



# MERCED COUNTY BOARD OF SUPERVISORS

## SUMMARY ACTION MINUTES

Regular Meeting

TUESDAY, JULY 25, 2000

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

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

DEMITRIOS O. TATUM  
ACTING 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.  
(209) 385-7366*

### SCHEDULED ITEMS

9:00 A. M.

**CLOSED SESSION :** It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957, Subdivision (e):  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Planning and Community Development Director

**THE BOARD RECONVENES AT 10:00 A.M. AND THE CHAIRMAN ADVISED DIRECTION HAS BEEN GIVEN TO STAFF AND CLOSED SESSION WILL BE CONTINUED UNTIL LATER IN THE DAY**

10:00 A. M.

**PLEDGE OF ALLEGIANCE**

**PRESENTATION – Pacific Bell Award of \$2,000 to Area Agency on Aging to augment or expand services to Merced County area seniors**  
**PACIFIC BELL EXTERNAL AFFAIRS DIRECTOR CHERYL LANNING PRESENTED A \$2,000 CHECK TO AREA AGENCY ON AGING DIRECTOR HUB WALSH FOR CREATION OF INTERNET SITES FOR SENIOR CITIZENS AT VARIOUS LOCATIONS**

**PRESENTATIONS – Recognition of 4<sup>th</sup> of July Volunteers**

**REVIEW BOARD ORDER – SEE PAGE 10**

**SUPERVISOR RIVERO PRESENTED CERTIFICATES TO NUMEROUS ATWATER POLICE EXPLORER'S POST 420 VOLUNTEERS FOR ASSISTANCE WITH THE ATWATER 4<sup>TH</sup> OF JULY CELEBRATION**

**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**

- Liaison and Project Director Report  
**RECEIVED REPORT FROM LIAISON REPRESENTATIVE KATHLEEN CROOKHAM**
- Actions/Direction
- Public Comment

**APPROVAL OF CONSENT AGENDA CALENDAR (Items # 1 - 33)**  
**APPROVED AS RECOMMENDED AYES: ALL**

**CASTLE JPA**

- Report
- Possible Action
  - ❖ Review of July 27, 2000 Agenda  
**REVIEW BOARD ORDER – SEE PAGE 10**  
**THE BOARD ACCEPTED THE CASTLE JPA AGENDA AND DIRECTED JPA REPRESENTATIVES TO TAKE WHATEVER APPROPRIATE ACTION NECESSARY AND IF NECESSARY, CONTINUE THE ITEMS TO THE BOARD OF SUPERVISORS FOR CONSIDERATION AYES: ALL**

10:00 A. M.

**CASTLE JPA (CONTINUE)**

❖ **Administration re: Castle Transition Task Force Executive Summary Recommendations**

1. Accept Castle Transition Task Force Executive Summary recommending general strategy for assuming Castle Air Force Base Local Redevelopment Authority responsibilities,
2. Direct Castle Transition Task Force to prepare the comprehensive plan to address fiscal and organizational structure for inclusion in Final Budget Hearings on August 29, 2000

**APPROVED AS RECOMMENDATION AYES: ALL**

**GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)**

10:30 A. M.

**PUBLIC WORKS – PUBLIC HEARING**

**REVIEW BOARD ORDER – SEE PAGE 11**

To consider Summary Vacation of a Storm Drain Easement in Lot 2 of Whispering Creek Subdivision in the Merced Rural Residential Center #1  
**AUTHORIZED SUMMARY VACATION AS RECOMMENDED AND ADOPTED RESOLUTION NO. 2000-135 AYES: ALL**

**WILLIAMSON ACT WORKING GROUP - PUBLIC HEARING**

**REVIEW BOARD ORDER – SEE PAGE 11, 12, 13**

To consider implementation of the Williamson Act; and,  
To consider recommendations for implementation of the California Land Conservation Act of 1965 (Williamson Act) in Merced County as follows:  
Adopt Resolution to enter and participate in the Land Conservation Act and enact Section 423.3 of Revenue and Taxation Code; Adopt Resolutions to establish Uniform Rules and Procedures, Fee Structure, Land Conservation Contract and authorize Staff to accept contracts from landowners during the enrollment period and submit contracts for Board approval on an incoming basis; Set August 22, 2000 at 10:30 a.m. as a Public Hearing to establish an Agriculture Preserve in the County of Merced

**APPROVED RECOMMENDATIONS WITH MODIFICATION TO INCLUDE INFORMATION TO COME BACK TO THE BOARD ON AN ONGOING BASIS FOR EVALUATION AND ADOPTED RESOLUTION NOS. 2000-136 (Establish Williamson Act), 2000-137 (Adopt Williamson Act Rules and Procedures), 2000-138 (Williamson Act Fee Policy) and 2000-139 (Williamson Act Participation Contract) AYES: ALL**

**PLANNING – STUDY SESSION**

**REVIEW BOARD ORDER – SEE PAGE 13**

Countywide Redevelopment Feasibility Study  
**RECEIVED REPORT AND DIRECTED STAFF TO BRING DIRECTION BACK TO THE BOARD WITH RECOMMENDATIONS AND TO RETURN WITHIN 60 DAYS AYES: ALL**

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

**LUNCH BREAK**

CONSENT CALENDAR (Items #1 - 33)

**APPROVED AS RECOMMENDED            AYES: ALL**

1.     Act on Claims for Damages submitted by Rex Stelzer, Mark Brown, Paul Machado, John Mello and Rosa Juarez/Andrea Maria Payon, Juanita Juarez, Risk Management.
  
2.     Adopt Resolution accepting Grant Deed from Ben/Josephine Friesen for Right of Way Contract for a parcel of land required for the Almond Avenue/Winton Way Signalization Project in the Winton area, Public Works.  
**ADOPTED RESOLUTION NO. 2000-133**
  
3.     Authorize competitive bids for Reroofing of the Merced County Warehouse Building, Los Banos Veterans Building, Le Grand Community Building and roofing repairs to Merced Veterans Building and bid opening with authorization for Public Works Director to sign contract with lowest acceptable bidder within established budget with reports to come back to the Board, Public Works.
  
4.     Approve and authorize Chairman to sign Contract with Office of State Controller-Division of Local Government Fiscal Affairs for Annual Street and road Report preparation for FY 1999/2000 at an estimated cost not to exceed \$3,000, Public Works.
  
5.     Approve and authorize Chairman to sign Extension of Contract No. 7851 with Riggs Ambulance Service for Performance Based Ambulance Services, Health.
  
6.     Approve and authorize Chairman to sign Extension of Contract No. 10268 with Memorial Medical Center for Major Trauma Patient Receiving Center Designation, Health.
  
7.     Approve and authorize Chairman to sign Renewal Contract No. 8571 with Merced Irrigation District for Patrol Services, Sheriff.
  
8.     Approve and authorize Chairman to sign Renewal Contract No. 2349 with Merced Pathology Medical Group, Inc. for pathological/autopsy services concerning Coroner issues, Sheriff.
  
9.     Approve and authorize Chairman to sign Renewal Contract No. 7550 with The United Way for funding two Extra Help Ombudsman Staff, Area Agency on Aging.

10. Approve and authorize Chairman to sign Renewal Contract No. 9511 with Private Industry Training Department for employment training to qualified seniors, Area Agency on Aging.
11. Approve and authorize Chairman to sign Renewal Contract No. 99080 with Catholic Charities of the Diocese of Fresno for Senior Companion Program, Area Agency on Aging.
12. Approve and authorize Chairman to sign Renewal Contract No. 200074 with Catholic Charities of the Diocese of Fresno for Foster Grandparent Program, Area Agency on Aging.
13. Approve and authorize Chairman to sign Renewal Contract No. 99227 with Merced Lao Family Community, Inc. for Employment Services for Southeast Asian CalWORKs participants, Human Services Agency.
14. Approve and authorize Chairman to sign Renewal Contract No. 7171 with Merced County Office of Education for excess costs for services to CalWORKs participants, Human Services Agency.
15. Approve and authorize Chairman to sign Renewal Contract No. 9637 with Central Valley Opportunity Center for Employment Services for Spanish speaking CalWORKs participants, Human Services Agency.
16. Approve and authorize Chairman to sign Renewal Contract No. 9859 with Merced College to provide Basic Education and GED preparation at Westside PLATO Lab, PITD.
17. Approve and authorize Chairman to sign Renewal Contract No. 99098 with Rebekah Children's Services for availability to a subacute residential treatment home, Mental Health.
18. Approve and authorize Chairman to sign Renewal Contract No. 10178 with Unilab Corporation for Outside Laboratory Services, Mental Health.
19. Approve and authorize Chairman to sign Renewal Contract No. 10220 with U.S. Dept. of Agriculture for Wildlife Services Annual Work Plan/Reimbursement Budget Plan, Ag. Commissioner.
20. Approve and authorize Chairman to sign Renewal Contract with Megabyte Systems, Inc. for Maintenance of the Automated Property Tax System MPTS2000+, Information Systems.
21. Approve and authorize Chairman to sign Renewal Contract No. 5418 with 35<sup>th</sup> District Agricultural Association for Law Enforcement/Security Services for the Fair held at Merced County Fairgrounds, Sheriff.
- 21a. Adopt Resolution designating the intersection of American Avenue and Faith Home Road in the Hilmar area as a 4-Way Stop, Public Works.  
**ADOPTED RESOLUTION NO. 2000-134**
22. Adopt Resolution adjourning the Meeting in memory of Deputy United States Marshal Peter Hillman, Board of Supervisors.
23. Authorize Certificate of Recognition to Nicole Pazin in recognition of Volunteer of the Year Award by the American Heart Association, Board of Supervisors.

24. Proclaim June 25 – November 11, 2000 as the 50<sup>th</sup> Anniversary of the Korean War in the County of Merced, Board of Supervisors.
25. Authorize Certificate of Appreciation to Jim and Lu Edmonson upon their Retirement from the Castle Challenger Learning Center Foundation and after a lifetime of service to area communities, Board of Supervisors.
26. Authorize Certificates of Recognition to Leadership Merced Class 15 Graduates, Board of Supervisors.
27. Authorize Certificates of Recognition to the Volunteers who staff the Child Advocates of Merced County Program, Board of Supervisors.
28. Authorize Certificate of Appreciation to Rev. John Boykin for 60 years of dedicated service to the Ministry, Board of Supervisors.
29. Authorize Certificate of Appreciation to Jan Sorge in recognition of 26 years of service to the Merced City School District, Board of Supervisors.
30. Authorize Resolution of Commendation to Michael Robert Buckley upon his achievement of Rank of Eagle Scout for Team #315-Boy Scouts of America, Yosemite Area Council-Los Banos, Board of Supervisors.
31. Authorize Resolution to Tom Archer in recognition of dedicated service upon his retirement from Mariposa County, Board of Supervisors.
32. Authorize Certificates of Recognition in honor of Delhi Century Award Winners, Board of Supervisors.
33. Authorize plaque to William Martens for 32 years of service to the Calif. Department of Fish and Game, Board of Supervisors.

## REGULAR CALENDAR

### BOARD ACTION

34. Administration re: Authorization to proceed with the securitization of Tobacco Settlement revenues, authorize a Finance Team to assist in the preparation of the necessary plans and preliminary documents for the securitization, authorize necessary agreements be prepared to return to the Board with final recommendations prior to completing the financing. **REVIEW BOARD ORDER – SEE PAGE 14**

**APPROVED RECOMMENDATIONS AS SUBMITTED WITH ADDITIONAL INFORMATION TO BE BROUGHT BACK TO THE BOARD FOR ACTION**      **AYES: ALL**

35. Planning re: Resolution to Adjust and establish the Level of Reimbursement for Planning Commissioners at \$50 per meeting.

**PULLED FROM DISCUSSION AND CONTINUED TO AUGUST 8, 2000 MEETING**

36. Mental Health re: Resolution authorizing State Dept. of Mental Health to withhold and transfer funds in the amount of \$4,600 for FY 2000/2001 to the Calif. Mental Health Directors' Association to fund an Administrative Services Organization which will arrange for the provision of mental health services for Medi-Cal eligible children from Merced County who are placed out of county.  
**APPROVED AND ADOPTED RESOLUTION NO. 2000-140**      **AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**
37. Sheriff re: Authorize submission of 2000 State Criminal Alien Assistance Program Grant Application with Bureau of Justice Assistance-Office of Justice Programs and Dept. of Justice through the computerized INTERNET Application process.  
**APPROVED AS RECOMMENDED**      **AYES: 1, 2, 4, 5**      **NOT PRESENT: 3**
38. Sheriff re: Authorize submission of Bulletproof Vest Partnership Grant Application with Bureau of Justice through the INTERNET Application process.  
**APPROVED AS RECOMMENDED**      **AYES: ALL**
39. Sheriff re: Authorize submission of COPS MORE 2000 Grant Application with Department of Justice.      **REVIEW BOARD ORDER – SEE PAGE 15**  
**APPROVED AS RECOMMENDED**      **AYES: ALL**
40. Planning re: Short Term Actions to Support the Merced County's Permit Processing Responsibilities.      **REVIEW BOARD ORDER – SEE PAGE 15**  
**APPROVED AS RECOMMENDED WITH THE UNDERSTANDING A FULL ORGANIZATIONAL AUDIT AND AN EXIT POLL BE CONSIDERED**      **AYES: ALL**
41. Area Agency on Aging re: Authorize appointment of Human Services Agency Director as the Director of the Area Agency on Aging.  
**APPROVED AS RECOMMENDED**      **AYES: ALL**
42. Library re: Approve Charter Membership in the Sierra Valley Library Network – Region III of the Library of California.  
**APPROVED AS RECOMMENDED**      **AYES: ALL**
43. Private Industry Training Department re: Workforce Investment Board request for ratification of two additional Appointments to the Youth Council.  
**APPROVED AS RECOMMENDED**      **AYES: ALL**
44. Private Industry Training Department re: Contract with Merced College to provide Supportive Service to Workforce Investment Act participants.  
**APPROVED AS RECOMMENDED**      **AYES: ALL**
45. Private Industry Training Department re: Training Provider Agreement and Individual Training Account Certificate – recommendation from Workforce Investment Board for authorization for the General Services Director to sign Agreement and PITD Director to sign Certificate.  
**APPROVED AS RECOMMENDED**      **AYES: ALL**

46. Business-Economic Opportunities re: Request for Joint Venture Proposal FOCUS Program (No. 5658) Contract Award of Category A., 1-5 to Communication Supply Corporation.  
**APPROVED AS RECOMMENDED AYES: ALL**
47. Business-Economic Opportunities re: Release of Request for Joint Venture Proposal for the FOCUS Program covering Computer Related Hardware and Software and authorize Staff to select the most qualified firms and completion of Contracts with report back to the Board.  
**APPROVED AS RECOMMENDED AYES: ALL**
48. Business-Economic Opportunities re: Minor Boundary Modifications to Central San Joaquin Valley Foreign Trade Zone (FTZ) No. 226 of U.S. Cold Storage, Inc. and NCI Building Systems, L.P. and the transfer of withdrawn acreage (14.5) to Tulare in order to complete the requirement for submission.  
**APPROVED AS RECOMMENDED AYES: ALL**
49. Administration re: Temporary Job Youth Participants Workers' Compensation Insurance and establishing Extra Help Youth Program classifications for participants for each of the following work site assignments: Food Services, Fire Department, Police Departments, Public Schools, Churches, Doctors Offices, Housing Authority, Private Schools, Public Hospital, Museums and County Library.  
**APPROVED AND ADOPTED RESOLUTION NO. 2000-141 AYES: ALL**
50. Administration re: Employee/Retiree Health Plan Renewal Issues.  
**APPROVED AS RECOMMENDED AYES: ALL**
51. Auditor re: Authorize Loan of \$500,000 from the General Fund to Pension Obligation Bond Debt Service Fund for a period of about 5 weeks to be repaid by September 1, 2000.  
**APPROVED AS RECOMMENDED AYES: ALL**
52. Board of Supervisors re: Committee/Commissions and Boards.  
Assessment Appeals Board  
**REAPPOINTED GREY ROBERTS TO SERVE AS A MEMBER OF THE ASSESSMENT APPEALS BOARD REPRESENTING THE ACCOUNTANT CATEGORY UNTIL SEPTEMBER 1, 2003**  
Lower San Joaquin Levee District  
**REAPPOINTED HENRY FAVIER TO SERVE AS A MEMBER OF THE LOWER SAN JOAQUIN LEVEE DISTRICT UNTIL JUNE 4, 2004**  
Emergency Medical Care Committee  
**REAPPOINTED RONALD WOLFF TO SERVE AS A MEMBER OF THE EMERGENCY MEDICAL CARE COMMITTEE REPRESENTING DISTRICT FOUR UNTIL JUNE 30, 2004**  
**AYES: ALL**



**BOARD INFORMATION AND POSSIBLE ACTION**

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

53. Private Industry Training Department re: Report for May/June 2000.
54. San Joaquin Valley Air Pollution Control District re: Proposed Regulation to Reduce Emissions from Heavy-Duty Trucks and Buses and to Reduce Sulfur Levels in Diesel Fuel.
55. Calif. Emergency Foodlink re: Report on reducing the problem of hunger in your County thanks to The Emergency Food Assistance Program (TEFAP) and the efforts of Community Action Agency/Golden Harvest.
56. State Wildlife Conservation Board re: Merced River – Robinson Ranch Unit, Merced County – consideration of acquisition of 318+/- acres of wildlife habitat.
57. California Regional Water Quality Control Board re: Transmittal of adopted Special Order for City of Gustine, Wastewater Treatment Facility, Merced County.
58. Calif. Integrated Waste Management Board re: Update on SB 1066 Application process.
59. California Workforce Investment Board re: Changes to WIA Supplemental Planning Guidance.
60. State Wildlife Conservation Board re: Notice of Meeting – August 10, 2000.
61. U.S. Olympic Training Center re: Endorsement of Merced Clay Shooting Facility Proposal.
62. U.S. Dept. of Justice re: Announcement and Invitation to obtain publication of 2000 Gang-Free Schools and Communities Initiative.

**THE MEETING IS ADJOURNED UNTIL TUESDAY, AUGUST 8, 2000 AT 9:00 A.M.**

## **SUMMARY ACTION MINUTES – JULY 25, 2000 - BOARD ORDERS**

### **10:00 A.M. SCHEDULED ITEM**

#### **2000-07-25 PRESENTATION – Atwater 4<sup>th</sup> of July Celebration**

The Board presents Certificates of Appreciation to Atwater Police Explorer's Post 420 Volunteers for outstanding assistance with the Atwater 4<sup>th</sup> of July Celebration as follows: Lead Advisor Mike Teater; Administrative Advisor Allyne Beutel; Advisor Anita Kramer; Advisor Luther Evans; Advisor Christine Goodman; Advisor Teri Manazir; Advisor Shawn Hatton; Advisor Lucille Cerrino; Field Services Commander Josh Teater; Administrative Services Commander Josephine Salcido; Squad One Sergeant Nathan Sehi; Squad One Member Zoreida Rodriguez; Squad One Member Michael Flowers; Squad One Member Stephanie Macy; Squad Two Sergeant Jessica Beutel; Squad Two Member Shanell Teater; Squad Two Member Jacob Vaughan; Squad Two Member Tom Macy; Squad Two Member Katy Manazir; Squad Three Sergeant Harold Jones; Squad Three Member Elizabeth Teater; Squad Three Member Aaron St. Marie; Squad Three Member Jennifer Macy; Squad Three Member Ryan Greer; and Squad Three Member Justin Beutel.

Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

### **10:00 A.M. SCHEDULED ITEM**

#### **2000-07-25 CASTLE JOINT POWERS AUTHORITY – Castle Transition Task Force Executive Summary Preliminary Document**

Acting County Administrator Dee Tatum states the Castle Transition Task Force Executive Summary Preliminary Document is before the Board and Chairman O'Banion reviews the recommendations.

Upon motion of Supervisor Rivero, seconded by Supervisor Crookham, duly carried, the Board accept the Castle Transition Task Force Executive Summary recommending general strategy for assuming Castle Air Force Base Local Redevelopment Authority responsibilities and direct Castle Transition Task Force to prepare the comprehensive plan to address fiscal and organizational structure for inclusion in Final Budget Hearings on August 29, 2000.

Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

Following discussion on Castle JPA Board Agenda Items and upon motion of Supervisor Kelsey, seconded by Supervisor Rivero, the Board accept the Castle Joint Powers Authority Governing Board Agenda of July 27; direct the Board Members to take the necessary action relative to Gemini Lease for Buildings 1146 and 1147 with stipulation, if action is not taken by Thursday, July 27, 2000 it must come back to the Board for further consideration.

The Chairman calls for a Vote on the Motion. Motion carries.

Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

**10:30 A.M. SCHEDULED ITEM**

**2000-07-25 PUBLIC WORKS – Public Hearing - Summary Vacation of Storm Drain Easement**

The time and date previously set for a public hearing to consider Summary Vacation of Storm Drain Easement in Lot 2 of Whispering Creek Subdivision in the Merced Rural Residential Center No. 1 submitted by Public Works.

Public Works Director Paul Fillebrown reviews the staff report.

The Chairman asks if there is anyone present who wishes to speak.

Duane Andrews, Golden Valley Engineering representing the landowner, encourages the Board to support the Summary Vacation.

Upon motion of Supervisor Rivero, seconded by Supervisor Crookham, duly carried, the Board approves the Summary Vacation of a Storm Drain Easement in Lot 2 of Whispering Creek Subdivision No. 965 in the Merced Rural Residential Center No. 1 and adopts Resolution No. 2000-135.

Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

**10:30 A.M. SCHEDULED ITEM**

**2000-07-25 WILLIAMSON ACT – Public Hearing – Land Conservation Act of 1965**

The time and date previously set for a public hearing to consider implementation of the Williamson Act and to consider recommendations for implementation of the California Land Conservation Act of 1965 (Williamson Act) in Merced County to enter and participate in the Land Conservation Act and enact Section 423.3 of Revenue and Taxation Code; Establish Uniform Rules of Procedures, Fee Structure, Land Conservation Contract and authorize Staff to accept contracts from landowners during the enrollment period.

Supervisor Deidre Kelsey, Chairman of the Williamson Act Working Group Committee, presents and reviews an overview and background of Merced County's history and law changes. She reviews the Committee's key Findings and Recommendations and the proposed Enrollment Timeline.

Assessor Dave Cardella recommends the Board approve the Williamson Act and summarizes the impact and affect on property owners and Merced County.

Planning Director Robert Smith briefly reviews the documents required to be adopted by the Board for implementation of the Williamson Act and the procedures to be followed for acceptance of contracts from landowners during the enrollment period and submission to the Board for approval.

Assistant Auditor-Controller Steven Jones reviews the fiscal implications to the County and other districts and recommends the Board adopt the proposal.

Discussion is had on the application fee, landowner fees and contract requirements.

The Chairman asks if there is anyone that wishes to speak.

Jack Uren, Merced, states he feels there has been no benefits proven to the County regarding the implementation of the Williamson Act, states he is not for or against and discusses zoning issues.

Dave Wager, Livingston, states he is not in favor nor against the implementation and questions the SUDP boundaries eligibility for Williamson Act implementation.

Cathy Weber, League of Women Voters, submits and reads a letter into the record dated July 25, 2000 in support of Merced County contracting with the county's farmers under the Williamson Act.

Horrace Kelsey, Snelling, speaks in favor of implementing the Williamson Act implementation.

Charles Magneson, Ballico, representing Merced/Stanslaus Chapter-Community Alliance of Family Farmers, recommends adoption of the Williamson Act.

LaVerne Caldeira, Le Grand, states the County needs the Williamson Act to keep agriculture here.

Delores Ortiz, Merced, speaks in favor of implementing the Williamson Act.

Kuss Porter, retired Executive Director of Resource Conservation Service, speaks of his past experiences with the Williamson Act.

Following a lengthy discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Rivero, duly carried, the Board takes the following action:

1. Authorize participation in the Land Conservation Act and enact Section 423.3 of the Revenue and Taxation Code and adopt Resolution No. 2000-136, Establishing the California Land Conservation Act (Williamson Act);
2. Establish Uniform Rules of Procedure and adopt Resolution No. 2000-137, Adopting the California Conservation Act (Williamson Act) Rules of Procedure;
3. Establish Fee Structure and adopt Resolution No. 2000-138, Setting the California Land Conservation Act (Williamson Act) Fee Schedule Policy;
4. Accept Land Conservation Contract and adopts Resolution No. 2000-139, Adopting the California Land Conservation Act (Williamson Act) Contract;
5. Authorize Staff to accept contracts from landowners during the enrollment period and submit contracts for Board approval on an incoming basis;
6. Set August 22, 2000 for a public hearing to consider establishment of an Agricultural Preserve in the County of Merced;

7. Adopt Findings and Recommendations of the Working Committee to implement the California Land Conservation Act in Merced County; and,
  8. Directs Staff to return with an ongoing evaluation on the Williamson Act with information to include the number of contracts/individuals that have entered into the Williamson Act.
- Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

**10:30 A.M. SCHEDULED ITEM**

**2000-07-25 PLANNING – Countywide Redevelopment Feasibility Study**

Planning Director Robert Smith reviews the Staff Report advising the Board expressed concern with the Countywide Feasibility Study presented on June 6, 2000 and requested additional work be performed by the consultant. Planning has met with the consultant regarding the Board's questions and concerns to ensure that additional work performed would meet the Board's needs.

Stephen Peck, Consultant with Quad-Knopf, provides a Redevelopment Presentation in response to concerns. Mr. Peck also submits a Summary Letter, California Redevelopment Association Introduction to Redevelopment and a Booklet entitled Redevelopment "The Unknown Government" and reviews the Conclusions and Recommendations.

Supervisor Rivero enters the Chambers at 1:43 p.m.

Discussion is had on the Santa Nella area Findings/maps and taxes derived; Grants vs. CDBG funds, determination of housing needs and final recommendations submitted.

Supervisor Kelsey leaves the Chambers at 2:10 p.m.

Supervisor Rivero expresses concern with the Recommendations not including Castle.

Mr. Peck recommends the Castle Project be pursued either through special legislation or general redevelopment monies.

Supervisor Kelsey returns to the Chambers at 2:20 p.m.

The Board discusses the financial feasibility of redevelopment.

Following further discussion and upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board accepts the Report, refers the matter to staff to come back with recommendations and cost information within 60 days.

Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

**ACTION ITEM NO. 34**

**2000-07-25 ADMINISTRATION – Tobacco Settlement Revenues**

Deputy County Administrator Jim Brown reviews the report.

Steve Gortler, Leifer Capital, provides a Merced County briefing regarding Tobacco Settlement Payments and Securitization and highlights the following areas: Project Merced County Revenues, Revenues under the Master Settlement Agreement vary depending on Domestic Cigarette Consumption and Tax Exempt Financing Results.

Discussion is had on reinvestment of funds and the County's obligation to Capital Improvement Projects.

The Chairman asks if there is anyone present who wishes to speak.

Bloss Memorial Hospital District representative states area health care providers are interested in these funds for health care and suggests a task force be set up to determine use of these funds.

Bob David, Hospital Northern and Southern Council, states there are unmet health care needs in our community.

Cora Gonzales, Director of Operations-Livingston Medical Group, requests funds be spent on health care needs.

Mike Sullivan, Chief Executive Office – Golden Valley Health Centers, states the health alliance is hopeful the Board will provide 50% to health care improvements because Merced County fares so poorly in health statistics and the opportunity now exists to lowering these problem areas by paying premiums for low income families for health insurance for children.

Don Gormley, Anberry Rehabilitation Hospital owner, states there are significant amounts of diseases that contribute to tobacco related use that are not covered in the medical system.

Chris Tomford, Executive Director-Merced/Mariposa Medical Society, states there is a great deal of uncompensated care in health care

Supervisor Rivero expresses concern with the county cutbacks and states his desire to reinstate these issues.

Following further discussion and upon motion of Supervisor Crookham, seconded by Supervisor Cortez Keene, duly carried, the Board authorizes Administration, Auditor, County Counsel and Treasurer, in conjunction with the Financial Advisor to take the following action:

1. To proceed with the securitization of tobacco settlement revenues;
2. To assemble a Finance Team consisting of Bond Counsel, Disclosure Counsel, Trustee, Underwriter, Rating Agency, and other experts necessary through appropriate measures to assist in the preparation of the necessary plans and preliminary documents for the securitization of tobacco settlement revenues;

3. To prepare the necessary agreements with Finance Team members and return to the Board for approval; and,
4. To return to the Board with final recommendations prior to completing the financing understanding additional information will be provided to the Board including an alternative to not totally securitize all the funds.

Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

### **ACTION ITEM NO. 39**

#### **2000-07-25 SHERIFF – COPS MORE 2000 Grant Application**

Upon motion of Supervisor Rivero, seconded by Supervisor Kelsey, duly carried, the Board authorizes submission of the COPS MORE 2000 Grant Application for Community Oriented Policing Services with the Department of Justice; authorizes the Chairman to sign Assurances, Certifications, Community Policing Activities Summary and other appropriate documentation required.

Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

### **ACTION ITEM NO. 40**

#### **2000-07-25 PLANNING – Permitting Process**

Planning Director Smith reviews the Staff Report on Short Term Actions to support Merced County's Permit Processing responsibilities.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Rivero, duly carried, the Board takes the following action:

1. Authorize the Chairman to sign Contract No. 2000202 with Planning Partners for Specialist Planning Firm services and Contract No. 2000203 with Robert Barchard, AICP for Specialist-Planner services to provide Full Permit Processing Services for a period of six to twelve months following review by General Services and Counsel;
2. Authorize Planning and Community Development Director to work with General Services to solicit proposals for a consulting firm to prepare a Permit Processing Audit and return to the Board for contract approval;
3. Approve job class specification for Development Services Manager and authorize Staff to begin recruitment with allocation recommended at Final Budget; and,
4. Authorize consideration of preparation of a department audit in addition to an exit poll for customer satisfaction.

Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey