

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, JUNE 25, 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

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

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) San Joaquin Raptor Rescue Center, et al. v. County of Merced, et al. (Real Parties in Interest: Ginger Bandoni, et al), Appellate Case No. F064675 and 2) San Joaquin Raptor Rescue Center, et al. v. County of Merced, et al. (Real Party in Interest: William Morris), Appellate Case No. F064930

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION: It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Government Code Section 54956(d)(2): One Case

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)

REVIEW BOARD ORDER – SEE PAGE 12

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 52)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

LUNCH BREAK

1:30 P.M.

FY 2013-2014 PROPOSED BUDGET (SEE SEPARATE AGENDA)

CONSENT CALENDAR (Items # 1-52)

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

Ag. Commissioner

1. Approve and authorize the Chairman to sign Renewal Contract No. 2007214 with Calif. Dept. of Food and Ag. for Pest Exclusion County Nematode Control Program enforcement activities at nursery locations.
2. Approve and authorize the Chairman to sign Renewal Contract No. 2004057 with Calif. Crop Improvement Association for services to the Seed Certification Program.

Human Services Agency

3. Approve and authorize the Chairman to sign Renewal Contract No. 2010135 with Aspiranet for SB163 Wraparound services.
4. Approve and authorize the Chairman to sign Renewal Contract No. 2012130 with Aspiranet for home visitor services.
5. Approve and authorize the Chairman to sign Renewal Contract No. 2011067 with University of California, Davis for staff training and development.
6. Approve and authorize the Chairman to sign Renewal Contract No. 2009164 with University of California, Davis for staff training and development-child welfare services.
7. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2013100 with Department of Workforce Investment for Los Banos Plato Lab services for WtW and Cal Learn clients.
8. Approve and authorize the Chairman to sign Renewal Contract No. 2004211 for Senior Case Management services; and adopt Resolution.

ADOPTED RESOLUTION NO. 2013-79

9. Approve Budget Transfer in the amount of \$50,000 to add capital project for Human Services Agency Call Center wiring. (4/5 Vote Required)

Health

10. Approve and authorize the Chairman to sign Amendment Contract No. 2012038 with Supplemental Health Care for California Children's Services Medical Therapy Program mandated occupational and physical therapy.
11. Approve and authorize the Chairman to sign Renewal Contract No. 2008191 with Merced County Office of Education to purchase Medical Therapy Services with an amount not to exceed \$50,000 to be budgeted in the Fiscal Year 2013-2014 for the California Children's Services-Medical Therapy Program.
12. Approve and authorize the Chairman to sign the Amendment to Contract No. 2006302 with Farmers and Merchants Bank of Central California approving the Subordination, Non-Disturbance and Attornment agreement and Estoppel Certificate with Hammon Family Properties LP and Farmers & Merchants Bank of Central California related to the lease of office space located at 676 Loughborough Drive in Merced.

Mental Health

13. Approve and authorize the Chairman to sign Renewal Contract No. 2012213 with Golden Valley Health Centers to augment mental health services at primary care clinics.
14. Approve and authorize the Chairman to sign Renewal Contract No. 2012083 with The Chateau for the provision of residential care to consumers.
15. Approve and authorize the Chairman to sign Renewal Contract No. 2009096 with Joseph Melton, LMFT for certification review hearing services.
16. Approve and authorize the Chairman to sign Renewal Contract No. 2010209 with Merced Lao Family for the implementation of the Southeast Asian Community Advocacy Program.
17. Approve and authorize the Chairman to sign Renewal Contract No. 2009246 with Merced Lao Family Community, Inc. for implementation of the Integrated Mental Health in Primary Care Settings Program and the Cultural Brokers for Mental Health Services Program.
18. Approve and authorize the Chairman to sign Renewal Contract No. 2011177 with Human Services Agency/Area Agency on Aging for implementation of the Older Adult System of Care Program.
19. Approve and authorize the Chairman to sign Renewal Contract No. 2011145 with Human Services Agency for implementation of the Cultural and Linguistic Outreach for Veterans.
20. Approve and authorize the Chairman to sign Renewal Contract No. 2012163 with Community Social Model Advocates, Inc. for the provision of perinatal residential substance abuse services.
21. Approve and authorize the Chairman to sign Renewal Contract No. 2009249 with Golden Valley Health Centers for implementation of the Integrated Mental Health in Primary Care Settings Program.
22. Approve and authorize the Chairman to sign Renewal Contract No. 2010006 with Golden Valley Health Centers for implementation of the Cultural Brokers for Mental Health Services Program.
23. Approve and authorize the Chairman to sign Renewal Contract No. 2010068 with Kings View Corporation to provide Patients' Rights Advocate services.
24. Approve and authorize the Chairman to sign Renewal Contract No. 2009141 with Merced County Office of Education for expansion of their existing Caring Kids Program providing services to young children.
25. Approve and authorize the Chairman to sign Renewal Contract No. 2009143 with Merced County Office of Education for expansion of their existing Second Step Program.
26. Approve and authorize the Chairman to sign Renewal Contract No. 2009247 with Aspiranet for implementation of the Transition to Independence Process.
27. Approve and authorize the Chairman to sign Renewal Contract No. 2010211 with Challenged Family Resource Center for the support and advocacy services of Peer Mentors.
28. Approve and authorize the Chairman to sign Renewal Contract No. 2012117 with Castle Family Health Centers to augment mental health services at primary care clinics.
29. Approve and authorize the Chairman to sign Renewal Contract No. 2010230 with the Transit Joint Powers Authority of Merced County-The Bus for bus transportation services.

30. Approve and authorize the Chairman to sign Amendment Contract No. 2008142 with University of Phoenix for nursing clinical experience at Department facilities.

Commerce, Aviation and Economic Dev.

31. Approve and authorize the Chairman to sign Amendment Contract No. 2008029 with Hunt's Water Services for community water system management and maintenance.
32. Approve Budget Transfer in the amount of \$15,000 to fix water pipe failure under the parking lot for the AT&T Call Center at Castle.

Planning

33. Approve and authorize the Chairman to sign Amendment Contract No. 2013061 with Ecos Energy, LLC for the consultant, EMC Planning Group, Inc., to complete Swainson's Hawk Survey Tasks 1 through 5 for the Initial Study for the Vassar Solar Facility project (CUP13-001).
34. Approve and authorize the Chairman to sign Amendment Contract No. 2013062 with EMC Planning Group, Inc. to complete Swainson's Hawk Survey Tasks 1 through 5 for the Initial Study for the Vassar Solar Facility project (CUP13-001).

Probation

35. Approve and authorize the Chairman to sign Amendment Contract No. 2011013 with CaseloadPRO, L.P. to provide custom reports including an automatic file transfer with the Department of Justice for AB 109 adult offender population, and allow Probation the option to have an offender paid automated check-in system for lower level adult offenders.
36. Approve and authorize the Chairman to sign Amendment Contract No. 2007063 with Behavioral Interventions to provide juvenile and adult GPS monitoring and adult rehabilitative services.

Sheriff

37. Approve and authorize the Chairman to sign Amendment Contract No. 2011157 with Delhi Unified School District for School Resource Officer.
38. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 200198 with Mental Health for client meal food services to the Marie Green Psychiatric Center for Fiscal Year 2013/2014.

Workforce Investment

39. Accept Modification three to Contract No. 2012177 extending the term end date from June 30, 2013 to June 30, 2014 for Rapid Response funds (grant code 540) utilized for service to businesses that are experiencing dislocation (layoff) events and provide employment and training services to Workforce Investment Act eligible participants.

Child Support Services

40. Approve and authorize the Chairman to sign Amendment Contract No. 2009156 with Calserve, Inc. for service of process.

Dept. Administrative Services

- 41. Approve Budget Transfer in the amount of \$60,000 to replace failed video conferencing equipment used to support video arraignment at the John Latorraca Correctional Center and the Main Jail.

Board of Supervisors

- 42. Authorize Proclamation of National Day of Prayer on May 2, 2013 and Certificate of Recognition to Cy Garcia for receiving the Dos Palos Good Samaritan Award.
- 43. Authorize Certificate of Recognition to Dorothy Souza for being selected by Memorial Hospital of Los Banos as Volunteer of the Year.
- 44. Authorize Certificates of Recognition to various individuals selected as Merced Union High School District Character Counts Art Contest Winners.
- 45. Authorize Certificate of Recognition to Ronald C. Taylor for inauguration as President of Merced College.
- 46. Authorize Certificates or Recognition to the following individuals selected by the Rio Del Oro District of the Boy Scouts of America Greater Yosemite Council: Dwayne McCoy, District Award of Merit; David L. Bakken, Boy Scout Council Silver Beaver Award; Alicia Mejia, Explorer Post Member of the Year; Livingston Police Post #518, Explorer Post of the Year; and Merced Police Post #204, Explorer Post of the Year.
- 47. Authorize Certificate or Recognition to Dance Saute Dance & Fitness Center for Ribbon Cutting.
- 48. Authorize Certificate of Recognition to Flora Rodriguez Martinez chosen as Grand Marshal for Planada Community Day Parade.
- 49. Authorize Certificate of Recognition to Diego Perez for 745 hours of voluntary service to the Community of Planada.
- 50. Authorize Certificate of Recognition to Ed Brush for 25 years of dedicated service to Merced College and tenure as Faculty Librarian.
- 51. Authorize plaque for Dewey & Mary Irene Todd in recognition of 75th wedding anniversary.
- 52. Authorize plaque for Cal Fire/Merced County Fire Department in recognition of 25 years of cooperative fire protection.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

- 53. Approve the rate adjustments for solid waste collection services as provided by Gilton Solid Waste Management Inc. and Waste Management, Inc. (d.b.a. Winton Disposal) for Franchise Services Areas 1 through 7 effective July 1, 2013.

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

- 54. Approve the Vehicle User Mileage Rates for the 2013-2014 Fiscal Year.
- 55. Accept Final Map for Silva Meadows No.2 - Phase 2, Subdivision No. 04015, located in the Atwater RRC #1 area.

56. Adopt Resolution annexing the Silva Meadows No. 2, Phase 2 Subdivision into the Silva Meadows Landscaping and Sewage Inspection Maintenance Zone of Benefit No. 268 in County Service Area No. 1.

**ADOPTED RESOLUTION NO. 2013-80 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

57. Adopt Resolution annexing the Silva Meadows No. 2, Phase 2 Subdivision into the Greenfield by Brooks Street Lighting and Drainage Maintenance Zone of Benefit No. 252 in County Service Area No. 1.

**ADOPTED RESOLUTION NO. 2013-81 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

58. Accept Final Map for Silva Meadows - Phase 3, Subdivision No. 03017, located in the Atwater RRC #1 area.

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

59. Adopt Resolution authorizing the Director of Public Works or his designee to sign Regional Surface Transportation Program (RSTP) Exchange Fund Apportionments Claim for Fiscal Year 2012/2013 in the amount of \$626,686 and submit said Claim to the Merced County Association of Governments (MCAG) for processing.

PULLED FROM AGENDA – NO ACTION TAKEN

60. Authorize cancellation of current bulk vehicle fuel delivery contract with Mansfield Oil Company effective December 31, 2013; and authorize an Invitation to Bid to furnish and deliver bulk vehicle fuel to the County.

**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
REVIEW BOARD ORDER – SEE PAGE 12**

61. 1) Authorize expenditure of capital assets for the Veterans Cove Shelter Re-Roof Project at Lake Yosemite contingent on approval of funds in the Proposed Budget for Fiscal Year 2013/2014; 2) authorize Public Works to advertise and conduct a Public Bid Opening; 3) authorize the Director of Public Works to award a construction contract to the lowest responsible bidder provided the bid is within the established budget; 4) authorize the Chairman to sign the Construction Contract after review by County Counsel; 5) authorize the Director of Public Works to combine this project with similar projects if possible to achieve administrative and construction cost savings; and 6) Direct Public Works to return to the Board with an informational item describing all actions taken.

**AUTHORIZED CONTRACT NO. 2013118 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

62. 1) Authorize expenditure of capital assets for the Fleet Service Station Re-Roof Project contingent on approval of funds in the Proposed Budget for Fiscal Year 2013/2014; 2) authorize Public Works to advertise and conduct a Public Bid Opening; 3) authorize the Director of Public Works to award a construction contract to the lowest responsible bidder provided the bid is within the established budget; 4) authorize the Chairman to sign the Construction Contract after review by County Counsel; 5) authorize the Director of Public Works to combine this project with similar projects if possible to achieve administrative and construction cost savings; and 6) Direct Public Works to return to the Board with an informational item describing all actions taken.

**AUTHORIZED CONTRACT NO. 2013119 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

63. Approve retainer agreement for Special Services with Biggs Cardosa Associates, Inc. for Road and Bridge Design services; 2) approve retainer agreement for Special Services with Quincy Engineering for Road and Bridge Design services; 3) authorize the Chairman to Execute both retainer agreements; and 4) authorize the Director of Public Works to execute Project supplement agreements and amendments to the retainer agreements.

AUTHORIZED CONTRACT NO. 2013120 (BIGGS) AND NO. 2013121 (QUINCY) AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

64. Approve agreement with CBS Outdoor, Inc. for removal of Outdoor Advertising Sign to accommodate construction of the Atwater-Merced Expressway project; 2) authorize the Chairman to sign the contract for removal of the Outdoor Advertising Sign listing the terms and conditions; 3) adopt Resolution accepting a Quit Claim Deed from CBS Outdoor, Inc. on APN 005-120-011 needed to accommodate construction of the Atwater-Merced Expressway project; 4) adopt Resolution accepting a Quit Claim Deed from CBS Outdoor, Inc. on APN 005-120-012 needed to accommodate construction of the Atwater-Merced Expressway project; and 5) approve payment to CBS Outdoor, Inc. for the agreed value of \$275,000.

ADOPTED RESOLUTION NO. 2013-82 (APN 005-120-011) & NO. 2013-83 (APN 005-120-012) AND AUTHORIZED CONTRACT NO. 2013122 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

65. 1) Approve agreement for Purchase of Real Property with Robert W. Riechel and Della Wathen for acquisition of right-of-way for the Atwater-Merced-Expressway project APN: 005-182-001; 2) authorize the Chairman to sign the agreement for Purchase of Real Property listing the terms and conditions of the acquisition; 3) adopt resolution accepting a Grant Deed for property from Robert W. Riechel and Della Wathen needed for construction of the Atwater-Merced Expressway project; and 4) approve payment to Fidelity National Title Company for the agreed value of the property plus escrow and any other transaction fees.

ADOPTED RESOLUTION NO. 2013-84 AND AUTHORIZED CONTRACT NO. 2013123 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

MENTAL HEALTH

66. Contract with Manolito Castillo, M.D. for the provision of psychiatric services at the Marie Green Psychiatric Unit.

AUTHORIZED CONTRACT NO. 2013124 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

67. Memorandum of Understanding with Merced Gateway Investors, LP and Buckingham Property Management to establish the roles and responsibilities of the key partners involved in the Mental Health Services Act Housing Program Project to help build a new low-income housing development in Merced called Gateway Terrace, with the contract in effect until terminated or amended.

AUTHORIZED CONTRACT NO. 2013125 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

68. Contract with Merced County Office of Education (MCOE) for Family Resource Council services.

AUTHORIZED CONTRACT NO. 2013126 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

69. Contract with U. S. Dept. of Housing and Urban Development for the 2012 Continuum of Care Program Grant No. CA0780L9T201204 for Project Home Start.

AUTHORIZED CONTRACT NO. 2013117 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

HUMAN SERVICES AGENCY

70. Contract with United Way of Merced County for implementation of Walking School Bus Programs.

AUTHORIZED CONTRACT NO. 2013127 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

71. Contract with Merced County Rescue Mission for Congregate Site Management and Home-Delivered Meals Delivery Services for seniors.

AUTHORIZED CONTRACT NO. 2013128 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

SHERIFF

72. Approve termination of Contract No. 2010169 with Jose & Salvador Walle pursuant to the Termination For Convenience clause; and authorize the Sheriff to issue a thirty day written notice to Jose and Salvador Walle of termination.

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

73. Contract with The Regents of the University of California, Davis for mandatory medical monitoring of Methamphetamine Laboratory investigators.

AUTHORIZED CONTRACT NO. 2013129 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

74. Approve Inter-department agreement with Public Works for Inmate Work Crew.

AUTHORIZED CONTRACT NO. 2013130 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

PROBATION

75. Contract with Sacred Rok to provide two, 4 day camping trips for minors in the Bear Creek Academy.

AUTHORIZED CONTRACT NO. 2013131 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

ELECTIONS

76. Contract with the Secretary of State in an amount not to exceed \$30,000 for reimbursement of costs related to the HAVA Polling Place Accessibility Training Program.

AUTHORIZED CONTRACT NO. 2013132 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

PLANNING

77. 1) Simultaneously rescind the existing Williamson Act contract and re-enter into new Williamson Act contract with Pasquale and Lida Palazzo, Trustees (Williamson Act No. WA2000-0658) to reflect new property lines resulting from prior-approved property line adjustment; 2) make the seven findings required by Williamson Act Section 51257(a) and; 3) authorize the Chairman to sign the new Williamson Act Contract and forward to the County Recorder.

AUTHORIZED CONTRACT NO. 2013-01WA AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

78. Memorandum of Understand with Merced Local Agency Formation Commission (LAFCO) for support services from the County's Planning and Community Development Dept. for the 2013/2014 Fiscal Year.

AUTHORIZED CONTRACT NO. 2013133 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

COMMERCE, AVIATION AND ECONOMIC DEV.

79. 1) Adopt Resolution approving submittal of an application to The Calif. Dept. of Housing and Community Development (HCD) to participate in the 2013 HOME Program for an allocation of funds not to exceed \$700,000 for a First-Time Homebuyer (with or without rehabilitation) Program and/or Owner Occupied Housing Rehabilitation Program; 2) authorize the Chairman: a) to execute the HOME grant application and any additional documents necessary to complete the HOME application process; and b) upon a successful award, to execute standard agreements and any subsequent amendments that are necessary to participate in the HOME Program subject to approval by Counsel; 3) direct CAED to return to the Board with an informational item of all actions taken and; 4) authorize Director of CAED to transfer or modify budget amounts and activities as necessary to fully expend HOME Program funds, and the CAED Director and /or the Business Operations Manager to execute loan documents, funds requests, and other required reporting forms necessary to participate in the HOME Program upon a successful award.

ADOPTED RESOLUTION NO. 2013-85 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

80. Adopt Resolution approving the boundaries of the Targeted Employment Area; and authorize submission of a Targeted Employment Area application to the Department of Housing and Community Development.

ADOPTED RESOLUTION NO. 2013-86 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

81. Contract with Weather Navigation System Repair, Inc. to provide control tower equipment maintenance at Castle Airport.

AUTHORIZED CONTRACT NO. 2013134 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

LAW LIBRARY

82. Adopt Resolution supporting the increase of the Merced County Law Library's portion of the Civil Code Filing Fee from \$29 to \$32 effective January 1, 2014 and from \$32 to \$35 effective January 1, 2015.

**DENIED RECOMMENDATION AYES: 1, 2, 3, 5 NOT PRESENT: 4
REVIEW BOARD ORDER – SEE PAGE 12 AND 13**

EXECUTIVE OFFICE

83. Contract with Calif. State Association of Counties-Excess Insurance Authority (CSAC-EIA) for participation in the Employee Assistant Program; and authorize termination of Contract No. 2005143 with Horizon Health and authorize the Department Head to issue notice of termination to Horizon Health.

**AUTHORIZED CONTRACT NO. 2013135 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

BOARD OF SUPERVISORS

84. Authorize \$1,000 of District One's Special Board Project Funds to be forwarded to the Friends of the Fair Committee to assist with the building fund for the agricultural barns at the Fair.

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

85. Authorize \$1,800 from District Four's Special Board Project Funds to be forwarded to the Winton Cowboys organization for assistance with the Costs of the Winton Cowboys Football Program.

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

BOARD APPOINTMENTS

86. Winton Municipal Advisory Council - Reappoint Ernest Solis Jr. until March 31, 2016.

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

87. Merquin Cemetery District - Appoint Rosemary Ouse until June 10, 2017.

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

88. Advisory Board on Alcohol and Other Drug Problems - Reappoint Paula Mason, representing District One until June 30, 2017.

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

BOARD INFORMATION & POSSIBLE ACTION

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

89. Public Works Department re: Contract No. 2013034 awarded to Agee Construction of Clovis, CA in the amount of \$1,288,824 for the Canal School Road Bridge Over Newman Wasteway Project.

CONTRACT NO. 2013034

90. Merced County Mosquito Abatement District re: Manager's Report for April 2013.

91. Department of Conservation re: Milepost (MP) 62 Pipeline Relocation Project, Merced County.

**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 GUADALUPE de
VILLARREAL, RICHARD STEVERSON, WILMA NUNES, LIA MILLER, ANNIS STOUT,
AND ALVIN MARQUES, AND ADJOURNED THE MEETING UNTIL TUESDAY, JULY 16,
2013, AT 10:00 A.M.**

BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 25, 2013

10:00 A.M. SCHEDULED ITEM **2013-06-25 PUBLIC OPPORTUNITY**

Mary Ann McKissick; Mrs. Huddleston; Kayla Ward, Merced resident; Angela Fragulia, Merced resident; Keri Young, Merced resident; Christine Romero, Los Banos resident; Joe Merino, Atwater resident; Blanche Solis, Merced resident; Loretta Spence; and Mr. Coronado speak in favor of a pay raise for In-Home Supportive Services workers.

Present: Pedrozo, Walsh, Davis, O'Banion

Not Present: Kelsey

ACTION ITEM NO. 60 **2013-06-25 PUBLIC WORKS**

The Clerk announces bulk vehicle fuel delivery is before the Board for review.

Supervisor Davis requests a briefing on why this contract should be cancelled.

Director of Public Works Dana Hertfelder states that it is believed that if they go out to bid again, there will be a potential for cost savings to the County, and perhaps one of the local vendors would have an opportunity obtain the contract.

County Executive Officer James Brown states that in light of prior history on these contracts, the County should be able to save some money; therefore, the purpose of this action is to reduce the costs.

Following brief discussion, and upon motion of Supervisor Pedrozo, seconded by Supervisor Walsh, duly carried, the Board authorizes cancellation of the current bulk vehicle fuel delivery contract with Mansfield Oil Company effective December 31, 2014; and authorizes an Invitation for Bid to furnish and deliver bulk vehicle fuel to the County of Merced.

Present: Pedrozo, Walsh, Davis, O'Banion

Not Present: Kelsey

ACTION ITEM NO. 82 **2013-06-25 LAW LIBRARY**

The Clerk announces increase of the Merced County Law Library's portion of the Civil Code Filing Fee is before the Board for consideration.

County Counsel James Fincher declares a conflict of interest because his wife serves on the Library Board, and recuses himself. Assistant County Counsel Richard Flores sits in for Mr. Fincher.

Wayne Eisenhart, Law Library Board of Trustees, speaks in support of increasing fees, states that 97 percent of Law Library income comes from civil filing fees.

Presiding Judge Brian McCabe speaks in opposition of fees, and states that the fee increase would come from the Trial Courts Trust Fund, and it is untimely. He further states that there are no other Valley courts supporting the fee increase.

Following discussion and upon motion of Supervisor Walsh, Seconded by Supervisor Pedrozo, duly carried, the Board denies the recommendation to adopt a resolution supporting the increase of the Merced County Law Library's portion of the Civil Code Filing Fee.

Present: Pedrozo, Walsh, Davis, O'Banion

Not Present: Kelsey