



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, SEPTEMBER 10, 2013

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

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

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 7)

SHERIFF/COUNTY EXECUTIVE OFFICE - PUBLIC HEARING - SECOND READING AND POSSIBLE ADOPTION

To consider proposed ordinance entitled "Regulation of Medical Marijuana Cultivation" to add Chapter 9.29 to Title 9 of the Merced County Code.

RECOMMENDATION: Conduct Second Reading of Proposed Ordinance to add Chapter 9.29 to Title 9 of the Merced County Code entitled "Regulation of Medical Marijuana Cultivation" and adopt Ordinance.

REVIEW BOARD ORDER

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-7)

APPROVED AS RECOMMENDED AYES: ALL

Probation

1. Approve and authorize Chairman to sign Renewal Contract No. 2012172 with Community Social Model Advocates to provide residential alcohol and drug treatment and recovery services.

District Attorney

2. Approve and authorize Chairman to sign Renewal Contract No. 2005240 with Department of Justice for the Equitable Sharing Agreement and Certification for the Federal Forfeiture Program for FY 2012/2013.

Fire

3. Approve and authorize Chairman to sign Amendment Contract No. 2006251 with Merced Community College District and Merced County Fire Department for firefighting training for FY 13/14.

County Executive Office

4. Act on Claim for Damages received from Steven Scigliano as recommended by Risk Management and County Counsel.

Board Recognition

5. Authorize Certificate of Recognition to JB Sign Depot for Ribbon Cutting and Open House.
6. Authorize Certificate of Recognition to El Capitan High School for Ribbon Cutting.
7. Authorize Certificate of Recognition to Livingston Medical Group for their First Annual Founders Dinner.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

8. Relieve Public Works Fleet Management of accountability for Fixed Asset Nos. 0036905 (Aamco Brake Machine), 0049968 (1997 Ford Crown Victoria), and 0039955 (1994 Chevy Pickup); and approve removal of the items from their Fixed Asset inventory.

APPROVED AS RECOMMENDED AYES: ALL

9. Authorize Public Works to circulate Request for Proposals for Traffic Signal Maintenance Services; and authorize Public Works to review and rank Statements of Qualifications as well as negotiate a retainer contract to be submitted to the Board for consideration.

APPROVED AS RECOMMENDED AYES: ALL

10. Approve Plans and Specifications for the Public Defender Remodel at the Kane Building; authorize Public Works to advertise said plans and specifications for a Public Bid Opening; authorize Public Works Director to award the construction contract to the lowest responsible bidder provided said bid is within the established budget; authorize the Chairman of the Board to execute said contract upon review of Public Works and County Counsel; and direct Public Works to return to the Board with an informational item disclosing all actions taken.

APPROVED AS RECOMMENDED AYES: ALL

11. Adopt Resolution establishing a memorial name for Bridge No. 39C-0377 recently constructed on the new frontage road over the Duck Slough Overflow to be Jose "Shorty" Jimenez Memorial Bridge.

APPROVED AS RECOMMENDED AYES: ALL

12. Approve Plans and Specifications for the Inmate Medical Remodel at John Latorracca Adult Correctional Facility; authorize Public Works to advertise said plans and specifications for the Public Bid opening; authorize Director of Public Works to award the construction contract to the lowest responsible bidder provided said bid is within the established budget; authorize the Chairman of the Board to execute said contract upon review of Public Works

and County Counsel; and direct Public Works to return to the Board with an informational item of all actions taken.

APPROVED AS RECOMMENDED AYES: ALL

13. Consider the proposed Mitigated Negative Declaration for the Gallo Cattle Company Natural Gas Line Project and comments received during the public review process and find that there is no substantial evidence that the project will have a significant effect on the environment; and adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for the Gallo Cattle Company Natural Gas Line Project.

APPROVED AS RECOMMENDED AYES: ALL

14. Approve the Cooperative Work Agreement (2008-09 Federal Funds Lapsing June 30, 2014); and authorize the Chairman to sign the Cooperative Work agreement.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

15. Contract with California Canine Academy/Assistance Dogs for High Schooled Assistance Dog Program.

APPROVED AS RECOMMENDED AYES: ALL

16. Authorize Administrative Services Support Services, in conjunction with HSA to prepare and release a Request for Proposal for program evaluation services, to select the most responsive provider for such services, and negotiate an agreement; and return to the Board with a negotiated Contract for final approval.

APPROVED AS RECOMMENDED AYES: ALL

MENTAL HEALTH

17. Approve and authorize for submission to the Mental Health Services Oversight and Accountability Commission, the Mental Health Services Act Fiscal Year 2013-2014 Annual Update, including all comments and updates from the August 13, 2013, Mental Health Board Public Hearing; authorize the Auditor-Controller to sign the necessary document in this annual Update certifying fiscal accountability of the Mental Health Services Act Programs; and authorize the Mental Health Director to sign all necessary documents for submission.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER

COMMUNITY AND ECONOMIC DEVELOPMENT

18. Contract with Hunt's Water Services to operate and manage the Castle water system.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER

WORKFORCE INVESTMENT BOARD

19. Proclaim September 2013 as Workforce Development Professionals Month in Merced County; and authorize the Department to work in conjunction with the City of Merced Fire Department to hang a banner over G Street between 19th and 20th Streets for two weeks in September.

APPROVED AS RECOMMENDED AYES: ALL

TREASURER

20. Grant the County Revenue and Reimbursement relief for shortages in the amount of \$20; and grant replenishment in the amount of \$20 for a counterfeit bill.

APPROVED AS RECOMMENDED AYES: ALL

COUNTY EXECUTIVE OFFICE

21. Approve and authorize the Board Chair to execute the Property Tax Administration Fee Settlement Agreement with the City of Dos Palos for reimbursement of administration fees.

APPROVED AS RECOMMENDED AYES: ALL

22. Approve and authorize the Board Chair to execute the Property Tax Administration Fee Settlement Agreement with the City of Los Banos for reimbursement of administration fees.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

23. Reappoint Roberta Saling to serve as a member of the Merced Cemetery District until August 16, 2017.

APPROVED AS RECOMMENDED AYES: ALL

24. Appoint a Board of Supervisors member to serve on the local Remote Access Network (RAN) Board; and approve RAN appointment as part of the annual Board assignments.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

25. Community and Economic Development re: Contract with Ferreria Produce for lease of Building 1562 (approximately 2,400 sq. ft.) and 0.24 acres of land located at Castle Commerce Center.
26. Community and Economic Development re: Contract with Kirby Manufacturing for lease of land (approximately 2,400 sq. ft. concrete pad) located at Castle Airport.
27. Community and Economic Development re: Contract with Merced Union High School District for lease of fenced area behind Building 88 (approximately .88 acres) located at Castle Commerce Center.
28. Community and Economic Development re: Contract with Tri County Flooring for lease of Building 1324 (approximately 8,000 sq. ft.) with adjacent parking area located at Castle Commerce Center.
29. Fire re: National Fire Prevention Week, October 6-12, 2013.
30. County Executive Office re: Amended County Operations Directive 13-104, County Travel Policy.
31. Merced Mosquito Abatement District re: Manager's Report for July 2013.
32. California Department of Fish and Wildlife re: Notice of Proposed Rulemaking-Proposed Amendments to Section 699.5 Fees for Lake and Streambed Alteration Agreements; Public Hearing meeting on October 8, 2013, from 1:30 p.m. to 3:30 p.m. in the 12th floor Conference Room, 1206, at the Resources Agency Building located at 1416 9th Street, Sacramento, California.

33. U.S. Department of Transportation, Federal Aviation Administration re: Environmental Assessment - Northern California Optimization of Airspace and Procedures in the Metroplex (NorCal OAPM) Project Meeting Notification; meetings to be held September 16, 2013 at California State Capitol Building from 10 a.m. to 12 p.m.; September 17, 2013 at City of San Mateo Main Library from 12:30 p.m. to 2:30 p.m.; September 18, 2013 at San Jose City Hall from 9:30 a.m. to 11:30 a.m.; and September 18, 2013 at Oakland Main Library from 1:30 p.m. to 3:30 p.m.

**THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF DANNY STEPP AND
ADJOURNED THE MEETING UNTIL TUESDAY, SEPTEMBER 17, 2013, AT 10:00 A.M.**