

# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

### Regular Meeting

## TUESDAY, MAY 23, 2017

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

RODRIGO ESPINOZA....DISTRICT 1  
LEE LOR....DISTRICT 2  
CHAIRMAN DARON McDANIEL....DISTRICT 3  
LLOYD PAREIRA....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](http://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:**

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; Sergeants, Unit 30; Teamster (Non-Safety Corrections), Unit 12; and Probation Supervising Employees, Unit 11. Agency Negotiator: Marci Barrera.

**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): County of Merced v. Security National Insurance Company, Eastern District Case No. 1:17-cv-00088-DAD-BAM.

**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 8:30 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT, AND THE CHAIRMAN ADVISED THERE WERE NO REPORTABLE ITEMS AND STAFF WAS GIVEN DIRECTION**

**GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA ITEMS)**

10:00 A. M.

**PLEDGE OF ALLEGIANCE/INVOCATION**

Invocation led by Pastor Daniel Fearnside

**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 10**

**APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 40)**

**PUBLIC HEARINGS:**

**ASSESSOR/RECORDER - PUBLIC HEARING - FIRST READING - PROPOSED ORDINANCE**

To conduct First Reading of a proposed Ordinance Establishing "Merced County Assessor Fees," and adding Chapter 5.91 to Title 5 of the Merced County Code with a Second Reading and Possible Adoption on June 6, 2017.

**RECOMMENDATION:**

1) Introduce and conduct a first reading of the proposed ordinance entitled "Merced County Assessor Fees", adding Chapter 5.91 to Title 5 of the Merced County Code; 2) Waive further reading of the proposed ordinance; 3) Open Public Hearing, receive public comments and close public hearing; and 3) Set a Second Reading and possible adoption of the proposed ordinance for June 6, 2017 at 10:00 a.m.

**REVIEW BOARD ORDER – SEE PAGE 10**

**REPORTS/BOARD DIRECTION**

**CONSENT CALENDAR (Items # 1-40)**

**APPROVED AS RECOMMENDED AYES: ALL**

Health

1. Approve and authorize the Chairman to sign Amendment Contract No. 2010234 with California Dept. of Public Health, Emergency Preparedness Office for Disaster Planning Assistance; and approve related budget transfer.
2. Approve and authorize the no-cost Amendment Contract No. 2016004 with The California Endowment for the Health Care Access Grant for health prevention, collaboration and health equity.
3. Approve and authorize the Chairman to sign Amendment Contract No. 2016077 with Diring and Associates to provide consulting services for related activities for the Health Care Access Project Grant.
4. Approve and authorize the Chairman to sign Amendment Contract No. 2015015 with California Dept. of Public Health to shift unspent funds of \$31,378.62 from Year 2 to Year 3 for a revised total amount of \$460,855.62 in Year 3 and to amend the Scope of Work adding activities and responsible parties for the Lifetime of Wellness: Communities in Action program to prevent obesity, diabetes, and heart disease; and approve the related budget transfer. (4/5 Vote Required)
5. Approve and authorize the Chairman to sign Amendment Contract No. 2017002 with Howell Consulting, Inc. for Crisis and Risk Communication Planning services under the Public Health Emergency Preparedness (PHEP) grant with the California Dept. of Public Health, Emergency Preparedness Office.

6. Approve and authorize the Chairman to sign Renewal Contract No. 2006016 with California Dept. of Resources Recycling and Recovery to support waste tire enforcement activities.
7. Approve Amendment Contract No. 2013102 with California Forensic Medical Group to retroactively apply the Consumer Price Index-All Urban Consumers, West Region Medical Care index used to calculate the annual billing rates for health care services for adult and juvenile detainees.

#### Behavioral Health and Recovery Serv.

8. Approve and authorize the Chairman to sign Amendment Contract No. 2013226 with Jackson & Coker LocumTenens, LLC for the placement of licensed psychiatrists on a limited basis and will include the use of Telehealth services; and return to the Board for further action once the vacant Staff Psychiatrist positions are filled.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2016006 with Star View Behavioral Health, Inc. for specialty mental health services, Psychiatric Health Facility services and Community Treatment Facility services to youth clients placed out-of-county.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2016023 with Peoples Residential Care Home for residential board and care services for adult clients.
11. Approve and authorize the Chairman to sign Amendment Contract No. 2016064 with Turner Residential Inc. for residential board and care services for adult clients.
12. Approve and authorize the Chairman to sign Amendment Contract No. 2015219 with Remi Vista, Inc. for specialty mental health services to youth clients placed out-of-county.
13. Approve and authorize the Chairman to sign Renewal Contract No. 2015066 with Kings View Corporation to provide support services necessary for successful implementation and daily functioning of the Anasazi Software system.
14. Approve and authorize the Chairman to sign Renewal Contract No. 2016106 with United Way of Merced County for coordination of the Continuum of Care Homeless Project.

#### Human Services Agency

15. Approve and authorize the Chairman to sign Renewal Contract No. 2016108 with Aspiranet to provide housing and supportive services to youth aging out of foster care.
16. Approve and authorize the Chairman to sign Renewal Contract No. 2010079 with Merced County Office of Education-Regional Occupation Program for vocational training services for Welfare-to-Work participants.
17. Approve and authorize the Chairman to sign Renewal Contract No. 2007125 with Merced County Office of Education-Family Resource Council for community development and support.
18. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2009099 with Behavioral Health and Recovery Serv. to provide mental health and substance use disorder services.
19. Approve and authorize the Chairman to sign Renewal Contract No. 2016170 with Aspiranet to provide SB163 Wraparound services.

## Fire

20. Continue the proclamation of the existence of a local emergency due to drought.

## Probation

21. Approve and authorize the Chairman to sign Amendment Contract No. 2014075 with B.I., Incorporated d/b/a Correctional Services, Inc. to provide transition services in the re-entry program at the John Latorraca Correctional Facility and day reporting centers in Merced and Los Banos.

## Sheriff

22. Approve Budget Transfer in the amount of \$40,000 to purchase Bi-Directional Antenna for the Emergency Operations Building located at 3500 Apron Avenue, Atwater, Calif.
23. Approve and authorize the Chairman to sign Amendment Contract No. 2012095 with Swanson Services Corporation for the provision of commissary services to the adult inmates of the Sheriff's Correctional Facilities.
24. Approve Budget Transfer in the amount of \$90,482 to add one Deputy Sheriff position to investigate Ag. related crimes and to purchase a system to identify Ag. equipment that will be made available to the local AG community. (4/5 Vote Required)

## Child Support Services

25. Approve and authorize the Chairman to sign Renewal Contract No. 2014210 with Calserve, Inc. for service of process.

## Workforce Investment

26. Accept Modification Four to the Workforce Innovation and Opportunity Act Subgrant Agreement K7102041 (Amendment Contract No. 2016167), incorporating Workforce Innovation and Opportunity Act (WIOA) for Regional Training Coordinator project.
27. Accept Modification Five to the Workforce Innovation and Opportunity Act Subgrant Agreement K7102042 (Amendment Contract No. 2016167), to provide employment-related services to support Workforce Innovation and Opportunity Act (WIOA) Adult Program, Dislocated Worker Program, and Rapid Response Layoff Aversion.

## Executive Office

28. Act on Claims for Damages submitted by Armando Martinez and Michael Flores as recommended by Risk Management and County Counsel.
29. Approve Budget Transfer in the amount of \$426,295 for claims payments and excess insurance reimbursements trending higher than anticipated. (4/5 Vote Required)

## Board Recognition

30. Authorize Certificates of Recognition to various individuals for dedicated contributions to the 2016 Merced Hmong New Year.
31. Authorize Certificate of Recognition and Plaque to Home Depot for their monetary donation and volunteer time for the improvements to the Veterans Memorial Hall in Los Banos.

32. Authorize Certificates of Recognition for being selected as recipients of the 2017 Children's Summit Hands on Hero Award to Mike Weber, Sally Alcorn, Nancy Gibson, Kris Ruth, Regina Wolf, Denard Davis, Keith Chastain, and to Supervisor Jerry O'Banion for 15 years of dedicated services as First 5 Chairman.
33. Authorize Certificate of Recognition to Pastor Don Hyler in recognition of 30th pastoral anniversary.
34. Authorize Certificates of Recognition for completing the LIUNA Pre-Apprenticeship Training to Ettienne Junior Ayala, Joseph D. Burkley, Charnelle Cooksey, Nicolas Cortez III, Levi Evans, Tanisha D. Floyd, Emmanuel Gomez, Raul Gutierrez, Jr., Andrew Lamarr, Alyssa R. Martinez, Andres Medina, Michelle A. Melgoza, Quezada Moses and Aurelio Acosta Nunez.
35. Authorize Certificates of Recognition to Yisel Tapia for being selected for the Dos Palos Youth Good Samaritan Award and to Norman Clark and Allan Clark for receiving the Dos Palos Good Samaritan Award, and Proclaim May 4, 2017 as "National Day of Prayer" in Merced County.
36. Authorize Certificate of Recognition to Matthew A. Fantazia in celebration of his 92nd birthday.
37. Authorize Certificate of Recognition to Delhi Health Center for Ribbon Cutting Ceremony.
38. Authorize Certificate of Recognition to Alex Cortinas for being chosen as the Grand Marshal for the Planada Community Day Parade.
39. Authorize Certificates of Recognition to various individuals for receiving awards from Soroptimist International of Los Banos.
40. Authorize Certificates of Recognition to various individuals for graduation from the Love Plus Program.

## **REGULAR CALENDAR**

### **BOARD ACTION**

#### PUBLIC WORKS

41. 1) Authorize the Dept. of Public Works to advertise and conduct the Public Bid Openings for Job Order Contracts JOC-004, JOC-005, JOC-006, and JOC-007; 2) Authorize the Director of Public Works to award the Job Order Contracts to the lowest responsible bidders; 3) Authorize the Chairman of the Board to execute Job Order Contracts after final negotiation of the Contract terms and conditions, if any, by County Counsel, Risk Management and Public Works; and, 4) Direct Public Works to return to the Board with an information item describing all actions taken.

**AUTHORIZED CONTRACT NOS. 2017085 (JOC-004), 2017086 (JOC-005), 2017087 (JOC-006), 20170-88 (JOC-007) AS RECOMMENDED AYES: ALL**

#### HEALTH

42. Contract with SouthTech Systems, Inc. for birth and death certificate software services.  
**AUTHORIZED CONTRACT NO. 2017089 AS RECOMMENDED AYES: ALL**
43. Contract with Livingston Community Health to facilitate the implementation of Health Information Exchange through individual electronic health record (E.H.R.) vendors and the

San Joaquin Community Health Information Exchange for the Partnerships to Improve Community Health Grant.

**AUTHORIZED CONTRACT NO. 2017090 AS RECOMMENDED AYES: ALL**

44. 1) Approve Intergovernmental Agreement No. 16-93695 regarding transfer of public funds with the California Dept. of Healthcare Services; and, 2) Approve the Intergovernmental Transfer Assessment Fee Contract No. 16-93726; and, 3) Approve Amendment Contract No. 2010280 with Central California Alliance for Health; and, 4) Authorize the Chairman to sign all three agreements with the authorization to execute conditional upon California Dept. of Health Care Services approval in substantially the form submitted here.

**AUTHORIZED CONTRACT NOS. 2017083 (PUBLIC FUNDS) AND 2017084 (ASSESSMENT FEE) AS RECOMMENDED AYES: ALL**

**BEHAVIORAL HEALTH AND RECOVERY SERV.**

45. Authorize the submission of the implementation plan for the Drug Medi-Cal Organized Delivery System to Dept. of Health Care Services; and return to the Board with any contract related documents.

**APPROVED AS RECOMMENDED AYES: ALL**

46. Contract with U.S. Dept. of Housing and Urban Development for the 2016 Continuum of Care Program Grant Award Project Hope Westside; and return to the Board for any subsequent approval related actions necessary for implementation of the grant project.

**AUTHORIZED CONTRACT NO. 2017091 AS RECOMMENDED AYES: ALL**

47. Contract with U.S. Dept. of Housing and Urban Development for the 2016 Continuum of Care Program Grant Agreement for Project Home Start; and return to the Board for any subsequent approval related actions necessary for implementation of the grant project.

**AUTHORIZED CONTRACT NO. 2017092 AS RECOMMENDED AYES: ALL**

48. Contract with Mariposa County Behavioral Health and Recovery for inpatient services at the Marie Green Psychiatric Health Facility.

**AUTHORIZED CONTRACT NO. 2017093 AS RECOMMENDED AYES: ALL**

49. Contract with Trilogy Integrated Resources LLC for Network of Care website maintenance and e-learning.

**AUTHORIZED CONTRACT NO. 2017094 AS RECOMMENDED AYES: ALL**

50. PULLED

**COMMUNITY AND ECONOMIC DEVELOPMENT**

51. 1) Approve the FY 2017/2018 budget for the Northern Delta-Mendota Activity Agreement, Contract No. 2017028 as recommended by the Agreement's Management Committee; 2) Approve the FY 2017/2018 budget for the Central Delta-Mendota Activity Agreement, Contract No. 2017033 as recommended by the Agreement's Management Committee; and 3) Authorize payment to the San Luis & Delta-Mendota Water Authority for Merced County's allocation of the Central and Northern region Delta-Mendota Activity Agreement budgets in the amounts of \$47,350 and \$8,586.

**APPROVED AS RECOMMENDED AYES: ALL**

DISTRICT ATTORNEY

52. Approve Budget Transfer in the amount of \$57,375 for a new Rural Crimes position. (4/5 Vote Required)

**APPROVED AS RECOMMENDED AYES: ALL**

SPRING FAIR

53. Ratify the Contract with Butler Amusements, Inc., for a five year term for the period of March 1, 2017 through May 13, 2021 for Carnival Services for the Merced County Spring Fair in Los Banos.

**AUTHORIZED CONTRACT NO. 2017095 AS RECOMMENDED AYES: ALL**

FIRE

54. Contract with CB&I Environmental & Infrastructure, Inc. for disaster recovery consulting services; and approve the related budget transfer. (4/5 Vote Required)

**AUTHORIZED CONTRACT NO. 2017096 AS RECOMMENDED AYES: ALL**

**REVIEW BOARD ORDER – SEE PAGE 10**

WORKFORCE INVESTMENT

55. Accept lease agreement from California State Employment Development Dept. for the lease of 1205 W. 18th Street, Merced, CA for a term of eight years; authorize Workforce Investment to start moving to the premises starting June 1, 2017, rent free pursuant to negotiations with Calif. State Employment Development Dept.; and authorize the Chairman to sign the lease.

**AUTHORIZED CONTRACT NO. 2017097 AS RECOMMENDED AYES: ALL**

**REVIEW BOARD ORDER – SEE PAGE 10 AND 11**

CHILD SUPPORT SERVICES

56. For information and possible direction - Merced-Mariposa County Department of Child Support Services regionalization pilot status report.

**INFORMATION – NO ACTION TAKEN**

**REVIEW BOARD ORDER – SEE PAGE 11**

EXECUTIVE OFFICE

57. Authorize the Board Chairman to sign a letter supporting Assembly Bill 447 (Gray).

**APPROVED AS RECOMMENDED AYES: ALL**

58. Contract with Richard A. Ciummo and Associates for conflict counsel services to indigent defendants for a period to begin August 1, 2017 through July 31, 2022.

**AUTHORIZED CONTRACT NO. 2017098 AS RECOMMENDED AYES: 2, 4, 5**

**NOES: 1, 3**

**REVIEW BOARD ORDER – SEE PAGE 11 AND 12**

59. Authorize the Chairman to sign Amendment Contract No. 2003093 with Merced Defense Associates for indigent defense services for an additional three months through September 30, 2017.

**APPROVED AS RECOMMENDED AYES: 2, 4, 5 NOES: 1, 3**

**REVIEW BOARD ORDER – SEE PAGE 12 AND 13**



**BOARD APPOINTMENTS**

60. Appoint Steve Hobbs to serve as a member of the Workforce Development Board representing Education and Training, until June 30, 2020 and appoint Dr. Peter Schuerman, Ph.D. to serve as an Education and Training representative, until June 30, 2019.

**APPROVED AS RECOMMENDED      AYES: ALL**

61. Reappoint Micki Archuleta to serve as a member of the Behavioral Health Board, representing Member At-Large until June 30, 2020.

**APPROVED AS RECOMMENDED      AYES: ALL**

62. Appoint Erica Cabrera, Antonio Garcia and Antonio Rodriguez to serve as members of the Planada Recreation Committee, filling unexpired terms until July 12, 2019.

**APPROVED AS RECOMMENDED      AYES: ALL**

63. Appoint a Board Member to serve the four-year term as a member of the LAFCo Commission, until May 3, 2021.

**APPROVED AS RECOMMENDED      AYES: 2, 3, 4, 5      NOES: 1**

**REVIEW BOARD ORDER – SEE PAGE 13**

64. Appoint Carolyn Watkins to serve as a member of the Winton Municipal Advisory Council, until March 31, 2021.

**APPROVED AS RECOMMENDED      AYES: ALL**

**BOARD INFORMATION & POSSIBLE ACTION**

**ACCEPTED AND PLACED ON FILE      AYES: ALL**

65. Public Health re: Contract No. 2015107 with Fresno County for temporary reciprocal Health Officer coverage will automatically renew at no cost for the period of July 14, 2017 through July 13, 2018.

66. Community and Economic Development re: First Amendment of the Northern Delta-Mendota Region SGMA Services Activity Agreement Contract No. 2017028, which changes the initial member and participant deadline from February 28, 2017 to April 30, 2017.

**THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF ART NUTCHER AND FRANK COZZI AND ADJOURNED THE MEETING UNTIL TUESDAY, MARCH 7, 2017, AT 10:00 A.M.**

## **BOARD ORDERS – SUMMARY ACTION MINUTES – MAY 23, 2017**

### **10:00 A.M. SCHEDULE ITEM** **2017-05-23 PUBLIC OPPORTUNITY**

Herb Figueroa thanks Lloyd for his help with Human Services Agency and states he was refused services at Legal Services, and was charged with trespassing at their department.  
Present: McDaniel, Espinoza, Lor, Pareira, O'Banion

### **10:00 A.M. SCHEDULE ITEM** **2017-05-23 ASSESS/RECORDER - PUBLIC HEARING – FIRST READING – PROPOSED ORDINANCE**

The time and date previously scheduled for a public hearing to consider first reading of a proposed ordinance entitled "Merced County Assessor Fees" adding Chapter 5.91 to Title 5 of the Merced County Code with a Second Reading and possible adoption on June 6, 2017.

Upon motion of Supervisor O'Banion, seconded by Supervisor Espinoza, duly carried, the Board waives further reading of the ordinance.

Ayes: McDaniel, Espinoza, Lor, Pareira, O'Banion

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

Upon motion of Supervisor O'Banion, seconded by Supervisor Pareira, duly carried, the Board sets a Second Reading and possible adoption of the proposed ordinance for June 6, 2017 at 10:00 a.m.

Ayes: McDaniel, Espinoza, Lor, Pareira, O'Banion

### **ACTION ITEM # 54** **2017-05-23 FIRE**

The Clerk announces a contract with CB&I Environmental & Infrastructure, Inc. for disaster recovery consulting services and approval of the related budget transfer is before the Board for consideration. Supplemental #1, Exhibit A & B to the contract received and on file.

Upon motion of Supervisor Lor, seconded by Supervisor O'Banion, duly carried, the Board approves Contract No. 2017096 with CB&I Environmental & Infrastructure, Inc.

Ayes: McDaniel, Espinoza, Lor, Pareira, O'Banion

### **ACTION ITEM # 55** **2017-05-23 WORKFORCE INVESTMENT**

The Clerk announces acceptance of a lease agreement from California State Employment Development Department for the lease of 1205 W. 18th Street, Merced, CA for a term of eight years, and authorization for Workforce Investment to start moving to the premises starting June 1, 2017, rent free pursuant to negotiations with California State Employment Development

Department is before the Board for consideration. Supplemental #2 map of the property site received and on file.

Upon motion of Supervisor Lor, seconded by Supervisor Espinoza, duly carried, the Board accepts the lease agreement Contract No. 2017097 with California State Employment Development Department and authorizes Workforce Investment to move into the premises.  
Ayes: McDaniel, Espinoza, Lor, Pareira, O'Banion

**ACTION ITEM # 56**

**2017-05-23 CHILD SUPPORT SERVICES**

The Clerk announces information and possible direction regarding Merced-Mariposa County Department of Child Support Services regionalization pilot status report is before the Board for consideration.

Director of Child Support Services Sharon Wardale-Trejo reviews the staff report.

Supervisor O'Banion states there is no action today just an informational item.

County Executive Officer James Brown clarifies the item before the Board.

Present: McDaniel, Espinoza, Lor, Pareira, O'Banion

**ACTION ITEM # 58**

**2017-05-23 EXECUTIVE OFFICE**

The Clerk announces a contract with Richard A. Ciummo and Associates for conflict counsel services to indigent defendants is before the Board for consideration.

County Executive Officer Jim Brown reviews the staff report and gives background on the contracts and reviews the Request for Proposal (RFP) process.

The Chairman asks if there are members of the public wishing to speak.

The following speak in favor of keeping the contract with Merced Defense Associates and also keeping jobs local: Melissa Kelly Ortega of Merced, Eloise Kelsey (MDA Attorney), Juanita Margain, Andre Margain (MDA Attorney), Darrel Davis (NAACP Director Merced Branch), Adam Techeirra (Investigator), Leonard Rhodes, Eric Markarian (Investigator), Shawn George (Los Banos Attorney), Reverend Napoleon Washington, Susan Albertoni (Attorney), Debbie Bennett Ferrero (CEO of Central Valley Legal Service), Reverend Don Ramsey, Matt Serrto, Brian Fortino (MDA employee), Tom Fife (MDA Administrator), Chief Deputy District Attorney Rob Carroll, Deputy Public Defender Chris Lowe, Leanna Rhodes and Bill Davis (Attorney).

Richard Ciummo states if the contract is approved, the intent is to staff the local offices with local employees. Mr. Ciummo also gives background on his company.

Doug Foster, head of the Merced Office for Ciummo, also gives background on the company and states their clients are the most important part of their business. He also states they will talk to anyone who is interested in working for their company.

Michael Fitzgerald, CEO with Ciummo, gives background on the company and himself.

Mr. Brown gives further explanation on the RFP process.

Director of Administrative Services Mark Cowart explains the steps to the RFP process used and how a client is chosen.

The Board has lengthy discussion regarding the RFP process, contract costs, goals of Ciummo, and impact to the local economy.

Kevin Iken comments on his son being in jail and timeframes for his trial.

Eloise Kelsey clarifies previous comments.

Reverend Ramsey suggest that the Board consider all the information given to them.

Upon further discussion and motion of Supervisor O'Banion, seconded by Supervisor Lor, the Board approves Contract No. 2017098 with Richard A. Ciummo and Associates for conflict counsel services to indigent defendants.

Ayes: Lor, Pareira, O'Banion

Noes: McDaniel, Espinoza

#### **ACTION ITEM # 59**

#### **2017-05-23 EXECUTIVE OFFICE**

The Clerk announces Amendment Contract No. 2003093 with Merced Defense Associates for indigent defense services for an additional three months is before the Board for consideration.

County Executive Officer Jim Brown reviews the staff report and gives background on the contracts and reviews the Request for Proposal (RFP) process.

The Chairman asks if there are members of the public wishing to speak.

The following speak in favor of keeping the contract with Merced Defense Associates and also keeping jobs local: Melissa Kelly Ortega of Merced, Eloise Kelsey (MDA Attorney), Juanita Margain, Andre Margain (MDA Attorney), Darrel Davis (NAACP Director Merced Branch), Adam Techeirra (Investigator), Leonard Rhodes, Eric Markarian (Investigator), Shawn George (Los Banos Attorney), Reverend Napoleon Washington, Susan Albertoni (Attorney), Debbie Bennett Ferrero (CEO of Central Valley Legal Service), Reverend Don Ramsey, Matt Serrto, Brian Fortino (MDA employee), Tom Fife (MDA Administrator), Chief Deputy District Attorney Rob Carroll, Deputy Public Defender Chris Lowe, Leanna Rhodes and Bill Davis (Attorney).

Richard Ciummo states if the contract is approved, the intent is to staff the local offices with local employees. Mr. Ciummo also gives background on his company.

Doug Foster, head of the Merced Office for Ciummo, also gives background on the company and states their clients are the most important part of their business. He also states they will talk to anyone who is interested in working for their company.

Michael Fitzgerald, CEO with Ciummo, gives background on the company and himself.

Mr. Brown gives further explanation on the RFP process.

Director of Administrative Services Mark Cowart explains the steps to the RFP process used and how a client is chosen.

The Board has lengthy discussion regarding the RFP process, contract costs, goals of Ciummo, and impact to the local economy.

Kevin Iken comments on his son being in jail and timeframes for his trial.

Eloise Kelsey clarifies previous comments.

Reverend Ramsey suggests that the Board consider at all the information given to them.

Upon further discussion and motion of Supervisor O'Banion, seconded by Supervisor Lor, the Board approves Amendment Contract No. 2003093 with Merced Defense Associates for indigent defense services for an additional three months through September 30, 2017.

Ayes: Lor, Pareira, O'Banion

Noes: McDaniel, Espinoza

**ACTION ITEM # 63**

**2017-05-23 BOARD APPOINTMENTS**

The Clerk announces appointment of a Board Member to serve a four-year term as a member of the LAFCo Commission, until May 3, 2021 is before the Board for consideration.

Chairman McDaniel motions, seconded by Supervisor Pareira, to keep supervisor O'Banion as the Board representative on the LAFCo Commission for an additional four year term ending May 3, 2021.

Ayes: McDaniel, Lor, Pareira, O'Banion

Noes: Espinoza