8 p.m.) upon provision of insurance; allow organizers to serve wine with the condition all necessary permits are obtained in advance; and authorize yearly closure of the Los Banos Library on the fourth Thursday in October for the Annual Gala; Librarian to submit memo in advance of event to inform Board of date.

**APPROVED AS RECOMMENDED AYES: ALL**

## DEPT. OF ADMINISTRATIVE SERVICES

20. Declare assorted Office Furniture identified (listed on Exhibit A) as surplus property as recommended and authorize its disposal by approved internet public auction.

**APPROVED AS RECOMMENDED AYES: ALL**

21. Declare trucks, vans, and cars identified (listed on Exhibit A) as surplus property as recommended and authorize its disposal by approved internet public auction.

**APPROVED AS RECOMMENDED AYES: ALL**

## TREASURER

22. Accept the Quarterly Investment Report for the period of April 1, 2013 to June 30, 2013.

**APPROVED AS RECOMMENDED AYES: ALL**

## BOARD OF SUPERVISORS

23. Authorize \$5,000 of District Four's Special Board Project funds to be utilized for the Merced County Spay Neuter Assistance Program (SNAP) co-pays in various communities in Merced County; and direct that funds be appropriated in Budget Unit 28700 (Animal Control) as part of Final Budget.

**APPROVED AS RECOMMENDED AYES: ALL**

24. Authorize \$500 of District One's Special Board Project funds to be forwarded to Planada Elementary School to support their program of providing backpacks to the underserved children of the community.

**APPROVED AS RECOMMENDED AYES: ALL**

## BOARD APPOINTMENTS

25. Reappoint Regina Wolf to serve as a member of the Merced County Local Child Care and Development Planning Council as a Child Care Provider representative until June 30, 2014.

**APPROVED AS RECOMMENDED AYES: ALL**

26. Appoint Gerald Solano to serve as a member of the McSwain Municipal Advisory Council until July 26, 2017.

**APPROVED AS RECOMMENDED AYES: ALL**

27. Appoint Richard Hawthorne to serve as a member of the Mental Health Board, representing At Large Category, filling an unexpired term until June 30, 2014.

**APPROVED AS RECOMMENDED AYES: ALL**

## **BOARD INFORMATION & POSSIBLE ACTION**

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

28. Department of Administrative Services re: Contract with Merced Boys and Girls Club, in conjunction with Public Health, for the "Safe Routes to School" Program.
29. Merced County Mosquito Abatement District re: June 2013 Manager's Report.
30. California Office of Emergency Services re: U.S. Small Business Administration declaration of Calaveras, Orange, San Joaquin, Santa Clara, and the contiguous counties of Alameda, Alpine, Amador, Contra Costa, Los Angeles, Merced, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Mateo, Santa Cruz, Stanislaus, and Tuolumne a disaster area due to drought severity levels.
31. California Office of Emergency Services re: U.S. Department of Agriculture Secretarial disaster designation for the primary counties of Calaveras, Orange, San Joaquin, Santa Clara, and the contiguous counties of Alameda, Alpine, Amador, Contra Costa, Los Angeles, Merced, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Mateo, Santa Cruz, Stanislaus, and Tuolumne a disaster area due to drought intensity levels of D2 (for 8 consecutive weeks), D3, and D4 as reported on the U.S. Drought Monitor.

**THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF LISETTA VIANI AND DOUG BONDI AND ADJOURNED THE MEETING UNTIL TUESDAY, SEPTEMBER 10, 2013, AT 10:00 A.M.**