



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, JUNE 10, 2003

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
CHAIR KATHLEEN M. CROOKHAM....DISTRICT 2
MICHAEL G. NELSON.....DISTRICT 3
DEIDRE F. KELSEY....DISTRICT 4
JERRY O'BANION.....DISTRICT 5
Lydia A. Beiswanger, Chief Clerk

DEMITRIOS O. TATUM
COUNTY EXECUTIVE OFFICER

RUBEN E. CASTILLO
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 - 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: Three Case(s)

CLOSED SESSION: It is the intention of the Board to meet in Closed Session pursuant to Subdivision (f) of Section 54957.6 concerning Conference with County of Merced Staff Negotiators(s) concerning health care plan with 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, Unit 7; Merced County Sheriff Employee Association (MCSEA), Unit 2; Merced County Law Enforcement Sergeants, Unit P and Deputy Sheriff Association, Unit 10

THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED STAFF WAS GIVEN DIRECTION

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)

**UC MERCED PROJECT - LIAISON REPORT
NO REPORT**

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Auditor-Recorder-\$12,000, Fire-OES-\$14,000, Human Services Agency-\$2,326 and \$75,000 and Sheriff-\$69,900

APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 47)

APPROVED AS RECOMMENDED AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:30 A. M.

PUBLIC WORKS - PUBLIC HEARING – PROPOSED ORDINANCES - POSSIBLE ADOPTION

1. An Ordinance adjusting Encroachment Permit Fees (Amends Ord. No. 1635, 1459 and Code Chapter 13.30.030)

REVIEW BOARD ORDER – SEE PAGE 12

2. An Ordinance Adjusting Fees for Improvement Plan Review and Construction Inspection Fees (Amends Ordinances 1519, 1439, 1321 and 1257 and Section 16.08.030.D.3 of the County Code)

REVIEW BOARD ORDER – SEE PAGE 12

3. An Ordinance Adjusting Fees and Adding County Surveyor's Fees (Rescinds Ordinance No. 1427 and adds Chapter 17.40 to the Merced County Code)

REVIEW BOARD ORDER – SEE PAGE 12 AND 13

4. An Ordinance Establishing Facility Use, Rental Rates, Entrance and Parking Fees for County Parks

REVIEW BOARD ORDER – SEE PAGE 13

5. An Ordinance Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area, and Maintenance of all Buildings or Structures in the County of Merced and providing for the issuance of Building Permits and Collection of Fees therefore (Amends Ordinance No. 1539 and County Code Title 16, Chapters 16.12, 16.16, 16.20, 16.24, 16.28, 16.32, 16.36, and 16.44)

REVIEW BOARD ORDER – SEE PAGE 13

PUBLIC WORKS - PUBLIC HEARING

Proposed Resolution authorizing Merced County to Charge a Fee for the Issuance of Transportation Permits (Amends Resolution No. 91-379)

REVIEW BOARD ORDER – SEE PAGE 14

PUBLIC WORKS - PUBLIC HEARING

Proposed Resolution to Create the "Franklin-Beachwood Bridge and Major Thoroughfare Area of Benefit" and authorize the Auditor to establish an Interest Bearing Capital Projects Fund for the Area of Benefit

REVIEW BOARD ORDER – SEE PAGE 14

PUBLIC WORKS - PUBLIC HEARING – PROPOSED ORDINANCE - POSSIBLE ADOPTION

A Proposed Ordinance Entitled "County Service Area Number One User Charge Rates for Zones of Benefit in the 2003/2004 Fiscal Year" (Repeals Ordinance No. 1676)

REVIEW BOARD ORDER – SEE PAGE 14

PLANNING - PUBLIC HEARING

Proposed Resolution to Adjust Fees Concerning the Planning and Community Development Department's Development Review Fee Schedule (Established by Resolution No. 96-32)

REVIEW BOARD ORDER – SEE PAGE 15

BUSINESS-ECONOMIC OPPORTUNITIES – PUBLIC HEARING - PROPOSED ORDINANCE - FIRST READING - SET SECOND READING AND POSSIBLE ADOPTION FOR JUNE 17, 2003 AT 10:30 A.M.

An Ordinance establishing a requirement for a Business License and temporary Business License for Businesses or persons operating in the unincorporated area

REVIEW BOARD ORDER – SEE PAGE 15

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, County Auditor, Board of Supervisors Members

LUNCH BREAK

CONSENT CALENDAR (Items #1 - 47)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Adopt Resolution Annexing West Hills Estate No. 0007 into the West Hills Street Lighting, Sewage and Storm Drainage Maintenance Zone of Benefit #313 in County Service Area No. One.

ADOPTED RESOLUTION NO. 2003-86

2. Approve and authorize Public Works Director to sign Contract with Merced Irrigation District for Storm Water Discharge from West Hills Estates.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003102

3. Adopt Resolution accepting a Grant Deed from Yosemite Highlands, A General Partnership, for drainage purposes associated with West Hills Estates Major Subdivision located in the Merced area.

ADOPTED RESOLUTION NO. 2003-87

4. Accept the Final Map for West Hills Estates Subdivision No. 00007 in the Merced area.
5. Adopt Resolution annexing Casa De Suenos Subdivision No. 02017 into the Planada Street Lighting Maintenance Zone of Benefit #309 in County Service Area No. One.

ADOPTED RESOLUTION NO. 2003-88

6. Adopt Resolution annexing Casa De Suenos Subdivision No. 02017 into the Planada Storm Drainage Maintenance Zone of Benefit #329 in County Service Area No. One.

ADOPTED RESOLUTION NO. 2003-89

7. Accept the Final Map for Casa De Suenos Subdivision in the Planada area.
8. Adopt Resolution authorizing the installation of a Stop Sign at the Intersection of Lucich Drive and Franklin Road in the Franklin-Beachwood area.

ADOPTED RESOLUTION NO. 2003-90

Claims for Damages

9. Act on Claims for Damages received from J. Castrejon, M. Angelo, Carlos Luna and Pat Salgado as recommended by Risk Management.

Budget Transfers

10. Approve Budget Transfer submitted by Sheriff-Corrections-\$5,000 as recommended by Executive Office.

Ag. Commissioner

11. Approve and authorize Chairman to sign Renewal Contract No. 6518 with D & D Disposal, Inc. for Animal Control Services for FY 2003-2004.

Assessor

12. Authorize an increase in the Assessor's Office Change Fund from \$25.00 to \$100.00.

Planning

13. Set a public hearing for June 17, 2003 at 10:30 a.m. to consider proposed revision to the Community Development Block Grant Program Income Reuse Plan.

14. Set public hearing for June 24, 2003 at 10:30 a.m. to consider an Appeal to Zone Variance Application No. 03001 and Minor Subdivision Application No. 03003 submitted by David Reece.

Library

15. Accept Final Estate Fund Donation from Dr. John East and authorize the County Librarian to sign the appropriate documentation required.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003097

16. Accept the Grant from the California Civil Liberties Public Education Program (CCLPEP) through the Calif. State Library in the amount of \$4,000 to promote the discussion of American history and the importance of civil rights.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003099

Human Services Agency

17. Approve and authorize Chairman to sign Renewal Contract No. 6664 with Airport Warehouse Rentals for storage space at Grogan Avenue.
18. Approve and authorize Chairman to sign Renewal Contract No. 7171 with Merced County Office of Education for costs for services to CalWORKs Employment & Training participants in the amount of \$570,958 and authorize the H.S.A. Director, upon Auditor and Counsel review, to sign subsequent amendments to contract for change to work statement or items within the contract budget.
19. Approve and authorize Chairman to sign Amendment to Contract No. 2000195 with Community Action Board for Head Start Services to CalWORKs participants at Dos Palos site for an increase of \$7,800 through May 31, 2003 and authorize H.S.A. Director to sign subsequent amendments to contract for change to work statement or items within the contract budget.
20. Approve and authorize Chairman to sign Renewal Contract No. 2000195 with Community Action Board for Head Start Services to CalWORKs participants at the Dos Palos Site and authorize H.S.A. Director to sign subsequent amendments to contract for change to work statement or items within the contract budget to begin June 1, 2003 and end May 31, 2004.
21. Approve and authorize Chairman to sign Renewal Contract No. 200286 with Provident Care, Inc. for provision of special services care for the Multipurpose Senior Services Program and the Linkages Program and authorize H.S.A. Director to sign subsequent amendments to contract for change to work statement or items within the contract budget.
22. Approve and authorize Chairman to sign Renewal Contract No. 2002123 with Merced College for detection of learning disabilities with CalWORKs participants in the amount of \$305,919 and authorize H.S.A. Director to sign subsequent amendments to contract for change to work statement or items within the contract budget.
23. Approve and authorize Chairman to sign Renewal Contract No. 99135 with Accenture, LLP for MAGIC System Maintenance and authorize H.S.A. Director to sign subsequent amendments to contract for change to work statement or items within the contract budget.
24. Approve and authorize Chairman to sign Renewal to Contract No. 2000229 with Central Valley Opportunity Center to provide special services for CalWORKs participants in the amount of \$50,372 and authorize H.S.A. Director to sign subsequent amendments to contract for change to work statement or items within the contract budget.

Auditor-Controller

25. Set public hearing for June 17, 2003 at 10:30 a.m. to consider Proposed Ordinance to Establish Annual County Clerk and Recorder Fees.

Business-Economic Opportunities

26. Approve and authorize Chairman to sign Amendment to Contract No. 2001241 with Safe-Net Consultants to provide classroom training for bilingual (English/Spanish) Business Counselor.
27. Approve and authorize Chairman to sign Amendment to Contract No. 10275 with Alphonse Peterson for Business Assistance Counseling.

Sheriff

28. Accept donation of one electrical car from the Evercom Corporation for law enforcement mobility for patrol staff.
29. Approve Auditor's adjustments for promotion of salaries due to administrative error of promotion eligibility for the following: Sheryle Stone (effective Pay Period 8, 2002), Eveyln Coleman (effective Pay Period 3, 2003) and David Zunion (effective Pay Period 5, 2003) from Cook I to Cook II and Laura Verduzco (effective Pay Period 23, 2002) from Deputy Coroner I to II.

Mental Health

30. Approve and authorize Chairman to sign Renewal Contract No. 9301 with Merced Community College District to provide PC 1000 Deferred Entry of Judgment Program Services to Merced County residents.
31. Approve and authorize Chairman to sign Renewal Contract No. 5309 with Merced Community College District to provide First Offender Drinking Driver Program Services to Merced County residents.
32. Approve and authorize Chairman to sign Contract No. 2003108 with Human Services Agency for Money Management Services.
33. Approve and Authorize Chairman to sign Renewal Contract No. 10405 with St. Francis Lodge to provide basic board and care services to the consumers of Merced County.
34. Approve and Authorize Chairman to sign Renewal Contract No. 99199 with C & D Guest Home for the provision of special services for one consumer with special needs.
35. Approve and authorize Chairman to sign Renewal Contract No. 9489 with Rite-Aid Corporation to pay outstanding invoices for the period of November 1, 2002 through June 30, 2003.

Fire

36. Authorize coordination with U.S. Dept. of Justice for State Homeland Security Grant Program for FY 03 Part II Grant process by Merced County Office of Emergency Services.

Public Works-Castle

37. Approve Castle Airport Sublease Addendum with Castle Knights Aviation Inc. d.b.a. Gemini Flight Support.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003105

38. Approve and authorize Chairman to sign Addendum to Contract No. 2001234 with Patrick/Julia O'Connell dba Party Perfect Rentals for rental space.

Spring Fair

39. Approve and authorize Chairman to sign Renewal Contract No. 200197 with A.M.P. Racing, LLC for 2003 Interim Event for period of June 1 through September 15, 2003 at the Merced County Spring Fair.

Board Recognition

40. Authorize Certificates of Recognition to Trifina Morely-Women's Opportunity Award, Carolyn Nazabal-Women Helping Women, Kirsten Odell-Women of Distinction, Los Banos Police Department Chief Mark Knapp-Advancing the Status of Women, Cindy Hoskins-Advancing the Status of Women and Diana Ingram-Soroptimist of the Year 2003 for their selection by Soroptimist International of Los Banos for 2003.
41. Authorize Certificates of Recognition to individuals selected by the Celeste Municipal Advisory Council in honor of their exemplary performance in helping in the Neighborhood Clean Up Program.
42. Authorize Certificates of Recognition to Wang Khue Her in celebration and appreciation for long lasting relationship.
43. Proclaim May 12-16, 2003 as Bike to Work Week in Merced County.
44. Authorize Certificates of Recognition to Ben Esquivel-Man of the Year, D & D Pest Control-Business of the Year, Chris Tafoya-Outgoing President, Roy Mercado-Member of the Year and Eva de Long-Woman of the Year for their selection by the Hispanic Chamber of Commerce for Annual Awards.
45. Authorize Certificate of Recognition and plaque to Richard Clauss in honor of National Agri-Business Leader of the Year.
46. Authorize Certificates of Recognition to the individuals selected by Merced CHERISH for outstanding Older Americans Honorees for contributions to the communities.
REVIEW BOARD ORDER – SEE PAGE – SEE PAGE 15 AND 16
47. Authorize Certificates of Recognition to Wanda Constable, Gloria Ferreria, Maryls Flores, Ethel Nelson, Rosemary Rainey, Gwen Rose and Gillian Thomas in honor of dedicated service to the Winton School District.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

48. Approve Phase I of the Highway 59 Landfill New Water Well and the total estimated budget of \$177,600 and authorize Public Works to complete the design and approve construction documents, establish bid opening date and to conduct bid opening; authorize award of contract to lowest responsive bidder providing the lowest bid received is within the total project estimate for Phase I after review of Counsel and direct Public Works to return to the

Board with an updated Agenda Item informing the Board of the Results.

APPROVED AS RECOMMENDED AYES: ALL

49. Approve plans and specifications for the construction of the Delhi Senior Center Parking Lot and authorize Public Works to advertise for bids; authorize Public Works to award and execute construction contract with the lowest responsive bidder so long as the cost is within the amount approved in the budget and direct Public Works to return to the Board with an updated Agenda Item informing the Board of the Results.

APPROVED AS RECOMMENDED AYES: ALL

50. Approve submittal of Federal Aviation Administration (FAA) Military Airport Program (MAP) Funds for Castle Airport and authorize Public Works Director to sign all grant related documents.

REVIEW BOARD ORDER – SEE PAGE 15

APPROVED AS RECOMMENDED AYES: ALL

PLANNING

51. Contract with Delhi County Water District for a Sewer and Water Infrastructure Study utilizing \$35,000 from Miscellaneous Program Income Trust Fund to pay for the Study.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003106 AYES: ALL

HEALTH

52. Deletion of eight vacant positions, change in allocation of one Variable Shift position to a Full Time Position, Reduction in Force of three positions and termination of Contract No. 2001239 to meet FY 2003/04 Budget Requirements.

REVIEW BOARD ORDER – SEE PAGE 15 AND 16

APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2003-91

AYES: 1, 3, 4, 5 NOES: 2

53. Approve Release of Request for Proposal (RFP) and any necessary subsequent RFP's to seek qualified contractor to collect, transport and properly dispose of Cathode Ray Tubes.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

54. Authorize Merced County Fire Department to pay late fees in the amount of \$270.16 accrued on the Verizon Telephone Account for Merced County Fire Department.

APPROVED AS RECOMMENDED AYES: ALL

SHERIFF

55. Authorize Request to solicit a proposal for the acquisition of a complete 9-1-1 PSAP System and other eligible equipment and services for the Sheriff Department understanding upon completion of the bid process, General Services will return to the Board with award recommendations and the vendor agreement.

APPROVED AS RECOMMENDED AYES: ALL

56. Authorize Sheriff to apply for the U.S. Dept. of Justice Homeland Security Overtime Program and authorize signing of documents and to return to the Board regarding award and update information.

APPROVED AS RECOMMENDED AYES: ALL

MENTAL HEALTH

57. Contract No. 9122 with Staff Care, Inc. for temporary placement of psychiatrist to cover the duties of full-time existing positions and current vacancies for period of July 1, 2003 through June 30, 2004.

APPROVED AS RECOMMENDED AYES: ALL

AUDITOR

58. Contract with Advanced Records Technology, Inc. for County Recorder's Legal Recordings of Land and Property Transactions.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003095 AYES: ALL

PUBLIC WORKS

59. Annual Retainer Contracts extension as follows: Architecture Contract No. 200278 with Teter Consultants, LLP Audio/Visual Contract No. 2001164 with Thorburn Associates and Landfill Gas Engineering Contract No. 2000125 with SCS Engineers and approve the addition of a highway engineering contract with a per project limit of \$125,000 and authorize Public Works to circulate a Request for Proposal to retain said consultant.

APPROVED AS RECOMMENDED AYES: ALL

DEPT. OF WORKFORCE INVESTMENT

60. Acceptance of California Wellness Foundation Grant Contract in the amount of \$90,000 for Diversity in Health Profession's Grant Program and authorize Department of Workforce Investment Director to sign Letter of Acceptance and Grant Contract.

AUTHORIZED DIRECTOR TO SIGN CONTRACT NO. 2003096 AYES: ALL

EXECUTIVE OFFICE

61. Contract with Copeland, Lowery, Jacquez, Denton and Shockey for Federal Legislative Advocacy Services, RFP No. 5840 Award.

REVIEW BOARD ORDER – SEE PAGE 17

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003107 AYES: ALL

62. Approval of Personnel Actions related to Reduction in Funding for 2003 Workforce Investment Act and Reduction in Funding for PW - Castle.

REVIEW BOARD ORDER – SEE PAGE 17 AND 18

APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2003-92

AYES: 3, 4, 5 NOES: 1, 2

BOARD OF SUPERVISORS

63. Adopt and endorse the Merced County Economic Strategic Plan - "People, Place, Prosperity: Positioning for Global Competitiveness" as their economic development framework and direction for the next five years. (Strategic Plan on file with Clerk)

REVIEW BOARD ORDER – SEE PAGE 18

BOARD OF APPOINTMENTS

64. District One – Celeste Municipal Advisory Council.

APPOINTED TAMMY SALCEDO AND JESSIE OSEGERA TO SERVE AS MEMBERS OF THE CELESTE MUNICIPAL ADVISORY COUNCIL UNTIL JANUARY 3, 2007 AYES: ALL

65. District Four - Delhi Municipal Advisory Council.
APPOINTED SUZI COEN TO SERVE AS A MEMBER OF THE DELHI MUNICIPAL ADVISORY COUNCIL UNTIL JANUARY 3, 2007 AYES: ALL
66. District Four - Merquin Cemetery District.
REAPPOINTED TONY NIEDERBERGER AND ESTHELLE ROSS AND APPOINTED JORDON OUSE, JEANETTE BRAY AND TAMMY LEE TO SERVE AS MEMBERS OF THE MERQUIN CEMETERY DISTRICT UNTIL JUNE 10, 2007 AYES: ALL
67. District Four - Winton Cemetery District.
REAPPOINTED JACK HERKERT TO SERVE AS A MEMBER OF THE WINTON CEMETERY DISTRICT UNTIL MAY 18, 2007 AYES: ALL
68. District Four - Merced County Children and Families First Commission.
APPOINTED EVA DELONG, REPRESENTING DISTRICT FOUR, TO SERVE AS A MEMBER OF THE CHILDREN AND FAMILIES FIRST COMMISSION UNTIL MARCH 23, 2006 AYES: ALL
69. Workforce Investment Board.
APPOINTED ANA PAGAN, REPRESENTING HUMAN SERVICES AGENCY DIRECTOR, TO SERVE AS A MEMBER OF THE WORKFORCE INVESTMENT BOARD UNTIL JUNE 30, 2006 AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

70. Human Services Agency re: Electronic Benefit Transfer Update.
71. Dept. of Workforce Investment re: Update on membership of the Workforce Investment Board - Resignation.
72. City of Merced re: Notice of Resolutions adopted by the City Council at its meeting of May 19, 2003 concerning the municipal election to be held on November 4, 2003.
73. Grassland Resource Conservation District re: 2003 Annual Plan and 2002 Annual Report.
74. Fresno County Board of Supervisors re: Recommend James Hallowell for appointment to Calif. Transportation Commission.
75. State Office of Traffic Safety re: Notification of review of Final Report for the Supervising Offenders by Enforcement Response (SOBER) Project and letter of congratulations for completing the objective outlined in the project agreement.
76. State of California re: Governor's Environmental and Economic Leadership Awards - Information and Application - Deadline August 1, 2003.
77. State Water Resources Control Board re: License 1718 (Application 575) et al - order approving Joint Petition for Temporary Change involving the transfer of water from seven Sacramento River Water diverters to the Metropolitan Water District of Southern California with the option to serve the State Water Project and Central Valley Project.
78. California Public Utilities Commission re: Notice of Filing of Application for Electric Revenue Increase and Gas Revenue Decrease: Annual Earnings Assessment (AEAP) by PG & E and notice of public hearing participation information.

79. Calif. State Rural Health Association re: Invitation to become a member of CSRHA. (On file with Clerk)
80. State Wildlife Conservation Board re: Notice of Minutes of February 11, 2003. (On file with Clerk)
81. Federal Emergency Management Agency re: Response to request for determination if property is located within the identified Special Flood Hazard area.
82. State Board of Equalization re: Notice of Proposed Regulatory Action by the State Board of Equalization - Amend Property Tax Rule 462.040 - Change in Ownership Joint Tenancies Amend Property Tax Rule 462.240 - the following transfers do not constitute a change in ownership - Public Hearing set for July 9, 2003 at 9:30 a.m.
83. State Board of Equalization re: Valuation of Properties Financing using Low Income Housing Tax Credits.
84. County of Los Angeles Fish and Game Commission re: June 2003 Conference of the California County Fish and Game Commissions.

ADOPTED RESOLUTIONS AND ADJOURNED THE MEETING IN MEMORY OF MR. R. T. "BOB" CAMPBELL AND MRS. JANE GORBY WINTON UNTIL TUESDAY, JUNE 17, 2003 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 10, 2003

10:30 A.M. SCHEDULED ITEM

2003-06-10 PUBLIC WORKS – PUBLIC HEARING – ORDINANCE NO. 1698 ADOPTED

The time and date previously set for a public hearing to consider Proposed Ordinance titled – An Ordinance Adjusting Encroachment Permit Fees (Amends Ordinance No. 1635, 1459 and Code Chapter 13.30.030) as submitted by Public Works.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor Cortez Keene, seconded by Supervisor O'Banion, duly carried, the Board waives further reading of Proposed Ordinance titled - An Ordinance Adjusting Encroachment Permit Fees (Amends Ordinance No. 1635, 1459 and Code Chapter 13.30.030) and adopts Ordinance No. 1698.

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

10:30 A.M. SCHEDULED ITEM

2003-06-10 PUBLIC WORKS – PUBLIC HEARING – ORDINANCE NO. 1699 ADOPTED

The time and date previously set for a public hearing to consider Proposed Ordinance titled – An Ordinance Adjusting Fees for Improvement Plan Review and Construction Inspection Fees (Amends Ordinance No. 1519, 1439, 1321 and 1257 and Section 16.08.030.D.3 of the County Code) as submitted by Public Works.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor Cortez Keene, seconded by Supervisor Kelsey, duly carried, the Board waives further reading of Proposed Ordinance titled - An Ordinance Adjusting Fees for Improvement Plan Review and Construction Inspection Fees (Amends Ordinance No. 1519, 1439, 1321 and 1257 and Section 16.08.030.D.3 of the County Code) and adopts Ordinance No. 1699.

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

10:30 A.M. SCHEDULED ITEM

2003-06-10 PUBLIC WORKS – PUBLIC HEARING – ORDINANCE NO. 1700 ADOPTED

The time and date previously set for a public hearing to consider Proposed Ordinance titled – An Ordinance Adjusting Fees and Adding County Surveyor's Fees (Rescinds Ordinance No. 1427 and adds Chapter 17.40 to the Merced County Code) as submitted by Public Works.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor O'Banion, seconded by Supervisor Cortez Keene, duly carried, the Board waives further reading of Proposed Ordinance titled - An Ordinance Adjusting Fees and Adding County Surveyor's Fees (Rescinds Ordinance No. 1427 and adds Chapter 17.40 to the Merced County Code) and adopts Ordinance No. 1700.

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

10:30 A.M. SCHEDULED ITEM

2003-06-10 PUBLIC WORKS – PUBLIC HEARING – ORDINANCE NO. 1701 ADOPTED

The time and date previously set for a public hearing to consider Proposed Ordinance titled – An Ordinance Establishing Facility Use, Rental Rates, Entrance and Parking Fees for County Parks (Supercedes Ordinance No. 1573, No. 1470 and 1442) as submitted by Public Works.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor O'Banion, seconded by Supervisor Cortez Keene, duly carried, the Board waives further reading of Proposed Ordinance titled - An Ordinance Establishing Facility Use, Rental Rates, Entrance and Parking Fees for County Parks (Supercedes Ordinance No. 1573, No. 1470 and 1442) and adopts Ordinance No. 1701.

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

10:30 A.M. SCHEDULED ITEM

2003-06-10 PUBLIC WORKS – PUBLIC HEARING – ORDINANCE NO. 1702 ADOPTED

The time and date previously set for a public hearing to consider Proposed Ordinance titled – An Ordinance Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area, and Maintenance of all Buildings or Structures in the County of Merced and providing for the issuance of Building Permits and Collection of Fees therefore (Amends Ordinance No. 1539 and County Code Title 16, Chapters 16.12, 16.16, 16.20, 16.24, 16.28, 16.32, 16.36, and 16.44) as submitted by Public Works.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor O'Banion, seconded by Supervisor Cortez Keene, duly carried, the Board waives further reading of Proposed Ordinance titled - An Ordinance Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area, and Maintenance of all Buildings or Structures in the County of Merced and providing for the issuance of Building Permits and Collection of Fees therefore (Amends Ordinance No. 1539 and County Code Title 16, Chapters 16.12, 16.16, 16.20, 16.24, 16.28, 16.32, 16.36, and 16.44) and adopts Ordinance No. 1702.

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

10:30 A.M. SCHEDULED ITEM

2003-06-10 PUBLIC WORKS – PUBLIC HEARING

The time and date previously set for a public hearing to consider A Fee Charged for the Issuance of Transportation Permits and amend Resolution No. 91-379 as submitted by Public Works.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor Kelsey, seconded by Supervisor Cortez Keene, duly carried, the Board authorizes Merced County to Charge a Fee for the Issuance of Transportation Permits amending Resolution No. 91-379 and adopts Resolution No. 2003-93.

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

10:30 A.M. SCHEDULED ITEM

2003-06-10 PUBLIC WORKS – PUBLIC HEARING

The time and date previously set for a public hearing to consider creation of a Franklin-Beachwood Bridge and Major Thoroughfare Area of Benefit and authorization for the Auditor to establish an Interest Bearing Capital Projects Fund for the Area of Benefit as submitted by Public Works.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor Nelson, seconded by Supervisor Kelsey, duly carried, the Board creates the Franklin-Beachwood Bridge and Major Thoroughfare Area of Benefit, authorizes the Auditor to establish an Interest Bearing Capital Projects Fund for the Area of Benefit and adopts Resolution No. 2003-94.

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

10:30 A.M. SCHEDULED ITEM

2003-06-10 PUBLIC WORKS – PUBLIC HEARING – ORDINANCE NO. 1703 ADOPTED

The time and date previously set for a public hearing to consider Proposed Ordinance titled – An Ordinance Entitled County Service Area Number One User Charge Rates for Zones of Benefit in the 2003/2004 Fiscal Year (Repeals Ordinance No. 1676) as submitted by Public Works.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board waives further reading of Proposed Ordinance titled - An Ordinance Entitled County Service Area Number One User Charge Rates for Zones of Benefit in the 2003/2004 Fiscal Year (Repeals Ordinance No. 1676) and adopts Ordinance No. 1703.

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

10:30 A.M. SCHEDULED ITEM

2003-06-10 PLANNING – PUBLIC HEARING

The time and date previously set for a public hearing to consider Adjusting Fees Concerning the Planning and Community Development Department's Development Review Fee Schedule and amends Resolution No. 96-32 as submitted by Planning.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor Cortez Keene, seconded by Supervisor O'Banion, duly carried, the Board approves Adjusting Fees Concerning the Planning and Community Development Department's Development Review Fee Schedule and adopts Resolution No. 2003-95.

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

10:30 A.M. SCHEDULED ITEM

2003-06-10 BUSINESS-ECONOMIC OPPORTUNITIES – PUBLIC HEARING – PROPOSED ORDINANCE – FIRST READING – SET SECOND READING AND POSSIBLE ADOPTION FOR JUNE 17, 2003 AT 10:30 A.M.

The time and date previously set for a public hearing to consider First Reading of Proposed Ordinance titled – An Ordinance Establishing a Requirement for a Business License and Temporary Business License for Businesses or Persons Operation in the Unincorporated Area as submitted by Business-Economic Opportunities.

The Chairman asks if there is anyone present who wishes to speak. No one speaks.

Upon motion of Supervisor O'Banion, seconded by Supervisor Cortez Keene, duly carried, the Board waives further reading of Proposed Ordinance titled - An Ordinance Establishing a Requirement for a Business License and Temporary Business License for Businesses or Persons Operation in the Unincorporated Area and sets second reading and possible adoption for June 17, 2003, at 10:30 a.m.

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

CONSENT ITEM 46

2003-06-10 BOARD RECOGNITION

Upon motion of Supervisor Kelsey, seconded by Supervisor Cortez Keene, duly carried, the Board authorizes Certificates of Recognition to the following individuals selected by Merced CHERISH for outstanding Older Americans Honorees for contributions to the communities:

Audra Brown-Merced Cherish, Erlene Elam-Livingston, Helen Baugh Evans-Merced AARP #282, Pegg Eyeran-Los Banos Cherish, Gene Feist-Atwater Cherish, Anita Ferriera-Winton Senior Social Club, Rosetta Franklin-Atwater AARP Chapter 2194, Mae Guarracino-Atwater Senior Social Club, Debbie Housh-Winton Cherish, Yvonne Hyder, Atwater Senior Social Club, Kenneth R. Jackson-Merced AARP #282, Bette Kangas-Atwater AARP Chapter 2194, Joe Navarra-Gustine Cherish, Theodore and Connie Rios, Sr.-Merced Over Fifty Club, Lalo Sanchez-Planada Cherish, Frank and Barbara Souza-Los Banos Golden Agers, Barbara Tomquest, Hilmar Cherish,

Jacqueline Thomlinson-Dos Palos Senior Citizen Club and Alex and Bess Bailon-Merced Senior Social Club.

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

ACTION ITEM NO. 50

2003-06-10 PUBLIC WORKS

The Chairman states it is time to consider the Application for Federal Aviation Administration Military Airport Program Funds for Castle Airport.

Public Works Director Paul Fillebrown states the actual fiscal impact should state \$333,000 and not as shown on the staff report.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board approves and authorizes the submittal of the FAA application for Military Airport Program (MAP) funds for Castle Airport and authorizes the Public Works Director to sign the Application and all Grant-related documents.

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

ACTION ITEM NO. 52

2003-06-10 HEALTH

The Chairman states the Health Department recommendations to meet the FY 2003-04 Budget Requirements are before the Board for consideration.

Supervisor Crookham questions the existing dental program and the success of this program in other counties and requests the County Executive Office obtain further information.

Following discussion, Supervisor O'Banion moves, seconded by Supervisor Cortez Keene, the Board approve the deletion of vacant positions to be effective June 27, 2003 as follows:

- Community Health/Public Health Nurse – Position No. 7 in Sub-Budget Unit 40010, CHDP
- Nutritionist – Position No. 185 in Sub-Budget Unit 40010, CHDP
- VS Community Health/Public Health Nurse – Position No. 154 in Sub-Budget Unit 40013, Prevention
- Health Educator – Position No. 38 in Sub-Budget Unit 40025, Health Education
- Health Education Specialist – Position No. 194 in Sub-Budget Unit 40025, Health Education
- Health Education Administrator – Position No. 97 in Sub-Budget Unit 40025, Health Education
- Community Health/Public Health Nurse – Position No. 91 in Sub-Budget Unit 40031, MCH
- Community Health/Public Health Nurse – Position No. 183 in Sub-Budget Unit 40034, Nursing

approve change in allocation of one Variable Shift Community Health/Public Health Nurse – Position No. 98 in Sub-Budget Unit 40013, Prevention to a Full Time Community Health/Public Health Nurse to be effective June 27, 2003;

approve the deletion of the following positions and Reduction in Force procedures pursuant to Section 2.W of the Human Resources Rules and Regulations to be effective June 27, 2003:

- Community Health Specialist – Position No. 126 in Sub-Budget Unit 40025, Health Education
- Public Health Social Worker – Position No. 200 in Sub-Budget Unit 40031, MCH
- Community Health Specialist – Position No. 116 in Sub-Budget Unit 40025, Health Education

approve the termination of Contract No. 2001239 with the State Department of Health Services for the Dental Disease Prevention Program and authorize the Director of Public Health to proceed with such notification effective July 1, 2003 and adopt Resolution No. 2003-91.

Ayes: Cortez Keene, Nelson, Kelsey, O'Banion

Noes: Crookham

ACTION ITEM NO. 61

2003-06-10 EXECUTIVE OFFICE

Upon motion of Supervisor O'Banion, seconded by Supervisor Cortez Keene, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2003107 with Copeland, Lowery, Jacquez, Denton & Shockey for Federal Legislative Advocacy Services effective July 1, 2003 through June 30, 2008 in connection with RFP No. 5840 and deletes the recommendation to continue the contract on an annual basis understanding the Contract will come back to the Board for approval at the end of the fifth year.

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

ACTION ITEM NO. 62

2003-06-10 EXECUTIVE OFFICE

The Chairman states the personnel actions relative to reduction of funding for the Department of Workforce Investment and DPW-Castle are before the Board for consideration.

Supervisors Cortez Keene and Crookham question the reductions and requests additional information on the ratio of managers to non-managers.

Supervisor O'Banion moves, seconded by Supervisor Kelsey, the Board authorizes notification of a Reduction in Force (RIF) effective June 27, 2003 pursuant to Human Resources Rule and Regulations Section 2.W as follows:

One Customer Service Representative position, two Staff Services Analyst I/II positions, two Employment and Training Analyst I/II positions, six Employment and Training Specialist I/II positions, two Assessment Technician I/II positions, one MIS Technician I/II position, one vacant Variable Shift Typist Clerk III position and one vacant Typist Clerk I/II position in the Department of Workforce Investment, Budget Unit 55000,

Establish the classification of Special Project Manager, Salary Range 68.1; change one Program Manager-PITD, position #005, Salary Range 68.1 to a Special Project Manager, Salary Range 68.1 in Department of Workforce Investment, Budget Unit 55000

Authorize Reduction in Force for effective June 27, 2003 pursuant to Human Resources Rules and Regulations Section 2.W affecting one Castle-Fiscal Services Supervisor (Position 6) in Public Works-Castle, Budget Unit 75200

and adopts Resolution No. 2003-92.

Ayes: Nelson, Kelsey, O'Banion

Noes: Crookham, Cortez Keene

ACTION ITEM NO. 63

2003-06-10 BOARD OF SUPERVISORS

The Chairman states consideration of Board endorsement of the Merced County Economic Strategic Plan is before the Board for approval.

Bryant Owens appears before the Board and speaks relative to the rural county status for economic development and the county general plan.

Business-Economic Opportunities Director John Fowler appears before the Board on behalf of Scott Galbraith, President/CEO of Merced County Economic Development Corporation and reviews the staff report states the request is for endorsement of the Plan.

Mary Furey, Planada property owner, speaks stating the County continues to make subdivisions and take up land, the County no longer has an E.R. at the hospital and requests the Board take action on the needed issues.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board adopts and endorses the Merced County Economic Strategic Plan – "People, Place, Prosperity: Positioning for Global Competitiveness" as the economic development framework and direction for the next five years.

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