

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, APRIL 12, 2016

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
CHAIRMAN 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

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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 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: 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; Merced County Public Safety Services Unit (MCPSSU), Unit 14 and Merced County Law Enforcement Sergeants (MCLES), Unit 30; Agency Negotiator: Marci Barrera

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 54954.2 COMPLIANCE (LATE AGENDA ITEMS)

THE BOARD FINDS THE NEED, SUBSEQUENT TO THE POSTING OF THE AGENDA, TO CONSIDER CLOSED SESSION CONCERNING CONFERENCE WITH LEGAL COUNSEL-INITIATION OF LITIGATION

AYES: ALL

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 12

PRESENTATION:

County Executive Officer: Mid-Year Budget Update/Priorities

REVIEW BOARD ORDER – SEE PAGE 12 AND 13

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 42)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-42)

APPROVED AS RECOMMENDED AYES: ALL

Ag. Commissioner

1. Approve and authorize the Chairman to sign Renewal Contract No. 2006109 with Calif. Dept. of Food and Ag. for conducting Petroleum Products Labeling and Advertising inspections.
2. Approve and authorize the Chairman to sign Renewal Contract No. 2007214 with Calif. Dept. of Food and Ag. for providing nematode control program enforcement activities at nursery locations.
3. Approve and authorize the Chairman to sign Renewal Contract No. 2014013 with Calif. Dept. of Food and Ag. for conducting Weighmaster Enforcement inspections.

Health

4. Approve and authorize the Chairman to sign Amendment Contract No. 2015128 with Fitch & Associates to provide consulting services for administration of the existing EMS contracts, the Air Ambulance RFP, and policy and procedures review.
5. Approve and authorize the Chairman to sign Renewal Contract No. 2015036 with Public Health Institute to provide training and workshops in support of the Partnerships to Improve Community Health Grant.
6. Approve and authorize the Chairman to sign Amendment Contract No. 2015048 with Group Health Cooperative, Center for Community Health and Evaluation for evaluation support to the Partnerships to Improve Community Health grant in the area of community-clinical linkages related to community health workers.
7. Approve and authorize the Chairman to sign Amendment Contract No. 2015074 with The Regents of the University of California, Merced to provide communication strategy services for the Partnerships to Improve Community Health Grant.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2015082 with Merced County Office of Education for nutrition education and obesity prevention services.

Mental Health

9. Approve and authorize the Chairman to sign Amendment Contract No. 2014201 (State Agreement No. 14-90071) with the Dept. of Health Care Services for Substance Use Disorder Services (SUD); and adopt the resolution.

ADOPTED RESOLUTION. 2016-25

10. Approve and authorize the Chairman to sign Amendment Contract No. 2011089 with 7th Avenue Center, LLC for client placement services.
11. Approve and authorize the Chairman to sign Amendment Contract No. 2016006 with Star View Behavioral Health, Inc. for the provision of specialty mental health services, Psychiatric Health Facility services and Community Treatment Facility services to youth clients placed out-of-county.
12. Approve and authorize the Chairman to sign Amendment Contract No. 2014129 with Larry Dumford for the provision of board and care services to clients.

13. Approve and authorize the Chairman to sign Amendment Contract No. 2012101 with Aspiranet for implementation of the MHSA WeCan Program.
14. 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.
15. Approve and authorize the Chairman to sign Amendment Contract No. 2013271 with Helios Healthcare, LLC for Skilled Nursing Facility Services for Mental Health Clients.
16. Approve and authorize the Chairman to sign Amendment Contract No. 2014183 with California Psychiatric Transitions for Mental Health Rehabilitation Center client placement services.
17. Approve and authorize the Chairman to sign Amendment Contract No. 2013148 with Aspiranet for the specialty mental health services of the DoWith Program; and approve the related budget transfer.
18. Approve and authorize the Chairman to sign Amendment Contract No. 2015207 with Casa Pacifica Centers for Children and Families for the provision of specialty mental health services to youth clients placed out-of-county.
19. Approve and authorize the Chairman to sign Amendment Contract No. 2015219 with Remi Vista, Inc. for the provision of specialty mental health services to youth clients placed out-of-county.
20. Approve and authorize the Chairman to sign Amendment Contract No. 2015219 with Charis Youth Center for the provision of specialty mental health services to youth clients placed out-of-county.

Human Services Agency

21. Proclaim the month of April, 2016 as "National Child Abuse Prevention Month".
22. Approve and authorize the Chairman to sign Amendment Contract No. 2009186 with Alliance for Community Transformations for domestic violence shelter services.
23. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2009297 with Sheriff's Department for social worker safety and support.
24. Approve and authorize the Chairman to sign Renewal Contract No. 2013114 with CareAccess for Q Continuum software system for Area Agency on Aging (AAA) and Multipurpose Senior Services Programs (MSSP).

Community and Economic Dev.

25. Authorize proclamation in support of California Aviation Day on April 20, 2016; and direct staff to distribute the Proclamation as appropriate.
26. Approve and authorize the Chairman to sign Amendment Contract No. 2015053 with Environmental Planning Partners for consultant services involving implementation of the 2030 Merced County General Plan and limited additional professional planning support activities.
27. Set a public hearing for April 26, 2016 at 10:00 a.m., to receive public comment and to consider adoption of an Ordinance adding Chapter 9.30 to the Merced County Code adding an agricultural mitigation program.

28. Set a public hearing for May 3, 2016 at 10:00 a.m. to receive public testimony, consider the Planning Commission's recommendations, make environmental and project determinations and actions on Conditional Use Permit Application No. CUP07-006, remove the project site from the Agricultural Preserve, and partial cancellation of a Williamson Act contract.

Workforce Investment

29. Approve and authorize the Chairman to sign Amendment Contract No. 2015010 with Madera County Workforce Investment Corp. for the Jobs Driven National Emergency Grant to assist fifty long term unemployed individuals, individuals receiving unemployment insurance, and/or returning veterans in Merced County by providing employment-related services including vocational training; and approve the related budget transfer. (4/5 Vote Required)
30. Accept Modification Three (3) to Subgrant K698371 (Contract No. 2015149) incorporating the Workforce Innovation and Opportunity Act (WIOA) requirements and the uniform Guidance Mandates for Program Year 2015/2016 to provide employment-related services to adults and dislocated workers.
31. Accept Modification Four (4) to Subgrant K698371 (Contract No. 2015149) incorporating Program Year 2015/2016 Second Round funds that were withheld due to the rescission in the Adult, Dislocated Worker, and Rapid Response grant codes used to provide employment-related services to adults and dislocated workers.

Fire

32. Continue the proclamation of the existence of a local emergency due to drought.

District Attorney

33. Authorize Proclamation recognizing the week of April 10-16, 2016 as Crime Victims' Rights Week in Merced County.

Sheriff

34. Approve Budget Transfer in the amount of \$45,000 to purchase a van needed for the weekender inmate programs.

Treasurer/Tax Collector

35. Approve Budget Transfer in the amount of \$13,353 for Extra Help adjustments due to Tax staff assisting with Treasury functions.

Executive Office

36. Approve Budget Transfer in the amount of \$68,000 for Outside Attorney Services to cover unanticipated costs due to an increase in Pro Per and Guardianship cases. (4/5 Vote Required)
37. Approve travel requests received from Public Health and Human Services Agency as recommended by Executive Officer.
38. Approve and authorize the Chairman to sign Amendment Contract No. 2005155 with Freese & Gianelli Claims Service, Inc. for liability and claims management services.

39. Act on Claims for Damages received from Alonzo Perez, Krystal Sikma, Edward Costa, Alejandro Vega, Michelle Blankenship, Fresno Community Hospital, Jaime Vega and Alicia Reyes as recommended by Risk Management and County Counsel.

Board of Supervisors

40. Approve Minutes for March 22, 2016 and March 22, 2016 IHSS.

Board Recognition

41. Authorize Certificate of Recognition to Wolves Wellness Center for Groundbreaking.
42. Authorize Certificate of Recognition to Los Banos Substation in honor of Grand Reopening.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

43. Approve the Los Banos Justice Facility Remodel Conceptual Project Budget as \$1,860,000; authorize Chairman to execute a Project Supplement to Teter Architects Contract No. 2013160 in the amount of \$206,000 to provide Project design services; and direct Public Works to return to the Board for approval of the Plans and Specifications for advertisement for a Public Bid Opening.

AUTHORIZED CONTRACT NO. 2013160 AS RECOMMENDED AYES: ALL
REVIEW BOARD ORDER – SEE PAGE 13 AND 14

44. Approve an increase in the Project Budget from \$885,000 to \$1,053,709 for the Human Services Agency Tenant Improvement at Castle, Amendment Contract No. 2015167; authorize the Director of Public Works to execute Change Order No. 1 in the amount of \$168,709 to Harris Builders to complete the work; and approve the related budget transfers.

AUTHORIZED CONTRACT NO. 2015167 AS RECOMMENDED AYES: ALL

HEALTH

45. Authorize Administrative Services-Purchasing Division in conjunction with Public Health to prepare and release a Request for Proposal for Comprehensive Health Care Services for Adult Inmate and Juvenile Detainees; and return to the Board with a contract for services.

APPROVED AS RECOMMENDED AYES: ALL

46. Retroactively authorize the Director of Public Health to sign all copies of the non-binding letter of intent to enter into the Intergovernmental Transfer funding mechanism with the Central California Alliance for Health.

APPROVED AS RECOMMENDED AYES: ALL

47. Contract with California Women, Infants, and Children (WIC) Association to support the breastfeeding objective to coordinate and conduct lactation consulting training for Department staff and community partners for the Partnerships to Improve Community Health Grant.

AUTHORIZED CONTRACT NO. 2016061 AS RECOMMENDED AYES: ALL

48. Contract with Castle Family Health Centers, Inc. to pilot with the local clinic to initiate a referral process and an e-referral process to refer clients to chronic disease prevention

services and the lay leader network for the Partnerships to Improve Community Health Grant.

AUTHORIZED CONTRACT NO. 2016062 AS RECOMMENDED AYES: ALL

49. Contract with United Way of Merced County for nutrition education and obesity prevention services.

AUTHORIZED CONTRACT NO. 2016063 AS RECOMMENDED AYES: ALL

MENTAL HEALTH

50. Authorize an increase in the Mental Health Department's change fund from \$140 to \$200.

APPROVED AS RECOMMENDED AYES: ALL

51. Proclaim the month of May 2016 as Mental Health month in Merced County; and authorize the Department to work in conjunction with the City of Merced Fire Department to hang a banner over and above the streets of the City of Merced on G Street between 19th and 20th Streets, for one week starting May 15, 2016, as part of the Mental Health Services Act Prevention and Early Intervention Public Awareness and Education Campaign.

APPROVED AS RECOMMENDED AYES: ALL

52. Approve termination of Contract No. 2015218 with Casa Del Sol, Inc., effective April 12, 2016 pursuant to the Termination for Cause clause; and authorize the Department Head to send the appropriate notice to terminate the contract with County Counsel review.

APPROVED AS RECOMMENDED AYES: ALL

53. Contract with Turner Residential Inc. for residential care for consumers.

AUTHORIZED CONTRACT NO. 2016064 AS RECOMMENDED AYES: ALL

54. Contract with Florence Crittenton Services of Orange County, Inc. for the provision of specialty mental health services to youth clients placed out-of-county.

AUTHORIZED CONTRACT NO. 2016065 AS RECOMMENDED AYES: ALL

55. Contract with Hathaway-Sycamores Child and Family Services for the provision of specialty mental health services to youth clients place out-of-county.

AUTHORIZED CONTRACT NO. 2016066 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

56. Contract with Merced County Office of Education to provide Independent Living Program foster youth camping trip.

AUTHORIZED CONTRACT NO. 2016067 AS RECOMMENDED AYES: ALL

57. Contract with Merced County Office of Education to provide foster youth camping trip.

AUTHORIZED CONTRACT NO. 2016068 AS RECOMMENDED AYES: ALL

CHILD SUPPORT SERVICES

58. Provide staff direction or consider possible adoption of a Memorandum of Understanding between Merced and Mariposa Counties to regionalize child support program and administrative activities.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 14 AND 15

RETIREMENT

59. Adopt Employer Contribution Rate of 50.02% as recommended by the Actuarial Report; and adopt Member Contribution Rates as recommended by the Actuarial Report.

APPROVED AS RECOMMENDED AYES: ALL

60. Adopt Tax Compliance resolution supporting that the Merced County Employees' Retirement Association plan's terms meet the Internal Revenue Code's tax-qualification requirements for the IRS determination filing process.

ADOPTED RESOLUTION NO. 2016-26 AS RECOMMENDED AYES: ALL

PUBLIC DEFENDER

61. Certify that the appointment of an employee is necessary before 180 days has passed to fill a critically needed position; approve the appointment of Mr. Paul Lyon to return to work for a period of time as determined by the Public Defender beginning April 18, 2016; and adopt the resolution.

ADOPTED RESOLUTION NO. 2016-27 AS RECOMMENDED AYES: 1, 2, 3, 5

NOES: 4

REVIEW BOARD ORDER – SEE PAGE 15

SHERIFF

62. Contract with Merced County Fair – 35th District Agriculture Assoc. for law enforcement services at the Merced County Fair from June 8, 2016 to June 12, 2016.

AUTHORIZED CONTRACT NO. 2016069 AS RECOMMENDED AYES: ALL

DEPT. OF ADMINISTRATIVE SERVICES

63. Declare West, California Digest 2nd (2011) as Surplus Property as recommended and authorize its disposal by approved donation to the Merced County Law Library.

APPROVED AS RECOMMENDED AYES: ALL

TREASURER/TAX COLLECTOR

64. Authorize the Tax Collector to direct \$10 of each \$30 delinquent cost collected into the established Tax Collector Modernization Trust Fund, subject to review and concurrence by the Auditor-Controller and the County Executive Office.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 16

65. Grant the County Tax Collector a \$300 increase in the Change Fund for the Tax Collector.

APPROVED AS RECOMMENDED AYES: ALL

66. Contract with ABS Direct, Inc. to print, fold, stuff, and mail tax statements and notices.

AUTHORIZED CONTRACT NO. 2016070 AS RECOMMENDED AYES: ALL

PROBATION

67. Approve the trade-in of existing Glock handguns for credit towards current and future purchases of new Glock handguns.

APPROVED AS RECOMMENDED AYES: ALL

68. Authorize the Probation Department to establish a change fund for a total of \$50.00; and authorize the Auditor-Controller's office to facilitate the necessary funds transfer.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

69. Approve the following departmental personnel actions: 1) Auditor – Budget Unit 11000: Add 1 Account Clerk I/II. 2) Tax Collector – Budget Unit 11300: Change 1 EH Tax Clerk to EH Tax Collector Clerk I. 3) Human Resources – Budget Unit 13000: Add 1 Personnel Technician I/II. 4) District Attorney – Budget Unit 20400: Add 1 Investigative Assistant; Change: 1 Legal Secretary (Pos. 44) to Staff Services Assistant; Change 1 District Atty/Public Administrator (Pos 3) salary range from 92.5 to 93.0. 5) Sheriff Corrections – Budget Unit 23000: Add 1 Lieutenant. 6) Recorder – Budget Unit 28000: Add 1 Accounting Technician. 7) Public Health – Budget Unit 40000: (B/U 40010) Change 1 Supervising Public Health Nurse (Pos. 191) to Community Health Nurse/Public Health Nurse I/II. 8) Public Health First 5 – Budget Unit 40600: Change 1 Secretary I/II (Pos 3) to Office Assistant III. 9) Mental Health – Budget Unit 41500: Establish and add: 3 Family/Comm Development Partners; Change 1 Licensed Mental Health Worker/Psychiatric Staff Nurse I/II (Pos 404) to Mental Health Clinician I/II; Add 1 Consumer Assistance Worker; Add 1 Mental Health Coordinator; Add 1 Mental Health Clinician I/II. 10) Human Services Agency – Budget Unit 50000: Change 1 Staff Services Analyst I/II (Pos 85) to Staff Personnel Analyst; (B/U 50012) Delete 1 C-IV Business Manager (Pos 570); (B/U 50050) Add 10 Employment & Training Worker I/II; Add 2 Employment & Training Worker III; Add 2 Social Worker III; (B/U 50054) Change 1 Account Clerk I/II (Pos 242) to Account Clerk III; Add 2 Facility Assistant; Add 3 Office Assistant I/II; Add 1 Administrative Supervisor; Add 1 Fiscal Supervisor; Add 1 Telephone Systems Operator; (B/U 50055) Add 1 Supervising Social Worker, Add 1 Social Worker III; Add 2 Social Worker IV-A/B; Add 2 Social Svcs Program Worker; Add 1 Social Worker Aide; Add 1 Office Assistant I/II; (B/U 50058) Add 6 Social Worker III; Add 1 Social Svcs Program Administrator; Add 1 Office Assistant I/II. 11) Library – Budget Unit 60000: Change 1 Library Resource Technician (Pos 18) to Supervising Librarian. 12) Information Systems – Budget Unit 76500: (B/U 76501) Change 1 GIS/Development Services Manager (Pos 62) to GIS Manager; (2) Establish the classification of Family/Comm Development Partners, classification 7869 at salary range 60.3 in Budget Unit 41500; (3) Approve the modifications to the following job classification specifications; Mental Health Coordinator, Lieutenant and GIS Development Services Manager; and, (4) Approve the amendments to the Salary Allocation Resolution 06-120 and the Position Allocation Resolution 06-120/A.

ADOPTED RESOLUTION NOS. 2016-28-POSITION AND 2016-29-SALARY AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

70. 1) Authorize Risk Management to work with the County's broker, Alliant Insurance, to establish three health plans agreed to in coalition bargaining (Traditional Plan, Low Cost Plan, and Account Based Health Plan) beginning in 2017; 2) Authorize employees in bargaining units 4,5,6,8, and 11 (AFSCME); unit 7 (MCAA); unit 30 (MCELS) and unit 20 unrepresented management to participate in the three plans; 3) Approve the County contribution, from premium savings, to the healthcare savings account for members in the Account Based Plan as follows: \$1,300 annually for individual coverage and \$2,600 for spouse, child(ren), and family coverage. Direct that 50% of the contribution will be made at the beginning of January with the remaining 50% contributed in equal payments over the 26 pay periods of the calendar year; 4) Authorize Administrative Services, in conjunction with Risk Management, to prepare and release a Request for Proposal (RFP) for a health savings account program; 5) Authorize Risk Management to work with the County's broker,

Alliant Insurance, to establish the Traditional Plan and Low Cost Plan for the Under 65 retirees beginning in 2017; and, 6) Based on the results of the RFP, authorize staff to select the most responsive provider for such services, negotiate an agreement, and return to the Board for contract approval.

APPROVED AS RECOMMENDED **AYES: ALL**

BOARD OF SUPERVISORS

71. Authorize \$500 of District One's Special Board Project Funds to be forwarded to the Agribusiness Committee of Merced County to be used for their fourteenth annual Progressive Agriculture Safety Day.

APPROVED AS RECOMMENDED **AYES: ALL**

72. Authorize \$500 of District One's Special Board Project Funds to be forwarded to the Le Grand High School Sober Grad Committee.

APPROVED AS RECOMMENDED **AYES: ALL**

73. Authorize \$500 of District One's Special Board Project Funds to be forwarded to the Livingston High Sober Grad Committee in support of Sober Grad Night 2016.

APPROVED AS RECOMMENDED **AYES: ALL**

74. Authorize \$500 of District One's Special Board Project Funds to be forwarded to the Friends of Sober Grad Nite, Inc. for the event to be held on June 2, 2016.

APPROVED AS RECOMMENDED **AYES: ALL**

75. Authorize \$9,753.95 of District Two's Special Board Project Funds to be forwarded to the Merced Theatre Foundation for construction of a storeroom and shelving.

APPROVED AS RECOMMENDED **AYES: ALL**

76. Authorize \$2,500 of District Four's Special Board Project Funds to be forwarded to New Beginnings for Merced County Animals to assist with their spay and neuter program.

APPROVED AS RECOMMENDED **AYES: ALL**

77. Authorize \$6,000 of District Four's Special Board Project Funds to be forwarded to the Winton Lifeline Community Center for support of their efforts in community development and working with At Risk Youth in Winton.

APPROVED AS RECOMMENDED **AYES: ALL**

78. Authorize \$9,383.99 of District Five's Special Board Project Funds to be forwarded to the Dos Palos Bobcat Youth Football to be used to replace football helmets.

APPROVED AS RECOMMENDED **AYES: ALL**

79. Authorize \$47,367.19 of District Five's Special Board Projects Funds to be forwarded to the Dos Palos Memorial Hospital to be used to replace the call light system.

APPROVED AS RECOMMENDED **AYES: ALL**

BOARD APPOINTMENTS

80. Reappoint Antonio Garcia and Alejandro Garcia to serve as members of the Planada Recreation Committee, until July 12, 2019.

APPROVED AS RECOMMENDED **AYES: ALL**

81. Appoint Beverly Jenkins to serve as a member of the Franklin/Beachwood Municipal Advisory Council, until April 6, 2020.

APPROVED AS RECOMMENDED **AYES: ALL**

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE

AYES: ALL

82. Mosquito Abatement District re: Manager's Report for February 2016.
83. Fish and Game Commission re: Notice of Proposal for a 90 day extension of emergency action measures for fisheries at risk due to drought conditions.
84. San Joaquin Valley Air Pollution Control District re: Public Benefits Grants Program – extension of request for proposal for alternative fuel infrastructure projects.

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 MARY ESPINOZA, JOHN BORBA, PAT RICHARDSON, AND LEFTY STEPP, AND ADJOURNED THE MEETING UNTIL TUESDAY, APRIL 12, 2016 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – APRIL 12, 2016

10:00 A.M. SCHEDULED ITEM **2016-04-12 PUBLIC OPPORTUNITY**

Mental Health Director Yvonna Brown comments on the collaborative efforts of the Livingston Police Department, Livingston School District with the County Mental Health departments in the MHAPS project and receiving the James Q. Wilson Award.

Livingston Police Chief Chaves and Livingston Mayor Espinoza also speak in support of the MHAPS project and the collaborative efforts with the County.

Public Health Director Kathleen Grassi introduces the new Assistant Public Health Director Marianne Biangone.

Rich Miller of Citizens Committee Project Honoring Veteran's states the group would like to do something prominent and permanent for the Veteran's. They proposed to change the name of M Street to Veteran's Boulevard and are planning activities in the community to raise money for the project.

Candice Michalec, Shannon Ward, Carissa Loretto, Joslin McDaris and several other Delhi residents state concerns with the rising crime rates and shooting around the public schools in the area. They also state they are afraid for their children to go to school or play outside due to the constant shootings.

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

10:00 A.M. SCHEDULED ITEM **2016-04-12 EXECUTIVE OFFICER – MID YEAR BUDGET UPDATE/PRIORITIES**

County Executive Officer James Brown gives an overview of the Mid Year Budget presentation and states there are copies of the presentation available for the public.

Assistant County Executive Officer Scott DeMoss reviews the powerpoint covering the following: Revenues v. Expenditures (General Fund), Feb Expenditures to Revenues, Cumulative February Expenditures by Category (General Fund), Cash Flow Comparison (General Fund), Countywide Positions, Positions by Delivery Services, Employee Benefit Expenses, Employer Retirement Contribution Rates, Total Positions with Total Salary & Benefits: Next Year – FY 2016/2017 Requested Budget; Available Fund Balance – After Reserves, Local Revenue – Annual Revenue Trend, Local Resources – \$'s in Millions, Reserves, Budget Overview, Local Requirements and Net County Costs.

County Executive Officer James Brown reviews the powerpoint covering Budget Priorities and asks the Board if they have any questions.

The Board has discussion regarding the new Los Banos Courthouse completion, predicted County revenue, SB 863 and the additional staff needed for the project, and AB 403.

Mr. Brown continues powerpoint presentation covering Other Priorities to Consider.

Supervisor Kelsey comments on AB 109 Funding.

Supervisor Pedrozo comments on the Marijuana Ballot Measure and possible changes to the County's current Ordinance.

Mr. Brown continues covering Other Priorities to Consider.

The Board has lengthy discussion regarding Revenue Sharing Agreements and the processes involved.

The Board takes a 10 minute break.

The Chairman asks if there is anyone from the public that would like to comment.

Mayor Espinoza of Livingston states that he is looking forward to working together.

Gary Brizzee, Interim Los Banos City Manager states he would like to sit down with the County and negotiate.

Supervisor O'Banion states Revenue Sharing is a terrible process but necessary, no one wants to fight over it and gives background on the process.

Supervisor Kelsey comments on road conditions and the crime issues in Delhi and Winton, and appreciates the presentation today.

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

ACTION ITEM #43

2016-04-12 PUBLIC WORKS

The Clerk announces contract with TETER, LLP for Los Banos Justice Facility Remodel is before the Board for consideration.

County Executive Officer James Brown reviews the staff report and informs the Board that there is a \$200,000 general fund appropriation for this project, and there is an option for using Tobacco Securitization funds for future steps of this project.

Supervisor Kelsey states the County has used Tobacco Funds before and reviews some of the projects funds were used for. She also states the project needs to move forward.

Chairman Walsh questions if the funds being used now are General Funds then Tobacco Funds will reimburse.

Mr. Brown states the General Fund money will be used now.

Supervisor O'Banion gives background on when the Tobacco Securitization was created and would like a briefing for the Board regarding the Tobacco Securitization at a later date.

Upon motion of Supervisor Pedrozo, seconded by Supervisor O'Banion, duly carried, the Board approves the Los Banos Justice Facility Remodel Conceptual Project Budget at \$1,860,000; authorizes the Chairman to execute a Project Supplement to TETER Architects in the amount of \$206,000 to provide Project design services; and directs Public Works to return to the Board for approval of the Plans and Specifications for advertisement for a Public Bid Opening.

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

ACTION ITEM #58

2016-04-12 CHILD SUPPORT SERVICES

The Clerk announces the request for staff direction or consideration of possible adoption of a Memorandum of Understanding between Merced and Mariposa Counties to regionalize child support program and administrative activities is before the Board for consideration and also states that page two of the Board Agenda Item was inadvertently left out and copies are provided for the public.

Director of Child Support Services Sharon Wardale-Trejo reviews the staff report.

Supervisor O'Banion request explanation for expediency of the contract.

Ms. Wardale-Trejo states that it is due to the retirement of the current Director of Child Support in Mariposa.

Supervisor McDaniel questions how much staff time will be involved.

Ms. Wardale-Trejo states it should only be minimal impact on staff, only a few extra hours to a day.

Chairman Walsh states he has talked with the County Supervisors in Mariposa and states concerns with covering Merced County costs. He also states Option 1 should be included with Option 2 on the Board Agenda Item.

Ms. Wardale-Trejo clarifies how the local Child Support Program works. She states individuals requesting services do not have to live in Merced County. The program is Statewide and not restricted to counties.

The Board has further discussion about regionalization and reimbursement of costs from the State.

Supervisor O'Banion asks if the funds are part of the General Fund salary budget.

Ms. Wardale-Trejo states it is funded by the State.

Supervisor O'Banion states he wants to be notified immediately if one dollar of County taxpayer money is spent towards the program.

County Executive Officer James Brown clarifies the action before the Board is to adopt the MOU and move forward with the pilot program for two years, understanding changes may need to be made.

Following further discussion and upon motion of Supervisor O'Banion, seconded by Supervisor Pedrozo, the Board approves the recommendation to adopt a Memorandum of Understanding for the regionalization for a pilot period of two years to better understand how it would work and how much staff time is necessary for the oversight and administration functions with the understanding that discussions will continue with the State to blend the funding allocations for both Counties, increase Merced County's allocation, or allow the direct billing of staff time. Direct staff to report back to the Board within the first year of the pilot period and include immediate notification to the Board if any County money is used towards the program.

Ayes: Pedrozo, McDaniel, Kelsey, O'Banion

Noes: Walsh

ACTION ITEM # 61

2016-04-12 PUBLIC DEFENDER

The Clerk announces to certification of the appointment of Paul Lyon to return to work before 180 days has passed to fill a critically needed position, beginning April 18, 2016 is before the Board for consideration.

Supervisor McDaniel questions why the term "critically" is in the recommendation.

Public Defender Dave Elgin states there is large backlog in cases at the Los Banos office and they are requesting help.

Supervisor McDaniel questions if there is a costs savings.

Mr. Elgin states there is a cost savings in Los Banos in Attorney's fees.

Chairman Walsh questions the Courts perspective is supportive.

Mr. Elgin states he believes so.

County Executive Officer James Brown states he has spoke with the presiding Judge and verified they were asking for support.

Upon motion of Supervisor Pedrozo, seconded by Supervisor O'Banion, the Board certifies the appointment of Paul Lyon to return to work before the 180 days has passed to fill a critically needed position beginning April 18, 2016; and approves Resolution No. 2016-27.

Ayes: Walsh, Pedrozo, McDaniel, O'Banion

Noes: Kelsey

ACTION ITEM # 64

2016-04-12 TREASURER/TAX COLLECTOR

The Clerk announces authorization for the Tax Collector to direct \$10 of each \$30 delinquent cost collected into the established Tax Collector Modernization Trust Fund is before the Board for consideration.

Supervisor O'Banion requests that Treasurer/Tax Collector Karen Adams give an overview of the item.

Treasurer/Tax Collector Karen Adams reviews the staff report.

Supervisor O'Banion questions what the \$20 is to be used for.

Ms. Adams states the money pays for her department, sub-vents her costs. She also state the Treasurer/Tax Collector Office is sub-vented by 63 percent.

Supervisor O'Banion questions the remaining \$10 is to be set aside for modernization.

Ms. Adams clarifies the distribution of the money.

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board authorizes the Tax Collector to direct \$10 of each \$30 delinquent cost collected into the established Tax Collector Modernization Trust Fund, subject to review and concurrence by the Auditor-Controller and the County Executive Office.

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