



SUMMARY ACTION MINUTES BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, OCTOBER 07, 2014
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

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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

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)

REVIEW BOARD ORDER – SEE PAGE 9

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.

PRESENTATIONS:

- 1) Water update
Supervisor Pedrozo, Supervisor Walsh, and County Executive Officer James Brown provide brief water update.
- 2) Affordable Care Act (ACA) Readiness Project

REVIEW BOARD ORDER – SEE PAGE 9

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 25)

PUBLIC HEARINGS:

PUBLIC WORKS - PUBLIC HEARING - PROPOSED RESOLUTION

To consider the Formation of Underground Utility District No. 11 on Lobo Avenue in the Franklin-Beachwood area

RECOMMENDATION: 1) Open Public Hearing and receive testimony; 2) Close Public Hearing and adopt Resolution for the formation of Underground Utility District No. 11 along Lobo Avenue from 100 feet east of Sunrise Avenue to 60 feet east of Drake Avenue; 4) Direct the Board Clerk to record adopted Resolution including exhibits and notify all affected property owners.

REVIEW BOARD ORDER – SEE PAGES 9 AND 10

HEALTH - PUBLIC HEARING - SECOND READING OF PROPOSED ORDINANCE AND POSSIBLE ADOPTION

To consider amending Ordinance No. 1850, Chapter 9.43 of the Merced County Code entitled "Santa Cruz-Monterey-Merced Managed Medical Care Commission"

RECOMMENDATION: 1) Waive further reading of Proposed Ordinance; 2) Open Public Hearing and receive comments; 3) Close Public Hearing and adopt Ordinance amending Ordinance No. 1850, and Chapter 9.43 of the Merced County Code entitled "Santa Cruz-Monterey-Merced Managed Medical Care Commission"

REVIEW BOARD ORDER – SEE PAGES 10 AND 11

HEALTH - PUBLIC HEARING - FIRST READING OF PROPOSED ORDINANCE

Conduct first reading of an Ordinance entitled "To Establish Ambulance Service Exclusive Operating Areas to Include Provisions for Ambulance Service Licensing and Operations, and Convalescent Transport Provider Licensing and Operations"; amends Ordinance No. 1911, and Chapter 9.44 of the Merced County Code

RECOMMENDATION: 1) Waive further reading of Proposed Ordinance; 2) Open Public Hearing and receive comments; 3) Close Public Hearing; 4) Set a second reading and possible adoption for October 21, 2014 at 10:00 a.m.

REVIEW BOARD ORDER – SEE PAGE 12

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-25)

APPROVED AS RECOMMENDED EXCEPT ITEMS 13 AND 25 ARE HEARD SEPARATELY AYES: ALL

Public Works

1. Approve budget transfer in the amount of \$18,000 transferring funds to establish an appropriation for the purchase of an active diesel operated regenerative trap.
2. Adopt Resolution designating the intersection of Oakdale Road and Shaffer Road as an all-way stop intersection and authorize the installation of stop signs on the Oakdale Road approaches to the intersection.

ADOPTED RESOLUTION NO. 2014-99

3. Approve the proposed Change Order No. 3 Contract No. 2013241 in the amount of \$53,760.00 with Maxwell Asphalt for the Castle Airport Airfield Marking Removal and Rehabilitation Construction Project; and authorize the Director of Public Works to execute said Change Order.

Ag. Commissioner

4. Approve and authorize the Chairman to sign Renewal Contract No. 2006217 with California Department of Food and Agriculture for Sudden Oak Death investigations.

Human Services Agency

5. Approve and authorize the Chairman to sign Amendment Contract No. 2007125 with Merced County Office of Education - Family Resource Council to increase the original budget by \$20,977 for a new total of \$657,361 for community development & support.
6. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2007048 with Mental Health to provide Child Abuse Treatment program (CHAT) counseling services.

Community & Economic Dev.

7. Approve budget transfer in the amount of \$40,198 to increase amount for a FAA15 grant for the Taxiway B construction project.

Fire

8. Approve the continuation of the proclamation of the existence of a local emergency due to drought.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2006251 with Merced Community College District for Firefighting Training for FY 14/15.

Workforce Investment

10. Accept modification three to Contract No. 2013154 extending the term date to 6/30/2015 from 6/30/2014 for Workforce Investment Act Rapid Response funds (under Grant Codes 241 and 541) to provide employment and training services to Workforce Investment Act eligible participants.
11. Accept modification one to Contract No. 2014118 adding \$275,939 Workforce Investment Act funds into Adult, Dislocated Worker, and Rapid Response (Grant Codes 201,292,501, and 540) funds to provide layoff aversion, and employment and training services to Workforce Investment Act eligible participants.

Human Resources

12. Approve and authorize the Chairman to sign Amendment MOU Contract No. 2012058 with Merced County Public Safety Services Unit (MCPSSU) representing bargaining unit 14 for the period of July 1, 2014 through June 30, 2015.

Executive Office

13. Act on Application for Leave to Present Late Claim for Damages received from Eloise Kelsey Souders as recommended by Risk Management and County Counsel.

SUPERVISOR KELSEY LEAVES THE CHAMBERS

14. Approve travel request received from Community & Economic Development as recommended by Executive Office.

Board of Supervisors

15. Approve minutes for June 4, 2013, June 25, 2013, June 25-IHSS, June 25-Proposed Budget, July 16, 2013, July 16-IHSS, July 30, 2013, July 30-IHSS, August 13, 2013, August 13-IHSS, August 27, 2013, August 27-Budget, September 10, 2013, September 17, 2013,

September 17-IHSS, October 8, 2013, October 22, 2013, November 5, 2013, November 26, 2013, December 10, 2013, December 17, 2013 and December 17-IHSS.

Board Recognition

16. Authorize plaque to Lynn Tanner for 21+ years of service to the County Planning Commission.
17. Authorize Certificates of Recognition to the following individuals for accomplishments and graduation from the Parent Institute for Quality Education as follows: Yessica Barragan, Cecilia Birriueta, Liliana Castillas, Yasmin Granados, Adelina Hernandez, Oralia Osequera, Ana A. Osequera, Sandra Martina Barajas, Stephanie Barajas, Carmen Perez, Maria Yolanda Soto, Carolina Arceo, and Yolanda Mercado.
18. Authorize Certificate of Recognition to Chet Guintini in celebration of retirement after 38 years of dedicated service to the Los Banos Fire Department.
19. Authorize Certificate of Recognition to Dina's Day Care & Preschool in recognition of Grand Opening.
20. Authorize Certificate of Recognition to Rossi Family in honor of Susie Rossi's contributions to the Legacy of Mercy Gulch Days.
21. Authorize Certificate of Recognition to Curves/Jenny Craig for Ribbon Cutting and Grand Opening.
22. Authorize Certificates of Recognition to the following individuals for being recognized as American Legion Auxiliary Girls State Delegates: Maria Rodriguez-Buhach Colony High School, Jewlya Hayward-Atwater High School, Meredith Kirby-Merced High School, Mckenzie Nelson-Golden Valley High School and Crystal Gutierrez-Livingston High School.
23. Authorize Certificate of Recognition to Kamagata Maru Saka 1914 in celebration of 100 Years.
24. Proclaim the week of October 23-31, 2014, as Red Ribbon Celebration Week in Merced County and encourage all County departments and employees to wear red ribbons and to display red ribbons on County buildings and vehicles during the week.
25. Proclaim the month of October, 2014 as Filipino American History Month in Merced County.

REVIEW BOARD ORDER – SEE PAGE 12

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

26. Approve placement of two "Welcome to Delhi" community signs within the County Right of Way and waive all associated County processing and permitting fees.

APPROVED AS RECOMMENDED AYES: ALL

27. Adopt Resolution authorizing the Chairman to execute the Freeway Maintenance Agreement with the State of California for the Atwater-Merced Expressway (AME) Overcrossing over State Route 99.

AUTHORIZED CONTRACT NO. 2014168 AND ADOPTED RESOLUTION NO. 2014-100 AS RECOMMENDED AYES: ALL

HEALTH

28. Contract with Netsmart Technologies to provide software maintenance support for Insight software.

AUTHORIZED CONTRACT NO. 2014171 AS RECOMMENDED AYES: ALL

29. Contract with Center for Community Health and Evaluation for Community Outreach Program Engagement and Education Services (COPE) expansion program evaluation services.

AUTHORIZED CONTRACT NO. 2014172 AS RECOMMENDED AYES: ALL

MENTAL HEALTH

30. Retroactively approve and authorize Mental Health to apply for California Health Facilities Financing Authority (CHFFA) Investment in Mental Health Wellness Grant funds, to develop mental health crisis support programs; and return to the Board for any subsequent approval related actions necessary for implementation of the grant project.

APPROVED AS RECOMMENDED AYES: ALL

31. Contract with Planada Elementary School District for placement of County clinical staff at school sites to provide mental health services, outreach and education.

AUTHORIZED CONTRACT NO. 2014173 AS RECOMMENDED AYES: ALL

32. Contract with Merced County Community Action Agency for property management and operating service activities related to the implementation of Project Home Start.

AUTHORIZED CONTRACT NO. 2014174 AS RECOMMENDED AYES: ALL

33. Contract with Merced County Community Action Agency for property management and supportive service activities related to Project Hope Westside.

AUTHORIZED CONTRACT NO. 2014175 AS RECOMMENDED AYES: ALL

34. Contract with St. Peter's Guest Home for residential care for consumers.

AUTHORIZED CONTRACT NO. 2014176 AS RECOMMENDED AYES: ALL

35. Authorize Mental Health Department to submit a grant application for the HUD Continuum of Care (CoC) Program Competition Renewal Funding for Project Home Start grant and return to the Board for acceptance if the grant is awarded.

APPROVED AS RECOMMENDED AYES: ALL

36. Authorize Mental Health Department to submit a grant application for the HUD Continuum of Care (CoC) Program Competition Renewal Funding for Project Hope Westside grant; and return to the Board for acceptance if the grant is awarded.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

37. Approve County's sponsorship of the 2014 Veterans Day Parade to be held on November 11, 2014; authorize Risk Management to secure Special Event Insurance naming the City of Merced as additional insured for this event; authorize the Chairman to sign the Street Closure Application; and approve the submission of the Street Closure Application.

APPROVED AS RECOMMENDED AYES: ALL

38. Contract with California Department of Aging for Supplemental Nutrition Assistance Program Education Services; authorize Chairman to sign form CDA 1024; and adopt resolution.

AUTHORIZED CONTRACT NO. 2014177 AND ADOPTED RESOLUTION NO. 2014-101 AS RECOMMENDED AYES: ALL

CHILD SUPPORT SERVICES

39. Authorize the Chairman to sign the Plan of Cooperation with Calif. Dept. of Child Support Services; and authorize Sharon Wardale-Trejo, Director of Child Support Services to sign the Plan of Cooperation.

AUTHORIZED CONTRACT NO. 2014169 AS RECOMMENDED AYES: ALL

40. Contract with Contra Costa Dept. of Child Support Services for early intervention delinquency prevention services.

AUTHORIZED CONTRACT NO. 2014170 AS RECOMMENDED AYES: ALL

SHERIFF

41. Contract with Delhi Unified School District for School Resource Officer; authorize addition of one Deputy Sheriff/Coroner I/II, Class 4079/4080, Range 68.7/70.6 in Budget Unit 22100; approve the amended resolution to the Position Allocation Resolution 06-120/A; and approve the associated budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2014178 AND ADOPTED RESOLUTION NO. 2014-102 AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

42. Ratify the Memorandum of Understanding with Teamsters Local 856 representing bargaining Unit 2; and authorize Human Resources to make the necessary adjustments to the Rules and Regulations Resolution 2007-22 and Salary Allocation Resolution 06/120.

AUTHORIZED CONTRACT NO. 2014179 AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

43. Authorize \$500 from District One's Special Board Project Funds to be forwarded to the Livingston Wolves Youth Football to assist with the cost of new footballs and equipment.

APPROVED AS RECOMMENDED AYES: ALL

44. Authorize \$500 from District Three's Special Board Project Funds to be forwarded to Castle Air Museum to assist with the cost of dropping and raising fences in order to move the VC-9 Presidential Aircraft from the Castle Airport tarmac to the museum grounds.

APPROVED AS RECOMMENDED AYES: ALL

45. Authorize \$1,200 from District Four's Special Board Project Funds to be forwarded to the Church of the Cross for the Love Delhi community cleanup event that was held September 27, 2014.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

46. Appoint Raffi Djevalikian, M.D. to the E.R. Physician position of the Emergency Medical Care Committee with a term expiring on June 30, 2016.

APPROVED AS RECOMMENDED AYES: ALL

47. Appoint Gerald Solano, Tim Dinwoodie, Darren Olguin, Maria Skardos-Moore and Valerie Roden as members of the McSwain Recreation Committee, until October 7, 2018.

APPROVED AS RECOMMENDED AYES: ALL

48. Appoint Anne Falaschi to serve as a member of the Dos Palos Cemetery District, filling an unexpired term until February 2, 2015.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

49. Public Works re: Contract No. 2014092 awarded to American Alarm Co., San Ramon, CA in the amount of \$542,268.00 for the John Latorraca Adult Correctional Center Control Panel Replacement Project.
50. Public Works re: Contract No. 2014034 awarded to Emmett Valley Construction, Fresno, CA in the amount of \$433,704, for the White Rock Road and Le Grand Road Reconstruction Project.
51. Community and Economic Dev. re: Facility Use Agreement issued to Moore's Karate for Moore's Karate Camp 2014 held September 12-14, 2014.

CONTRACT NO. 2014180

52. Fire re: National Fire Prevention Week in the United States is October 5-11, 2014.
53. Law Library re: Annual 2013-2014 Report pursuant to Business and Professions Code 6349.
54. Mosquito Abatement District re: Manager's Report for August 2014.
55. Fish and Game Commission re: Notice of Proposed regulatory action, relating to the prohibition of prizes for the take of furbearers and nongame mammals, which was published in the California Regulatory Notice Register on August 29, 2014.
56. Fish and Game Commission re: Notice of Receipt of Petition to list the Livermore tarplant as endangered under the California Endangered Species Act.
57. Central Valley Regional Water Quality Control Board re: Notice of Public meeting October 9, 2014 at 9.00 a.m. and October 10, 2014 at 9:00 a.m. Central Valley Water Board, 11020 Sun Center Drive, #200, Rancho Cordova, CA 95670.
58. San Joaquin Valley Air Pollution Control District re: Notice of Public Meeting October 9, 2014 on Proposed Update to District's Risk Management Policy to address OEHHA's revised risk assessment guidance document.
59. Cal OES re: On September 17, 2014, the U.S. Department of Agriculture granted a Secretarial disaster designation due to agricultural losses caused by Drought that occurred January 1, 2014 for the primary counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Inyo, Kern, Kings, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Orange, Plumas, San Benito, San Bernardino, San Joaquin, San Luis Obispo, Santa Barbara, Santa Clara, Shasta, Sierra, Siskiyou, Sonoma, Stanislaus, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, and the contiguous counties of Del Norte, Humboldt, Lake, Napa, Nevada, Placer, Riverside, Sacramento, San Diego, San Francisco, San Mateo, Santa Cruz, Solano, Sutter, and Yuba.

**THE BOARD ADOPTED RESOLUTION IN MEMORY OF DANNY BARNES AND
ADJOURNED THE MEETING UNTIL TUESDAY, OCTOBER 21, 2014, AT 10:00 A.M.**

BOARD ORDERS – SUMMARY ACTION MINUTES – OCTOBER 7, 2014

10:00 A.M. SCHEDULED ITEM
2014-10-07 PUBLIC OPPORTUNITY

CHP Officer Alfredo Vasquez submits fliers regarding Truck Driver Appreciation Day.
Present: O'Banion, Pedrozo, Walsh, Davis, Kelsey

10:00 A.M. SCHEDULED ITEM
2014-10-07 PRESENTATION - WATER UPDATE

Supervisor Pedrozo briefs the Board on their meeting with the technical group regarding the draft Water Ordinance.

Supervisor Walsh states the process is still in motion and that it's a working document, and hopes to bring a presentation back to the Board on October 21st.

County Executive Officer Jim Brown states they have scheduled a meeting next with a broader stake holder group.

Supervisor Kelsey asks if the presentation on the 21st will require any action.

Supervisor Walsh clarifies it is just a presentation.
Present: O'Banion, Pedrozo, Walsh, Davis, Kelsey

10:00 A.M. SCHEDULED ITEM
2014-10-07 PRESENTATION – AFFORDABLE CARE ACT READINESS PROJECT

Public Health Director Kathleen Grassi gives a powerpoint presentation on the ACA Readiness Project and reviews the following: Affordable Care Act, Why is the ACA Important, ACA Components, Why Health Care Coverage; Medi-Cal Enrollment Results, Covered California Enrollment, Health Care Services, Innovations, Health Care Consortium, Contribution to Premature Death, Health Impact Pyramid and submits Supplemental #1.

Supervisor Kelsey states staff has done tremendous work on the project and she has been following the project for the past 6 years and states the project provides the opportunity for change.
Present: O'Banion, Pedrozo, Walsh, Davis, Kelsey

10:00 A.M. SCHEDULED ITEM
2014-10-07 PUBLIC WORKS – PUBLIC HEARING #1

The time and date previously set for a public hearing to consider adoption of Resolution for the formation of 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 record the Resolution and exhibits.

Public Works Director Dana Hertfelder reviews the staff report.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak. No one speaks. The Chairman closes the public hearing.

Upon motion of Supervisor Kelsey, seconded by Supervisor Pedrozo, duly carried, the Board adopts Resolution No. 2014-98 forming Underground Utility District No. 11 along Lobo Avenue from 100 feet east of Sunrise Avenue to 60 feet east of Drake Avenue; and directs the Board Clerk to record the Resolution and exhibits.

Ayes: O'Banion, Pedrozo, Walsh, Davis, Kelsey

10:00 A.M. SCHEDULED ITEM
2014-10-07 PUBLIC HEALTH – PUBLIC HEARING #2

The time and date previously set for a public hearing to conduct a second reading and possible adoption of an ordinance entitled; "Santa Cruz-Monterey-Merced Managed Medical Care Commission" (Amends Ordinance No. 1850 and Chapter 9.43 of the Merced County Code).

Upon motion of Supervisor Davis, seconded by Supervisor Kelsey, the Board waives further reading of the Ordinance.

Ayes: O'Banion, Pedrozo, Davis, Kelsey

Noes: Walsh

The Chairman opens the public hearing and asks if there is anyone present wishing to speak.

Deborah Albert speaks in opposition to amending the qualifications of the Medi-Cal recipient representative of the Santa Cruz-Monterey-Merced Managed Medical Care Commission.

Supervisor Walsh states he does not believe the qualifications should be modified and will not vote in favor of the recommendation.

Supervisor Kelsey states she sat on the commission for six years and understands how it works. She also states that Santa-Cruz has already made the modifications and Monterey is considering the same. It is not easy to find qualified applicants and there was only one applicant at this time.

Supervisor Davis questions the one reason they want to modify is because there are no applicants.

Public Health Director Kathleen Grassi states they do have one applicant at this time. She also states they need a large pool of applicants for the Commission to be able to move forward and generate revenue, and meet the needs of the Commission.

Supervisor Kelsey states another issue with not having an applicant pool is that they have issues with conflict of interest with members. They would like the opportunity to go out for a larger pool of applicants.

Supervisor O'Banion asks if modifications are made today to put emphasis on Medi-Cal recipients' applicants first instead of changing the entire ordinance.

County Counsel James Fincher states if additional modifications are proposed today and not listed on the draft ordinance, the item would have to be re-published.

Supervisor Kelsey moves to adopt the Ordinance as written, seconded by Supervisor Pedrozo.

The Chairman calls for a vote on the motion.

Supervisor O'Banion, Walsh and Davis vote "no". Motion Fails

Ayes: Pedrozo, Kelsey

Noes: O'Banion, Walsh, Davis

Supervisor Walsh motions to redraft the Ordinance. Supervisor O'Banion suggested putting emphasis on applicants receiving services and returning to the Board. Supervisor O'Banion seconds the motion.

Supervisor Kelsey states there are often conflicts with the public member appointments and suggests modifying that portion of the ordinance. She also states there are important decisions on how to divide money on the Commission, and our county is underrepresented. She states she is very disappointed in the Board's decision.

Supervisor Walsh states if the motion before the Board was on conflicts, he would have voted differently and would be willing to amend the motion to include conflict of interest issues in his motion. Supervisor O'Banion agrees to amend the motion to ask staff to redraft the proposed ordinance to include the option of emphasis on public representative applicants who are receiving services be focused on first and then go out to other applicants, and also to include that public applicants notify of any possible conflicts of interest in the interview process.

Supervisor Kelsey states she is frustrated with everything and no one has talked to her ahead of time.

Supervisor O'Banion states he does not understand the frustration there could be a Brown Act violation if the matter was discussed beforehand.

Supervisor Pedrozo comments he agrees that they don't want the County missing out on any funds because we are underrepresented.

Supervisor O'Banion also agrees he does not want the County to miss out on any opportunities.

Following further discussion, the Chairman calls for the vote on the motion as amended.

The Chairman calls for the Vote on the Motion.

Supervisor Kelsey and Pedrozo vote "no". Motion carries.

Ayes: O'Banion, Walsh, Davis

Noes: Kelsey, Pedrozo

10:00 A.M. SCHEDULED ITEM

2014-10-07 PUBLIC HEALTH – PUBLIC HEARING #3

The time and date previously set for a public hearing to consider first reading of proposed Ordinance entitled; “An Ordinance to Establish Ambulance Service Exclusive Operating Areas to Include Provisions for Ambulance Service Licensing and Operations, and Convalescent Transport Provider Licensing and Operations” (Amends Ordinance No. 1911 and Chapter 9.44 of the Merced County Code); and set second reading and possible adoption for October 21, 2014 at 10:00 a.m.

Public Health Director Kathleen Grassi reviews the staff report.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak.

Vartais Dermenjian, Merced resident, comments on how to properly dispose of unwanted prescription medication and would like to work with Supervisor Pedrozo on creating a drug box disposal.

The Chairman closes the public hearing.

Upon motion of Supervisor Walsh, seconded by Supervisor Pedrozo, duly carried, the Board waives further reading of the proposed Ordinance and sets second reading and possible adoption for October 21, 2014 at 10:00 a.m.

Ayes: O’Banion, Pedrozo, Walsh, Davis, Kelsey

CONSENT ITEM #25

2014-10-07 BOARD RECOGNITION

The Clerk announces a proclamation designating October, 2014 as Filipino American History Month in Merced County is before the Board for consideration.

Supervisor Walsh presents proclamation to Bob Luna and gives history on the item.

Upon motion of Supervisor Walsh, seconded by Supervisor Pedrozo, duly carried, the Board proclaims October, 2014 as Filipino American History Month in Merced County.

Ayes: O’Banion, Pedrozo, Walsh, Davis, Kelsey