



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

Regular Meeting
TUESDAY, OCTOBER 3, 2000
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

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

8:30 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 EVALUATIONS
Private Industry Training Department Director

CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Subdivision (b) of Section 54945.9: Two Cases

8:30 A. M.

CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATOR: It is the intention of the Board to meet in Closed Session pursuant to Section 54957.8 concerning a conference with County of Merced negotiators- Bev Morse-Assistant County Administrator concerning negotiations from American Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6, and 8; Independent Employees of Merced County (IEMC), Unit 3; Merced County Lawyers' Association (MCSEA), Unit 7; Merced County Sheriff Employee Association (MCSEA), Unit 2 and Merced County Law Enforcement Sergeants, Unit P

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) Paul Fillebrown-Public Works Director pursuant to Section 54956.8 as follows:
Property/Reference: To add all non-parcel A property to Master Lease
Negotiating Parties: Department of the Air Force

Property/Reference: Proposed lease site at CAADC
Negotiating Parties: Jackson Properties, Inc.

RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISES CLOSED SESSION WAS HELD AND WILL BE CONTINUED UNTIL LATER IN THE DAY

10:00 A. M.

PLEDGE OF ALLEGIANCE

**PRESENTATION – CERTIFICATE OF RECOGNITION
PRESENTED CERTIFICATE TO ASSEMBLYMAN CARDOZA FOR HIS TIRELESS EFFORTS TO OBTAIN THE PASSAGE OF SB 815 FOR THE BETTERMENT OF MERCED COUNTY**

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)

PRESENTED CERTIFICATE OF RECOGNITION AND RESOLUTION TO TIM BRAGG IN RECOGNITION OF HIS YEARS OF OUTSTANDING JOURNALISM TO THE CITIZENS OF MERCED AND ATWATER

The following speak: Dennis Haines representing Family Resource Council, Inc.

UC MERCED PROJECT - Liaison Report

RECEIVED REPORT FROM LIAISON REPRESENTATIVE KATHLEEN CROOKHAM

**APPROVAL OF CONSENT AGENDA CALENDAR (Items # 1 – 14)
APPROVED AS RECOMMENDED AYES: ALL**

10:00 A.M.

APPROVAL OF COMMUNITY ACTION AGENCY CONSENT AGENDA
(Items # 15 - 19)
APPROVED AS RECOMMENDED AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

REPORTS/BOARD DIRECTION

County Administrator
County Counsel
County Auditor
Board of Supervisors Members

LUNCH BREAK

CONSENT CALENDAR (Items #1 - 14)
APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Set public hearing for October 31, 2000 at 10:30 a.m. to consider An Ordinance to grant a franchise to California Gas Gathering, Inc. for the purposes of installing and maintaining an underground gas pipeline within the County road right of ways.
2. Approve plans and specifications for Public Works Professional Services Division Modular Building "C" reroofing, authorize bid opening and signing of contract to be returned to the Board with results.
3. Approve plans and specifications for Demolition of Structure and Site Clearing located at 6513 Winton Way for Winton Way Signalization Project, authorize bid opening and signing of contract to be return to the Board with results.

Health

4. Approve and authorize Chairman to sign Renewal Contract No. 9568 with James Andrews, M.D. to serve as Medical Director of the Merced County EMS Agency.
5. Approve and authorize Chairman to sign Renewal Contract No. 7306 with Margaret Philp, M.D. to serve as Merced County Health Officer in coordination with Director of Public Health.
6. Approve and authorize Chairman to sign Renewal Contract No. 7686 with Neil Ernst, M.D. to serve as the Child Health and Disability Prevention (CHDP) and California Childrens Service Medical Consultant.
7. Approve and authorize Chairman to sign Renewal Contract No. 9906 with Dee H. Rowe, D.D.S. to serve as the Dental Consultant for the Medical Assistance Program.

Auditor-Registrar of Voters

8. Authorize consolidation of Election for the Cities of Atwater, Gustine, Livingston, Los Banos and the Consolidation of the Merced Community College District with the November 7, 2000 General Election.

Mental Health

9. Approve and authorize Chairman to sign Renewal Contract No. 9602 with Tulare County for the provision of inpatient services.
10. Proclaim the week of October 23 – 31, 2000 as Red Ribbon Celebration in Merced County.

Human Services Agency

11. Approve and authorize Chairman to sign Renewal Contract No. 10062 with Buchanan and Snider, MSP, LLC for the Livingston Outstation Building lease.

Risk Management

12. Act on Claims for Damages submitted by Barbara Walsh and Spike/Sally Scott.

Board Recognition

13. Authorize Certificates of Recognition in honor of Course Completion and Graduation Ceremonies for the Building Trades Program. **REVIEW BOARD ORDER – SEE PAGE 8**

Business-Economic Opportunities

14. Approve Travel Requests for Business-Economic Opportunities as recommended by Administration.

CONSENT/COMMUNITY ACTION AGENCY (Items #15 – 19)

APPROVED AS RECOMMENDED AYES: ALL

15. Approve and authorize CAB Chair to sign Renewal Contract with Atwater Elementary School District for Mitchell School Head Start Facility.
16. Approve and authorize CAB Chair to sign Renewal Contract with First Church of God for Merced (Parsons) Head Start Facility.
17. Approve and authorize CAB Chair to sign Renewal Contract with Arnaudo Brothers, Inc. for Santa Nella Head Start Center Facility.
18. Authorize Application to Family Resource Council for Grant Funding in the amount of \$25,000 to be used as “seed money” to help establish a Children-in-Crisis Emergency Shelter site.

19. Accept and place CAA Information, Staff and Committee Reports on file.

REGULAR CALENDAR

BOARD ACTION

UC PROJECT OFFICE

20. Contract with EIP Associates involving Phase II of the University Community Plan and EIR.

REVIEW BOARD ORDER – SEE PAGE 8

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AMENDMENT TO CONTRACT NO. 99106 WITH EIP ASSOCIATES AYES: ALL

21. Contract with EIP Associates involving Phase IIA of the University Community Plan for LEDPA support activities.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AMENDMENT TO CONTRACT NO. 99106 WITH EIP ASSOCIATES AYES: ALL

AUDITOR

22. Adopt Resolution setting the Secured Property Tax Rates for the 2000-2001 Fiscal Year.

APPROVED AND ADOPTED RESOLUTION NO. 2000-195 AYES: ALL

PRIVATE INDUSTRY TRAINING DEPARTMENT

23. Authorize selection and entering into negotiations with Data Systems International (DSI) Case Management System to provide for PITD, and its various one-stop partners, an Integrated Computerized System for client management, fiscal tracking, client pre-screening and eligibility, client evaluation and business management with contract to be returned to the Board.

APPROVED AS RECOMMENDED AYES: ALL

MENTAL HEALTH

24. Contract with Seventh Avenue Center to provide locked psychiatric placement for a Merced County conservatee who requires specialized treatment for polydypsia.

APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000206 AYES: ALL

25. Contract with Merced Drug to provide pharmacy services to consumers of Mental Health.

APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000207 AYES: ALL

PLANNING

26. Authorize Application for Home Investment Partnerships Program from California Dept. of Housing and Community Development for a First Time Homebuyer Program for existing homes, available countywide in unincorporated territory in the amount of \$500,000.

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

27. Selection of CSAC Board of Director Member for 2001.

SELECTED SUPERVISOR CORTEZ KEENE AS CSAC BOARD OF DIRECTOR MEMBER AND SUPERVISOR KELSEY AS CSAC BOARD OF DIRECTOR ALTERNATE FOR 2001 ASSOCIATION YEAR BEGINNING NOVEMBER 28, 2000 AYES: ALL

BOARD APPOINTMENTS

28. Board of Supervisors re: Committee/Commissions and Boards.

Merced County Children and Families Commission

APPOINTED CAPPI QUIGLEY TO SERVE AS A MEMBER OF THE MERCED COUNTY CHILDREN AND FAMILIES FIRST COMMISSION REPRESENTING DISTRICT TWO UNTIL MARCH 23, 2002 AYES: ALL

Merced County Planning Commission

APPOINTED KIMBERLY CLAUSS TO SERVE AS A MEMBER OF THE PLANNING COMMISSION REPRESENTING DISTRICT FOUR UNTIL OCTOBER 1, 2002 AYES: ALL

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

29. Public Works re: Juvenile Justice Correctional Complex – Information.

30. Chowchilla Water District re: Resolution in Opposition to the Westlands Water District Application to the State Water Resources Control Board claiming water rights to San Joaquin River Water under State “area of origin” statutes.

31. Bureau of Land Management re: Invitation to attend Installation Ceremony for California State Director.

32. U.S. Dept. of Commerce re: Letter of thanks for participation in the Local Update of the Census Addresses and/or New Construction Programs.

33. Calif. Workforce Investment Board re: Invitation to submit proposals for projects to be considered for funding from the Workforce Investment Act (WIA) Governor’s 15% Discretionary Funds.

34. State Board of Corrections re: Requests for Proposals – Juvenile Local Detention Facility Construction Grants. (On file with Clerk)

35. Calif. Dept. of Child Support Services re: Reports transmitting progress in the formation of the new Dept. of Child Support Services as well as status on the statewide automation system. (On file with Clerk)

36. State Dept. of Water Resources re: Notice of Release of Draft Bulletin 118
Groundwater Basin Map.

**THE BOARD ADOPTED RESOLUTIONS AND ADJOURNED MEETING IN MEMORY OF BOB
KIRBY, SYLVIA ADELINE FERRIS AND CHARLES A. KERR UNTIL OCTOBER 17, 2000 AT
9:00 A.M.**

SUMMARY ACTION MINUTES – OCTOBER 3, 2000 – BOARD ORDERS

CONSENT ITEM NO. 13

2000-10-03 BOARD OF SUPERVISORS – Certificates

Upon motion of Supervisor Rivero, seconded by Supervisor Crookham, duly carried, the Board authorizes Certificates of Recognition to various individuals for graduation ceremonies and course completion of the Building Trades Program as follows:

Javier Adame; Julio C. Aguilera; Katherine Barrett; Tim Claude; Pamela Craig; Chris Donahoe; Albert Escovedo; Salvador Esquivele; Derrick Franco; LaRay Franklin; Coy Friend; Michael Harris; Krystal Ingram; Paul Jones; Juanita Lerma; Alice Lopez; Orlando Lopez, Anne McCarthy; Larry Melgoza; Bradley Moore; Richard Morales; Randy Phillips; Chris Reynolds; Michael Robinson; Sean Robinson; Neal Russell; Stanley Smith; Jerome Turner; James Wright and Anthony Valencia.

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

ACTION ITEM NO. 20

2000-10-03 ADMINISTRATION – UC Merced

Supervisor Crookham moves, seconded by Supervisor Rivero, duly carried, the Board approve and authorize the Chairman to sign Amendment to Contract No. 99106 with EIP Associates for Phase II of the University Community Plan and Environmental Impact Report.

San Joaquin Raptor Rescue Center President Lydia Miller states she objects to the item before the Board until a 404 Permit has been obtained from the Army Corp of Engineers. She submits and reviews a letter dated October 3, 2000 signed by Lydia Miller and Spokesperson Steve Burke relative to this proposed action and the proposed action relative to the Contract for Phase IIA of the University Community Plan for LEDPA support activities.

Following discussion, the Chairman calls for a Vote on the Motion. Motion carries.

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