



# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

### Regular Meeting

**TUESDAY, APRIL 23, 2013**

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  
HUBERT “HUB” WALSH, JR....DISTRICT 2  
LINN DAVIS.....DISTRICT 3  
CHAIRMAN 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**

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 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): (1) Sprint Telephony PCS v. State Board of Equalization, San Francisco Superior Court Case No. CGC-11-511398; and (2) Medeiros v. Clark, et al., Ninth Circuit Case No. 11-16978.

**THE BOARD RECESSED AT 9:00 A.M. RECONVENED AT 10:00 A.M., WITH SUPERVISOR WALSH ABSENT, AND THE CHAIRMAN ADVISED THERE WERE NO REPORTABLE ITEMS.**

**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)**

### **REVIEW BOARD ORDER**

### **PRESENTATIONS**

**Volunteer Recognition - 2013 Volunteers nominated by the community:**

District One: Monica Bianchi and United Methodist Women

District Two: Betty Avery and Albert Bonilla

District Three: Jerome Rasberry, Jr. and Distinguished Outreach Services

District Four: Merced County Food Bank and Helping Hawks

District Five: Court Appointed Special Advocates and the Los Banos Golden Age Club

**District Two certificates are presented by Supervisor Pedrozo (A. Bonilla) and Supervisor Davis (B. Avery) in the absence of Supervisor Walsh. The screening committee members consisting of Alicia Rodriguez, Frances Thengvall, Beverly Baker, Mary Ford, and Ann McCauley are recognized for their efforts. A reception was held in Room 310 in honor of awards.**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 24)**

## REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

### **CONSENT CALENDAR (Items # 1-24)**

**APPROVED AS RECOMMENDED      AYES: ALL**

#### Public Works

1. Accept Contract No. 2013018 awarded to Teichert Construction of Fresno, California, in the amount of \$1,610,083 for the Gurr Road Overlay project; and approve related budget transfer.

#### Commerce, Aviation, and Economic Development

2. Approve and authorize the Chairman to sign Amendment Contract No. 2009121 and two-year extension announcement letter with AMS.NET, Inc., for FOCUS Program Procurement Vehicle providing telecommunications technology solutions.

#### Human Services Agency

3. Approve and authorize the Chairman to sign Renewal Interdepartmental Agreement No. 2007091 with Merced County Counsel for departmental Legal Services.
4. Approve and authorize the Chairman to sign Renewal Interdepartmental Agreement No. 2009078 with Treasurer-Tax Collector-Revenue & Reimbursement for collection services.
5. Approve and authorize the Chairman to sign Renewal Interdepartmental Agreement No. 2009297 with Merced County Sheriff's Office for social worker safety and support.
6. Approve and authorize the Chairman to sign Renewal Contract No. 2007125 with Merced County Office of Education-Family Resource Council for community development and support.
7. Approve Budget Transfer in the amount of \$551,000 to purchase 12 replacement vehicles, security door system for All Dads Matter and Ag Building Sites and 50 workstations for the new call center.

#### Public Health

8. Approve Budget Transfer in the amount of \$350 for equipment storage trailer.
9. Approve and authorize the Chairman to sign Renewal Contract No. 2006016 with California Department of Resources Recycling and Recovery for Waste Tire Enforcement - Cycle 20 to support waste tire enforcement activities.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2011195 for FY 14-15 with California Department of Public Health STD Control Branch for STD Community Intervention Services; and adopt Resolution.

### **ADOPTED RESOLUTION**

#### Mental Health

11. Approve Budget Transfer in the amount of \$2,700 to purchase computer hardware for scanning.
12. Approve and authorize the Chairman to sign Amendment Contract No. 2012157 with California Department of Health Care Services for Mental Health Plan-Managed Care Plan;

and adopt Resolution.

**ADOPTED RESOLUTION**

13. Approve and authorize the Chairman to sign Renewal Contract No. 2012073 with Trilogy Integrated Resources for Network of Care Website for Mental Health community.
14. Approve and authorize the Chairman to sign Renewal Interdepartmental Agreement No. 2009242 with Merced County Probation for mail courier services.
15. Approve and authorize the Chairman to sign Renewal Interdepartmental Agreement No. 2004105 with Public Health for mail courier services.
16. Approve and authorize the Chairman to sign Renewal Contract No. 2009142 with Merced Faculty Associates to provide histories and physical exams for clients at Marie Green.

**Sheriff**

17. Approve and authorize the Chairman to sign Amendment Contract No. 2009169 with B.I. Incorporated for electronic monitoring of adult inmates; and approve related budget transfer.
18. Approve Budget Transfer in the amount of \$25,000 to replace kitchen equipment at the John Latoracca Correctional Facility (4/5 Vote Required)

**Child Support Services**

19. Approve Budget Transfer in the amount of \$9,000 to replace an existing copy machine that is inoperable and not feasible to repair.

**District Attorney**

20. Renew Contract No. 2007023 with Victim Compensation and Government Claims Board for Criminal Restitution Program; authorize District Attorney to submit a proposal for continued funding in the amount of \$220,584 and sign the Standard Agreement; authorize the Board Chairman to sign the Contractor Certification Clause Form; and adopt Resolution.

**ADOPTED RESOLUTION**

**Board Recognition**

21. Proclaim the month of May as Mental Health Month in Merced County.
22. Proclaim the month of May as Drug Court Month in Merced County.
23. Proclaim the week of April 21-27 as Crime Victim's Rights in Merced County.
24. Proclaim the month of May as Older Americans Month.

**REGULAR CALENDAR**

**BOARD ACTION**

**PUBLIC WORKS**

25. Contract with Maria F. Pereira for purchase of Real Property for acquisition of right-of-way for the Atwater-Merced Expressway Project (APN: 005-190-018); and adopt Resolution accepting a Grant Deed for property from Maria F. Pereira needed for construction of the Atwater-Merced Expressway Project; and approve payment to Fidelity National Title Company for the agreed value of the property plus escrow and any other transactions fees.

**ADOPTED RESOLUTION AS RECOMMENDED AYES: ALL**

26. Adopt Resolution restricting parking along a portion of Centinella Drive in the Santa Nella area and authorize posting of signs to inform motorists of said parking restriction.  
**ADOPTED RESOLUTION AS RECOMMENDED      AYES: ALL**

27. Contract with Carlos Baez for purchase of Real Property for acquisition of a gas transmission line easement, an electric line easement, and a temporary construction easement to PG&E for the relocation of their facilities needed for the Atwater-Merced Expressway Project (APN: 207-160-007); and approve payment to Fidelity National Title Company for the agreed value of property plus escrow and any other transaction fees.  
**APPROVED AS RECOMMENDED      AYES: ALL**

28. Contract with Atwater Land Development Company, Inc., for purchase of Real Property for acquisition of an ingress-egress easement needed for the Atwater-Merced Expressway Project (APN: 005-110-038); and approve payment to Fidelity National Title Company for the agreed value of property plus escrow and any other transaction fees.  
**APPROVED AS RECOMMENDED      AYES: ALL**

29. PULLED

**COMMERCE, AVIATION, AND ECONOMIC DEVELOPMENT**

30. Adopt Resolution for the Revolving Loan Fund Plan Certification as required by the U.S. Department of Commerce, Economic Development Administration.  
**ADOPTED RESOLUTION AS RECOMMENDED      AYES: ALL**

**HUMAN SERVICES AGENCY**

31. Accept First 5 grant funds totaling \$499,510 and approve contract for Parenting Services.  
**APPROVED AS RECOMMENDED      AYES: ALL**
32. Contract with Merced County Office of Education-Family Resource Center for parenting services.  
**APPROVED AS RECOMMENDED      AYES: ALL**

**HEALTH**

33. Approve submittal of the Solid Waste Local Enforcement Agency grant application for FY 2013-14 to support local solid waste enforcement programs; authorize the Public Health Director or designee to submit the online grant application and any administrative requests necessary to secure the grant funds and implementation of the project when approved; direct the Department of Public Health to return to the Board for approval of grant award if funding awarded; and adopt resolution.  
**ADOPTED RESOLUTION AS RECOMMENDED      AYES: ALL**  
**REVIEW BOARD ORDER**

**DISTRICT ATTORNEY**

34. Contract with Karpel Solutions for eDiscovery for the delivery of electronic discovery.  
**APPROVED AS RECOMMENDED      AYES: ALL**

**FIRE**

35. Approve submittal of two applications to the California Department of Forestry and Fire Protection for the Volunteer Fire Assistance (VFA) Program; direct Fire Chief to return to the Board with results and authorization prior to accepting award; and authorize Chairman to

sign as Authorized Representative of applicant agency.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

36. Authorize Administrative Services Department in conjunction with the Sheriff's Office, to cancel the Request for Proposal #6648 for Inmate Video Visitation System Services at the Adult Correctional Facilities operated by the Sheriff.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

37. Authorize procurement process for Newspaper Print Advertising, select the most responsive provider to perform such services, and negotiate agreement to be returned to the Board for final approval.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

38. Authorize Administrative Services Department, in conjunction with CAED, to cancel and re-launch Request for Proposal #6677 for management and operation of the Castle Airport community water system.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

**RETIREMENT**

39. Adopt recommended Retirement employer contribution rates effective for the July 3, 2013, payroll.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

**TREASURER**

40. Adopt Resolution directing the Treasurer to advance funds up to 85% of tax receipts that remain due for 2012-2013 in an amount not to exceed \$5,990,000; and authorize Chairman to execute the agreement authorizing the Treasurer to distribute to Merced College funds in accordance with Article XVI, Section 6 of the California State Constitution.

**ADOPTED RESOLUTION AS RECOMMENDED**                      **AYES: ALL**

**BOARD OF SUPERVISORS**

41. Authorize Special Board Project Funds-District Two up to the amount of \$5,600 to be utilized to purchase an Open Air Projection Screen for DPW Recreation Division; authorize Administrative Services to issue a purchase order to Open Air Cinema for the purchase of the screen; and approve related Budget Transfer.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

42. Authorize Special Board Project Funds-District Four in the amount of \$1,276 to be utilized for Community Clean-Up efforts in the Delhi and Winton areas.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

43. Approve support for SB 391, the California Homes and Jobs Act of 2013, and authorize the Chair to sign and submit a letter of support.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

**REVIEW BOARD ORDER**

**BOARD INFORMATION & POSSIBLE ACTION**

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

44. Department of Public Works re: Contract No. 2013019 awarded to Knife River Construction of Stockton in the amount of \$426,523 for the River Road and Vinewood Avenue Overlay project.

**CONTRACT**

45. County Executive Office re: Superior Court of California, County of Merced, is exercising their option to renew the Lease Agreement for the west portion of the Adobe Building (670 W. 22nd Street, Merced) per section 2.B of Contract #2011101.

**CONTRACT**

46. Central Valley Regional Water Quality Control Board re: Workshop scheduled for April 25, 2013 at 8:30 a.m. at the Radisson Hotel and Conference Center at 2233 Ventura Street, Fresno, California.

**THE BOARD ADOPTED RESOLUTION IN MEMORY OF KATHY LIEB AND  
ADJOURNED THE MEETING UNTIL TUESDAY, MAY 7, 2013, AT 10:00 A.M.**