



MERCED COUNTY BOARD OF SUPERVISORS

SUMMARY ACTION MINUTES

Regular Meeting

TUESDAY, NOVEMBER 7, 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 – 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

8:30 A. M.

**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
Section (b) of Section 54956.9: One Case
**THE BOARD RECONVENED AT 10:00 A.M. AND THE CHAIRMAN
ADVISED CLOSED SESSION WAS HELD WITH ALL MEMBERS PRESENT
AND DIRECTION WAS GIVEN TO STAFF AND LEGAL COUNSEL**

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

The following speak: Fred Buckingham, United Way Executive Director

PRESENTATIONS

FIRE-OES - Recognition of Michael Nation

**Presented to Michael Nation in recognition of his services to Merced
County**

SHERIFF - Recognition of Deputy Tim Smith and Deputy Jorge Perez

**Presented to Deputies Smith and Perez for lifesaving efforts of David
Moua at Lake Yosemite on July 30, 2000**

CSAC - Recognition of Probation Department

**Presented in recognition of Probation SOBER Program 2000 CSAC Merit
Award**

UC MERCED PROJECT - Liaison Report

**RECEIVED REPORT FROM UC MERCED LIAISON REPRESENTATIVE
KATHLEEN CROOKHAM**

MINUTES SUBMITTED FOR BOARD APPROVAL:

**FEBRUARY 29; MARCH 14, 21, 28; APRIL 4, 11, 18; MAY 2, 9, 16, 23, 30;
JUNE 6, 7, 20, 27 AND JULY 11 AND 25, 2000**

HELD OVER UNTIL NOVEMBER 14, 2000 BOARD MEETING AYES: ALL

APPROVAL OF CONSENT AGENDA CALENDAR (Items # 1 – 11)

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 -11)

APPROVED AS RECOMMENDED AYES: ALL

Family Support

1. Authorize Staff to conduct the 2000 United Way Campaign for Merced County employees and authorize use of payroll deduction and adopt Proclamation supporting these efforts.

Public Works

2. Set public hearing for December 13, 2000 at 10:30 a.m. to consider Resolution of Intent to Terminate Maintenance of Fields Road northeast of the Snelling community.

ADOPTED RESOLUTION NO. 2000-212

3. Approve Contract Documents for Human Services Agency Main Building Rewiring, authorize Public Works Director to advertise and set bid opening and award contract to successful bidder and return to the Board with bid results and approve necessary budget transfer.
4. Adopt Resolution and authorize Chairman to sign Right of Way Contract accepting Grant Deed from Lloyd/Patricia Little for a parcel of land required for the Bridge Replacement Project on Van Clief Road at Eastside Canal.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000232 AND ADOPTED RESOLUTION NO. 2000-213

Health

5. Approve and authorize Chairman to sign Amendment to Contract No. 8525 with Sutter Merced Medical Center for Base Hospital Services.
6. Approve and authorize Chairman to sign Amendment to Contract No. 7895 with American Medical Response for Ground Ambulance Services.

Business-Economic Opportunities

7. Set public hearing for November 21, 2000 at 10:30 a.m. to consider Final Application to the Calif. Dept. of Housing and Community Development, Community Development Block Grant Program. **REVIEW BOARD ORDER – SEE PAGE 7**

Treasurer

8. Accept Investment Report for the Quarter Ending September 30, 2000 and Statement of Investment Policy for the Year 2001.

Board of Supervisors

9. Set public hearing for November 21, 2000 at 10:30 a.m. to consider an Appeal to Conditional Use Application No. 99022 submitted by Colleen Trieweiler, Sharon Young, American Indian Council of Mariposa County Inc., Center on Race, Poverty and the Environment, Merced Fish and Game Club and Valley Advocates.

Board Recognition

10. Authorize Certificate of Recognition to Emanuel Medical Center Auxillary for their outstanding community commitment and recognition and in celebration of their 40th Anniversary.

11. Authorize Certificate of Recognition to the Honorable Mel Richmond for his services to the Tulare County Board of Supervisors.

REGULAR CALENDAR

BOARD ACTION

HEALTH

12. Contract with Healthcare Clinical Laboratories for Courier Service and approve necessary budget transfer.

**APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN
CONTRACT NO. 2000233 AYES: ALL**

MENTAL HEALTH

13. Contract with John and Ila Lucas for Adolescent Treatment Services office space.

**APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN
CONTRACT NO. 2000234 AYES: ALL**

HUMAN SERVICES AGENCY

14. Contract with University of California-Davis for Adult Services, Child Welfare Services, Eligibility Services and Employment and Training Staff Training.

**APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN
CONTRACT NO. 2000235 AYES: ALL**

BOARD OF SUPERVISORS

15. Recommend the reappointment of David Seifert to Governor Gray Davis to serve as a member of the Porterville Developmental Center Advisory Board representing the Professional Category for a three year term until 12/16/2002.

APPROVED AS RECOMMENDED AYES: ALL

PLANNING

16. PULLED

17. Williamson Act Contracts with the following applicant(s): Ronald/Kathryn Hansen (2); The Forbes, Yore & McGinn Corporation; Frederick/Carla Drayer; Mark/Kim St. Pierre; William Tree Ranches LLC; Dennis W. Gay Loshier; Jeffrey/Dolores Kerry & Yuan Ji Su; Yuan Ji Su; Chris/Janice Costa; Gary/LaVonne Tessier; Raymond/Bettijane Harcksen; John Hancock Mutual Life Insurance (3); James/Judith Chance (2); Koda Farms, Inc.; Robin/Ross & Laura Koda; Keyko T. Hall, Trustee, et al; William/Frances Schmidt Family Trust; David/Vickie Nervino and Delores Cabezut-Ortiz.

REVIEW BOARD ORDER – SEE PAGE 7

APPROVED AS RECOMMENDED AYES: ALL

ADMINISTRATION

18. Approve request for Registration and Granting Recognition of Employee Organization - Merced County Deputy Sheriff's Association.

APPROVED AND ADOPTED RESOLUTION NO. 2000-214 AYES: ALL

- 18a. Authorize Chairman to sign Letter to EDS Information Solutions West regarding Business-Economic Opportunities FOCUS Program Request for Joint Venture Proposal (RFJVP No. 5658) as authorized by Board on July 11, 2000 setting forth the deal points as advanced by the Board of Supervisors.

APPROVED AS RECOMMENDED AYES: ALL

UC MERCED PROJECT

19. Contract with San Simeon Professional Center for Merced County Administration/UC-Merced Development Office and approve the necessary budget transfers.

REVIEW BOARD ORDER – SEE PAGE 8

APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000227 AYES: ALL

RETIREMENT

20. Approve Merced County Employees' Retirement Association (MCERA) Resolution titled 'Implementation of *Ventura* settlement to amend Article VIII of Bylaws updating Pay Codes' adopted on September 14, 2000 amending the definition of Earnable Compensation to comply with the *Ventura* settlement.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

21. Board of Supervisors re: Committees/Commissions and Boards.

Emergency Medical Care Committee

APPOINTED THE FOLLOWING TO SERVE AS MEMBERS OF THE EMERGENCY MEDICAL CARE COMMITTEE:

PHYLLIS STARK AS HOSPITAL REPRESENTATIVE AND DR. JOHN GENTILE AS NON-BASE HOSPITAL REPRESENTATIVE UNTIL JUNE 30, 2003; CHIEF TOM WELLS AS OES DESIGNATED REPRESENTATIVE UNTIL JUNE 30, 2002 AND WALT PATRON AS EMT-P FIELD REPRESENTATIVE UNTIL JUNE 30, 2001 AYES: ALL

Los Banos Cemetery District

APPOINTED FRANK NEVES, TONI RAMACCIOTTI, TONY MELILLO AND ALDO SANSONI TO SERVE AS MEMBERS OF THE LOS BANOS CEMETERY DISTRICT UNTIL JUNE 7, 2001 AYES: ALL

22. Current Vacancy List for All Boards/Commissions and Committees – October, 2000.

PLACED ON FILE

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

23. Public Works re: Notice of Contract Award – Winton Way and Almond Avenue Signalization Project Bid Results.
AUTHORIZED PUBLIC WORKS DIRECTOR TO SIGN CONTRACT NO. 2000205

24. PITD re: PITD Report for October 2000.

25. Human Services Agency re: Report of Persons Receiving Public Assistance for Period of August 2000.

26. Merced County Arts Council, Inc. re: Support of restoration and reuse of the Old Library/Merced High School Building.

27. San Luis Water District re: Assistance and support requested to redirect the Bureau of Reclamation's proposals on the renegotiation of long-term water service contracts within the CVP.

28. Congressman Gary Condit re: Copy of President Clinton's Executive Order creating the interagency task force on the economic development of the Central San Joaquin Valley.
AUTHORIZED LETTER TO CONGRESSMAN CONDIT IN APPRECIATION FOR EFFORTS IN THE CREATION OF THE PRESIDENTIAL INTERAGENCY TASK FORCE ON THE ECONOMIC DEVELOPMENT O THE CENTRAL SAN JOAQUIN VALLEY

29. State Board of Corrections re: Schiff-Cardenas Crime Prevention Act of 2000 – Final Documents to assist in planning and application activities leading to a timely approval of Comprehensive Multiagency Juvenile Justice Plan. (On file with Clerk)

30. State Dept. of Health Services re: California Healthcare for Indigents Program (CHIP)/ Rural Health Services (RHS) Program.

ADOPTED RESOLUTIONS AND ADJOURNED MEETING IN MEMORY OF KITTY OTT AND DAVID BROWER UNTIL TUESDAY, NOVEMBER 14, 2000

SUMMARY ACTION MINUTES – NOVEMBER 7, 2000 – BOARD ORDERS

CONSENT ITEM NO. 7

2000-11-07 BUSINESS-ECONOMIC OPPORTUNITIES

Upon motion of Supervisor Cortez Keene, seconded by Supervisor Rivero, duly carried, the Board sets a Public Hearing for November 21, 2000 at 10:30 a.m. to consider the Final Application to the Calif. Department of Housing and Community Development, Community Development Block Grant Program to provide matching funds for a U. S. Economic Development Administration (EDA) Infrastructure Project at Castle Airport and Aviation Development Center.

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

ACTION ITEM NO. 17

2000-11-07 ASSESSOR / PLANNING

Upon motion of Supervisor Kelsey, seconded by Supervisor Crookham, duly carried, the Board approves and authorizes the Chairman to sign the following Contracts for Williamson Act designations:

Contract No. WA2000-0008 (APN 061-290-033) with Ronald W. and Kathryn E. Hansen;

Contract No. WA2000-0009 (APN 061-290-039 and 061-290-040) with Ronald W. and Kathryn E. Hansen and Joyce Avila;

Contract No. WA2000-0010 (APN 074-010-007, 074-070-008, 074-010-009, 074-010-010, 074-020-004 and 074-020-005) with The Forbes, Yore and McGinn Corp.;

Contract No. WA2000-0011 (APN 068-070-13) with Frederick and Carla Drayer;

Contract No. WA2000-0012 (APN 075-030-066) with Mark and Kim St. Pierre;

Contract No. WA2000-0013 (APN 075-030-048, 075-030-041 and 075-030-065) with Willowtree Ranches LLC;

Contract No. WA2000-0014 (APN 041-160-026 and 041-160-024) with Dennis W. and Gay Loshier;

Contract No. WA2000-0015 (APN 70-120-26) with Jeffrey W. and Delores J. Kerry;

Contract No. WA 2000-0016 (APN 038-050-031) with Walter L. and Jean D. Baxter;

Contract No. WA2000-0017 (APN 70-12-28, 70-14-29 and 70-14-22) with Jeffrey and Dolores Kerry and Yuan Ji Su;

Contract No. WA2000-0018 (APN 70-12-27, 70-14-28, 70-14-26 and 70-14-4) with Yuan Ji Su;

Contract No. WA2000-0019 (APN 056-130-035) with Chris R. and Janice M. Costa;

Contract No. WA2000-0020 (APN 075-072-007) with Gary R. and LaVonne F. Tessier;

Contract No. WA2000-0021 (APN 046-090-010, 046-100-011, 046-100-012 and 046-100-013) with Raymond B. and Bettijane Harcksen, Trustee;

Contract No. WA2000-0022 (APN 042-030-008 and 042-030-019) with James R. and Judith K. Chance;

Contract No. WA2000-0023 (APN 043-070-034, 043-070-040, 043-090-008, 043-090-009, 043-090-010, 043-090-013, 043-100-009, 043-100-011 and 043-110-001) with James R. and Judith K. Chance;

Contract No. WA2000-0024 (APN 089-180-022, 089-180-034 and 089-180-035) with Koda Farms, Inc.;

Contract No. WA2000-0026 (APN 065-120-003) with Tama and Edward Koda, Trustees;

Contract No. WA2000-0027 (APN 042-130-011, 042-130-009 and 042-140-020) with William H. and Frances C. Schmidt Family Trust;
Contract No. WA2000-0028 (APN 045-150-063) with David J. and Vicki C. Nervino;
Contract No. WA2000-0029 (APN 066-170-001) with Delores Cabezut-Ortiz; and
Contract No. WA2000-0033 (APN 059-220-003, 059-220-009, 059-220-010) with Robin F., Ross K. & Laura . Koda.
Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

ACTION ITEM NO. 19
2000-11-07 GENERAL SERVICES

Supervisor Crookham moves, seconded by Supervisor Kelsey, the Board approve and authorize the Chairman to sign Contract No. 2000227 with San Simeon Professional Center for Merced County's UC Merced Development office space and approve the necessary budget transfer.

Lydia Miller, San Joaquin Raptor Rescue Center President, submits and reads a letter dated November 2, 2000 in opposition of further expenditures of County funds by Steve Burke, Protect Our Water Representative. Ms. Miller also submits and reads two additional letters from the U. S. Environmental Protection Agency by Nancy Woo, Chief-So. Calif. Office Water Division and Karen Schwinn, Associate Director–Water Division in opposition to UC Merced relevant to the National Environmental Policy Act and Section 404 of the Clean Water Act.

Supervisor Cortez Keene leaves the Chambers.

The Chairman calls for a Vote on the Motion. Motion carries.
Ayes: O'Banion, Crookham, Rivero, Kelsey
Not Present: Cortez Keene

ACTION ITEM NO. 21
2000-11-07 BOARD APPOINTMENTS

Upon motion of Supervisor Rivero, seconded by Supervisor Crookham, duly carried, the Board appoints the following to serve as members of the Emergency Medical Care Committee: Phyllis Stark as Hospital Representative and Dr. John Gentile as Non-Base Hospital Representative until June 30, 2003; Chief Tom Wells as OES Designated Representative until June 30, 2002 and Walt Patron as EMI-P Field Representative until June 30, 2001

The Chairman calls for a Vote on the Motion. Motion carries.
Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

Upon motion of Supervisor Rivero, seconded by Supervisor Crookham, duly carried, the Board appoints the following to serve as members of the Los Banos Cemetery District:
Frank Neves, Toni Ramacciotti, Tony Melillo and Aldo Sansoni until June 7, 2001

The Chairman calls for a Vote on the Motion. Motion carries.
Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey