

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, AUGUST 21, 2012

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
LINN DAVIS.....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 actions and are approved by a single majority 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 FIVE MINUTES PER PERSON

CLOSED SESSION - CONFERENCE WITH REAL PROPERTY

NEGOTIATOR: It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator(s) pursuant to Government Code Section 54956.8 as follows:

- (1) Property: Castle Property, Building 1360
Agency Negotiator: Mark Hendrickson, Director-Commerce, Aviation and Economic Development
Negotiating parties: Loren Gonella
Under negotiation: Lease rates and terms
- (2) Property: 301 E. 13th Street, Merced, CA 95341
Agency Negotiator: Richard Schwarz, Acting Director Public Works
Negotiating parties: Steiner Development, Inc.
Under negotiation: Price and terms of payment

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 American Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6 and 8; Independent Employees of Merced County (IEMC), Unit 3; Merced County Lawyers Association, Unit 7; Merced County Sheriff Employee Association (MCSEA), Unit 2; Merced County Law Enforcement Sergeants, Unit P; Deputy Sheriff Association, Unit 10; Non-Safety Corrections, Unit 12; and Probation Supervising Employees, Unit 11.

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 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 five minutes per person)

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

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1 - 15)

APPROVED AS RECOMMENDED AYES: ALL

Health

1. Approve and authorize Chairman to sign Amendment Contract No. 2012019 with Stephanie Russell, Registered Dietician, for nutrition education and intervention services.
2. Approve and authorize Chairman to sign Renewal Contract No. 2010234 with California Department of Public Health for FY 12-13 emergency preparedness funding to support disaster planning assistance; authorize the Chairman to sign associated required forms.
3. Approve and authorize Chairman to sign Renewal Contract No. 2008084 with Merced County Human Services Agency and Probation Department for Early and Periodic Screening, Diagnosis, and Treatment.
4. Approve and authorize Chairman to sign Renewal Contract No. 2008085 with Merced County Human Services Agency and Probation Department for Public Health nursing services for children in foster care.
5. Approve and authorize Chairman to sign Renewal Contract No. 2008191 with Merced County Office of Education for Medical Therapy Services for the California Children's Services-Medical Therapy Program, in an amount not to exceed \$50,000.
6. Approve and authorize Chairman to sign Renewal Contract No. 2007230 with State Department of Public Health - Tuberculosis Control Branch for TB control and prevention services.

Human Services Agency

7. Approve and authorize Chairman to sign Renewal Contract No. 2006182 with Brawley Enterprises for lease of building located at 1112 W. 16th Street, Merced.

Sheriff

8. Approve and authorize Chairman to sign Renewal Contract No. 2005239 with United States Department of Justice for the 2011/12 Equitable Sharing Agreement and Certification for the Federal Forfeiture Program.

Treasurer/Tax Collector

9. Approve and authorize Chairman to sign Renewal Contract No. 2006195 with Wells Fargo Bank for banking services.
10. Accept Quarterly Investment Report for the period of April 1, 2012 to June 30, 2012.

Ag Commissioner

11. Approve and authorize Chairman to sign Renewal Contract No. 2006217 with California Department of Food and Agriculture (CDFA) for Sudden Oak Death inspections and survey, and adopt Resolution.

ADOPTED RESOLUTION

County Executive Office

12. Act on Claims for Damages received from Jose Saldana, Pacific Gas and Electric Company, and Pandit Noor Sahota.

Fire

13. Set Public Hearing for September 25, 2012, at 10:00 a.m. to consider Proposed Ordinance to amend Ordinance Nos. 1865, 1846, 1581 and 1106, replacing Merced County Code 9.25 with a new chapter; adding language to establish procedures that will allow review and appeal of abatement charges that attach as uncollected weed abatement fees to the property tax roll for the property in violation of the code.

Board Recognition

14. Proclaim the month of September as "Childhood Cancer Awareness Month" in Merced County.
15. Authorize Certificate of Recognition for Quad Med for Ribbon Cutting.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

16. Contract with California Department of Transportation (CalTrans) for freeway maintenance for the Arboleda Drive/Le Grand Road overpass over State Route 99; and adopt Resolution.

ADOPTED RESOLUTION AS RECOMMENDED AYES: ALL

17. Contract with California Department of Transportation (CalTrans) for freeway maintenance for the Plainsburg Road/Sandy Mush Road overpass over State Route 99; and adopt Resolution.

ADOPTED RESOLUTION AS RECOMMENDED AYES: ALL

18. Consider the proposed Mitigated Negative Declaration for the Walnut Avenue Pedestrian Project and comments received during the public review process; and adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for the Walnut Avenue Pedestrian Project.

CONTINUED TO SEPTEMBER 11, 2012 AYES: ALL

REVIEW BOARD ORDER

19. 1) Approve the Interim Exclusive Negotiation Agreement (IENA) with L.J. Steiner, LLC for re-use of the Old County Hospital Site, and 2) Authorize the Chairman to execute the IENA, 3) Direct Staff to negotiate a Final ENA without delay, and to return to the Board for approval of the Final ENA when negotiations are completed.

APPROVED AS RECOMMENDED AYES: ALL

PLANNING

20. Contract with Merced Local Agency Formation Commission (LAFCo) for support services from the County's Planning and Community Development Department for the 2012/13 Fiscal Year.

APPROVED AS RECOMMENDED AYES: ALL

COMMERCE, AVIATION, AND ECONOMIC DEVELOPMENT

21. Contract with Alfonse Peterson for business assistance counseling for fiscal year ending June 30, 2013; and authorize Administrative Services, in conjunction with CAED, to prepare and release a Request for Proposal for a business consultant, and direct staff to return to the Board for final approval.

APPROVED AS RECOMMENDED AYES: ALL

MENTAL HEALTH

22. Contract with Madera County Behavioral Health Services for a dedicated bed and the provisions of inpatient services at the Marie Green Psychiatric Health Facility.

APPROVED AS RECOMMENDED AYES: ALL

23. Contract with San Benito County Behavioral Health Services for the provisions of inpatient services at the Marie Green Psychiatric Health Facility.

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

24. Contract with Thomas Cole, MD for physician services in medical diagnosis and management of tuberculosis.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

25. Authorize initiation of negotiations for a lease agreement with L.J. Steiner for a building located at 3368 North Hwy 59 to be used for Veterans Services, Foster Parent Training, All Dads Matter, and Leadership for Life Programs; and direct staff to return to the Board for final approval.

APPROVED AS RECOMMENDED AYES: ALL

AUDITOR

26. Set the Secured Property Tax Rates for 2012/2013 Fiscal Year and adopt Resolution.

ADOPTED RESOLUTION AS RECOMMENDED AYES: ALL

TREASURER/TAX COLLECTOR

27. Authorize Administrative Services, in conjunction with the Tax Collector, to prepare and release a Request for Proposal for predictive dialing services, and direct staff to return to the Board for final approval.

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

28. Authorize \$680 of Special Board Project Funds - District Two to be forwarded to Best Electric for repairs to light fixtures and replacement of light bulbs at the Veterans Memorial in Merced Courthouse Park.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

29. Public Works Department re: Emergency replacement of two (2) air conditioning units at 200 E. 15th Street.

30. State Fish and Game Department re: Notice of Proposed Rulemaking to establish fees for permits, permit applications, and facility inspections in amounts sufficient to cover the costs of administering, implementing and enforcing regulations pertaining to restricted species enclosures.
31. San Joaquin River Restoration Program re: Final Program Environmental Impact Statement/Environmental Impact Report Notice of Availability and Notice of Completion.
32. City Council of the City of Merced re: Resolution designating a portion of Santa Fe Avenue East of "G" Street as Santa Fe Terrace.
33. San Joaquin Valley Air Pollution Control District re: Grant opportunity for the demonstration of cordless zero-emission commercial lawn and garden equipment.

RECESSED UNTIL 1:30 P.M. FOR FINAL BUDGET HEARINGS