

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, AUGUST 18, 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

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

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 LEGAL COUNSEL - EXISTING LITIGATION: It is the intention of the Board to meet in Closed Session concerning Existing Litigation pursuant to Government Code Section 54956.9(d)(1): 1) Class Action - William P. Sawyer M.D. and Physicians Healthsource, Inc. v. Stericycle, Inc., et al. Illinois Case No. 2015 CH 07190.

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: Merced County Deputy Sheriff Association (DSA), Unit 10; and Merced County Public Safety Services Unit (MCPSSU), Unit 14: 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 – SEE PAGE 8

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 16)

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

LUNCH BREAK

1:30 P.M.

FINAL BUDGET (SEE SEPARATE AGENDA)

CONSENT CALENDAR (Items # 1-16)

APPROVED AS RECOMMENDED AYES: ALL

Ag. Commissioner

1. Approve and authorize the Chairman to sign Renewal Contract No. 2004260 with the Calif. Dept. of Food and Ag. for Egg Quality Control Program inspections.
2. Approve and authorize the Chairman to sign Renewal Contract No. 2006217 with Calif. Dept. of Food and Ag. for Sudden Oak Death investigations.

Health

3. Approve and authorize the Chairman to sign a no-cost Memorandum of Understanding Renewal Contract No. 2008085 with Human Services Agency and the Probation Department for Public Health Nursing services for children in foster care.
4. Approve and authorize the Chairman to sign Renewal Contract No. 200239 with Dignity Health, dba Mercy Medical Center, for Base Hospital activities.
5. Approve and authorize the Chairman to sign Renewal Contract No. 2007062 with Calif. Dept. of Resources Recycling and Recovery for Solid Waste Local Enforcement Agency Grant (No. EA 26-15-0020) for FY 2015/2016; authorize the Director of Public Health or Designee to sign all payment requests; and adopt the resolution.

ADOPTED RESOLUTION NO. 2015-95

Human Services Agency

6. Approve and authorize the Chairman to sign Renewal Contract No. 2009120 with T Kaljian Investments for lease of property at 848 6th Street in Los Banos.
7. PULLED
8. Approve and authorize the Chairman to sign Renewal Contract No. 2014055 and CDA1024 form with California Dept. of Aging (State Revenue Contract #HI-1415-31) for Health Insurance Counseling Advocacy services; and adopt resolution.

ADOPTED RESOLUTION NO. 2015-96

Community & Economic Development

9. Approve and authorize the Chairman to sign Amendment Contract No. 2013260 with LRC Engineering, LLC for lease of additional 31.5 acres of land (expansion space) at Castle Commerce Center.

Fire

10. Continue the proclamation of the existence of a local emergency due to drought.
11. Approve and authorize the Chairman to sign Amendment Contract No. 2006251 with Merced Community College District for firefighting training for FY 15/16.

Sheriff

12. Authorize the Sheriff to sign Amendment 1 to the Letter of Agreement (Contract No. 2015054) and supporting documents with the Drug Enforcement Administration to accept additional funding in the amount of \$10,000 for the 2015 Domestic Cannabis Eradication

and Suppression Program (DCESP) for the eradication of illegal cannabis in Merced County, bringing the total amount of funding awarded under this program to \$95,000.

Board Recognition

13. Authorize Certificate of Recognition to Sharon Boyce for 32 years of Government Service.
14. Authorize Certificate of Recognition to James and Nancy O'Banion, in celebration of 50th Wedding Anniversary.
15. Authorize Certificate of Recognition to Pacifica Senior Living for ribbon cutting and open house.
16. Authorize Certificate of Recognition to Edward Lawrence and Muriel Ann Joseph for their 60th Wedding Anniversary.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

17. Approve the Agreement for Purchase of Real Property with Doris Crafts for acquisition of property and temporary construction easement for the Dickenson Ferry Road Bridge Replacement Project; authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; adopt Resolution accepting the temporary construction easement from Doris Crafts; adopt resolution accepting the Grant Deed from Doris Crafts; and approve payments to Fidelity National Title Company for the accepted value of property plus escrow and any other transaction fees.

AUTHORIZED CONTRACT NO. 2015142 AND ADOPTED RESOLUTION NOS. 2015-97/EASEMENT AND 2015-98/GRANT DEED AS RECOMMENDED AYES: ALL

18. Approve the Agreement of Purchase of Real Property with Fred T. Melo for acquisition of property for the Dickenson Ferry Road Bridge Replacement Project; authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; adopt resolution accepting the Grant Deed from Fred T. Melo; and approve payment to Fidelity National Title Company for the accepted value of property plus escrow and any other transaction fees.

AUTHORIZED CONTRACT NO. 2015143 AND ADOPTED RESOLUTION NO. 2015-99 AS RECOMMENDED AYES: ALL

19. Reject all bids received at the June 25, 2015 Bid Opening for the John Latorraca Correctional Center Exercise Yard Toilet Facilities Project; and Cancel Contract No. 2015062.

APPROVED AS RECOMMENDED AYES: ALL

AG. COMMISSIONER

20. Contract with Calif. Dept. of Food and Ag. to provide for Certified Farmers Market inspections activities.

AUTHORIZED CONTRACT NO. 2015-144 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

21. Authorize Human Services Agency to accept California Work Opportunity and Responsibility to Kids (CalWORKS) Housing Support Program (HSP) funding of \$516,925.

APPROVED AS RECOMMENDED AYES: ALL

COMMUNITY & ECONOMIC DEVELOPMENT

22. Approve the sale of 1.33 acres of land to Jeff Pasley DBA Merced Fence Company for \$32,000 and authorize the Chairman to execute all necessary documents to effectuate the sale and transfer within Castle Commerce Center.

AUTHORIZED CONTRACT NO. 2015138 AS RECOMMENDED AYES: ALL

23. Approve the sale of 1.81 acres of land to Chris Vierra & Shane Parson for \$50,000 and authorize the Chairman to execute all necessary documents to effectuate the sale and transfer within Castle Commerce Center.

AUTHORIZED CONTRACT NO. 2015139 AS RECOMMENDED AYES: ALL

24. Approve the sale of Building 1253 and 2.48 acres of land to Chris Vierra & Shane Parson for \$100,000 and authorize the Chairman to execute all necessary documents to effectuate the sale and transfer within Castle Commerce Center.

AUTHORIZED CONTRACT NO. 2015140 AS RECOMMENDED AYES: ALL

25. Contract with Green Light Energy Corp. for the consultant, Michael Baker International, Inc. to prepare an Initial Study for the Merced 1 Los Banos Solar Facility Project (CUP14-012).

AUTHORIZED CONTRACT NO. 2015145 AS RECOMMENDED AYES: ALL

26. Contract with Michael Baker International, Inc. to prepare an Initial Study for the Merced 1 Los Banos Solar Facility Project (CUP14-012).

AUTHORIZED CONTRACT NO. 2015146 AS RECOMMENDED AYES: ALL

27. Contract with Green Light Energy Corp. for the consultant, Michael Baker International, Inc., to prepare an Initial Study for the Merced 2 Dos Palos Solar Facility Project (CUP14-011).

AUTHORIZED CONTRACT NO. 2015147 AS RECOMMENDED AYES: ALL

28. Contract with Michael Baker International Inc. to prepare an Initial Study for the Merced 2 Dos Palos Solar Facility Project (CUP14-011).

AUTHORIZED CONTRACT NO. 2015148 AS RECOMMENDED AYES: ALL

FIRE

29. Adopt Resolution formally adopting the Merced County Multi-Jurisdictional Local Hazard Mitigation Plan.

ADOPTED RESOLUTION NO. 2015-100 AS RECOMMENDED AYES: ALL

30. Authorize the Merced County Office of Emergency Services to apply for the California Governor's Office of Emergency Services FY15 State Homeland Security Program (SHSP) in the amount of \$344,816; adopt resolution authorizing the Office of Emergency Services to execute on behalf of the County any actions necessary for the purpose of obtaining federal financial assistance provided by the Federal Department of Homeland Security and Sub-granted through the State of California; and direct Fire Chief/Office of Emergency Services Director or designee to return to the Board with result and for authorization prior to accepting reward.

ADOPTED RESOLUTION NO. 2015-101 AS RECOMMENDED AYES: ALL

31. Authorize the Merced County Office of Emergency Services to apply for the California Governor's Office of Emergency Services FY15 Emergency Management Performance Grant (EMPG) in the amount of \$180,490; adopt resolution authorizing the Office of Emergency Services to execute on behalf of the County of Merced any actions necessary for the purpose of obtaining federal financial assistance provided by the Federal Department of Homeland Security and sub-granted through the State of California; and direct Fire Chief/Office of Emergency Services Director or designee to return to the Board with results and for authorization prior to accepting award.

ADOPTED RESOLUTION NO. 2015-102 AS RECOMMENDED AYES: ALL

32. Authorize the Merced County Office of Emergency Services to seek and apply for grants offered by Federal, State and Private entities, that will support the operations of the Merced County Operational Area; adopt resolution authorizing the Office of Emergency Services to execute on behalf of the County of Merced any actions necessary for the purpose of obtaining federal, state or private financial assistance; and direct Fire Chief/Office of Emergency Services Director or designee to return to the Board with results and for authorization prior to accepting reward.

ADOPTED RESOLUTION NO. 2015-103 AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

33. Proclaim the month of September as Workforce Development Professionals Month; and authorize the department to work in conjunction with the City of Merced Fire Department to hang a banner above G Street Between 19th and 20th Streets for one week in September as part of National Workforce Development Professional Month.

APPROVED AS RECOMMENDED AYES: ALL

34. Accept Subgrant K698371 initiating Workforce Innovation and Opportunity Act (WIOA) Formula youth funding under grant code 301 for Program Year 2015-16 in the amount of \$1,248,968 to provide employment-related services to youth and young adults in Merced County.

AUTHORIZED CONTRACT NO. 2015149 AS RECOMMENDED AYES: ALL

TREASURER/TAX COLLECTOR

35. Accept the Quarterly Investment Report for the period of April 1, 2015 to June 30, 2015.

APPROVED AS RECOMMENDED AYES: ALL

PROBATION

36. Approve and authorize the Chairman to sign Renewal Contract (Department of Administration Services No. 117821) with Symple Equazion 88 to provide counseling services at the Juvenile Justice Correctional Complex in conjunction with Peaceful Warrior Project.

AUTHORIZED CONTRACT NO. 2015150 AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

37. Approve changes to the classification overtime exemption statuses as listed; approve the amendment to the Salary Allocation Resolution 06-120; and adopt new resolution.

ADOPTED RESOLUTION NO. 2015-104 AS RECOMMENDED AYES: ALL

38. Effective December 28, 2015, adjust the salary range of non-aligned extra help classifications to comply with California state minimum wage law and approve the

amendments to the Salary Allocation Resolution 06-120; and adopt new resolution.

ADOPTED RESOLUTION NO. 2015-105 AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

39. Authorize \$1,200 of District Four's Special Board Project Funds to be forwarded to the Hot Rod Diner in Hilmar to be paid in monthly increments of \$100 for weekly meeting space for the Hilmar Senior Social Club from July 2015 through June 2016.

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

BOARD APPOINTMENTS

40. Appoint Ruben Violante Sr. to serve as a member of the Library Advisory Commission, representing District Four until August 31, 2019.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

41. Merced County Mosquito Abatement District re: Manager's Report for June 2015.
42. Fish and Game Commission re: Notice of Receipt of Petition to list Humboldt marten as endangered under the California Endangered Species Act, notice published in the California Regulatory Notice Register on July 24, 2015.
43. United States Department of the Interior re: Draft Environmental Impact Statement for the Coordinated Long-Term Operation of the Central Valley Project and State Water Project - Public meetings scheduled in September.

THE BOARD ADOPTED RESOLUTION IN MEMORY OF HELEN RUTH DOANE AND ADJOURNED THE MEETING UNTIL TUESDAY, SEPTEMBER 1, 2015, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – AUGUST 18, 2015

10:00 A.M. SCHEDULED ITEM
2015-08-18 PUBLIC OPPORTUNITY

John Balisterie reads a letter he submitted to the Board regarding his loyalty bonus he didn't receive upon retirement.

Marcus Savage, CEO of Ygrene Energy Fund gives background on his company which is a provider of clean energy.

Present: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion