



MERCED COUNTY BOARD OF SUPERVISORS

SUMMARY ACTION MINUTES

Regular Meeting
TUESDAY, MARCH 28, 2000
Regular Meeting – 10:00 a.m.

MERCED COUNTY
ADMINISTRATION BUILDING
2222 "M" STREET
BOARD ROOM, THIRD FLOOR
MERCED, CALIFORNIA 95340
(209) 385-7366

GLORIA CORTEZ KEENE.....DISTRICT 1
KATHLEEN M. CROOKHAM....DISTRICT 2
JOE RIVERO.....DISTRICT 3
DEIDRE F. KELSEY....DISTRICT 4
CHAIRMAN JERRY O'BANION.....DISTRICT 5
Lydia A. Beiswanger, Chief Clerk

GREGORY B. WELLMAN
COUNTY ADMINISTRATIVE OFFICER

DENNIS MYERS
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.
Phone number: (209) 385-7366*

SCHEDULED ITEMS

10:00 A. M.

PLEDGE OF ALLEGIANCE

PRESENTATION – Pacific Bell to Merced County Spring Fair

**ACCEPTED DONATION OF \$2,000 FOR MERCED COUNTY SPRING FAIR
CINCO DE MAYO CELEBRATION TO BE HELD ON MAY 7, 2000 FROM
PACIFIC BELL EXTERNAL AFFAIRS DIRECTOR CHERYL LANNING**

10:00 A. M.

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 (See Board Clerk - Testimony limited to five minutes per person)

UC MERCED PROJECT

(1) **Liaison and Project Director Report**
RECEIVED REPORT FROM SUPERVISOR CROOKHAM , UC MERCED PROJECT LIAISON

(2) **Actions/Direction**
A. COUNSEL - Approve necessary budget transfer for Independent Counsel costs regarding UC Merced

APPROVED AS RECOMMENDED AYES: ALL

B. PROJECT DIRECTOR – UC Merced Project Report and Recommendations as follows: REVIEW BOARD ORDER

1. Authorize Project Director in coordination with Board Chairman/Liaison, Counsel and Auditor to execute UC Merced related contractual services up to \$10,000 with all contracts to come back to the Board;
2. Direct that UC Merced Project revenues be maintained exclusively for UC Merced related activities and project Director be authorized to encumber and carry over Year End Balances to succeeding fiscal year;
3. Director CAO/Project Director to include a full year UC Merced/Project Office operating budget as part of FY 2000/01 Proposed Budget, contingent upon federal and state assistance with separate fund/budget unit established for accounting and tracking purposes;
4. Authorize Chairman to sign Amendment to Contract No. 10274 with CAO/Project Director Greg Wellman Letter of Agreement;
5. Designate Demitrios Tatum as Acting County Administrative Officer effective July 3, 2000 with a differential for the additional duties as have historically applied to County officials in similar circumstances;
6. Direct job specifications for permanent positions be developed and returned to the Board for approval as necessary;
7. Authorize Chairman to sign Contract No. 200068 with David R. Lema and Associates for Consultant Services and
8. Approve necessary Budget Transfer in the total amount of \$315,000

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

(3) **Public Comment**

BUDGET TRANSFER FROM REVENUE (4/5 Vote Required)

Business-Economic Opportunities-\$16,896; Risk Management-\$15,000 and Management Services-\$20,000

APPROVED AS RECOMMENDED AYES: ALL

10:00 A. M. **APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 9)**
APPROVED AS RECOMMENDED (Item #7 PULLED)
AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:30 A. M. **PLANNING – Public Hearing**
Appeal No. 99001 – Diesel Country Truck Stop
To appeal the Planning and Community Development Director’s decision that the right to be able to re-open the closed Diesel Country Truck Stop which is non-conforming to the Zoning Code has been extinguished. The property is located at the southeast corner of State Highway 99 and Harvey Pettit Road in an area designated as “Agricultural” in the General Plan **REVIEW BOARD ORDER**
REFERRED TO PLANNING STAFF FOR RECONSIDERATION
AYES: ALL

PLANNING – CYCLE I ADOPTION
General Plan Amendment No. 99009 and Zone Change No. 99010
To consider adoption of Cycle I and Resolution and Ordinance for General Plan Amendment No. 99009 and Zone Change No. 99010 – Appling/Anderson
REVIEW BOARD ORDER
APPROVED AND ADOPTED ORDINANCE NO. 1638 AND RESOLUTION NO. 2000-52 **AYES: ALL**

10:30 A. M. **REPORTS/BOARD DIRECTION**
County Administrator
County Counsel
Board of Supervisors Members

12 NOON **LUNCHEON WITH PRIVATE INDUSTRY COUNCIL**

1:00 P. M. **JOINT MEETING WITH PRIVATE INDUSTRY COUNCIL**
(see Joint Meeting Agenda) REVIEW BOARD ORDER
Location: The Branding Iron Restaurant, 640 West 16th Street, Merced, CA

CONSENT CALENDAR (Items #1 - 9)
APPROVED AS RECOMMENDED (Item #7 PULLED) **AYES: ALL**

1. Approve Budget Transfer from Business-Economic Opportunities-\$2,460 as recommended by Administration.
2. Set public hearing for May 9, 2000 at 10:30 a.m. to consider An Amendment to the Countywide Siting Element, Public Works.

3. Adopt Resolution of Intent to Summarily Vacate a Portion of Toews Avenue and set public hearing for May 2, 2000 at 10:30 a.m., Public Works.
ADOPTED RESOLUTION NO. 2000-52
4. Approve and authorize Chairman to sign Renewal Contract No. 6518 with D & D Disposal for Animal Control Services for FY 2000-2001 and FY 2001-2002, Ag. Commissioner.
5. Approve and authorize Chairman to sign Renewal Contract No. 7209 with Risk Management to provide mental health consultation and/or information and referral services to permanent personnel and their immediate families, Mental Health.
6. Approve and authorize Chairman to sign Amendment to Contract No. 10119 with John Flores for increase in Business Assistance Services, Business-Economic Opportunities.
7. Certify Results of the Primary Election held on March 7, 2000, Clerk-Registrar of Voters.
8. Authorize presentation of plaque to Everett Younce for years of dedicated service to the County of Merced, Board of Supervisors.
9. Authorize Certificates of Recognition for women honored by Community Action Agency Project Cherish for Women's History Month, Board of Supervisors.

REGULAR CALENDAR

BOARD ACTION

10. Public Works re: Resolution in support of Legislative and Executive Action to improve the flow of transportation funds to Cities and Counties.
APPROVED AND ADOPTED RESOLUTION NO. 2000-53 AYES: ALL
11. Public Works re: Contract for Multi-Year Water Transfers and any future water transfers in order to manage water allocations to County owned parcels within the San Luis Water District with Counsel's approval. **REVIEW BOARD ORDER**
APPROVED AS RECOMMENDED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200069 AYES: ALL
12. Public Works re: Resolution authorizing conveyance of the "Cunningham Park Property" back to the Estate of Carlston Cunningham. **REVIEW BOARD ORDER**
APPROVED AS RECOMMENDED AND ADOPTED RESOLUTION NO. 2000-54
AYES: 1, 2, 4, 5 NOES: 3
13. Health re: Approve purchase and use of movie passes for use as promotional incentive items in conjunction with Spring Family Fair not to exceed \$100 in cost.
APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3
14. Health re: Review Amendment to Contract No. 8447 with West Side Ambulance Service and EMS Agency for ground ambulance services.
APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3

15. Tax Collector re: Notice of Intention to Sell Tax-Defaulted Property on May 25, 2000 at 10:00 a.m.
APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3
16. District Attorney re: Contract with Advanced Legal Service as the primary contractor for Process Serving Services inside the State of California as required by Family Support Division and Contract with ABC Legal Messengers, Inc., d/b/a/ Process Forwarding International as the contractor for Process Serving Services outside the State of California only as required by Family Support Division.
PULLED FROM AGENDA – NO ACTION TAKEN
17. Administration re: Contract Renewal with Merced County Trial Courts for Memorandum of Understanding to establish respective rights, duties, services and obligations for FY 2000-2001 and direct this contract return to the Board for further discussion and approval should the content of the final agreement not be consistent with the policy documented/outlined.
APPROVED AS RECOMMENDED AND AUTHORIZED CHAIRMAN TO SIGN RENEWAL CONTRACT NO. 9938 AYES: 1, 2, 4, 5 NOT PRESENT: 3
18. Board of Supervisors re: Committee/Commissions and Boards.
Retirement Board
APPOINTED DONALD E. BOLES TO SERVE AS A MEMBER OF THE RETIREMENT BOARD REPLACING J.R. BIK UNTIL JULY 1, 2002 AYES: 1, 2, 4, 5 NOT PRESENT: 3

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: 1, 2, 4, 5 NOT PRESENT: 3

19. Public Works re: Notification of Award of Contract No. 200049 with SEMCO, Inc. for Embankment at Taglio Road over Interstate 5 Bid Results.
20. Business-Economic Opportunities re: Charter Communications adjustment to the basic level of service effective May 1, 2000.
21. Business-Economic Opportunities re: AT&T Broadband & Internet Services that implement certain adjustments to the service, equipment and installation prices effective with June customer billing statements.
22. City of Livingston re: Resolution to initiate proceedings for the purpose of submitting to the Voters a proposition to establish the office of Electoral Mayor.
23. Merced Irrigation District re: Confirmation of Rights with County of Merced per Agreement dated May 11, 1999.
24. U.S. Submarine Veterans re: Appreciation of proclamation regarding 100th Anniversary of U.S. Submarines.
REVIEW BOARD ORDER
ADOPTED PROCLAMATION IN RECOGNITION OF 100TH ANNIVERSARY OF U.S. SUBMARINES AYES: 1, 2, 4, 5 NOT PRESENT: 3

25. State Fish and Game Commission re: Copy of Continuation Notice of proposed regulatory action relative to mammal hunting and trapping regulations – California Regulatory Notice Register. (On file with Clerk)
26. State Water Resources Control Board re: Notice of Public Workshop – Subterranean Streams Flowing through Known and Definite Channels commencing on April 24, 2000 at 10:00 a.m. and, if necessary, on April 25, 2000.
27. State Water Resources Board re: Notice of receipt of River Parkway Program Funds to spend immediately for urban stream projects and questionnaire to help determine whether your project could be eligible for funding during our Spring 2000 application cycle.
28. CSAC re: California State Association of Counties (CSAC) Strategic Plan for 2000 and 2001. (On file with Clerk)

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF JOHN POLICASTRO AND JOSEPHINE CORTEZ AND CONTINUES THE MEETING TO 12 NOON FOR THE JOINT MEETING OF THE BOARD OF SUPERVISORS/PRIVATE INDUSTRY COUNCIL



**MERCED COUNTY
BOARD OF SUPERVISORS
SUMMARY ACTION MINUTES**

Joint Meeting
with
PRIVATE INDUSTRY COUNCIL

TUESDAY, MARCH 28, 2000
12 NOON – 1:00 P.M. – LUNCHEON
1:00 P.M. – 3:00 P.M. – MEETING

**MEETING TO BE HELD AT:
BRANDING IRON RESTAURANT
640 WEST 16TH STREET
MERCED, CA 95340**

1:00 P. M. JOINT MEETING AGENDA

1. **CALL TO ORDER** – Board of Supervisors Chairman and Private Industry Council Chairman
2. **ROLL CALL/INTRODUCTIONS**
Board of Supervisors
Private Industry Council
Youth Council of the Workforce Investment Board (WIB)
PITD and County Staff
Guests
3. **OPENING REMARKS** – Board of Supervisors Chairman and Private Industry Chairman

4. **PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD OF SUPERVISORS OR PRIVATE INDUSTRY COUNCIL JURISDICTION**
The following speak: Obie O'Brien

(Committee Reports, Action items and Challenges for Workforce Investment Act implementation)
5. **PROGRAM COMMITTEE REPORT – Anne Newins**
Authorization to Release a Request for Proposal for a Client Case Management System
APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3
6. **YOUTH COUNCIL OF THE WIB REPORT – Nellie McGarry**
Request for support, endorsement and participation in the Summer Youth Marketing Campaign for a Summer Youth Program, contingent upon approval by the Interim W.I.B. of the campaign
APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3
7. **MARKETING COMMITTEE REPORT**
RECEIVED REPORT
8. **WIA TRANSITION COMMITTEE REPORT**
RECEIVED REPORT
9. **PROGRAM BENEFITS**
RECEIVED REPORT
10. **BOARD OF SUPERVISORS PRESENTATION TO PRIVATE INDUSTRY COUNCIL MEMBERS**
PRESENTED COUNTY PLAQUE AWARDS TO PRIVATE INDUSTRY COUNCIL MEMBERS FOR THEIR YEARS OF DEDICATED SERVICE
11. **OTHER**
12. **BOARD OF SUPERVISORS ADJOURNMENT**
RECONVENE THE PIC/WIB

THE BOARD ADJOURNED THE MEETING IN MEMORY OF JOHN POLICASTRO AND JOSEPHINE CORTEZ UNTIL APRIL 4, 2000 AT 9:00 A.M.