



# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

Regular Meeting  
TUESDAY, JANUARY 04, 2005  
Regular Meeting – 10:00 a.m.

MERCED COUNTY  
ADMINISTRATION BUILDING  
2222 "M" STREET  
BOARD ROOM, THIRD FLOOR  
MERCED, CALIFORNIA 95340  
(209) 385-7366

JOHN PEDROZO.....DISTRICT 1  
KATHLEEN M. CROOKHAM....DISTRICT 2  
MICHAEL G. NELSON.....DISTRICT 3  
DEIDRE F. KELSEY....DISTRICT 4  
CHAIRMAN 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.*

**The Agenda is available online at [www.co.merced.ca.us](http://www.co.merced.ca.us)**

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE  
INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE

**Members of the public are advised that all pagers, cellular telephones and any other communication devices are to be turned off upon entering the Board Chambers**

### SCHEDULED ITEMS

10:00 A. M.

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS** - 2004 in Review, Goals and Accomplishments presented  
By Chairman Deidre F. Kelsey

**REORGANIZATION OF THE BOARD FOR 2005 YEAR**  
**SUPERVISOR O'BANION IS ELECTED TO SERVE AS 2005**  
**CHAIRMAN AND SUPERVISOR NELSON IS ELECTED TO SERVE AS**  
**VICE-CHAIRMAN FOR THE 2005 YEAR**

**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: Bryant Owens, Steve Freitas and Sheriff Pazin**

**BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required)**

Health-\$108,750, \$608 and \$8,700; Sheriff-\$3,255 and \$5,000; Public Works-CIP, \$14,593 and \$14,650; CEO \$10,000

**APPROVED AS RECOMMENDED AYES: ALL**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 10)**

**APPROVED AS RECOMMENDED AYES: ALL**

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

10:30 A. M.

**COUNSEL - PROPOSED ORDINANCE - First Reading - Set Second Reading and possible adoption for January 11, 2005 at 10: 30 a.m. Proposed ordinance Adopting the Merced County Code.**

**REVIEW BOARD ORDER – SEE PAGE 6**

**REPORTS/BOARD DIRECTION**

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

**LUNCH BREAK**

**CONSENT CALENDAR (Items #1 - 10)**

**APPROVED AS RECOMMENDED AYES: ALL**

**Public Works**

1. Adopt Resolution forming the Los Olivos Street Lighting Maintenance Zone of Benefit #334 in County Service Area Number One.

**ADOPTED RESOLUTION NO. 2005-01**

2. Adopt Resolution annexing the Carpenter/Penfield Minor Subdivision No. 04049 into the Bispo Estates Street Lighting and Drainage Maintenance Zone of Benefit Number 234 in

County Service Area Number One.

**ADOPTED RESOLUTION NO. 2005-02**

Mental Health

3. Approve and authorize the Chairman to sign Renewal Contract No. 2003083 with State Dept. of Mental Health for State Hospital Bed Usage.

Commerce, Aviation and Economic Development (CAED)

4. Approve and authorize Chairman to sign Amendment to Contract No. 2004182 with Jane E. McGinnis for Procurement Technical Assistance Services.
5. Approve and authorize Chairman to sign Renewal to Contract No. 2005006 with Tangent Computer, Inc. for FOCUS Program Procurement Vehicle.

Human Services Agency

6. Approve and authorize Chairman to sign Amendment to Contract No. 2000182 with Counsel's Office for Legal Services.

Child Support Services

7. Approve and authorize Chairman to sign Renewal Contract No. 2004045 with Specialized Litigation Services, Inc. for process services.

Executive Office

8. Act on Claims for Damages submitted by Everett L. Tolbert, Bernice Burch, Ronald Ramos, Andrew Dahlgren, Erika Rivera, and Mary Prado as recommended by Risk Management.

Board Recognition

9. Authorize Certificates of Recognition to the 2004 Outgoing Officers and Board of Director members of the Los Banos Golden Agers.

**REVIEW BOARD ORDER – SEE PAGE 6**

10. Authorize Certificates of Recognition to the following Gustine High Students: Nichole Parker, Girls State; Jared Lindo, Boys State; Krista Beard, Miss Gustine Fourth of July 2004-2005; Kiashira Ruiz, First Female in the State and Gustine High to play Football; Jason Lindo, Congress Bundestag Youth Exchange Scholarship Award to study in Germany.

REGULAR CALENDAR

BOARD ACTION

HEALTH

11. Grant from California Health Care Foundation for the purposes of providing support for a Feasibility Study of expanded insurance coverage for children 0-18 in Merced County.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005002 AND ADOPTED RESOLUTION NO. 2005-03 AYES: ALL**

HUMAN SERVICES AGENCY

12. Contract with William V. Stenberg for West Side Family Health Center Lease.  
**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005003 AYES: ALL**

**PUBLIC DEFENDER**

13. Contract with Alpine Springs Investigations for Public Defender Investigative Services.  
**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005004 AYES: ALL**

**PROBATION**

14. Contract No. 2004237 with Los Banos Unified School District to station a deputy probation officer at Los Banos High School Campus in connection with the Giving Responsibility to Adolescents to Develop Success (GRADS) Program.  
**APPROVED AS RECOMMENDED AYES: ALL**

**PLANNING**

15. Contract with Zucker Systems for an Update to the Planning Department Audit to study the staffing levels, organizational options and staff retention and approve the necessary budget transfer in the amount of \$23,750.  
**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005005 AYES: ALL**

**EXECUTIVE OFFICE**

16. PULLED

**BOARD APPOINTMENTS**

17. Emergency Medical Care Committee - Appointments.  
**APPOINTED DR. GARY TAMKIM, ED PHYSICIAN REPRESENTATIVE, PHYLLIS STARK, HOSPITAL REPRESENTATIVE AND JIM BILLOW, ED NURSE REPRESENTATIVE UNTIL JUNE 30, 2007 AND DAN SHAMBAUGH, LAW ENFORCEMENT REPRESENTATIVE UNTIL JUNE 30, 2008 TO SERVE AS MEMBERS OF THE EMERGENCY MEDICAL CARE COMMITTEE AYES: ALL**
18. Continuum of Care Advisory Council recommendations by Merced County Association of Governments (MCAG) for appointments with understanding Council is under the responsibility and jurisdiction of MCAG: Government Agency Representative-1 Year Term: Mae Pierini, Merced County Office of Education; Non Profit Representative-1 Year Term: Terry Tatum, Director of United Way of Merced County.  
**APPROVED AS RECOMMENDED AYES: ALL**

**BOARD INFORMATION & POSSIBLE ACTION**

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

19. Regional Council of Rural Counties re: RCRC Delegate and Alternate Designees.
20. State Water Resources Control Board re: Supplemental Notice of Public Workshop - Consideration of Potential Amendments or Revisions of the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary.
21. California Regional Water Quality Control Board re: Central Valley Region - Notice of Public Hearing and Notice of Filing of Draft Environmental Documents concerning adoption

of a Basin Plan Amendment for the Control program for factors contributing to the dissolved oxygen impairment in the Stockton Deep Water Ship Channel.

**ADJOURNED MEETING IN MEMORY OF DONALD BOLES, LEROY "TILLIE" EGLING,  
NED JOSEPH FONSECA, MARY FRANCES NUTCHER AND JAMES SHU UNTIL TUESDAY,  
JANUARY 11, 2005 AT 10:00 A.M.**

**BOARD ORDERS – SUMMARY ACTION MINUTES – JANUARY 4, 2005**

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

**2005-01-04 COUNTY COUNSEL – PUBLIC HEARING**

The time and date previously set for a public hearing to consider Proposed Ordinance to adopt the Merced County Code as submitted by County Counsel.

Upon motion of Supervisor Kelsey, seconded by Supervisor Pedrozo, duly carried, the Board waives further reading of the proposed ordinance titled An Ordinance to Adopt the Merced County Code.

Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

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

Upon motion of Supervisor Crookham, seconded by Supervisor Nelson, duly carried, the Board sets second reading and possible adoption of the Proposed Ordinance for January 11, 2005 at 10:30 a.m.

Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

**CONSENT ITEM NO. 9**

**2005-01-04 BOARD OF SUPERVISORS**

Upon motion of Supervisor Kelsey, seconded by Supervisor Nelson, duly carried, the Board authorizes Certificates Recognition to the 2004 Outgoing Officers and Board of Director members of the Los Banos Golden Agers Club as follows:

Past President Nancy Barcellos, President Gene Anderson, Vice President Tom Hammond, Secretary Rose Mello, Treasurer Ceci Cardoza, Historian Ella Engman and Members Benny Gamino, Beverly Brown, Mary Ann Wood, Bette Orlando and Manual Cardoza.

Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey