



SUMMARY ACTION MINUTES BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, JULY 29, 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

Persons who require accommodation for any audio, visual or other disability in order to review an agenda, or to participate in a meeting of the Board of Supervisors per the American Disabilities Act (ADA), may obtain assistance by requesting such accommodation in writing addressed to the Clerk of the Board, 2222 M Street, Merced, CA 95340 or telephonically by calling (209) 385-7366. Any such request for accommodation should be made at least 48 hours prior to the scheduled meeting for which assistance is requested

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 THREE 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) Mark Hendrickson, Director-Community and Economic Development pursuant to Government Code Section 54956.8 as follows:

Property: Castle Property located at Castle Commerce Center Agency

Negotiator: Mark Hendrickson, Community and Economic Development Director

Under Negotiation: Buildings 1333 and 1335

Under Negotiation: Airport and Non Airport Parcels

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): County of Merced v. Jaxon Enterprises, Inc., et al., Merced County Case No. CVM018866

CLOSED SESSION: It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT, Title: Public Defender

THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH SUPERVISOR KELSEY NOT 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 three minutes per person)

REVIEW BOARD ORDER

PRESENTATION:

Child Support Awareness Month

Child Support Director Sharon Wardale-Trejo provides the Board with a powerpoint presentation related to Child Support Awareness.

WATER UPDATE

REVIEW BOARD ORDER

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 19)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-19)

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

Public Works

1. Adopt Resolution prohibiting the stopping, parking, or standing of vehicles along a portion of Merced Falls Road between Hornitos Road and Henderson Park, in the Snelling area; and authorize staff to install and maintain "No Stopping" signs along said portion of Merced Falls Road.

ADOPTED RESOLUTION

2. Approve the increase of the project budget by \$35,000 for the Human Services Agency cafeteria flooring project to add moisture barrier; authorize the Director of Public Works to negotiate and execute Change Order No 1 with Valley Cleaning and Restoration in an amount not to exceed \$35,000; and direct the Department of Public Works to return to the Board to ratify Change Order No. 1.

Ag. Commissioner

3. Approve and authorize the Chairman to sign Renewal Contract No. 2000138 with California Dept. of Food and Ag. to perform Glassy-winged Sharpshooter inspection and survey activities; and adopt the resolution.

ADOPTED RESOLUTION

4. Approve and authorize the Chairman to sign Renewal Contract No. 2007214 with California Dept. of Food and Ag. for providing nematode control program enforcement activities at nursery locations.
5. Approve and authorize the Chairman to sign Renewal Contract No. 2012171 with California Ag. Commissioners and Sealers Assoc. for pesticide use reporting.

Health

6. Set a Public Hearing for August 12, 2014 at 10:00 A.M. to consider the Report of Demolition of the structure located at 33 Jupiter Circle, Santa Nella, CA (APN# 373-092-026); and set the cost of the Special Assessment of \$9,499.26 on the Tax Assessor's Roll as a lien on the property.
7. Approve and authorize the Chairman to sign Renewal Contract No. 2007230 accepting the award from the Calif. Dept. of Public Health-Tuberculosis Control Branch for TB Control and Prevention services in FY 2014/2015; and authorize the Chairman to sign the "Acceptance of Award" form and related documents.

8. Approve and authorize the Chairman to sign Amendment Contract No. 2012093 with Public Health Institute for chronic disease intervention services.

Mental Health

9. Approve and authorize the Chairman to sign Amendment Contract No. 2013170 with Aegis Treatment Centers, LLC for Drug Medi-Cal Outpatient Narcotic Treatment Program with a ratification date of this amendment to be retroactively effective June 30, 2014.

Human Services Agency

10. Approve and authorize the Chairman to sign Amendment Contract No. 2014073 with Runaway Girl, FPC for Sexual Exploitation Response Training.
11. Approve and authorize the Chairman to sign Renewal Contract No. 2011060 with the District Attorney for CalWorks and CalFresh fraud investigation.

Child Support Services

12. Grant relief for shortage and replenishment in the amount of \$20.00 for one counterfeit bill.

Workforce Investment

13. Accept modification to Contract No. 2014118 adding \$950,000 Workforce Investment Act Dislocated Worker funds to provide employment and training services to eligible participants; and approve the related budget transfer. (4/5 Vote Required)

Sheriff

14. Approve and authorize the Sheriff to sign Amendment Contract No. 2014051 with U.S. Dept. of Justice-Drug Enforcement Administration for 2014 Domestic Cannabis Eradication & Suppression Program.

Fire

15. Approve the continuation of the proclamation of the existence of a local emergency due to drought.

Executive Office

16. Act on Claim for Damages received from John Ortiz as recommended by Risk Management and County Counsel.

Board Recognition

17. Authorize Certificate of Recognition to Peter Carey, CEO Self-Help Enterprises in celebration of his retirement and 40 years of service, and authorize plaque to Self-Help Enterprises in celebration of 50th Anniversary.
18. Authorize Certificates of Recognition to various individuals for being honored by The Greater Merced Chamber of Commerce as graduates of Leadership Merced Class 29.
19. Authorize Certificate of Recognition to Mosquito Abatement for Office/Chemical Room Building Dedication.

BOARD ACTION

COMMUNITY & ECONOMIC DEVELOPMENT

20. 1) Adopt resolution authorizing the submittal of the CalHome grant application in the amount of \$500,000 to be used for owner-occupied rehabilitation assistance to low or very low income families within the unincorporated communities of Merced County; 2) authorize, retroactively, the Community and Economic Development Director to execute and submit the CalHome grant application and any additional documents necessary to complete the CalHome application process; 3) authorize the Chairman, upon a successful award, to execute standard agreements and any subsequent amendments necessary to participate in the CalHome Program subject to Counsel's approval; 4) direct CED to return to the Board with an informational item of all actions taken; and 5) authorize the CED director and/or the Fiscal Manager to transfer or modify budget amounts and activities as necessary to fully expend CalHome Program funds, and the CED Director and/or the Fiscal Manager to execute loan documents, funds requests, and other required reporting forms necessary to participate in the CalHome Program upon a successful award.

ADOPTED RESOLUTION AS RECOMMENDED AYES: 5, 1, 2, 3 NOT PRESENT: 4

21. Authorize the Chairman to execute the Lessor/Landlord Consent and Waiver Agreements with Bank of the West and Bay Area Employment Development Corporation related to the financing that Sierra Air Center Development seeks for the purposes of acquisition of a full-motion simulator to be placed in Building 1015 at Castle Commerce Center.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

22. Adopt resolution to establish a Capital Investment Incentive program within Merced County.

ADOPTED RESOLUTION AS RECOMMENDED AYES: 5, 1, 2, 3 NOT PRESENT: 4

HEALTH

23. Ratify the already established Memorandum of Understanding with Madera County Public Health Department for physical and occupational therapy services; authorize the Director of Public Health to sign the no-cost agreement; and return to the Board with an informational item of actions taken when the agreement renews.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

24. Contract with Blue Shield of California Foundation to accept grant funding in the amount of \$125,000 to support planning activities to address systems-level integration of primary and behavioral health care.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

MENTAL HEALTH

25. Contract with Golden Years Residential Care Home for client placement services.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

26. Contract with Larry Dumford for licensed Board and Care facilities.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

27. Contract with Joseph Melton, LMFT for services as a Certification Review Hearing Officer.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

28. Contract with Victor Treatment Center for specialty mental health services to youth clients placed out-of-county.
APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**
29. Contract with Challenged Family Resource Center for the services of Peer Mentors and client advocacy.
APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**
30. Contract with The Anxiety Treatment Center for intensive outpatient services.
APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

HUMAN SERVICES AGENCY

31. Approve Human Services Agency to make changes to the General Assistance regulations Manual and to provide clarification of present General Assistance regulations pursuant to Sections 17001.5 and 17021 of the Welfare and Institutions Code.
APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**
32. Contract with Merced County Office of Education to provide a camp for foster youth.
APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**
33. Approve the FY 2014/2015 Area Plan Update for the Merced County Area Agency on Aging; and authorize the Chairman to sign the Transmittal Letter.
APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

AUDITOR

34. Accept the County's capitalization policy limit change for fixed assets, specifically for equipment and software from \$2500 to \$5000 and other necessary changes in regards to the ONESolution software implementation; and implement this policy change effective July 1, 2015 when the ONESolution financial system will go live.
APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**
35. Direct staff to configure the ONESolution financial management system to operate on a modified accrual basis for budgeting as well as accounting purposes to be implemented when the ONESolution financial system goes live on July 1, 2015; and direct staff to prepare the FY 2015/2016 budget on a modified accrual basis.
APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

PUBLIC DEFENDER

36. Certify the appointment of Judith Harney is necessary before 180 days has passed to fill a critically needed position for a period of time as determined by the Acting Public Defender beginning July 29, 2014.
APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

DEPT. OF ADMINSTRATIVE SERVICES

37. Declare miscellaneous office furniture, assorted office equipment and miscellaneous supplies identified in Exhibit A, as Surplus Property as recommended and authorize its disposal by approved internet public auction.
APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

WORKFORCE INVESTMENT

38. Memorandum of Understanding with the Calif. Dept. of Housing and Community Development for third party vouchers designation under the California Enterprise Zone Program; and authorize the Director of Workforce Investment to sign any subsequent MOU's with entities requesting third party vouchers services.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

39. Appoint Kimberley Garcia to the Merced County Youth Council as a representative of a Parent of an Eligible Youth Seeking services.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

CHILD SUPPORT SERVICES

40. Approve submission of a grant application for grant funds in the amount of \$390,000 to the Federal Office of Child Support Enforcement's Section 1115 Demonstration Grant Program; and authorize the department to return to the Board to provide the outcome of the grant application and request authorization for the next steps if grant is awarded.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

41. Proclaim August, 2014 as Child Support Awareness Month in Merced County; and authorize the department to work in conjunction with the City of Merced Fire Department to display a banner over G Street, between 19th and 20th Streets for one week starting August 3, 2014, as part of Child Support Awareness Month.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

COUNTY COUNSEL

42. Contract with Rossman and Moore, LLP for professional legal services.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

EXECUTIVE OFFICE

43. Confirm the appointment of David Elgin as County Public Defender and approve "A" level benefits with an effective date to be determined by the County Executive Officer.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

44. Contract with Merced County Superior Court to implement a Court Alternative Dispute Resolution Program.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

BOARD OF SUPERVISORS

45. Authorize \$900 of District One's Special Board Project Funds to assist Public Works Recreation Department with the costs of holding a "Movie in the Park" event in Planada.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

46. Authorize \$500 of District One's Special Board Project Funds to be forwarded to the Sociedad Guadalupana for the 2nd Annual Community Resource Fair.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

47. Authorize \$2,400 from District Four's Special Board Project Funds to be donated to the Winton Community Hall Board for the cost of replacing tables and chairs at the Winton Community Hall and also make improvements to the existing landscaping.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

48. Authorize \$1,226 of District Five's Special Board Project Funds to be forwarded to the Merced County Spring Fair for use of a facility for the Buffalo Soldiers Trail Retracing project.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

49. Authorize \$1,500 of District Five's Special Board Project Funds and \$1,000 from District One's Special Board Project Funds to be forwarded to the Castle Air Museum Foundation, Inc. for the construction of an asphalt pad to park the Presidential Aircraft on.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

50. Authorize \$28,400 of District Five's Special Board Project Funds to be forwarded to Merced County Spring Fair Heritage Foundation for upgrades to the Merced County Spring Fair sound system.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

51. Authorize \$6,500 of District Five's Special Board Project Funds to be forwarded to KDPT-LF for new broadcast system equipment for broadcasting the Dos Palos High School football games.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

52. Designate the Merced County Arts Council as the local partner in the California State-Local Partnership Program and authorize the letter of support.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

BOARD APPOINTMENTS

53. Appoint Carol Greenberg, Jennifer Krumm and Tim O'Neill to serve as members of the Workforce Investment Board representing Business/Private Sector until June 30, 2018 and appoint Steve Roussos as a representative of "Local Education" until June 30, 2016.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

54. Appoint Jose Gutierrez to serve as a member of the Delhi Municipal Advisory Council, until January 3, 2018.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

55. Reappoint Donald Washburn and Lois Jimenez to serve as members of the Merced Cemetery District, until July 1, 2018.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

56. Reappoint Jeremy Boland to serve as a member of the Snelling Cemetery District, until July 1, 2018.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

57. Reappoint Geoffrey Strom, David Anderson and Duane Matheron to serve as members of the Hilmar Cemetery District, until March 1, 2018.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

58. Reappoint Dave Honey to serve as a member of the Winton Cemetery District, until February 18, 2018.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

59. Reappoint Bridget Martinelli and Jeremy O'Banion to serve as members of the May Day Fair Board representing District Five, until July 1, 2018.

APPROVED AS RECOMMENDED **AYES: 5, 1, 2, 3,** **NOT PRESENT: 4**

60. Reappoint Gary Mall, Suzy Solvin and Chuck Lyons to serve as members of the Stevinson Water District, until December 5, 2017.

APPROVED AS RECOMMENDED AYES: 5, 1, 2, 3, NOT PRESENT: 4

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: 5, 1, 2, 3, NOT PRESENT: 4

61. Department of Public Works re: Contract No. 2014047 awarded to Bob Holl Sheet Metal, Inc. Merced, CA in the amount of \$30,931 for the Los Banos Veterans Hall Commercial Hood Replacement Project.
62. Fish and Game Commission re: Notice of Receipt of Petition to list the Flat-Tailed Horned Lizard as endangered under the California Endangered Species Act.
63. Fish and Game Commission re: Notice of Location Change for Discussion/Adoption Hearings on Proposed Regulatory Actions regarding actions published in the California Regulatory Notice Register.
64. Central Valley Regional Water Control Board re: Public Meeting August 7, 2014 8:30 a.m. and August 8, 2014 9:00 a.m., 11020 Sun Center Drive #200, Rancho Cordova, CA 95670.
65. Merced County Mosquito Abatement District re: Manager's Report June 2014.

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

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF CARL GREGORY, JESS ESQUIVEL, JOE LEMA, LAVELLE WINZER, AND BILL CLENDENIN AND ADJOURNED THE MEETING UNTIL TUESDAY, AUGUST 12, 2014 AT 10:00 A.M.