



SUMMARY ACTION MINUTES

MERCED COUNTY BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, JANUARY 29, 2002

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
CHAIRMAN JOE RIVERO.....DISTRICT 3
DEIDRE F. KELSEY....DISTRICT 4
JERRY O'BANION.....DISTRICT 5
Lydia A. Beiswanger, Chief Clerk

DEMITRIOS O. TATUM
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 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 54956.9: One Case

CLOSED SESSION: It is the intention of the Board to meet in Closed Session pursuant to Subdivision (e) of Section 54957:
PUBLIC EMPLOYEE(S) PERFORMANCE EVALUATION
Title: Spring Fair Manager
Title: County Librarian

THE BOARD RECONVENED AT 10:30 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED DIRECTION WAS GIVEN TO STAFF

10:00 A. M.

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATION OF SERVICE PINS

20 YEARS OF SERVICE:

General Services - Rosemarie Perez

Sheriff Department - Mark Pazin

Mental Health - Stephen Contreras

15 YEARS OF SERVICE:

Human Services Agency - Connie Bledsoe

A RECEPTION WAS HELD IN ROOM 310 IN HONOR OF THE SERVICE PIN AWARDS

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: Bill Sigh

UC MERCED PROJECT - LIAISON REPORT

RECEIVED REPORT FROM UC LIAISON KATHLEEN CROOKHAM

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Fire-OES - \$47,066 and Sheriff - \$4,116

APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF CONSENT AGENDA CALENDAR (Items # 1 - 12)

MODIFIED APPROVAL PULLING THE BUDGET TRANSFER FROM CONSENT ITEM No. 2, AG. COMMISSION IN THE AMOUNT OF \$250 AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS) ADDED AGENDA ITEM:

REVIEW BOARD ORDER – SEE PAGE 7

THE BOARD FINDS THE NEED, SUBSEQUENT TO THE POSTING OF THE AGENDA, TO CONSIDER A ROADWAY MAINTENANCE AGREEMENT WITH THE CITY OF MERCED AYES: ALL

THE BOARD AUTHORIZED CONTRACT WITH CITY OF MERCED FOR A PORTION OF GERARD AVENUE BETWEEN STATE HIGHWAY 59 AND THE LA BELLA VISTA ANNEXATION AYES: ALL

10:30 A. M.

RCRC PRESENTATION - BRENT HARRINGTON, RCRC

REVIEW BOARD ORDER – SEE PAGE 7

RECEIVED REPORT

10:30 A. M.

REPORTS/BOARD DIRECTION

County Administrator
County Counsel
County Auditor
Board of Supervisors Members

LUNCH BREAK

CONSENT CALENDAR (Items # 1 - 12)

MODIFIED APPROVAL PULLING BUDGET TRANSFER FROM CONSENT ITEM NO. 2, AG. COMMISSION - \$250 AYES: ALL

Travel Request

1. Approve Travel Requests submitted by Business-Economic Opportunities and Public Works as recommended by Administration.

Budget Transfers

2. Approve Budget Transfers submitted by Ag Commissioner-\$250, Health-\$715 and Public Works-\$3,000 (#039) as recommended by Administration.

PULLED AG COMMISSION - \$250 FROM AGENDA

Planning

3. Set public hearing for February 5, 2002 to consider Proposed Program Guidelines for General and Native American Allocation, Housing Activities Grant from the CDBG Program to be utilized for housing rehabilitation activities in the unincorporated community of Winton and Cressey.

Claims for Damages

4. Act on Claims for Damages submitted by Mickey Moschitto, Charles Wimbley (2), Kenneth James, Jose Pereira, Richard Golub, John and Cathy Adams, Rogelio Todeo, Nora Saldana, Stan Silva, Brenda Pannell and Simon Marta,

Human Services Agency

5. Approve and authorize Chairman to sign Amendment to Contract No. 200109 with Private Industry Training Department for Independent Living Program and Employment Training Services for Welfare-to-Work eligible participants.
6. Approve and authorize Chairman to sign Amendment to Contract with Private Industry Training Department for employment services to CalWORKs Employment and Training participants in Job Search, Assessment, Work Experience, On-the-Job Training and Welfare-to-Work Grant Program work activities and approve the necessary budget transfer.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 7239

Mental Health

7. Approve and authorize Chairman to sign Contract with State Dept. of Mental Health for Managed Care Specialty Mental Health Services.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200217

8. Approve and authorize Chairman to sign Contract with State Dept. of Mental Health for mandated performance services and approve the necessary budget transfer-\$15,358.
AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200218

9. Approve and authorize Chairman to sign Amendment to Contract No. 10121 with Challenged-Family Resource Center for the addition of one Family Advocate to be paid from SAMHSA funds.

Sheriff

10. Approve and authorize Chairman to sign Renewal Contract No. 9731 with Jose and Salvador Walle for housing of the Winton Community Law Enforcement Office (C.L.E.O.).

Board Recognition

11. Authorize Certificates of Recognition to Ella Engman, Mary Curdy, Nick Caropresso, Alveda Parreira, Nola Cardoza, Jim Cook, Nancy Barcellos, Mabel Celano and June Marques for their volunteer services to the Los Banos Golden Agers Club.

Board of Supervisors

12. Approve Minutes submitted for October 2, 16 and 30 and November 6 and 20, 2001.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

13. Authorize the purchase of specialized landfill gas monitoring equipment and organics processing equipment (GEM 2000 Gas Monitor and an overs stacking conveyor for the Re-Tech 727 Magnum trommel from Re-Tech) for Highway 59 Landfill and approve the necessary budget transfer-\$8,000 (#035).

APPROVED AS RECOMMENDED **AYES: ALL**

14. Authorize Administration and Public Works to secure a detailed, ready to sign, proposal for lease-purchase financing for the Merced County Transit Facility with recommendations to be brought back to the Transit Joint Powers Authority for Merced County (TJPAMC) and the Board.

APPROVED AS RECOMMENDED **AYES: ALL**

15. Authorize Request for Proposal (RFP) for advertising and promotion services for Merced County Transit with recommendation to come back to the Board for Contract Award.

APPROVED AS RECOMMENDED **AYES: ALL**

16. Authorize Issuance of Request for Proposal for managing display advertising on Merced County Transit buses with recommendation to come back to the Board.

APPROVED AS RECOMMENDE0D **AYES: ALL**

17. Approve plans and specifications for the Juvenile Justice Correctional Complex Authority to Bid Phase 1 and 2, authorize Public Works to advertise and conduct bid opening subject to the receipt of the Finding of No Significant Impact (FONSI) from the Dept. of Justice-Washington, D.C. with report back to the Board and authorize Public Works to pay \$130,000

to the U.S. Fish and Wildlife Service to mitigate loss of Kit Fox habitat.

APPROVED AS RECOMMENDED **AYES: ALL**

UC MERCED

18. Approve and authorize Chairman to sign Contract with Conservation Biology Institute for Science Facilitator Services for the Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) and Contract with Dr. Reed Noss for Lead Science Advisor Services for the NCCP/HCP.

NO ACTION TAKEN – PULLED

SHERIFF

19. Authorize destruction of all weapons as submitted on listing based on the Governor's Executive Order D-7-99.

APPROVED AS RECOMMENDED **AYES: ALL**

20. Authorize transfer of ownership of 125 historical Sheriff Record Books to the Merced County Historical Society-Merced County Courthouse Museum.

APPROVED AS RECOMMENDED **AYES: ALL**

21. Authorize Sheriff to apply for funding under the California Multi-Jurisdictional Methamphetamine Enforcement Team, State Methamphetamine Initiative to return to the Board for further direction if grant is approved.

APPROVED AS RECOMMENDED **AYES: ALL**

GENERAL SERVICES

22. Contract with Steve Nelson for Auctioneer Services for the disposition of surplus property, declare Exhibit A as Surplus Property and authorize the Auction to be held on February 9, 2002.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200219 AS RECOMMENDED **AYES: ALL**

MENTAL HEALTH

23. Amendment to Contract with Evans Private Security Patrol for Security Services to the Marie Green Psychiatrist Inpatient Facility and approve the necessary budget transfer.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 9950 AS RECOMMENDED
AYES: ALL

ADMINISTRATION

24. East Merced Resource Conservation District – Appointments.

REAPPOINTED ROBERT BLISS, BILL HOFFNECHT AND TIM JOHNSON UNTIL JANUARY 28, 2003 AND EVERETT A. VIEIRA JR., JON KELSEY AND GLEN ANDERSON UNTIL JANUARY 28, 2005 TO SERVE AS MEMBERS OF THE EAST MERCED RESOURCE CONSERVATION DISTRICT **AYES: 1, 2, 3, 5 ABSTAINS: 4**

25. Acceptance and Acknowledgement of Department Head Resignations.

REVIEW BOARD ORDER – SEE PAGE 7

26. Contract with JT2 for Workers' Compensation Claims Administration effective April 1, 2002 and authorize issuance of Notice of Contract Termination to AIMS effective March 31, 2002 subject to approval of Counsel and General Services.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200220 **AYES: ALL**

27. Authorize Amendment to MCAG Joint Powers Agreement with the following change adding Item 7 to Article VII, Section A - "Administer a regional transportation impact fee program adopted by appropriate agency action by member agencies".

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001294 AYES: ALL

BOARD APPOINTMENTS

28. May Day Fair Board - Reappointment of Ron Borelli, Phil Fanelli and Paul Parreira.

APPOINTED RON BORELLI AND PHIL FANELLI REPRESENTING "AT LARGE" AND PAUL PARREIRA REPRESENTING "DISTRICT 5" UNTIL JULY 1, 2005 TO SERVE AS MEMBERS OF THE MAY DAY FAIR BOARD AYES: ALL

29. Housing Authority of the County of Merced re: Request for reappointment of Tom May and Marlin Nachtigal to serve as members of the Housing Authority of the County of Merced.

REAPPOINTED TOM MAY AND MARLIN NACHTIGAL TO SERVE AS MEMBERS OF THE HOUSING AUTHORITY OF THE COUNTY OF MERCED UNTIL FEBRUARY 18, 2006 AYES: ALL

30. Special District Requests re: Request for appointments to the Centinella Water District, Lansdale Water District and Stevinson Water District.

REVIEW BOARD ORDER – SEE PAGE 8

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE: AYES: ALL

31. Supervisor Kelsey re: Yosemite Area Regional Transportation System - acquisition of nearly \$400,000 in FY 02 Transportation Apportionments Bill.
32. Health re: Merced County Violence Prevention Strategic Plan. (On file with Clerk)
33. Business-Economic Opportunities re: AT&T Broadband price increases to be effective February, 2002.
34. Private Industry Training Department re: Report for January - February, 2002. (On file with Clerk)
35. Administration re: Merced County Vision and Mission.
36. CSAC re: Cesar Chavez Day of Service and Learning Program to be held on April 1, 2002.
37. State Dept. of Wildlife Conservation Board re: Wetland Habitat Restoration, North Grasslands (Lone Tree Ranch), Merced County set for hearing on February 27, 2002.
38. State Board of Equalization re: Emergency Property Tax Rule 138, Exemption for Aircraft being repaired, overhauled, modified or serviced.
39. Bureau of Reclamation re: Notice of Public Review - Revising of criteria for evaluating water conservation plans required by the Central Valley Project Improvement Act of 1992.

ADOPTED RESOLUTIONS AND ADJOURNED MEETING IN MEMORY OF CAROLINA CARDENAS, JOLENE MCCABE AND ALLEN PETERSON UNTIL TUESDAY, FEBRUARY 5, 2002 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JANUARY 29, 2002

ADDED AGENDA ITEM

2002-01-29 PUBLIC WORKS

Upon motion of Supervisor Crookham, seconded by Supervisor O'Banion, duly carried, the Board finds the need arose, subsequent to the posting of the agenda, to take action on an item relative to the Roadway Maintenance Agreement with the City of Merced and places it on the agenda for consideration and possible action.

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

Upon motion of Supervisor O'Banion, seconded by Supervisor Cortez Keene, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 200216 with the City of Merced for Roadway Maintenance Agreement for a portion of Gerard Avenue between State Highway 59 and the La Bella Vista Annexation to the City of Merced.

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

10:00 A.M. SCHEDULED ITEM

2002-01-29 PRESENTATION - RCRC

Brent Harrington, President and CEO of Rural Council of Rural Counties (RCRC) submits an informational pamphlet on RCRC-Enhancing, preserving and protecting the qualities of rural life and provides a brief update on RCRC activities. Janette Tapico, Vice President of the Housing Program provides an update of the existing Housing Program.

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

ACTION ITEM NO. 25

2002-01-29 ADMINISTRATION

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board acknowledged intent to retire from County Service during the coming year from the following department head:

Auditor-Controller Jim Ball	December, 2002
Treasurer-Tax Collector Bill Smith	January, 2003
Sheriff Gary Carlson	January, 2003
Ag. Commissioner Mike Tanner	January, 2003
Information Systems Director Mike Bommarito	December 2002

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

ACTION ITEM NO. 30

2002-01-29 CENTINELLA WATER, LANSDALE WATER AND STEVINSON WATER DISTRICTS

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board makes the following appointments:

Centinella Water District Appoints Terry Johnston, Andrew Johnston and George Johnston to serve as members of the Centinella Water District until December 5, 2005.

Lansdale Water District Appoints Terry Johnston, Andrew Johnston and George Johnston to serve as members of the Lansdale Water District until December 7, 2005.

Stevinson Water District Appoints Robert D. Kelley, Jr., George H. Kelley and Bryan J. Kelley to serve as members of the Stevinson Water District until December 7, 2005.

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