

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, AUGUST 04, 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

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

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 - 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): Department of Mental Health, former employee No. 08540 - California State Mediation Case No. ARB-14-0123.

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: United Public Employees (UPE), Unit 3; Merced County Attorney Association (MCAA), Unit 7; Teamsters (Corrections), Unit 2; Merced County Deputy Sheriff Association (DSA), Unit 10; Teamsters (Non-Safety Corrections), Unit 12; and Merced County Public Safety Services Unit (MCPSSU), Unit 14: Agency Negotiator: Marci Barrera.

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 9

PRESENTATION

Child Support Awareness Month

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

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

PUBLIC HEARINGS:

PUBLIC HEALTH - PUBLIC HEARING - SECOND READING OF PROPOSED ORDINANCE

Conduct second reading to consider Proposed Ordinance entitled Amend 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 Nos. 1863 and 1847 and Title 9 of the General Health and Safety, Chapter 9.49).

RECOMMENDATION: 1) Motion to waive further reading of proposed ordinance; 2) Open public hearing and receive comments; 3) Close public hearing; 4) Motion to adopt the ordinance.

REVIEW BOARD ORDER – SEE PAGE 9

AUDITOR - PUBLIC HEARING - SECOND READING OF PROPOSED ORDINANCE

Second 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) Motion to waive further reading of the proposed ordinance; 2) Open the public hearing and receive comments; 3) Close public hearing; 4) Motion to adopt the ordinance.

REVIEW BOARD ORDER – SEE PAGES 9 AND 10

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-15)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Set Public Hearing for September 1, 2015 at 10:00 a.m. to consider adoption of proposed Resolution for the General Vacation of a Portion of Loma Avenue in the Dos Palos area; and direct the Department of Public Works to publish and post the Notice of Vacation.
2. Adopt Resolution for the Summary Vacation of a portion of Fowler Avenue located near the Community of Hilmar; and direct the Clerk to record the resolution.

ADOPTED RESOLUTION NO. 2015-86

3. Adopt Resolution for the Summary Vacation of McCarter Road located in the Le Grand area; and direct the Clerk to record the resolution.

ADOPTED RESOLUTION NO. 2015-87

Health

4. Approve and authorize the Chairman to sign Amendment Contract No. 2015016 with Healthy House Within a MATCH Coalition for outreach and enrollment activities for the AB82 Medi-Cal Outreach and Enrollment Grant project.
5. Approve and authorize the Chairman to sign Amendment Contract No. 2015082 with Merced County Office of Education for nutrition education and obesity services.

Mental Health

6. Approve and authorize the Chairman to sign Renewal Contract No. 2013213 with California State University, Stanislaus, to implement the Mental Health Services Act, Workforce, Education and Training Stipend Program for Master of Social Work students.

Human Services Agency

7. Approve and authorize the Chairman to sign Amendment Contract No. 2014195 with United Way of Merced County for the development of and access to a 2-1-1 Information and Referral database.

Workforce Investment

8. Accept modification five to Contract No. 2014118 extending the term date to June 30, 2016 from June 30, 2015 for the Layoff Aversion 2nd Round funds in grant code 293 to assist individuals affected by company downsizing or closure under the Workforce Investment Act.

Sheriff

9. Approve and authorize the Chairman to sign Amendment Contract No. 2012188 with Global Tel*Link (GTL) for telephone services for the adult inmates housed in the Sheriff's Correctional Facilities.

REVIEW BOARD ORDER – SEE PAGE10

Executive Office

10. Act on Claims for Damages received from Michelle Aguilar and Regina Wilson as recommended by Risk Management and Executive Office.

REVIEW BOARD ORDER – SEE PAGE 10

Board of Supervisors

11. Approval of minutes for July 8, 2014, July 8, 2014 IHSS, July 29, 2014, July 29, 2014 IHSS, August 12, 2014, August 26, 2014, August 26, 2014 Budget, September 9, 2014 and September 16, 2014.

Board Recognition

12. Authorize Certificates of Recognition to various individuals for being honored by the Greater Merced Chamber of Commerce as Graduates of Leadership Merced Class 30.

REVIEW BOARD ORDER – SEE PAGES 10 AND 11

13. Authorize Certificates of Recognition to the following individuals for being selected by the Greater Merced Chamber of Commerce: Bernadette Mello-Woman of the Year; Steven Gomes-Man of the Year; Eric and Erin Hamm/Love Merced-Volunteer of the Year; Valley Crisis Center-Non Profit of the Year; Leap/Carpenter/Kemps Insurance-Business of the Year;

Scott Scambray-Educator of the Year; Joe Doyland, David Melin, Ashley-Smith Jenkins, and David Spangler for Outgoing Director and Shawn Dwyer for Outgoing President.

14. Authorize Certificates of Recognition to various individuals from Merced and Stanislaus County for being members of the First Graduating Class of Valley Build, A Multi-Craft Training Program.

REVIEW BOARD ORDER – SE PAGE 11

15. Authorize Certificate of Recognition to Christina (Tina) Deawn Wills for 27 1/2 years of dedicated service to the California Highway Patrol.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

16. Contract with Omni-Means, Ltd. for the preparation of a Traffic Impact Study for the Franklin-Beachwood Area.

AUTHORIZED CONTRACT NO. 2015126 AS RECOMMENDED AYES: ALL

17. Contract with Calif. Dept. of Fish and Wildlife for the Streambed Alteration for the Santa Fe Avenue over Deadman Creek Bridge Replacement.

AUTHORIZED CONTRACT NO. 2015125 AS RECOMMENDED AYES: ALL

18. Approve the Agreement for Purchase of Real Property with Norma and Gordon Coleman for acquisition of property for the Dickenson Ferry Road Bridge Replacement Project; 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; 3) Adopt a Resolution accepting the Grant Deed; and 4) Approve payment to Fidelity National Title Company for the accepted value of property plus escrow and any other transaction fees.

AUTHORIZED CONTRACT NO. 2015127 AND ADOPTED RESOLUTION NO. 2015-88 AS RECOMMENDED AYES: ALL

HEALTH

19. Ratify amendments to the Merced County Department of Public Health Emergency Medical Care Committee (EMCC) Bylaws previously approved by the EMCC on July 1, 2015; and adopt Bylaws as amended.

APPROVED AS RECOMMENDED AYES: ALL

20. Contract with Fitch & Associates to provide consulting activities for administration of the newly signed ground ambulance, policies and procedure review and Air Ambulance Service Provider Agreement development activities.

AUTHORIZED CONTRACT NO. 2015128 AS RECOMMENDED AYES: ALL

21. Contract with Calif. Dept. of Public Health-STD Control Branch for STD Prevention & Control Program Services; and adopt the Resolution.

AUTHORIZED CONTRACT NO. 2015129 AND ADOPTED RESOLUTION NO. 2015-89 AS RECOMMENDED AYES: ALL

22. Void Merced County Contract No. 2014049; approve contract with Calif. Dept. of Public Health-Immunization Branch for Immunization Subvention services.

AUTHORIZED CONTRACT NO. 2015130 AS RECOMMENDED AYES: ALL

23. Contract with Healthy House Within a MATCH Coalition to provide Medi-Cal renewal assistance services for the SB18 Medi-Cal Renewal Assistance Grant project.
AUTHORIZED CONTRACT NO. 2015131 AS RECOMMENDED AYES: ALL
24. Contract with Livingston Community Health to provide Medi-Cal renewal assistance services for the SB18 Medi-Cal Renewal Assistance Grant project.
AUTHORIZED CONTRACT NO. 2015132 AS RECOMMENDED AYES: ALL
25. Contract with Livingston Community Health to complete outreach and enrollment activities for the AB82 Medi-Cal Outreach and Enrollment Grant project.
AUTHORIZED CONTRACT NO. 2015133 AS RECOMMENDED AYES: ALL

MENTAL HEALTH

26. Authorize the Department of Administrative Services, on behalf of the Mental Health Department to develop and release a Request for Proposal to secure qualified providers of Telemedicine services, to select the most responsive bidder(s), to negotiate an agreement(s); and return to the Board for final agreement execution.
APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

27. Approve the FY 2015/2016 Area Plan Update for the Merced County Area Agency on Aging; and authorize the Board Chairman to sign the Transmittal Letter.
APPROVED AS RECOMMENDED AYES: ALL
28. Authorize the submittal of a grant application to potentially receive funding to operate the Child Abuse Treatment (CHAT) Program; and authorize the Chairman as the County's representative and the Auditor as the fiscal officer to sign the Certificate of Assurance of Compliance and any related documents.
APPROVED AS RECOMMENDED AYES: ALL
29. Contract with Bear Creek Land Company, LP for the lease of 56 W. 15th Street, Merced, for storage space.
AUTHORIZED CONTRACT NO. 2015134 AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

30. Authorize the Director or Deputy Director of Workforce Investment to prepare, execute, and submit Workforce Innovation and Opportunity Act (WIOA) documents such as the Five Year Plan, other related WIOA documents, including the subgrant, and cash requests on behalf of the County; and adopt the resolution.
ADOPTED RESOLUTION NO. 2015-90 AS RECOMMENDED AYES: ALL
31. Contract with Fresno Regional Workforce Investment Board to implement a Pre-Apprenticeship Support, Training and Placement grant in the amount of \$43,370 to assist 20 disadvantaged job seekers, individuals receiving unemployment insurance, and/or returning veterans in Merced County by providing multi-craft, pre-apprenticeship training, case management and other employment-related services.
AUTHORIZED CONTRACT NO. 2015135 AS RECOMMENDED AYES: ALL

CHILD SUPPORT SERVICES

32. 1) Proclaim August 2015 as Child Support Awareness Month in Merced County; 2) Authorize the Department to work in conjunction with the City of Merced Fire Department to display a

banner above G Street, between 19th and 20th Streets, for two weeks starting August 16, 2015 as part of Child Support Awareness Month; and 3) Authorize the Department to accept donations of school supplies from the community as part of the reward program.

APPROVED AS RECOMMENDED AYES: ALL

TREASURER/TAX COLLECTOR

33. Grant authorization to modify the opening minimum bid as to accurately recover costs of the sale, fees, interest and delinquent taxes owed on each parcel in Exhibit A.

APPROVED AS RECOMMENDED AYES: ALL

SHERIFF

34. Approve and authorize the Sheriff to accept funding in the amount of \$15,000 from the California Department of Food and Agriculture for the 2015 Municipal Shelter Spay-Neuter Grant to augment current spay-neuter programs.

AUTHORIZED CONTRACT NO. 2015136 AS RECOMMENDED AYES: ALL

35. Authorize Administrative Services - Purchasing, in conjunction with the Sheriff's Office, to initiate the Request for Proposal (RFP) process for inmate food services at the County Jails to evaluate the cost-benefits of obtaining certain food services from an outside vendor; and return to the Board with any recommended action.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

36. Adopt Resolution designating County of Merced Fire Stations as local Safe Surrender Baby sites.

ADOPTED RESOLUTION NO. 2015-91 AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

37. Adopt resolution affirming the County's commitment to assist victims of commercial sexual exploitation of children and help eliminate sex trafficking in California.

ADOPTED RESOLUTION NO. 2015-92 AS RECOMMENDED AYES: ALL

38. Approve Memorandum of Understanding with California State Association of Counties Institute for Institute Training Courses for two years.

AUTHORIZED CONTRACT NO. 2015137 AS RECOMMENDED AYES: ALL

39. Appoint John Ceccoli, Employment and Training Worker, Human Services Agency, as the Interim County Veterans Service Officer.

APPROVED AS RECOMMENDED AYES: ALL

40. 1) Establish and allocate the classification of Extra-Help (EH) Interim Director Human Services Agency to Budget Unit 50000; 2) Confirm the appointment of Scott Pettygrove to EH Interim Director Human Services Agency to work for a period of time as determined by the County Executive Officer beginning August 10, 2015; and 3) Approve the amendments to the Position Allocation Resolution 06-120/A and Salary Allocation Resolution 06-120.

ADOPTED RESOLUTION NOS. 2015-93/POSITION AND 2015-94/SALARY AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

41. Authorize \$4,993.20 of District Two's Special Board Project Funds to be utilized for installation of a camera system and monitoring services at the Veterans Monument in Courthouse Park.

APPROVED AS RECOMMENDED AYES: ALL

42. Authorize \$1,800 of District Four's Special Board Project Funds to be forwarded to Winton Recreation to assist with transportation costs for the baseball program to travel to the San Francisco Giants field.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

43. Reappoint Marcie Rodrigues, Pat Gallichio and Duane Brehm to serve as members of the Los Banos Cemetery District, until June 7, 2019.

APPROVED AS RECOMMENDED AYES: ALL

44. Appoint Stephanie Martin-Ward to serve as a member of the Snelling Municipal Advisory Council, until February 16, 2016.

APPROVED AS RECOMMENDED AYES: ALL

45. Appoint Natasha Crivelli to serve as a member of the May Day Fair Board, representing District 5, until July 1, 2019; and reappoint Leane Santos Sousa and Jonathan Andrews as members of the May Day Fair Board, representing District 5, until July 1, 2019.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

46. State Water Resources Control Board re: Notice of Petition for Temporary Change involving the Transfer of Water under El Dorado Irrigation District License 2184 (Application 1692)

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF JOHN MARION PAFFORD, JOE GIANNONE, AND DANNY IACOPI, AND ADJOURNED THE MEETING UNTIL TUESDAY, AUGUST 18, 2015, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – AUGUST 4, 2015

10:00 A.M. SCHEDULED ITEM

2015-08-04 PUBLIC OPPORTUNITY

Salvador Walle, Winton resident and Winton MAC member, comments on some of the projects he is involved with in the Winton community.

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

10:00 A.M. SCHEDULED ITEM

2015-08-04 PUBLIC HEALTH – PUBLIC HEARING – ADOPTED ORDINANCE NO. 1933

The time and date previously scheduled for a public hearing to conduct a second reading to consider Proposed Ordinance entitled: Amending 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 Nos. 1863 and 1847 and Title 9 of the General Health and Safety, Chapter 9.49).

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board waives further reading of the 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 Kelsey, duly carried, the Board adopts Ordinance No. 1933 Amending 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 Nos. 1863 and 1847 and Title 9 of the General Health and Safety, Chapter 9.49).

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

10:00 A.M. SCHEDULED ITEM

2015-08-04 AUDITOR – PUBLIC HEARING – ADOPTED ORDINANCE NO. 1934

The time and date previously scheduled for a public hearing for a second 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).

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board waives further reading of the 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 Kelsey, duly carried, the Board adopts Ordinance No. 1934 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).

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

CONSENT ITEM #9
2015-08-04 SHERIFF

The Clerk announces Amendment Contract No. 2012188 with Global Tel*Link (GTL) for adult inmates housed in the Sheriff's Correctional Facilities is before the Board for consideration.

County Executive Officer James Brown reviews the staff report and clarifies that future items are not included in today's approval of the Amendment. The action today is only for an extension of services.

Upon motion of Supervisor O'Banion, seconded by Supervisor Walsh, duly carried, the Board approves and authorizes the Chairman to sign Amendment Contract No. 2012188 with Global Tel*Link (GTL) for adult inmates housed in the Sheriff's Correctional Facilities.

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

CONSENT ITEM #10
2015-08-04 EXECUTIVE OFFICE

The Clerk announces a Claim for Damages submitted by Michelle Aguilar is before the Board for consideration. The Clerk also states there is a correction to the name on the agenda; the claimants name should be Michelle not Michael.

Upon motion of Supervisor O'Banion, seconded by Supervisor Walsh, duly carried, the Board rejects the claim and directs Risk Management Director to send a notice of said rejection.

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

CONSENT ITEM #12
2015-08-04 BOARD RECOGNITION

Upon motion of Supervisor O'Banion, seconded by Supervisor Walsh, duly carried, the Board authorizes Certificates of Recognition to individuals for being honored by the Greater Merced Chamber of Commerce as Graduates of Leadership Merced Class 30.

Participants Leonard Curtis-Clark Pest Control, Ashveer Hayer-Realty Executives, Melissa Kelly-Ortega-Central California Alliance for Health, Jonathan Maffei-Merced School Employees Federal Credit Union, Shannon Metcalf-UC Merced, Eric Moore-Mutual Business Xchange, Ana Muniz-Laguna-Merced County CED, Christopher O'Neill-Image Masters, Mark Pintor-Merced

County Office of Education, Terrie Rhodes-TLC Senior Care, Joanne Schultz-Merced College, Kanwar Singh-Mercy Medical Center, Dignity Health, Hilary Woodring-Heritage Management, and Roger Wyan-Roger Wyan Photography.

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

CONSENT ITEM #14

2015-08-04 BOARD RECOGNITION

Upon motion of Supervisor O'Banion, seconded by Supervisor Walsh, duly carried, the Board authorizes Certificates of Recognition to individuals from Merced and Stanislaus County for being members of the First Graduating Class of Valley Build, A Multi-Craft Training Program as follows: Merced County; Curtis Poorman, Carolyn Watkinson, Rene Reyes, Che Lee, Assad Hanna, Fernando Sanchez, Brandon Smith, Victor Stefanini and Vincent Love; Stanislaus County; Eric Brower, Luis Bustamante, Rueben Deloatch, Christopher Dimitriadis, Buck Heater, Michael Lambert, Todd Lewis, Marco Rubalcava, Paul Ruvalcaba and Anthony Vaughn.

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