



SUMMARY ACTION MINUTES BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, SEPTEMBER 09, 2014
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
DEIDRE F. KELSEY....DISTRICT 4
CHAIRMAN 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 THREE MINUTES PER PERSON

**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 54956.9(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 three minutes per person)

PRESENTATIONS

- 1) Certificate of Recognition to Los Banos Trap Squad
Supervisor O'Banion presented Certificates of Recognition to the Los Banos Trap Squad for finishing second in the National competition in Sparta, Illinois. The following individuals received certificates: Jason Chew (absent), Aaron Baumgartner, D.J. Mello, Jared Crist, Josh Lopes and Coach Darrell Mello.
- 2) Water Update

REVIEW BOARD ORDER

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 18)

MENTAL HEALTH - PUBLIC HEARING - PROPOSED ORDINANCE

To consider amending Mental Health Fee Schedule for Mental Health Services (Amends Chapter 9.48 Section 9.48.030 and Supersedes Ordinance 1907).

RECOMMENDATION: 1) Waive further reading; 2) Open public hearing and receive testimony; 3) Close public hearing and adopt Ordinance known as

Mental Health Fees.

REVIEW BOARD ORDER

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-18)

APPROVED AS RECOMMENDED EXCEPT ITEM 3 PULLED FROM AGENDA

AYES: ALL

Health

1. Approve and authorize the Chairman to sign Renewal Interagency Contract No. 2008084 with Merced County Human Services Agency and Probation Department for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT).
2. Approve and authorize the Chairman to sign Renewal MOU No. 2008085 with Merced County Department of Public Health, Human Services Agency, and Probation Department for Public Health Nursing services for children in foster care.

Mental Health

3. Approve and authorize the Chairman to sign Amendment Contract No. 2013211 with Casa Del Sol for client board and care services.

PULLED – NO ACTION TAKEN

4. Approve and authorize the Chairman to sign Renewal Contract No. 2013213 with California State University Stanislaus to implement the Mental Health Services Act, Workforce, Education and Training Stipend Program for Master of Social Work students.
5. 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 as part of the Mental Health Services Act Community Services and Supports.

Community and Economic Development

6. Approve and authorize the Chairman to sign Renewal Contract No. 2012216 with Weather Nav Incorporated to provide Airport Navigational Aids maintenance at Castle Airport.

Public Works

7. Ratify Change Order No. 1 to Contract No. 2014004 in the amount of \$30,905.22 to Valley Cleaning & Restoration for the replacement of cafeteria flooring at the Human Services Agency.
8. Set a Public Hearing for October 7, 2014 at 10 a.m. to adopt the Resolution forming Underground Utility District No. 11 along Lobo Avenue from 100 feet east of Sunrise Avenue to 60 feet east of Drake Avenue; and direct the Board Clerk to notify all affected property owners.
9. Set a Public Hearing for October 21, 2014 at 10 a.m. to consider adoption of the proposed Resolution for the General Vacation of a portion of Dry Creek Road in the Snelling area; and direct the Department of Public Works to publish and post the Notice of Vacation.

District Attorney

10. Approve the District Attorney's participation in the Victim Witness Assistance program and authorize the District Attorney to apply for continued grant funding for FY 14/15 in the amount of \$213,659; adopt the Resolution; authorize the District Attorney to sign the Grant Award Face Sheet; and authorize the Chairperson to sign the Certifications of Assurance of Compliance.

ADOPTED RESOLUTION

11. Approve and authorize the Chairman to sign Renewal Contract No. 2005240 with United States Department of Justice for Federal Equitable Sharing for the Federal Forfeiture Program for FY 2013/2014.

Ag Commissioner

12. Approve and authorize the Chairman to sign Renewal Contract No. 2004260 with the California Department of Food and Agriculture for Egg Quality Control Program inspections; and adopt Resolution.

ADOPTED RESOLUTION

13. Approve and authorize the Chairman to sign Renewal Contract No. 2004324 with California Department of Food and Agriculture for Pink Bollworm Cotton Plowdown and Host-Free Monitoring Program.

Administrative Services

14. Approve and authorize Chairman to sign Amendment Contract No. 2010124 with New World Systems to upgrade the Aegis MSP Interface.

County Executive Office

15. Act on Claims for Damages received from Bryant White, Leticia Silva, Donya Lamar, and Joaquin Rivera as recommended by Risk Management and County Counsel.

Board Recognition

16. Authorize Certificates of Recognition to the following individuals for dedicated service to the California Highway Patrol: Susan Kay Quinn, Dispatcher - 25 years of service; Officer Michael "Mike" Kolodziej - 31 years of service; and Officer William "Bill" Gordon - 30 years of service.
17. Authorize Certificates of Recognition for Aaron Bumgartner and Marcos A. Hedrick for achieving the Boy Scouts of America Rank of Eagle Scout.
18. Authorize Certificate of Recognition for Arbor Gallery for their 30th Anniversary.

REGULAR CALENDAR

BOARD ACTION

HEALTH

19. Authorize the Local Emergency Medical Services Agency Director to approve and sign the no-cost contract with Sierra Medical Services Alliance (SEMSA) as Exclusive Operator for Emergency Ambulance Service and Secondary Medical Public Safety Answering Point for Merced County's Exclusive Operating Area for the period of January 1, 2015 through December 31, 2019; and authorize Chair to sign all copies of the agreement.

APPROVED AS RECOMMENDED AYES: ALL

MENTAL HEALTH

20. Contract with Dos Palos-Oro Loma Joint Unified School District for placement of County clinical staff at school sites to provide mental health services, outreach, and education.

APPROVED AS RECOMMENDED AYES: ALL

21. Contract with Los Banos Unified School District for placement of County clinical staff at school sites to provide mental health services, outreach, and education.

APPROVED AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

22. Authorize Director of Community and Economic Development or designee to sign the agreement with CGI Communications, Inc. (Exhibit A), for the production of six multimedia videos highlighting various aspects of Merced County; and authorize the distribution of the letter of introduction (Exhibit B) to businesses.

APPROVED AS RECOMMENDED AYES: ALL

TREASURER

23. Grant Tax Collector relief of shortages in the amount of \$43.00 and grant Tax Collector authority to replenish the shortage of \$43.00.

APPROVED AS RECOMMENDED AYES: ALL

SHERIFF

24. Contract with Winton School District for School Resource Officer.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

25. Ratify the Memorandum of Understanding between Merced County and Merced County Law Enforcement Sergeant's Association (MCLES) representing Bargaining Unit 30; and authorize Human Resources to make the necessary adjustments to the Merced County Rules and Regulations Resolution 2007-22 and the Salary Allocation Resolution 06-120.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER

BOARD OF SUPERVISORS

26. Authorize \$5,300 of District Four's Special Board Project Funds to be forwarded to the Ballico American Legion Post 668 for replacement of doors at the American Legion

Veterans Building.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

27. Appoint Marci Barrera to serve as a management Designee representative; appoint Travis Colby to serve as the Merced County Attorney's Association representative; appoint Frank Swiggart Jr. to serve as the Merced County Law Enforcement Sergeants (MCLES) representative; and appoint Zach Robertson to serve as the American Federation of State, County & Municipal Employees Association (AFSCME) on the Deferred Compensation Standing Committee for three-year terms expiring on March 1, 2017; Reappoint the following members to fulfill the three-year terms expiring March 1, 2017: Lisa Cardella-Presto, Elected position; Scott DeMoss, County Executive Office; James Fincher, County Counsel; David Robinson, Management Designee; Scott Ball, Management Designee; Shawnesti Machado, Public Employees Union Local 1; and Jason Jacklitsch, Deputy Sheriff Association (DSA).

APPROVED AS RECOMMENDED AYES: ALL

28. Appoint Yvonnia Brown, Director of Mental Health, to the First 5 Commission of Merced County to serve at the pleasure of the Board.

APPROVED AS RECOMMENDED AYES: ALL

29. Appoint Roy Torres to fill an unexpired term to July 26, 2016; and appoint Andrew Kersten until July 26, 2017, as members of the McSwain Municipal Advisory Council.

APPROVED AS RECOMMENDED AYES: ALL

30. Appoint Zeke Nelson and Charles Herbert to serve as members of the Delhi Recreation Committee until May 10, 2015.

APPROVED AS RECOMMENDED AYES: ALL

31. Appoint Wayne Hicks to serve as a member of the May Day Fair Board representing District Four until July 1, 2018.

APPROVED AS RECOMMENDED AYES: ALL

32. Appoint Margaret Pia to serve as a member of the Commerce, Aviation & Economic Dev. Revolving Loan Fund Administration Board representing District Two until December 22, 2015.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

33. California Fish and Game Commission re: Notice of Proposed regulatory action relative to Amending sections 1.45, 2.09, 4.05, 5.00, 5.08, 7.50, 8.00, and 27.90, Title 14, California Code of Regulations, relating to the proposed 2015 Sport Fishing regulations, which were published in the California Regulatory Notice Register on August 22, 2014.

34. California Fish and Game Commission re: Notice of proposed regulatory action relative to sections 1.91, 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 27.65, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58, and 28.90, Title 14, California Code of Regulations, relating to recreational fishing regulations for federal groundfish and associated species for consistency with federal rules for 2015 and 2016, which were published in the California Regulatory Notice Register on August 22, 2014.

35. California Fish and Game Commission re: Notice of Findings regarding the Northeastern Pacific white shark which was published in the California Regulatory Notice Register on August 22, 2014.
36. Merced County Mosquito Abatement re: July 2014 Manager's Report.

**THE BOARD ADOPTED RESOLUTION IN MEMORY OF VICTOR LOPEZ AND
ADJOURNED THE MEETING UNTIL TUESDAY, SEPTEMBER 16, 2014, AT 10:00 A.M.**