

# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

Regular Meeting  
TUESDAY, JULY 21, 2015  
Closed Session – 8:30 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

CHAIRMAN JOHN PEDROZO.....DISTRICT 1  
HUBERT “HUB” WALSH, JR.....DISTRICT 2  
DARON McDANIEL.....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](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**

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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

8:30 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 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 54956.9(2): Two Cases

**CLOSED SESSION:** It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957: Public Employee Performance Evaluation Title: County Executive Officer

**THE BOARD RECESSED AT 8:30 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 three minutes per person)**

**REVIEW BOARD ORDER – SEE PAGE 10**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 20)**

**PUBLIC HEARINGS:**

**AUDITOR - PUBLIC HEARING - FIRST READING PROPOSED ORDINANCE**

First reading to consider Proposed Ordinance entitled: An Ordinance adopting Merced County Auditor-Controller's Fees in the 2015-2016 Fiscal Year and Thereafter (Amends Ordinance No. 1758 and adds Merced County Code Chapter 5.37 to Title 5 Revenue and Finance).

**RECOMMENDATION:** 1) Waive further reading of the Ordinance; 2) Open the Public Hearing and receive comments; 3) Close Public Hearing with a second reading and possible adoption on August 4, 2015.

**REVIEW BOARD ORDER – SEE PAGE 10**

**PUBLIC HEALTH - PUBLIC HEARING - FIRST READING PROPOSED ORDINANCE**

First reading to consider Proposed Ordinance entitled: Health Department Fees to include Emergency Medical Services Breach Events and County Ambulance Response Time Penalties pursuant to County Code 9.44, establishing penalties assessed by the Merced County Department of Public Health (Amends Ordinance No. 1863 and 1847 and Title 9 General Health and Safety, Chapter 9.49).

**RECOMMENDATION:** 1) Waive further reading of proposed ordinance; 2) Open public hearing and receive comments; 3) Close public hearing with a second reading and possible adoption on August 4, 2015.

**REVIEW BOARD ORDER – SEE PAGE 10**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, Board of Supervisors Members

**CONSENT CALENDAR (Items # 1-20)**

**APPROVED AS RECOMMENDED AYES: ALL**

**Public Works**

1. Set a Public Hearing for Tuesday, September 1, 2015 at 10:00 a.m. to consider adoption of a Resolution of Necessity to Commence Eminent Domain Proceedings to acquire APN 056-200-018 from Joe and Carlos Lourenco for the Dickenson Ferry Road Bridge Replacement Project.
2. Set a Public Hearing for Tuesday, September 1, 2015 at 10:00 a.m. to consider adoption of a Resolution of Necessity to Commence Eminent Domain Proceedings to acquire APN 065-020-017 from Mason and Vanessa Woodruff for the Dickenson Ferry Road Bridge Replacement Project.
3. Adopt a Resolution designating the intersection of Arboleda Drive and Olive Avenue as an All-Way Stop Intersection; and authorize the Director of Public Works to install Stop signs on the Arboleda Drive approaches to the intersections.

**ADOPTED RESOLUTION NO. 2015-72**

**Ag. Commissioner**

4. Approve and authorize the Chairman to sign Renewal Contract No. 2012171 with Calif. Agricultural Commissioners and Sealers Association for Pesticide Use Reporting.
5. Approve and authorize the Chairman to sign Renewal Contract No. 2007246 with California Dept. of Food and Ag. for nursery stock inspection activities at County nursery locations.

**Health**

6. Approve and authorize Amendment Contract No. 2014127 with Blue Shield of California Foundation for No-Cost Extension for safety net integration.

7. Approve and authorize the Chairman to sign Amendment Contract No. 2014151 with Desert Vista Consulting to provide consulting activities for related activities of the Blue Shield County Enrollment Assistance Grant.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2013246 and related documents with California Dept. of Public Health-Office of AIDS for HIV Care services.
9. Approve and authorize the Chairman to sign Renewal Contract No. 2007230 with California Dept. of Public Health-Tuberculosis Control Branch for TB control and prevention services in FY 15/16.
10. Approve and authorize the Chairman to sign Renewal Contract No. 2012195 with Nurse-Family Partnership to allow Public Health to continue as a Nurse-Family Partnership Implementation Agency.

#### Mental Health

11. Approve and authorize the Chairman to sign Amendment Contract No. 2014174 with Merced County Community Action Agency for implementation of Project Home Start.
12. Approve and authorize the Chairman to sign Renewal Contract No. 2014153 with Aegis Treatment Centers, LLC for Drug Medi-Cal outpatient narcotic treatment services.
13. Approve and authorize the Chairman to sign Renewal Contract No. 2012117 with Castle Family Health Centers, a primary care provider of health care services in Atwater, in order to augment mental health services at primary care clinics.

#### Fire

14. Approve and authorize the Chairman to sign Renewal Contract No. 2005019 with the Calif. Dept. of Forestry and Fire Protection for Fire protection for fiscal years 14/15, 15/16, and 16/17; and adopt resolution.

#### **ADOPTED RESOLUTION NO. 2015-73**

#### Sheriff

15. Approve and authorize the Chairman to sign Renewal Contract No. 2009169 with Behavioral Intervention Inc. for electronic monitoring services of adult inmates.

#### District Attorney

16. Approve and authorize the District Attorney to sign Renewal Contract No. 2006234 with California Department of Insurance for participation in the Automobile Insurance Fraud Program and to receive grant funds in the amount of \$93,248 for FY 15/16; and adopt the resolution.

#### **ADOPTED RESOLUTION NO. 2015-74**

#### Workforce Investment

17. Accept modification four to Amendment Contract No. 2014118 with Calif. Employment Development Department adding \$125,000 of WIA 15% funding into grant code 1036 to implement a medical assistant to health coach training to Workforce Investment Act eligible participants with funds to be included in PY 15/16 upon approval of Final Budget.

Executive Office

18. Approve and authorize the Chairman to sign Amendment Contract No. 2010183 with Innovative Claims Solutions Inc. for Worker's Compensation claims administration services.
19. Act on Claims for Damages received from Candice Dizney and Michael Dizney, and a portion of the claim submitted by Jacob Logan-Tellez wherein the accrual of any cause of a State claim occurring on or before 12/29/2014 should be returned as late and the remaining portion of the State claim and the Federal causes of action should be rejected as recommended by Risk Management and Executive Office.

Board of Supervisors

20. Approval of minutes for January 14, 2014, January 14, 2014-Addendum, January 28, 2014, February 4, 2014, February 25, 2014, February 25, 2014-IHSS, March 11, 2014, March 25, 2014, April 8, 2014, April 8, 2014-IHSS, April 22, 2014, May 6, 2014, May 20, 2014, May 20, 2014-IHSS, May 20, 2014-Addendum, June 3, 2014, June 17, 2014, June 17, 2014-IHSS, June 17, 2014-Proposed Budget.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

21. 1) Consider the proposed Mitigated Negative Declaration for the John Latorraca Correctional Center Expansion and Remodel Project and comments received during the public review process and find that there is no substantial evidence that the project will have a significant effect on the environment; 2) Adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the John Latorraca Correctional Center Expansion and Remodel Project; and, 3) Authorize the Public Works Department to process the Environmental Document Filing Fee of \$2,210 to the California Department of Fish and Wildlife.

**APPROVED AS RECOMMENDED AYES: ALL**

22. Contract with Office of the State Controller-Division of Audits for services to prepare the annual Street and Road Report for FY 14/15 at an estimated cost not to exceed \$3,500.

**AUTHORIZED CONTRACT NO. 2015116 AS RECOMMENDED AYES: ALL**

23. Approve Purchase Agreement of Real Property with Merced Irrigation District for acquisition of property needed for the Campus Parkway project; authorize the Chairman to sign agreement listing the terms and conditions; adopt Resolution accepting the Grant Deed; and, approve payment to Fidelity National Title Company for the agreed value of the property plus escrow and any other transaction fees.

**AUTHORIZED CONTRACT NO. 2015118 AND ADOPTED RESOLUTION NO. 2015-75 AS RECOMMENDED AYES: ALL**

24. Contract with California Dept. of Fish and Wildlife for the Bunker Road Bridge Replacement.

**AUTHORIZED CONTRACT NO. 2015117 AS RECOMMENDED AYES: ALL**

HEALTH

25. Authorize Administrative Services-Support Services in conjunction with Public Health's Emergency Medical Services Agency to prepare and release a Request for Proposal to

provide exclusive air ambulance services.

**APPROVED AS RECOMMENDED AYES: ALL**

26. Contract with Financial Marketing Concepts, Inc., dba Coast2Coast Rx for prescription Drug Card services.

**AUTHORIZED CONTRACT NO. 2015119 AS RECOMMENDED AYES: ALL**

27. Contract with United Way of Merced County to provide 2-1-1 system services for the Lifetime of Wellness: Communities in Action Grant.

**AUTHORIZED CONTRACT NO. 2015120 AS RECOMMENDED AYES: ALL**

28. Approve and authorize the Chairman to sign Contract No. 2015015 with Calif. Dept. of Public Health for the Lifetime of Wellness: Communities in Action program to prevent obesity, diabetes, and heart disease; authorize Public Health Director or designee to submit any administrative request necessary to secure the grant funds and implementation of the project when approved; and adopt the Resolution.

**ADOPTED RESOLUTION NO. 2015-76 AS RECOMMENDED AYES: ALL**

#### MENTAL HEALTH

29. Authorize the Mental Health Director to sign the Memorandum of Understanding with California Mental Health Services Authority (CalMHSA) for the Central Valley Suicide Prevention Hotline.

**AUTHORIZED CONTRACT NO. 2015121 AS RECOMMENDED AYES: ALL**

30. Approve and authorize the consolidation of the Mental Health Advisory Board and the Advisory Board on Alcohol and Other Drug Problems into the Merced County Behavioral Health Board; and adopt a Resolution to dissolve the Advisory Board on Alcohol and Other Drug Problems (Resolution 93-317); change the name of the Mental Health Advisory Board to the Merced County Behavioral Health Board; and adopt revised By-Laws for the Merced County Behavioral Health Board.

**ADOPTED RESOLUTION NO. 2015-77 AS RECOMMENDED AYES: ALL**

#### HUMAN SERVICES AGENCY

31. Contract with Merced County Office of Education to provide a camp for foster youth.

**AUTHORIZED CONTRACT NO. 2015122 AS RECOMMENDED AYES: ALL**

32. Approve Interdepartmental contract with the District Attorney's Office to provide investigation of CalWorks and CalFresh fraud.

**AUTHORIZED CONTRACT NO. 2015123 AS RECOMMENDED AYES: ALL**

#### COMMUNITY AND ECONOMIC DEV.

33. Determine that the affected property may be sold subject to Section 25536.9 of the California Government Code; direct Community and Economic staff to post the required Notice of Sale of Real Property in compliance with section 6062(a) of the California Government Code with the Office of the County Clerk and in the newspaper; direct the Community and Economic Development Director to prepare the necessary documents for the sale and transfer of Building 1253 along with 2.48 acres of land to Chris Vierra and Shane Parson; return to the Board to consider acceptance and execution of final sale to Chris Vierra and Shane Parson; and adopt the resolution. (4/5 Vote Required)

**ADOPTED RESOLUTION NO. 2015-78 AS RECOMMENDED AYES: ALL**

**REVIEW BOARD ORDER – SEE PAGE 11**

34. Determine that the affected property may be sold subject to Section 25536.9 of the California Government Code; direct Community and Economic staff to post the required Notice of Sale of Real Property in compliance with section 6062(a) of the California Government Code with the Office of the County Clerk and in the newspaper; direct the Community and Economic Development Director to prepare the necessary documents for the sale and transfer of 1.81 acres of land to Chris Vierra and Shane Parson; return to the Board to consider acceptance and execution of final sale to Chris Vierra and Shane Parson; and adopt the resolution. (4/5 Vote Required)

**ADOPTED RESOLUTION NO. 2015-79 AS RECOMMENDED AYES: ALL**  
**REVIEW BOARD ORDER – SEE PAGE 11**

35. Determine that the affected property may be sold subject to Section 25536.9 of the California Government Code; direct Community and Economic staff to post the required Notice of Sale of Real Property in compliance with section 6062(a) of the California Government Code with the Office of the County Clerk and in the newspaper; direct the Community and Economic Development Director to prepare the necessary documents for the sale and transfer of 1.33 acres of land to Merced Fence Company; return to the Board to consider acceptance and execution of final sale to Merced Fence Company; and adopt the resolution. (4/5 Vote Required)

**ADOPTED RESOLUTION NO. 2015-80 AS RECOMMENDED AYES: ALL**

36. Adopt resolutions changing the signature authority from Commerce, Aviation & Economic Development staff to Community and Economic Development staff for the County's Housing Programs funded from 1) Community Development Block Grant (CDBG), 2) HOME, and 3) Neighborhood Stabilization Program (NSP3).

**ADOPTED RESOLUTION NOS. 2015-81/GRANT 13-CDBG-8964, 2015-82/GRANT 13-HOME-9012 AND 2015-83/URVAN DEV. AS RECOMMENDED AYES: ALL**

37. Approve the sale of 1.66 acres of land to Uncle Buck's Blazin BBQ & Catering, LLC for \$40,000 and authorize the Chairman to execute all necessary documents to effectuate the sale and transfer of 1.66 acres of land within Castle Commerce Center.

**AUTHORIZED CONTRACT NO. 2015113 AS RECOMMENDED AYES: ALL**

38. Approve the sale of 0.50 acre of land to Adam Reed and Jessica Reed for \$12,000 and authorize the Chairman to execute all necessary documents to effectuate the sale and transfer of 0.50 acre of land within Castle Commerce Center.

**AUTHORIZED CONTRACT NO. 2015114 AS RECOMMENDED AYES: ALL**

39. Approve the sale of 2.05 acres of land to Arthur J. Lawrence and Janine S. Lawrence for \$49,000 and authorize the Chairman to execute all necessary documents to effectuate the sale and transfer of 2.05 acres of land within Castle Commerce Center.

**AUTHORIZED CONTRACT NO. 2015115 AS RECOMMENDED AYES: ALL**

#### FIRE

40. Adopt resolution allowing for compensation for portal to portal response to emergency incidents through the Governor's Office of Emergency Services.

**ADOPTED RESOLUTION NO. 2015-84 AS RECOMMENDED AYES: ALL**

41. Authorize the Fire Department to transfer ownership of Squad 95 to the Paid Call Firefighters of Hilmar Station 95 for donation to the Hilmar High School.

**APPROVED AS RECOMMENDED AYES: ALL**

42. Contract with Self Help Enterprises for Emergency Water Supplies to households without water for drinking and/or sanitary purposes.

**AUTHORIZED CONTRACT NO. 2015124 AND ADOPTED RESOLUTION NO. 2015-85 AS RECOMMENDED AYES: ALL**

**REVIEW BOARD ORDER – SEE PAGE 12**

**ASSESSOR/RECORDER**

43. Authorize the Department of Administrative Services, in conjunction with the Recorder's Office, to prepare and release a Request for Proposal for securing the services of a qualified contractor for an image conversion of Official Records project.

**APPROVED AS RECOMMENDED AYES: ALL**

**SHERIFF**

44. Authorize a onetime retroactive pay adjustment for 21 pay periods for one Correctional Facilities Admissions Clerk (employee ID 34932) for evening shift differential in accordance with Human Resources Rules and Regulations.

**APPROVED AS RECOMMENDED AYES: ALL**

**EXECUTIVE OFFICE**

45. Provide staff direction on the At-Large Standing Committee.

**APPROVED AS RECOMMENDED AYES: ALL**

**REVIEW BOARD ORDER – SEE PAGE 12**

**BOARD OF SUPERVISORS**

46. Authorize \$1,000 of District One's Special Board Project Funds to be forwarded to the United Way of Fresno for Hmongstory 40 for the traveling exhibition entitled, "Hmongstory 40".

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 ABSTAIN: 3**

47. Authorize \$2,000 of District Three's Special Board Project Funds to be forwarded to the Public Works Department to be utilized for graffiti abatement.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 ABSTAIN: 3**

48. Authorize \$2,500 of District Four's Special Board Project Funds to be forwarded to the Gustine Chamber of Commerce to place a business sign on the East side of town.

**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 ABSTAIN: 3**

49. Provide direction regarding the possible use of a District Project Funds Request Form.

**REVIEW BOARD ORDER – SEE PAGE 13**

**BOARD APPOINTMENTS**

50. Approve the reappointment of Amie Marchini, Jerry Sterner, Debra Glass, John Jepson and Steven Gomes Ed.D, for a subsequent term on the Workforce Investment Board for a period of four years.

**APPROVED AS RECOMMENDED AYES: ALL**

51. Reappoint the following individuals to serve as members of the Eagle Field Water District: Janemarie Bennett Monroe and Barbara Preimsberg, until December 7, 2017 and Sally Oldham and John Bennett, until December 7, 2019.

**APPROVED AS RECOMMENDED AYES: ALL**



BOARD INFORMATION & POSSIBLE ACTION

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

52. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to Section 149 and Appendix A, Title 14, California Code of Regulations, relating to market squid logbooks, which was published in the California Regulatory Notice Register on June 26, 2015.
53. State Water Resources Control Board re: Notice of\* Petition for temporary change involving the transfer of up to 12,000 acre-feet of water from placer county water agency to East Bay Municipal Utility District under permit 13856 (Application 18085).

**THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF VIVIAN ZAJAC, PAUL SALVADORI, AND DAN DOODY, AND ADJOURNED THE MEETING UNTIL TUESDAY, JULY 21, 2015, AT 10:00 A.M.**

**BOARD ORDERS – SUMMARY ACTION MINUTES – JULY 21, 2015**

**10:00 A.M. SCHEDULED ITEM**  
**2015-07-21 PUBLIC OPPORTUNITY**

Antoine Hubbard Sr. states concerns on the Law Library's financial situation and the need to find a way to keep it open.

James Hodges comments on water used by farms versus residential homes.

Present: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion

**10:00 A.M. SCHEDULED ITEM**  
**2015-07-21 AUDITOR - PUBLIC HEARING – FIRST READING PROPOSED ORDINANCE**

The time and date previously scheduled to consider First Reading of an ordinance entitled: Adopting the Merced County Auditor-Controller's Fee in the 2015/2016 Fiscal Year and Thereafter (Amends Ordinance No. 1758 and adds Merced County Code Chapter 5.37 to Title 5 Revenue and Finance).

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board waives further reading of the ordinance.

Ayes: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion

The Chairman opens the public hearing and asks if there is anyone present wishing to speak. No one speaks. The Chairman closes the public hearing.

Upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board sets the second reading of the proposed ordinance for August 4, 2015.

Ayes: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion

**10:00 A.M. SCHEDULED ITEM**  
**2015-07-21 HEALTH - PUBLIC HEARING – FIRST READING PROPOSED ORDINANCE**

The time and date previously scheduled to consider First Reading of proposed ordinance entitled: Amending Health Department Fees Set for Health Services Performed by the Health Officer of Merced County (Amends Ordinance Nos. 1863 and 1847 and Title 9 General Health and Safety, Chapter 9.49).

Upon motion of Supervisor Walsh, seconded by Supervisor O'Banion, duly carried, the Board waives further reading of the proposed ordinance.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak. No one speaks. The Chairman closes the public hearing.

Upon motion of Supervisor O'Banion, seconded by Supervisor McDaniel, duly carried the Board sets the second reading of the proposed ordinance for August 4, 2015.

Ayes: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion

**ACTION ITEM # 33**

**2015-07-21 COMMUNITY AND ECONOMIC DEVELOPMENT**

The Clerk announces determination that the affected property may be sold subject to Section 25536.9 of the California Government Code; and adoption of a resolution is before the Board for consideration.

Community and Economic Development Director Mark Hendrickson announces a correction and states the sale of the property is going to Chris Vierra and Shane Parson not CRMS Holdings as stated on the agenda.

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried the Board determines the affected property may be sold subject to Section 25536.9 of the California Government Code; directs Community and Economic staff to post the required Notice of Sale of Real Property in compliance with section 6062(a) of the California Government Code with the Office of the County Clerk and in the newspaper; directs the Community and Economic Development Director to prepare the necessary documents for the sale and transfer of Building 1253 along with 2.48 acres of land to Chris Vierra and Shane Parson; and directs Community and Economic Development to return to the Board to consider acceptance and execution of final sale to Chris Vierra and Shane Parson; and adopts Resolution No. 2015-78.

Ayes: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion

**ACTION ITEM # 34**

**2015-07-21 COMMUNITY AND ECONOMIC DEVELOPMENT**

The Clerk announces determination that the affected property may be sold subject to Section 25536.9 of the California Government Code; and adopt a resolution is before the Board for consideration.

Community and Economic Development Director Mark Hendrickson announces a correction and states the sale of the property is going to Chris Vierra and Shane Parson not CRMS Holdings as stated on the agenda.

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried the Board determines the affected property may be sold subject to Section 25536.9 of the California Government Code; directs Community and Economic staff to post the required Notice of Sale of Real Property in compliance with section 6062(a) of the California Government Code with the Office of the County Clerk and in the newspaper; directs the Community and Economic Development Director to prepare the necessary documents for the sale and transfer of 1.81 acres of land to Chris Vierra and Shane Parson; and directs Community and Economic Development to return to the Board to consider acceptance and execution of final sale to Chris Vierra and Shane Parson; and adopts Resolution No. 2015-79.

Ayes: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion

**ACTION ITEM # 42**

**2015-07-21 FIRE**

The Clerk announces a Contract with Self Help Enterprises for Emergency Water Supplies to households without water for drinking and/or sanitary purposes is before the Board for consideration.

Adam Cox, Executive Director Builders Exchange, states he sent an email to the Board members regarding his concerns with the RFQ process. He does not believe the process was done correctly and would like a search performed. He further states there were several businesses in town that were not notified of the search for a vendor.

County Executive Officer James Brown states the intent to look for a vendor was announced openly at a Board meeting and the RFQ process was open. He states staff reached out to many counties and the selected vendor is aware of the protocols in place. The vendor will subcontract out to other local non profits and buy necessary items locally whenever possible. Mr. Brown further states that Cal OES have taken the lead role in the process and Self Help is involved also.

The Board discusses the time frame of when water is restored and when residents run out of water.

Supervisor O'Banion states he did receive Mr. Cox's email and suggests Mr. Cox connect with Administrative Services on the process.

Upon further discussion on the RFQ process and upon motion of Supervisor McDaniel, seconded by Supervisor Kelsey, duly carried, the Board approves Contract No. 2015124 with Self Help Enterprises and adopts Resolution No. 2015-85.

Ayes: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion

**ACTION ITEM # 45**

**2015-07-21 EXECUTIVE OFFICE**

The Clerk announces staff direction for the At-Large Committee Appointment process is before the Board.

County Executive Officer James Brown reviews the staff report and gives background on the process.

Supervisor Kelsey states she likes the second option for the Chairman and the assigned Board Member to the respective committee to sit on the At-Large Committee. If there is no assigned Board Member, the Vice Chair would serve.

Supervisor Walsh clarifies that the final vote will still come back to the Board of Supervisors.

Upon motion of Supervisor Kelsey, seconded by Supervisor Walsh, duly carried, the Board provides direction to have the Chairman and assigned Board member sit on the At-Large committee unless there is no assigned Board member then the Vice Chair will serve on the At-Large Committee.

Ayes: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion

**ACTION ITEM # 49**

**2015-07-21 BOARD OF SUPERVISORS**

The Clerk announces staff direction regarding the possible use of a District Project Funds Request Form is before the Board.

County Executive Officer James Brown reviews the staff report and states there is a draft request form available.

Supervisor McDaniel states he feels the form should be used twice, once to request the funds and again after funds have been issued as a followup to the use of the funds. He also states purchases should be made in Merced County.

Supervisor O'Banion states he respectfully disagrees in the use of a form, and it should be left up to the Supervisor's discretion. He also states if the Board wants to use the form he will go along with it, and also encourages money to be spent locally.

Supervisor McDaniel states he feels a form will make it legally binding for funds to be used appropriately, but has to be adopted by all.

Supervisor Kelsey states initially she didn't think a form was needed because of timing issues of some of the requests and also believes in spending locally but at times there may be a reason to buy outside of the county, such as cost or product availability. She also feels the form should be at the discretion of the supervisor if they want to use it.

Supervisor Walsh questions legal requirements of the form and time frames of some of the projects can take months to complete. He also feels the use of the form should be up to the Supervisor's discretion.

Supervisor Pedrozo states his fund requests have been in some sort of letter format and currently have to go through a process before they are approved, and also believes it should be left up to the Supervisor's discretion.

The Board has further discussion regarding the legality of the form, who would sign the form and the current process for Board Funds.

Upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board accepts the Special Board Project request form to be completed at Supervisor's discretion.  
Ayes: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion