



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, JUNE 16, 2015

Closed Session – 8:30 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**

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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

8:30 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 REAL PROPERTY NEGOTIATOR: It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator(s) Mark Hendrickson, Director-Community and Economic Development pursuant to Government Code Section 54956.8 as follows:

Property: 1.48 acres of barren land located between Jetway Drive, Spacecraft Dr., and Sonic Avenue at Castle Commerce Center

Agency Negotiator: Mark Hendrickson, Director Community and Economic Development

Negotiation Parties: Merced Fence Company and Merced County

Under Negotiation: To request authority to negotiate proposed acquisition of property and value.

Property: 0.73 acres, including Building 806, located between Shuttle Drive and Industrial Road at Castle Commerce Center

Agency Negotiator: Mark Hendrickson, Director Community and Economic Development

Negotiation Parties: API Holding, LLC and Merced County

Under Negotiation: To request authority to negotiate proposed acquisition of property and value.

CLOSED SESSION: It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957.6 concerning a Conference with County of Merced Staff Negotiators concerning negotiations with: American Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6 and 8; United Public Employees (UPE), Unit 3; Merced County Attorney Association (MCAA), Unit 7; Teamsters (Corrections), Unit 2; Merced County Law Enforcement Sergeants, Unit 30; Merced County Deputy Sheriff Association (DSA), Unit 10; Teamsters (Non-Safety Corrections), Unit 12; Merced County Public Safety Services Unit (MCPSSU), Unit 14; and Probation Supervising Employees, Unit 11. Agency Negotiator: Marci Barrera.

THE BOARD RECESSED AT 8:30 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)

REVIEW BOARD ORDER

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 33)

PUBLIC HEARINGS:

PUBLIC WORKS - PUBLIC HEARING - PROPOSED ORDINANCE

To consider proposed Ordinance Superseding Ordinance No. 1920 and Amending Chapter 5.64 of the Merced County Code entitled "County Service Area Number One User Charge Rates for Zones of Benefit" which would establish County Service Area Number One user charge rates for fiscal year 2015/2016.

RECOMMENDATION: Introduce proposed Ordinance; 2) Waive further reading; 3) Open Public Hearing; 4) Receive testimony; 5) Close Public Hearing; 6) Adopt proposed Ordinance Superseding Ordinance No. 1920 and Amending Chapter 5.64 of the Merced County Code entitled "County Service Area Number One User Charge Rates for Zones of Benefit" establishing County Service Area Number One user charge rates for fiscal year 2015/2016.

REVIEW BOARD ORDER

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To consider Request for Proposal No. 7073 for the Fast Open Contracts Utilizations Services (FOCUS) Program providing Technology Expertise, Equipment, Services and Systems Contract Awards.

RECOMMENDATION: 1) Open Public Hearing, receive testimony, close the public hearing and approve the Request for Proposal (RFP) No. 7073 list of categorical awards to vendors as listed in Exhibit A; 2) Request the Board find, based on the evidence in the record, that the provision of special services described in the proposed contracts will not adversely impact the provision of similar services by private sector companies or individuals within the County; 3) Authorize completion of three year contracts with each selected vendor, subject to Counsel approval and submit final contracts for Board approval.

REVIEW BOARD ORDER

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

LUNCH BREAK

1:30 P.M.

FY 2015-2016 PROPOSED BUDGET (SEE SEPARATE AGENDA)

CONSENT CALENDAR (Items # 1-33)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Adopt Resolution for the Summary Vacation of a portion of Fowler Avenue located near the Community of Hilmar.

ADOPTED RESOLUTION

2. Adopt Resolution for the Summary Vacation of the public service easement located in the Community of Planada.

ADOPTED RESOLUTION

3. Approve and authorize the Chairman to sign Amendment Contract No. 2005062 with Fineline Industries to test newly constructed power boats at Lake Yosemite prior to distribution.

Health

4. Approve and authorize the Chairman to sign Renewal Contract No. 2012038 with Supplemental Health Care for occupational and physical therapy professionals to provide medical therapy services and review medical records for the issuance of authorizations for the California Children's Services - Medical Therapy Program.

5. Approve and authorize the Chairman to sign Renewal Contract No. 2014200 with the National Alliance on Mental Illness for conducting Hmong needs assessment services.

6. Approve Renewal of Contract No. 2013102 with the California Forensic Medical Group, Inc. to provide health services at the adult and juvenile hall correctional facility.

7. Approve and authorize the Chairman to sign Amendment Contract No. 2012187 with California Dept. of Public Health-State Nutrition Education and Obesity Prevention Branch for nutrition education and intervention services.

Mental Health

8. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2009168 with Public Health to provide alcohol and drug HIV counseling and testing services.

9. Approve and authorize the Chairman to sign Renewal Contract No. 2014106 with Turning Point Community Programs for specialty mental health, employment, housing and peer mentor services as part of the Mental Health Services Act, Community Assistance Recovery Enterprise and Wellness Centers Programs.

10. Approve and authorize the Chairman to sign Amendment Contract No. 2014109 with Guardco Security Services for security services at the inpatient unit and other facilities; and approve the related budget transfer.

11. Approve and authorize the Chairman to sign Amendment Contract No. 2014155 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 as part of the Mental Health Services Act Prevention and Early Intervention.

12. Approve and authorize the Chairman to sign Amendment Contract No. 2012115 with California Institute for Behavioral Health Solutions for services related to consultation,

training and technical assistance on the integration of behavioral health and primary care; and approve the related budget transfer.

Human Services Agency

13. Approve and authorize the Chairman to sign Renewal Contract No. 2014142 with Taher, Inc. for a Frozen Home-Delivered Meals Delivery Program for seniors.
14. Approve and authorize the Chairman to sign Renewal Contract No. 2013054 with Taher, Inc. for Congregate Meals Production Program for seniors.
15. Approve and authorize the Chairman to sign Renewal Contract No. 2013128 with Merced County Rescue Mission for Congregate Site Management Services for seniors.
16. Approve and authorize the Chairman to sign Renewal Contract No. 2010175 with Transit Joint Powers Authority of Merced County for a No Cost Transportation Program for seniors.
17. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2014193 with Public Health for Public Health Nursing services.

Community & Economic Development

18. Set a Public Hearing for July 7, 2015 at 10:00 a.m. to receive public comment and to adopt revisions to the Rules and Procedures to Implement the California Land Conservation Act of 1965.
19. Contract with Alliance Small Business Development Center (SBDC) to provide business assistance services and to administer the business revolving loan fund (RLF).

Sheriff

20. 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 FY 2015/2016.

Spring Fair

21. Approve budget transfer in the amount of \$226,903 for additional appropriation for higher than anticipated participation in the 2015 Spring Fair Junior Livestock Auction needed to offset the cost of exhibitor payments.

Human Resources

22. Approve and authorize the Chairman to sign Renewal Contract No. 2007154 with Dr. Jocelyn E. Roland Ph.D., ABPP for pre-employment/fitness for duty examinations.

Executive Office

23. Act on Claims for Damages received from Mario Vergara Jr., Joe Pedroza, Christian Paradiso, Fresno Community Hospital and Mercy Medical Center as recommended by Risk Management and County Counsel.
24. Approve and authorize the Chairman to sign Amendment Contract No. 2011101 with Judicial Council of California, Administrative Office of the Courts to lease the west portion of the Adobe building located at 670 W. 22nd Street, Merced, on a month-to-month basis.

Board Recognition

25. Authorize Certificate of Recognition to Sam Bettencourt, President and CEO for retirement from Stanislaus Farm Supply.
26. Authorize Certificates of Recognition to the following individuals for being selected by Merced County Hispanic Chamber of Commerce as 2015 Scholarship Recipients: Guadalupe Denise Aguilar-Zamora, Joseph Cerna, Crystal Gutierrez, Nerelyn Hernandez, and Karla Ornelas as 2015 Linda Lopez Scholarship Recipient.
27. Authorize Certificates of Recognition to the following individuals selected by the Los Banos VFW 2487/American Legion 166 for First Responder 2015 Awards: Jesse Ceja-Los Banos Police Dept., Chief Chet Guintini-Los Banos Fire Dept. Career Firefighter, Ben Servin-Caudillo-Los Banos Fire Dept. Volunteer Firefighter, Joe Felix-Merced County Fire/Cal Fire, Paul Barile-Merced County Sheriff's Dept. Jason Tipler-California Highway Patrol, and Clayton Margason-Riggs Ambulance.
28. Authorize Certificates of Recognition to the following individuals for being 2015 Spring Love Plus Graduates: Rebecca Albright, Valerie Marie Kelley, Breann Estacio, Reyna Gonzales Valdez, Victoria Marie Castillo, Ida Cook, Alicia Delgadillo, Lauresa Duncan, Tawnya Bates and Karissa Schupp.
29. Authorize Certificates of Recognition to the following individuals selected by the American Legion Merced Post 83 for Law Enforcement Officers of the Year: William Martin-Atwater Police Dept, Patrick Radke-Livingston Police Dept., Steven Odom-Los Banos Police Dept., Noe Lomeli-California Highway Patrol/Atwater, Jason Tipler-California Highway Patrol/Los Banos, Pelan Hosaka-Gustine Police Dept., Eduardo Meraz-Merced County District Attorney's Office, Nicole Silveira-Merced County District Attorney's Office, Jeff Eastman-Merced Police Dept., Joshua Collins-Merced County Sheriff's Dept., Samuel Becerra-Merced County Sheriff's Dept., and Brandon Thomas-UC Merced Police Dept.
30. Authorize Certificate of Recognition to Merced County Office of Education in celebration of 50th Anniversary of Head Start Program.
31. Authorize Certificates of Recognition to various individuals for being selected as 2015 Outstanding Senior Volunteers.

REVIEW BOARD ORDER

32. Authorize Certificates of Recognition to Jenna Colasanti, Michael Locke, Michael Garrett and Clifford Marci for graduating from Merced County Superior Court Drug Treatment Court.
33. Authorize Certificates of Recognition to the following individuals for being selected by the Soroptimist International of Los Banos for various awards: Kailyn M. Neves-June Erreca Award, Rebeca Wood-Live Your Dream 1st place, Marisol Alvarez-Live Your Dream 2nd place, Caitlin Ann Boyer-Live Your Dream honorable mention, Helen Gallichio-Ruby Award, Los Banos Tigers Youth Football-Cheer/2015 Friends of Soroptimist Award, and Barbara Livoni-2015 Soroptimist of the Year.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

34. Authorize the Department of Public Works to extend the Termination of Lease Agreement No. 2011201 Notice to the Transit Joint Powers Authority for a ground lease until October 1, 2015.

APPROVED AS RECOMMENDED AYES: ALL

35. Contract with PMC of Rancho Cordova, CA to prepare a Development Review Fee Study for a not-to-exceed fee of \$37,815; and authorize the Director of Public Works to execute the agreement.

APPROVED AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER

36. 1) Authorize Mental Health to proceed with the project to remodel the remaining approximately 84,000 square foot vacant two and three story sections of the former Merced County Hospital to consolidate current offices in outside rented spaces and the creation of new Mental Health programs with an approximate overall project estimate of \$27.36 million; 2) Authorize Mental Health to explore alternative financing for the project; 3) Authorize the Director of Public Works to negotiate Amendment No. 4 to the design Contract with Williams + Paddon Architects of Roseville, CA to proceed with the Phase 2 portion of the work; 4) Authorize the Chairman to execute Amendment No. 4 to the Williams + Paddon design contract upon review by County Counsel; 5) Director Public Works to return to the Board for approval of the Design Development Package before allowing the Architect to proceed with the Construction Documents Phase; and 6) Authorize the department of Public Works to utilize currently retained consultants to complete other tasks related to the design and construction documents.

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

37. Contract with Merced County Office of Education for nutrition education and obesity services.

APPROVED AS RECOMMENDED AYES: ALL

MENTAL HEALTH

38. Accept the CHFFA Investment in Mental Health Wellness Grant funds in the amount of \$1,536,372 for the development of mental health crisis support programs; authorize the Director of Mental Health to sign any documents related to the implementation and management of the grant project; and adopt the resolution.

ADOPTED RESOLUTION AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

39. Interdepartmental agreement with Public Health for the provision of Clinic services to CalWorks clients.

APPROVED AS RECOMMENDED AYES: ALL

40. Interdepartmental agreement with Probation Dept. for Adult probation services.

APPROVED AS RECOMMENDED AYES: ALL

CHILD SUPPORT SERVICES

41. Contract with Laboratory Corporation of America (LabCorp) for genetic testing for paternity.
APPROVED AS RECOMMENDED AYES: ALL

DEPT. ADMINISTRATIVE SERVICES

42. Contract with NEC Corporation of America for Telephone System Annual Maintenance.
APPROVED AS RECOMMENDED AYES: ALL

TREASURER/TAX COLLECTOR

43. Approve the selling of properties subject to the Tax Collector's power to sell at a Public Internet Auction September 12-14, 2015; and authorize the Tax Collector to reduce the minimum bid price if no bids are received or approve the re-offer of unsold parcels at the same day and or next scheduled auction within 90 days with parties of interest notification.
APPROVED AS RECOMMENDED AYES: ALL

SHERIFF

44. Authorize the Sheriff or his designee to electronically sign and submit the application and associated documentation for the 2015 Byrne Justice Assistance 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: ALL

HUMAN RESOURCES

45. Contract with Professional Health Services, Inc. for comprehensive occupational health examinations.
APPROVED AS RECOMMENDED AYES: ALL
46. Ratify the Memorandum of Understanding between Merced County and Merced County Law Enforcement Sergeant's Association (MCLES) representing Bargaining Unit 30; 2) Ratify the Memorandum of Understanding between Merced County and American Federation of State, County, and Municipal Employees (AFSCME) representing Bargaining Unit 11; and 3) Approve similar salary adjustments for unrepresented management (Unit 20) as specified in the agreements to the Memorandum of Understanding (MOU) for MCLES and AFSCME.
APPROVED AS RECOMMENDED AYES: ALL
47. Ratify the Memorandum of Understanding between Merced County and American Federation of State, County, and Municipal Employees (AFSMCE) representing Bargaining Units 4, 5, 6 and 8.
APPROVED AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

48. Approve claim for refund of property taxes for the year 2009 and 2010 relating to the disabled veteran's property tax exemption; and approve the payment to James L. Lynch for the amount of refund payable under the exemption.
APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 ABSTAIN: 3
49. Authorize the Chairman to annually sign the NACo Credential ID Form on behalf of the Board authorizing the CSAC President or designee to pick up Merced County's voting credentials, and if the County is not represented, to vote the Merced County Ballot at the

NACo Annual Meeting.

APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 ABSTAIN: 3

50. Approve Resolution authorizing the CSAC Challenge Award entry for the Merced County Economic Development Partnership to be submitted by the deadline of June 26, 2015; and authorize the County Executive Officer to sign the letter of endorsement.

ADOPTED RESOLUTION AS RECOMMENDED AYES: 1, 2, 4, 5 ABSTAIN: 3

BOARD OF SUPERVISORS

51. Authorize \$1,000 of District One's Special Board Project Funds to be forwarded to the Livingston 4th of July Committee to support their annual 4th of July Festival and Fireworks Show; and approve the related budget transfer.

APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 ABSTAIN: 3

52. Authorize \$500 of District One's Special Board Project Funds to be forwarded to the Le Grand High School Sober Grad Committee; and approve the related budget transfer.

APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 ABSTAIN: 3

53. Authorize \$3,761 of District Two's Special Board Project Funds to be forwarded to Growing Merced Foundation to be utilized by Vault Works to replace glass doors at the Vault Works building.

APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 ABSTAIN: 3

BOARD APPOINTMENTS

54. Reappoint the following individuals to serve on the Emergency Medical Care Committee until June 30, 2019: Jeff Butticci, Mike Harris, Mickey Brunelli, Tim Marrison, Jeff Pate and Carrie Grissom.

APPROVED AS RECOMMENDED AYES: ALL

55. Reappoint Andy Fagundes and Danny Mendoza to serve as members of the Snelling Cemetery District, until July 1, 2019.

APPROVED AS RECOMMENDED AYES: ALL

56. Appoint Ida Escola to serve as a member of the Library Advisory Commission, representing District One until August 31, 2016.

APPROVED AS RECOMMENDED AYES: ALL

57. Appoint Lesley Brewer to serve as a member of the Ballico-Cressey Recreation Committee, until November 1, 2019.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

58. Merced County Mosquito Abatement District re: Manager's Report April 2015.
59. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to Amending Sections 478, 479, and 702, Title 14, California Code of Regulations, relating to the implementation of the Bobcat Protection Act, which was published in the California Regulatory Notice Register on May 29, 2015.
60. State Water Resources Control Board re: Notice of Petitions for temporary change involving the transfer under Contra Costa Water District Permit 20749 (Application 20245).

61. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer of water under South Sutter Water District License 11118 (Application 14804).

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF JAMES KOSTECKY, JAMES FULLER JR. AND DANNY BISPO, AND ADJOURNED THE MEETING UNTIL TUESDAY, JULY 7, 2015, AT 10:00 A.M.