

# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

Regular Meeting  
TUESDAY, DECEMBER 15, 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**

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

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:** 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: Teamsters (Corrections), Unit 2; Merced County Deputy Sheriff Association (DSA), Unit 10; Merced County Public Safety Services Unit (MCPSSU), Unit 14. Agency Negotiator: Marci Barrera

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION:** It is the intention of the Board to meet in Closed Session concerning Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4): One case.

**THE BOARD RECESSED AT 8:30 A.M. AND RECONVENED AT 10:00 A.M. WITH SUPERVISOR O'BANION 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 – SEE PAGE 7**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 12)**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-12)

**APPROVED AS RECOMMENDED**

**AYES: 1, 2, 3, 4 NOT PRESENT: 5**

Mental Health

1. Approve and authorize the Chairman to sign Amendment Contract No. 2015002 with Merced Behavioral Center for client placement services.
2. Approve and authorize the Chairman to sign Amendment Contract No. 2013243 with Siskiyou County for inpatient services at the Marie Green Psychiatric Health Facility.
3. Approve and authorize the Chairman to sign Amendment Contract No. 2013124 with Manolito Castillo, M.D., Inc. for psychiatric services for Marie Green Psychiatric Unit and approve related budget transfer.
4. Approve and authorize the Chairman to sign Amendment Contract No. 2015047 with Aspiranet for specialty mental health services and therapeutic behavioral services to youth clients.
5. Approve and authorize the Chairman to sign Amendment Contract No. 2013148 with Aspiranet for the specialty mental health services of the DoWith Program.
6. Approve and authorize the Chairman to sign Amendment Contract No. 2012101 with Aspiranet for implementation of the Mental Health Services Act, WeCan Wraparound Services Program.

Human Services Agency

7. Approve Budget Transfer in the amount of \$425,000 for additional Haworth workstations associated with the move to the Castle site.

Executive Office

8. Act on Claim for Damage received from Benny McGowan as recommended by Risk Management and County Counsel.

Board Recognition

9. Authorize Certificates of Recognition for being selected by BI Incorporated to the following graduates: Merced County Day Reporting Center: Ronnie Lujan, Christopher Lerma, Jason Nehring, Allen Shanes, Ernesto Martinez, Ulises Rodriguez, Hugo Fuller, Vincent Vang, Tony Suarez, and Mang Vang; Los Banos Day Reporting Center: Aimee Ramirez, Yoel Rodriguez, Ramon Saavedra, Joanna Alcalá, David Contreras, Joshymar Estrada, James Lannon, Brianna Lopez and Kevin Lopez; Merced County Jail Release Program: Mark Jones, Koven Knapp, Jose Nunez, Dalen Hensley and Joseph Brooks.
10. Authorize Certificate of Recognition to Manasseh Thrift Store for Grand Opening and Ribbon Cutting.
11. Authorize Certificate and Plaque to the City of Gustine in recognition and celebration of 100th Anniversary.
12. Authorize Certificate of Recognition to Paul Lundberg for Pastoral and Community Services to our County and Retirement from Local Ministry.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

13. Approve the Conservation Easement Purchase Agreement and accept University of California, Merced's offer of \$2,449,222 for the 167 acre Preserve area; authorize Chairman to sign said agreement; and authorize the County Executive Office, Dept. of Public Works, County Counsel and Risk Management to negotiate the Management Plan required to complete the Conservation Easement Deed; and authorize the Chairman to sign said agreement after finalization of the Management Plan.

**AUTHORIZED CONTRACT NO. 2015231 AS RECOMMENDED AYES: 1, 2, 3, 4**  
**NOT PRESENT: 5**

14. Approve the Memorandum of Understanding with University of California, Merced to develop joint use recreational area(s) on County property adjacent to Lake Yosemite Park; and authorize the Chairman to sign said agreement after review by County Counsel.

**AUTHORIZED CONTRACT NO. 2015232 AS RECOMMENDED AYES: 1, 2, 3, 4**  
**NOT PRESENT: 5**

HEALTH

15. Approve submission of a grant proposal to the National Institute of Food and Agriculture for the Food Insecurity Nutrition Incentive Grant Program to support projects to increase the purchase of fruits and vegetables among Supplemental Nutrition Assistance Program (SNAP) participants, and return to the Board for contract approval if awarded.

**ITEM PULLED – NO ACTION TAKEN**

16. Approve the no-cost Memorandum of Understanding with the Tri-District Medical Academies to provide coordination and alignment support for the Medical Academy Pipeline Program; and authorize the Director of Public Health to sign all copies of the agreement.

**AUTHORIZED CONTRACT NO. 2015233 AS RECOMMENDED AYES: 1, 2, 3, 4**  
**NOT PRESENT: 5**

17. Approve submission of an application to the National Association of Chronic Disease Directors for the Geographic Information Systems (GIS) Training for Surveillance of Heart Disease, Stroke and Other Chronic Diseases Grant Program; and return to the Board for contract approval if awarded.

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

MENTAL HEALTH

18. Retroactively approve contract with Merced County Community Action Agency for property management and supportive service activities related to Project Hope Westside, and approve related budget transfer.

**AUTHORIZED CONTRACT NO. 2015234 AS RECOMMENDED AYES: 1, 2, 3, 4**  
**NOT PRESENT: 5**

19. Approve the termination of Contract No. 2015058 between Merced County Mental Health and Marsha Larson, PMHNP for Psychiatric Nurse Practitioner Services, effective December 16, 2015 pursuant to the Termination for Convenience clause.

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

HUMAN SERVICES AGENCY

20. Authorize the Dept. of Administrative Services in conjunction with Human Services Agency to initiate the procurement process for Transitional Housing Program-Plus Services, select the most responsive provider to perform such services, and negotiate an agreement with the provider; and return to the Board with the negotiated agreement, upon review by County Counsel for final contract approval and signature.

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

21. Approve the Senior Medicare Patrol Volunteer Liaison Agreement between California Health Advocates and Merced County HICAP for Medicare fraud and prevention services to provide volunteer liaison support for the Senior Medicare Patrol program for FY 15-16; and authorize the Chairman to sign the Agreement.

**AUTHORIZED CONTRACT NO. 2015235 AS RECOMMENDED AYES: 1, 2, 3, 4 NOT PRESENT: 5**

COMMUNITY AND ECONOMIC DEVELOPMENT

22. Adopt the Castle Airport 5-Year Airport Capital Improvement Plan Annual Update; authorize the Chairman to sign all Airport Capital Improvement Plan documents; approve the FAA grant application; authorize the Chairman to sign all application documents; and direct CED to return to the Board for acceptance of the grant.

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

23. 1) Simultaneously rescind existing Williamson Act contract and re-enter into a new Williamson Act contract with the following property owners to reflect new property lines resulting from prior-approved property line adjustments: a) Donald W. Harcksen, Trustee (Williamson Act No. WA2000-0021); b) Stonefield Equity, LLC (Williamson Act No. WA04-014); c) Hawkins Land Company LP, A California Limited Partnership (Williamson Act No. WA2000-0456 and 2014-02WA); d) Jeanette Veldhuis Trustee (Williamson Act No. WA2000-0616); e) Bright Family Property (No. WA2000-0681 and WA2000-0376); 2) Make the seven (7) legal findings listed on the Board Agenda Item required by Williamson Act Section 51257(a); 3) Authorize the Chairman to sign the new Williamson Act contracts and forward them to the County Recorder.

**AUTHORIZED CONTRACT NOS. 2015-04WA, 2015-05WA, 2015-06WA, 2015-07WA AND 2015-08WA AS RECOMMENDED AYES: 1, 2, 3, 4 NOT PRESENT: 5**

TREASURER/TAX COLLECTOR

24. Authorize the Board to adopt the submitted Resolution rescinding the sale of the property identified as Assessor's Parcel Number 224-171-014-000 and refund the purchase price plus interest at the County Apportionment fee.

**ADOPTED RESOLUTION NO. 2015-147 AS RECOMMENDED AYES: 1, 2, 3, 4 NOT PRESENT: 5**

25. Authorize the Board to adopt the submitted Resolution rescinding the sale of property identified as Assessor's Parcel Number 010-212-006-000 and refund the purchase price plus interest at the County Apportionment rate.

**ADOPTED RESOLUTION NO. 2015-148 AS RECOMMENDED AYES: 1, 2, 3, 4 NOT PRESENT: 5**

EXECUTIVE OFFICE

26. Pulled

BOARD OF SUPERVISORS

27. Authorize \$1,500 of District Four's Special Board Project Funds to be forwarded to Winton School District to replace greenhouse and other related items.

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

**NOT PRESENT: 5**

28. Authorize \$500 of District Four's Special Board Project Funds to be forwarded to Winton School District in support of a perfect attendance incentive program.

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

**NOT PRESENT: 5**

29. Authorize \$4,503.23 of District Five's Special Board Project Funds to be forwarded to Merced County Spring Fair for the purchase of a refrigerator.

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

**NOT PRESENT: 5**

BOARD APPOINTMENTS

30. Reappoint Grey Roberts and Tim Doss to serve as members of the Assessment Appeals Board until September 6, 2015, and reappoint Bill Spriggs as the Alternate Appraiser, until September 4, 2018.

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

31. Reappoint Greg O'Banion to serve as a member of the Merced County Mosquito Abatement District representing County Western Rural, to either a 2-year or 4-year term.

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

**REVIEW BOARD ORDER – SEE PAGE 7**

32. Appoint Valerie Roden to fill an unexpired term to July 26, 2016 as a member of the McSwain Municipal Advisory Council.

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

BOARD INFORMATION & POSSIBLE ACTION

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

33. Mental Health re: Contract No. 2015177 with Fahmy Ibrahim, M.D., Inc., has been terminated by Contractor effective November 29, 2015 pursuant to the Termination for Convenience clause.

34. San Joaquin Valley Air Pollution Control Dist. re: public benefit grants program - request for proposals for Alternative Fuel Infrastructure Projects.

**THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF GERALD “JERRY” ALLEN O’ROURKE, JACK SCHAEFER, AND PAUL WITT AND ADJOURNED THE MEETING UNTIL TUESDAY, JANUARY 12, 2016, AT 10:00 A.M.**

## **BOARD ORDERS – SUMMARY ACTION MINUTES – DECEMBER 15, 2015**

### **10:00 A.M. SCHEDULED ITEM**

#### **2015-12-15 PUBLIC OPPORTUNITY**

Christine Meeusen (Sister Kate) of The Sisters of the Valley comments on the benefits of cannabis and states she runs a cannabis business that ships their products all over the world. Ms. Meeusen also states her group is looking at buying a farm in Merced County to grow and distribute their products and has concerns over conflicting rules with growing marijuana.

Susan Buscarian states she runs a local cannabis business and urges the Board not to put a ban on cannabis. She also states she has never had issues with crime.

Christopher Gonzales comments on the benefits of cannabis and how it has helped with the care of his mother-in-law who has Alzheimer's. Mr. Gonzales also states the County can benefit from sales tax on the product.

Dr. Lakisha Jenkins of Kiona's Farm'acy speaks in favor of medical cannabis and states she is president of the California Cannabis Association. Ms. Jenkins gives further background on herself and the benefits of cannabis. Ms. Jenkins offers her help with any questions regarding medical cannabis and submits her business card.

Sister Garcia of The Sisters of the Valley speaks in support of medical cannabis and its benefits to cancer patients. Ms. Garcia also states the tax money collected from products can be used for schools instead of jailing people for using it.

Present: Pedrozo, Walsh, McDaniel, Kelsey

Absent: O'Banion

### **ACTION ITEMS # 31**

#### **2015-12-15 BOARD APPOINTMENTS**

The Clerk announces reappointment of Greg O'Banion to serve as a member of the Merced County Mosquito Abatement District representing County Western Rural, to either a 2-year or 4-year term, is before the Board for consideration.

Upon motion of Supervisor Walsh, seconded by Supervisor McDaniel, the Board reappoints Greg O'Banion to the Merced County Mosquito Abatement District, representing County Western Rural to a 4-year term ending December 31, 2019.

Ayes: Pedrozo, Walsh, McDaniel, Kelsey

Absent: O'Banion