

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, FEBRUARY 04, 2014
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
DEIDRE F. KELSEY....DISTRICT 4
CHAIRMAN 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 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): California Clean Energy Committee v. County of Merced, Real Parties in Interest Bob Borba, aka Bobby Borba, an individual; Bob Borba Dairy, Merced Superior Court Case No. CVM017121

THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED STAFF WAS GIVEN DIRECTION.

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 6

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 8)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-8)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Authorize the Director of Public Works to execute Project Supplement No. 11 to Contract No. 2005129 with Mead & Hunt, Inc. for the Castle Airport Hangar 1509 and 1529 Design Project; and approve the related Budget Transfer. (4/5 Vote Required)

Health

2. Approve Amendment No. 3 to Contract No. 2012093 with the Public Health Institute for chronic disease and intervention services, accepting year three funds of \$253,987 through September 29, 2014; and approve related Budget Transfer. (4/5 Vote Required)

Mental Health

3. Approve and authorize the Chairman to sign Amendment No. 01 to Contract No. 2013227 with Staff Care, Inc. for the placement of licensed psychiatrists on a limited basis; approve related Budget Transfer; and return to the Board for further action once the vacant Staff Psychiatrist positions are filled.

Probation

4. Approve budget transfer in the amount of \$6,150 to install a fiber optic cable at the Iris Garrett Juvenile Justice Correctional Complex.
5. Approve budget transfer in the amount of \$9,396 to cover the cost of Contract No. 11619 with Symple Equazion 88 for group sessions provided to in-custody female minors at Iris Garrett Juvenile Justice Correctional Complex. (4/5 Vote Required)

Human Services Agency

6. Approve Budget Transfer in the amount of \$20,750 to increase appropriations due to CalVet One Time Funding to enhance services provided by the County's Veterans Services Office. (4/5 Vote Required)

Community and Economic Development

7. Approve budget transfer in the amount of \$10,134 to replace non-functional sewage pump at Building 1180, Bloss Hospital at Castle Airport. (4/5 Vote Required)

Executive Office

8. Act on Claims for Damages received from Eman Jones, Ana Centeno and Suzanne Westerfield as recommended by Risk Management and County Counsel.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

9. Authorize the Department of Public Works to circulate a Request for Qualifications (RFQ) for Airport Planning and Design Consulting Services for County projects; and authorize the Department to review and rank Statements of Qualifications as well as negotiate a retainer contract to be submitted to the Board for consideration at a subsequent meeting.

APPROVED AS RECOMMENDED AYES: ALL

10. Approve Contract with Templo La Hermosa Church for Purchase of Real Property for acquisition of right-of-way for the Campus Parkway project; authorize the Chairman to sign the Real Estate Contract listing the terms and conditions of the acquisition; adopt Resolution accepting a Grant Deed of property needed for the Campus Parkway project; adopt Resolution accepting an Easement Deed for a Public Utility Easement needed for the

Campus Parkway project; adopt Resolution authorizing the Chairman to sign a Grant Deed transferring property to Templo La Hermosa Church in exchange for property needed for the Campus Parkway project; and approve payment to Fidelity National Title Company for the transaction fees.

AUTHORIZED CONTRACT NO. 2014016 AND ADOPTED RESOLUTION NOS. 2014-06 (GRANT DEED), 2014-07 (EASEMENT DEED), AND 2014-08 (CHAIRMAN EXECUTED GRANT DEED) AS RECOMMENDED AYES: ALL

HEALTH

11. Memorandum of Understanding with Golden Valley Health Centers, Inc. for chronic disease self-management services.

AUTHORIZED CONTRACT NO. 2014017 AS RECOMMENDED AYES: ALL

12. Memorandum of Understanding with Livingston Medical Group for chronic disease self-management services.

AUTHORIZED CONTRACT NO. 2014018 AS RECOMMENDED AYES: ALL

13. Contract with California Health Collaborative for nutrition education and obesity youth engagement services.

AUTHORIZED CONTRACT NO. 2014015 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

14. Contract with Central Valley Diagnostic Laboratory for drug testing of Child Welfare clients; and approve related budget transfer.

AUTHORIZED CONTRACT NO. 2014019 AS RECOMMENDED AYES: ALL

FIRE

15. Appoint Jeremy Rahn as the Merced County Office of Emergency Services Battalion Chief and Merced County Office of Emergency Services Deputy Director-Administration pursuant to County Ordinance No. 1567; and adopt Resolution.

ADOPTED RESOLUTION NO. 2014-09 AS RECOMMENDED AYES: ALL

COUNTY COUNSEL

16. Authorize and direct the Clerk of the Board to execute and issue the Memorandum pursuant to Government Code section 53853(b) and serve notice to the relevant Los Banos Unified School District that the Board of Supervisors will not authorize issuance of the Tax and Revenue Anticipation Notes within 45 calendar days, thereby freeing the District to issue the Notes on its own behalf.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

17. Confirm the results of Unit 3 membership vote to be represented by United Public Employees Local 1; and recognize United Public Employees Local 1 as the exclusive Representative Bargaining Organization for Unit 3 effective February 10, 2014.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

18. 1) Determine that an emergency exists and invoke the Board of Supervisors ability to appoint a member on an emergency basis; 2) Appoint Duane Brehm to serve as a member of the Los Banos Cemetery District on an acting basis until the final appointment is made pursuant to Government Code section 54974.

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

19. Authorize \$2,600 of District Three Special Board Project Funds to be forwarded to the Castle Air Museum Foundation for the purchase of two tires for the Aircraft Tug Vehicle.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

20. United States Department of the Interior re: Record of Decision for the Restoration of the Mariposa Grove of Giant Sequoias Final Environmental Impact Statement.
21. Fish and Game Commission re: Notice of proposed regulatory action relative to subsections (c) and (e) of Section 27.80, Title 14, California Code of Regulations, relating to ocean salmon sport fishing, which was published in the California Regulatory Notice Register on January 17, 2014.
22. Fish and Game Commission re: Notice of proposed regulatory action relative to subsection (d) of Section 27.80, Title 14, California Code of Regulations, relating to ocean salmon sport fishing, which was published in the California Regulatory Notice Register on January 17, 2014.
23. Fish and Game Commission re: Notice of proposed regulatory action relative to Amending Sections 360, 361, 362, 363 and 364, Title 14, California Code of Regulations, relating to Mammal Hunting Regulations for the 2014-2015 season, which was published in the California Regulatory Notice Register on January 24, 2014.
24. Central Valley Regional Water Quality Control Board re: Notice of Public Meeting on February 6 and February 7, 2014 at 9:00 a.m. at 11020 Sun Center Drive, #200, Rancho Cordova, CA 95670.

**THE BOARD ADOPTED A RESOLUTION IN MEMORY OF JOHN C. BRASIL AND
ADJOURNED THE MEETING UNTIL TUESDAY, FEBRUARY 25, 2014, AT 10:00 A.M.**

BOARD ORDERS – SUMMARY ACTION MINUTES – FEBRUARY 4, 2014

10:00 A.M. SCHEDULED ITEM **2014-02-04 PUBLIC OPPORTUNITY**

Lisa Villasenor and Katie Xiong speak in favor of a raise in income for In-Home Supportive Services (IHSS) Providers. Herb Pegora, Winton resident, speaks regarding water in Winton. Casey Steed, Merced resident, speaks regarding Merced County as “broken and dysfunctional” citing stories in the Merced Sun-Star. Karen Ann, Merced resident, speaks regarding medical cannabis, a complaint that she has filed, Judge Proetti’s deposition hearing on Veterans Day during a parade, and her disappointment with Swiggart running for Sheriff.

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