

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, APRIL 07, 2015
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

CHAIRMAN JOHN PEDROZO.....DISTRICT 1
HUBERT “HUB” WALSH, JR.....DISTRICT 2
DARON McDANIEL.....DISTRICT 3
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 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 SUPERVISOR KELSEY NOT 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)

PRESENTATION:

Merced County Spring Fair Heritage Foundation

Supervisor O'Banion states due to the recent holiday the Merced County Spring Fair Heritage Foundation staff is not able to provide a presentation today.

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 20)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-20)

APPROVED AS RECOMMENDED

AYES: 1, 2, 3, 5 NOT PRESENT: 4

Public Works

1. Set a Public Hearing for May 12, 2015 at 10:00 A.M. to consider a resolution changing the name of Doppler Road to Kahlon Road, in the Merced area.

2. Adopt Resolution adjusting the mileage of maintained roads in Merced County for 2014 to be 1,756.040 miles.

ADOPTED RESOLUTION NO. 2015-19

3. Adopt Resolution prohibiting parking on Ashby Road, between Beachwood Drive and Black Rascal Creek Bridge, in the Franklin-Beachwood area; and authorize Public Works to install signs informing motorists of this prohibition of parking.

ADOPTED RESOLUTION NO. 2015-20

4. Adopt Resolution designating the intersection of Fox Road and Ladino Avenue as an All-Way Stop Intersection; and authorize Public Works to install Stop signs on the Fox Road approaches to the intersection.

ADOPTED RESOLUTION NO. 2015-21

5. Ratify Amendments No. 1 and 2 to Contract No. 2014003 in the amounts of \$19,200 and \$10,750 respectively; and, authorize the Director of Public Works to execute Amendment No. 3 to Contract No. 2014003 in the amount of \$17,800 to Williams + Paddon Architects for the Remodel of a portion of the old County Hospital to consolidate Mental Health Facilities.

Ag. Commissioner

6. Approve and authorize the Chairman to sign Renewal Contract No. 2010002 with the California Dept. of Food and Ag. for Pest Exclusion County Seed Inspections.
7. Approve and authorize the Chairman to sign Renewal Contract No. 2010106 with the California Dept. of Food and Ag. for European Grapevine Moth pest detection trapping activities.
8. Approve and authorize the Chairman to sign Renewal Contract No. 2004158 with USDA-APHIS Wildlife Services for Predatory Animal Control annual work plan.

Health

9. Approve Proclamation in Recognition of National Public Health Week for April 6 - 12, 2015.

Human Services Agency

10. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2009297 with the Sheriff's Department for social worker safety and support.

Community & Economic Development

11. Approve Proclamation for California Aviation Day on April 22, 2015; and direct CED staff to distribute the Proclamation as appropriate.

Sheriff

12. Approve and authorize the Chairman to sign Amendment Contract No. 2012095 with Swanson Services Corporation for Inmate Commissary Services to adult inmates housed in the Sheriff's Correctional Facilities.

County Counsel

13. Approve and authorize the Chairman to sign Amendment Contract No. 2014214 with Rossmann and Moore, LLP for Professional Legal Services.

Executive Office

- 14. Approve travel request received from Public Health and Sheriff Department as recommended by Executive Office.
- 15. Act on Claim for Damages received from Jennifer Davis as recommended by Risk Management and County Counsel.
- 16. Approve and authorize the Chairman to sign Amendment Contract No. 2004069 with John T. Roberts, dba Ashgrove Risk Management Services to provide risk management consulting services.

Board Recognition

- 17. Authorize Certificates of Recognition to individuals selected by the Soroptomist International of Merced for the Live Your Dream Education and Training Awards as follows: Ann Marie DeAnda, Natalie R. Rios and Nakietta N. Mack.
- 18. Authorize Certificate of Recognition to Rancho San Miguel for Grand Opening.
- 19. Authorize Certificate of Recognition to Nickki Patricio for over 12 years of dedicated service to the May Day Fair Board.
- 20. Authorize Certificate of Recognition to Richard & Rosemary Chettero in celebration of 50th Wedding Anniversary.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

- 21. Consider the proposed Mitigated Negative Declaration for the Santa Fe Avenue Bridge Replacement 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 Santa Fe Avenue Bridge Replacement Project.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
- 22. Authorize the Department of Public Works to circulate a Request for Proposal (RFP) for a qualified traffic engineering firm to prepare a traffic impact study for the Franklin-Beachwood area; and authorize Public Works to review and rank Proposals as well as negotiate a contract to be submitted to the Board for consideration.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
- 23. Authorize Public Works, in conjunction with Risk Management, to complete payment to Belfor Property Restoration with the issuance of payment in the amount of \$23,000.17, with the understanding the insurance company will reimburse the County for this expense.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
- 24. Authorize Public Works to circulate a Request for Proposal (RFP) to qualified conservation banks for the purchase of habitat mitigation credits for the Santa Fe Avenue at Deadman Creek Bridge Replacement Project; and authorize Public Works to review and rank proposals as well as negotiate a preliminary contract to be submitted to the Board for

consideration.

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

25. Adopt Resolution designating Le Grand Road and Minturn Road as Surface Transportation Assistance Act Terminal Access Routes in the Le Grand area; and authorize Public Works to install Guide signs noticing the Terminal Access Routes.

ADOPTED RESOLUTION NO. 2015-22 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

26. 1) Approve Agreement for Purchase of Real Property from Rodolfo E. Flores for acquisition of property for the Walnut Avenue Rule 20A & Pedestrian Project; 2) authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; 3) adopt Resolution accepting the Grant Deed from Rodolfo E. Flores for acquisition of property for the Walnut Avenue Rule 20A & Pedestrian Project; and 4) approve payment to Fidelity National Title Company for the accepted value of property plus escrow and any other transaction fees.

AUTHORIZED CONTRACT NO. 2015037 AND ADOPTED RESOLUTION NO. 2015-23 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

HEALTH

27. 1) Approve submission of the Solid Waste Local Enforcement Agency grant application for FY 2015-2016 to support local solid waste enforcement programs; 2) 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; 3) Adopt the Resolution authorizing submission of grant application to the California Department of Resources Recycling and Recovery (CalRecycle); and 4) Return to the Board for contract approval if awarded.

ADOPTED RESOLUTION NO. 2015-24 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

28. Contract with Diringer and Associates to provide consulting services for related activities of the Health Care Access Project Grant.

AUTHORIZED CONTRACT NO. 2015038 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

29. Contract with Public Health Institute to provide technical support and services for the Partnerships to Improve Community Health Grant.

AUTHORIZED CONTRACT NO. 2015036 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

30. Contract with Local Government Commission for services related to the Partnerships to Improve Community Health Grant.

AUTHORIZED CONTRACT NO. 2015039 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

31. Contract with Youth Leadership Institute to provide training and technical assistance services for activities related to the Partnerships to Improve Community Health Grant.

AUTHORIZED CONTRACT NO. 2015040 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

32. Contract with Carol Melcher to provide technical support and services for a Baby Friendly Hospital Initiative in support of the Partnerships to Improve Community Health grant.

AUTHORIZED CONTRACT NO. 2015041 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

33. Contract with Lifeline Community Development Corporation to complete asset and gap mapping for healthy food options for the Partnerships to Improve Community Health Grant.

AUTHORIZED CONTRACT NO. 2015042 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

34. Contract with Boys and Girls Club of Merced County to provide evaluation support services for the Partnerships to Improve Community Health Grant.

AUTHORIZED CONTRACT NO. 2015043 AYES: 1, 2, 3, 5 NOT PRESENT: 4
REVIEW BOARD ORDER – SEE PAGE 8

35. Contract with California Health Collaborative to complete activities in support of smoke-free housing for the Partnerships to Improve Community Health Grant.

AUTHORIZED CONTRACT NO. 2015044 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

36. Approve acceptance of the Medi-Cal Renewal Assistance Grant Allocation in the amount of \$134,905 from the Department of Health Care Services.

AUTHORIZED CONTRACT NO. 2015045 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

37. Authorize Administrative Services-Support Services, in conjunction with Public Health Department, to prepare and release a Request for Proposal for the AB82 Medi-Cal Outreach and Enrollment and SB18 Medi-Cal Renewal Assistance grants for Community Based Organizations to propose outreach enrollment and retention strategies to increase Medi-Cal participation.

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

MENTAL HEALTH

38. Contract with Calaveras County Behavioral Health Services for the provision of inpatient services at the Marie Green Psychiatric Health Facility.

AUTHORIZED CONTRACT NO. 2015046 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

39. Contract with Aspiranet, dba Aspira Behavioral Health, to provide specialty mental health services and therapeutic behavioral services to youth clients.

AUTHORIZED CONTRACT NO. 2015047 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

40. PULLED

COMMUNITY & ECONOMIC DEVELOPMENT

41. 1) Simultaneously rescind existing Williamson Act contract and re-enter into a new Williamson Act contract with the following property owners, to reflect new property lines resulting from prior-approved property line adjustments: (a) Robert Kamps and Sandra Kamps, John M. Van Ruler and Reona Van Ruler, Clifford Paul Vander Veen and Ann Jean Vander Veen (Williamson Act No. 2000-0513); (b) Lenice A. Westfall as Trustee of the Lenice A. Westfall Trust est. 5/9/2002, Lenice A. Westfall Trustee of the Paul T. Westfall Trust est. 5/9/2002 (Williamson Act No. 2000-0104); (c) Eyraud Ranch Properties A Partnership (Williamson Act No. 2000-0272); 2) Make the Seven (7) legal finding required by Williamson Act Section 51257(a); and 3) Authorize the Chairman to sign the new

Williamson Act contracts and forward to the Recorder.

AUTHORIZED CONTRACT NOS. 2015-01WA, 2015-02WA AND 2015-03WA AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

SHERIFF

42. Authorize the Sheriff, or his designee, to electronically sign and submit the application and associated documentation for the 2015 State Criminal Alien Assistance Program (SCAAP) Grant through the Federal Grant Management System (GMS) automated internet based application system; and return to the Board for acceptance if funding is awarded.

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

BOARD OF SUPERVISORS

43. Authorize \$1,200 of District One's Special Board Project Funds to be forwarded to the Planada Elementary School Track Team to help pay for track shoes and training materials.

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

BOARD APPOINTMENTS

44. Reappoint Sylvia Fuller to serve as a member of the Library Advisory Commission, representing District Three, until August 31, 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

45. Public Works re: Purchase Order No. 54741 was issued to Tuff-Shed, Inc. of Modesto, CA, (Contract No. 2014005) in the amount of \$7,664.48, for the Storage Shed at Human Services Agency Project.
46. Merced County Mosquito Abatement District re: Manager's Report for February 2015.
47. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer under Foresthill Public Utility District permit 15375 (Application 21945).
48. Fish and Game Commission re: Notice of Findings regarding the flat-tailed horned lizard which was published in the California Regulatory Notice on March 6, 2015.
49. Fish and Game Commission re: Notice of teleconference April 17, 2015 at 10:00 a.m. regarding the Central Valley Salmon, subsections 7.50(b)(5), (68) and (156.5), Title 14, California Code of Regulations, California Regulatory Notice Register.
50. State Water Resources Control Board re: 2015 Petition for Temporary Change to modify the State Water Project and Central Valley Project Authorized Places of Use.

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF GUIDO SANDINO, JOE PROIETTI, JOHN CARDOZA, FATHER THOMAS TIMMINGS, AND ANITA GIANNONE AND ADJOURNED THE MEETING UNTIL TUESDAY, APRIL 21, 2015 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – APRIL 7, 2015

ACTION ITEM #34

2015-04-07 HEALTH

The Clerk announces a contract with the Boys and Girls Club of Merced County to provide evaluation support services for the Partnerships to Improve Community Health Grant in the amount of \$35,640, for the period of April 7, 2015 to September 29, 2015, is before the Board for consideration. The Clerk also states there is a correction to the recommendation and it should read “Contract with Boys and Girls Club of Merced County for services related to the Partnerships to Improve Community Health Grant”.

Upon motion of Supervisor McDaniel, seconded by Supervisor O’Banion, duly carried, the Board approves Contract No. 2015043 with the Boys and Girls Club of Merced County for services related to the Partnerships to Improve Community Health Grant.

Ayes: Pedrozo, Walsh, McDaniel, O’Banion

Not Present: Kelsey