



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, MAY 03, 2005

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

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
(209) 385-7366*

SCHEDULED ITEMS

9:00 A. M.

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) John Fowler, Commerce, Aviation and Economic Development Director pursuant to Section 54956.8 as follows: Castle, Airport and Aviation Center (2 cases).

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 - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

It is the intention of the Board to meet in Closed Session concerning Existing Litigation pursuant to Subdivision (a) of Section 54956.9: San Joaquin Raptor, et al vs. County of Merced et al, Merced County Superior Court Case No. 148210.

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

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

REVIEW BOARD ORDER – SEE PAGE 10

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: Doug Fluetsch, Don Bergman, Gary Doesckle and Bryant Owens

PRESENTATIONS:

Merced/Mariposa County Asthma Coalition - Proclamation for "World Asthma Day"

Merced Visitor's Center

Recognition of Virginia Kong - "Relay for Life"

REVIEW BOARD ORDER – SEE PAGE 10

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Ag. Commissioner-\$14,697, First 5 Merced County-\$7,500, Human Services Agency-\$27,000; Public Works-Roads-\$6,000 (#083) and Dept. of Workforce Investment-\$3,000.

APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF CONSENT AGENDA CALENDAR (Items # 1 - 39)

APPROVED AS RECOMMENDED AYES: ALL

10:30 A. M.

SHERIFF - PUBLIC HEARING

To consider Criminal Justice Administrative Fee (Booking Fee) at \$67.55 for Fiscal Year 2005-2006 per Government Code 29550(a)(1) for Merced County Bookings.

REVIEW BOARD ORDER – SEE PAGE 10

PLANNING - PUBLIC HEARING - PROPOSED ORDINANCE

To consider proposed Fox Hills Development Agreement and Proposed Ordinance related thereto. Fox Hills is located at the south end of Volta Road within the Fox Hills SUDP, southwest of Los Banos south of Highway 152 and immediately east of Interstate 5. Proposed Ordinance - Development Agreement between the County and Fox Hills Management Group, LLC for the Fox Hills Golf Community Subdivision.

REVIEW BOARD ORDER – SEE PAGE 11

REPORTS/BOARD DIRECTION

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

LUNCH BREAK

CONSENT CALENDAR (Items # 1 - 39)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

- 1. Adopt Resolution designating the intersection of Johnson Avenue and Tegner Road as an All-Way Stop Intersection and authorize installation of stop signs on Johnson Avenue approaches to the intersection.

ADOPTED RESOLUTION NO. 2005-75

- 2. Adopt Resolution annexing the Silva Meadows Subdivision No. 03017 into Greenfield by Brooks Street Lighting and Storm Drainage Maintenance Zone of Benefit Number 252 in County Service Area Number One.

ADOPTED RESOLUTION NO. 2005-76

- 3. Adopt Resolution accepting the Easement Deed from Ronald W. Smith and Ann E. Smith for public road and public utility purposes in connection with Silva Meadows Major Subdivision No. 03017 in Atwater.

ADOPTED RESOLUTION NO. 2005-77

- 4. Adopt Resolution forming Silva Meadows Landscaping and Sewage Maintenance Zone of Benefit No. 268 in County Service Area Number One.

ADOPTED RESOLUTION NO. 2005-78

- 5. Adopt Resolution accepting Easement Deed from Larry J. Silva and Rosemary A. Silva for public utility purposes along Moran Avenue in connection with Silva Meadows Major Subdivision No. 03017 in Atwater.

ADOPTED RESOLUTION NO. 2005-79

- 6. Adopt Resolution accepting Easement Deed from Luis Moreno Carmona and Maria Angela Carmona for public utility purposes in connection with Silva Meadows Major Subdivision No. 03017 in Atwater.

ADOPTED RESOLUTION NO. 2005-80

- 7. Adopt Resolution accepting Easement Deed from Dennis Brammer and Maureen Brammer for storm drainage purposes in connection with Silva Meadows Major Subdivision No. 03017 in Atwater.

ADOPTED RESOLUTION NO. 2005-81

8. Adopt Resolution accepting Easement Deed from Dennis Brammer and Maureen Brammer for public utilities purposes in connection with Silva Meadows Major Subdivision No. 03017 in Atwater.

ADOPTED RESOLUTION NO. 2005-82

9. Accept Final Map for Silva Meadows-Phase 1, Subdivision No. 03017, located in Atwater.
10. Approve Plans and Specifications for construction of Bloss Avenue at State Highway 165 Signalization Improvement Project, conduct bid opening and return to the Board with results and recommendation to award a construction contract to the lowest responsive bidder within the established budget.
11. Approve Plans and Specifications, contingent upon FAA approval, for Taxiway Signage, Pavement Markings and Runway Safety Area Rehabilitation Project; authorize Public Works to establish a bid opening date, advertise and conduct bid opening and return to the Board with results and recommendation to award a construction contract to the lowest responsive bidder within the established budget.
12. Approve Plans and Specifications for Improvement of Castle Airport Utility System; authorize Public Works to establish a bid opening date, advertise, and conduct bid opening and return to the Board with results and recommendation to award a construction contract to the lowest responsive bidder within the established budget.
13. Set public hearing on June 14, 2005, at 10:30 a.m. to consider User Charge Rates for Zones of Benefit-Establishing County Service Area Number One User Rates for FY 2005/2006 (Add Chapter 5.64 to the County Code and amend Ordinance No. 1725).
14. Proclaim May 15 through 21, 2005, as "National Public Works Week".

Mental Health

15. Approve and authorize Chairman to sign Amendment to Contract No. 2004110 with the State Department of Alcohol and Drug Programs for provision of local alcohol and drug services for Fiscal Year 2004-2005.

ADOPTED RESOLUTION NO. 2005-83

16. Approve and authorize Chairman to sign Renewal Contract No. 2004172 with Mission Linen Supply for Laundry Services.
17. Approve and authorize the Chairman to sign Renewal Contract No. 2004051 with the Auditor's Office for courier services.
18. Approve and authorize the Chairman to sign Renewal Contract No. 2004134 with Merle V. Charles, L.P.T. and M.A.O.M. as the Patients' Rights Advocate.
19. Approve and authorize Chairman to sign Renewal Contract No. 2004136 with Joseph Melton, MFT for Certification Review Hearing Officer Services pursuant to Welfare and Institutions Code 5250 et. seq.

Human Services Agency

20. Approve and authorize Chairman to sign Renewal Contract No. 2000229 with Central Valley Opportunity Center to provide Welfare-to-Work activities to Spanish-speaking customers.
21. Approve and authorize the Chairman to sign Renewal Contract No. 2004145 with Merced College for Administrative Services regarding Welfare to Work participants.

Sheriff-Coroner

22. Approve and authorize the Chairman to sign Amendment Contract No. 2004067 with the Auditor's Office for transportation services.

Health

23. Approve and authorize the Chairman to sign the Used Oil Block Grant Application for Fiscal Year 2005-2006, authorize submission to the California Integrated Waste Management Board in the amount of \$70,700, authorize the Environmental Health Director to sign all payment request forms and adopt Resolution.

ADOPTED RESOLUTION NO. 2005-84

Executive Office

24. Approve Travel Request submitted by Sheriff Department and Children & Families Commission (First 5 Merced County) as recommended by the Executive Office.

Board Recognition

25. Authorize a Plaque to Dorothy Penner for dedicated service to the City of Merced.
26. Authorize Plaque to California Department of Fish and Game in recognition of 75 years of Habitat Conservation for the Los Banos Wildlife Area.
27. Authorize Plaque and Certificate of Recognition to Winton CLEO for their 10th Anniversary Celebration.
28. Proclaim the Month of April as Sexual Awareness Month and April 20, 2005, as "Jeans for Justice Day" in Merced County.
29. Proclaim the 24 hour period from 9:00 a.m., Saturday, April 23, through 9:00 a.m. on Sunday, April 24, 2005, as "Relay for Life Day" in Merced County.
30. Authorize Proclamation to California Women for Agriculture proclaiming March 20 - 26, 2005, as "Agricultural Week" in Merced County and Certificate of Recognition to Karen Bandoni as "2004 President of the Merced Chapter California Women for Agriculture".
31. Authorize Certificates of Recognition to Fremont Charter School for commitment and dedication to the Math and Science Programs and participation with the Solar Schools Program and to PG&E for their commitment to the Grant Program, Schools and helping further teach Children and the Community.
32. Authorize Certificate of Recognition to Jessica McAdams for Firefighter of the Year and Heroism Award and authorize Certificates to the following 2004 Firefighters of the Year:

REVIEW BOARD ORDER – SEE PAGES 11

33. Authorize Certificate of Recognition to Dr. Peter W. Brill in appreciation of dedicated service as doctor for the Dos Palos Bronco Football Team, support of youth sports, and commitment to the Dos Palos Hospital and Community.
34. Authorize Certificate of Recognition to Elaine Grant for being recognized as Hilmar Chamber of Commerce Citizen of the Year.
35. Authorize Certificates of Recognition to Memorial Hospital Los Banos in recognition of "National Volunteer Week" from April 17 - 23, 2005, and to Agnes Cardoza for being selected by Memorial Hospital of Los Banos as "2004 Volunteer of the Year".
36. Authorize Certificates of Recognition to various individuals recognized by the Merced County Old Timers Association for attaining the age of 85 and 50 years of residency in the

County of Merced.

REVIEW BOARD ORDER – SEE PAGE 12

37. Authorize Certificate of Recognition to Elegant Bull Restaurant in celebration of 15 years of business in the Community of Delhi.
38. Authorize Certificate of Recognition to the Le Grand Fire Station in dedication of the new Le Grand Water Tender.
39. Authorize Certificate of Recognition to El Nido Fire Station in recognition of the new El Nido Water Tender.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

40. Contract with PlayPower LT Farmington to provide and install playground equipment in various parks in Merced County.
AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005091 AYES: ALL
41. Contract with Merced Irrigation District for electrical services in connection with the New Courts Building.
CONTINUED DISCUSSION TO MAY 17, 2005 BOARD MEETING – NO FURTHER ACTION TAKEN
42. Authorize Public Works to send a letter to Caltrans requesting the closure of the median opening on State Highway 99 at Healy Road.
APPROVED AS RECOMMENDED AYES: ALL
43. Contract with Don Dommer Associates for design of the New Merced County Fire Station No. 82 and approve the necessary budget transfer-\$150,000 (#091). (4/5 vote required)
AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005092 AYES: ALL
44. Contract for Refurbishment of Landscaping and New Client Visitation Shelter at Human Services Agency.

REVIEW BOARD ORDER – SEE PAGES 12

TREASURER-TAX COLLECTOR

45. Contract with RT Lawrence Corporation for Purchase of Remittance Processor in accordance with RFP 5973.
AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005093 AYES: ALL

SHERIFF-CORONER

46. Contract with Auditor's Office for Office Space in a portion of Room 11 located at 670 W. 22nd Street, Merced, CA currently assigned to the Sheriff-Coroner.
AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005094 AYES: ALL
47. Authorize Administrative Services to purchase TASERS and ancillary equipment for the Sheriff's Department from A.L.D. Company Inc./De Nio Enterprises, the sole authorized police distributor in California and Nevada for TASER equipment and approves the

necessary budget transfer. (4/5 vote required)

REVIEW BOARD ORDER – SEE PAGE 12 AND 13

48. Accept donation of \$1000 from Farmers and Merchants Bank in Hilmar for the Merced County Peace Officer's Memorial Fund and approve the necessary budget transfer. (#081) (4/5 vote required)

APPROVED AS RECOMMENDED AYES: ALL

COMMERCE AVIATION AND ECONOMIC DEVELOPMENT

49. Contract with Keyser Marston & Associates to provide Technical Services to assist with establishing Castle Airport Aviation and Development Center as a redevelopment project area.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005095 AYES: ALL

50. Contract with McDonough Holland & Allen to provide Legal Services to assist with establishing Castle Airport Aviation and Development Center as a redevelopment project area.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005096 AYES: ALL

51. Contract with Juan B. Martinez dba Tacos & Burritos Guerrero for Right of Entry to provide food services to Cingular Wireless Call Center employees at Castle, Airport and Aviation Center.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005097 AYES: ALL

52. Contract with Roger Blaine for Sublease of Building 1323 (approximately 6,000 square feet) for sheet metal and equipment storage for his business Blaine, Inc. at Castle Airport Aviation and Development Center.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005100 AYES: ALL

53. Contract with Red Stars Inc. for a Proof of Concept Air Show at Castle Airport May 12 - 15, 2005 under the supervision of the Airport Manager and Director of CAED.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005101 AYES: ALL

PROBATION

54. Approve Amendment to Contract No. 2004237 with the Los Banos School District to allow a deputy probation officer to assist in the Saturday Intervention Program and approve the necessary budget transfer-\$2,200. (4/5 vote required)

APPROVED AS RECOMMENDED AYES: ALL

55. Contract with the Department of Mental Health for Alcohol and Drug Abuse Counselor services and approve the necessary budget transfer-\$18,347. (4/5 vote required)

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005098 AYES: ALL

HUMAN SERVICES AGENCY

56. Authorize release of a Request for Proposal for a Brown Bag Program, authorize solicitation and selection of potential vendors and return to the Board with recommended contract.

APPROVED AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

57. Resolution authorizing financing of the New Courts Building.

REVIEW BOARD ORDER – SEE PAGES 13

58. Amend Merced County 2005 Legislative Platform to include legislation that provides an overall benefit to the County of Merced and authorize Chairman and County Executive Officer to periodically provide letters of support or opposition, as needed, based on any benefit or detriment to the County of Merced.

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

59. District Four - Authorize expenditure of Special Board Project Funds-District Four to the Merced Rescue Mission for \$3,000 and Merced Food Bank for \$1,500 and approve the necessary budget transfer-\$4,500. (#085)

APPROVED AS RECOMMENDED AYES: ALL

60. District Two - Authorize expenditure of Special Board Project Funds-District Two in the amount of \$7,800 to purchase of twenty picnic tables for newly built Rotary Cove at Lake Yosemite.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

61. Le Grand Municipal Advisory Council - District One

APPOINTED VICTORIA SCOGGINS TO SERVE AS A MEMBER OF THE LE GRAND MUNICIPAL ADVISORY COUNCIL UNTIL DECEMBER 7, 2008 AYES: ALL

62. Housing Authority of the County of Merced - District One

APPOINTED RUDY BUENDIA TO SERVE AS A MEMBER OF THE HOUSING AUTHORITY OF THE COUNTY OF MERCED UNTIL FEBRUARY 18, 2008 AYES: ALL

63. East Merced Resource Conservation District

APPOINTED BERNARD WADE, TONY AZEVEDO AND MIKE PELLICANO TO SERVE AS MEMBERS OF THE EAST MERCED RESOURCE CONSERVATION DISTRICT UNTIL JANUARY 28, 2009 AND MELE ANDERSON TO FILL AN UNEXPIRED TERM UNTIL JANUARY 28, 2007 AYES: ALL

64. Hilmar Cemetery District - District Four

REAPPOINTED GEOFFREY STROM, DAVID ANDERSON AND DUANE MATHERON TO SERVE AS MEMBERS OF THE HILMAR CEMETERY DISTRICT UNTIL MAY 1, 2006 AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ITEMS 65 AND 67 ON FILE

65. Dept. of Child Support Services re: California State Disbursement Unit for Child Support (SDU).
66. Fresno County Office of Education re: SB 724 authorizing CSU campuses to offer a limited number of doctorates in high demand professional fields, such as education, audiology, nursing and criminology.

REFERRED TO STAFF FOR ADDITIONAL INFORMATION

67. State Fish and Game Commission re: Agendas for Meeting of May 3 - 5, 2005.

ADOPTED RESOLUTION IN MEMORY OF PHYLLIS ADAMS AND ADJOURNED THE MEETING UNTIL MAY 17, 2005 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – MAY 03, 2005

10:00 A. M. ADDED AGENDA ITEM

2005-05-03 HUMAN SERVICES AGENCY

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board finds a need arose, subsequent to the posting of the agenda, to consider a Head Start Program issue and places the matter on the Agenda for Board consideration.

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

Upon motion of Supervisor Crookham, seconded by Supervisor Nelson, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2005090 with Administration for Children and Families (ACF) notifying them of the County's intent to transfer the designation of the Community Action Agency from the County to the Community Action Board and relinquishing responsibility for the Head Start Program effective June 30, 2005 and authorizes the closeout activities with ACF which requires development and submission of a closeout budget and closeout process funding for Head Start.

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

10:00 A.M. SCHEDULED ITEM

2005-05-03 PRESENTATION – MERCED VISITOR'S CENTER

Merced Visitor's Center Representative Leslie Lawson provides the Board an overview of the Center's services to the community, year to date economic impact to the community, a general overview of jobs created by the tourism and a recent analysis of Merced County by Dean Runyan.

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

10:30 A.M. SCHEDULED ITEM

2005-05-03 SHERIFF – PUBLIC HEARING

The time and date previously set for the public hearing to consider Criminal Justice Administrative Fee (Booking Fee) at \$67.55 for Fiscal Year 2005-2006 per Government Code 29550(a)(1) for Merced County Bookings as submitted by the Sheriff.

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

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board adopts the Criminal Justice Administrative Fee (Booking Fee) at \$67.55 for Fiscal Year 2005-2006 per Government Code 29550(a)(1) for Merced County Bookings as recommended.

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

10:30 A.M. SCHEDULED ITEM

2005-05-03 PLANNING – PUBLIC HEARING – PROPOSED ORDINANCE

The time and date previously set for the public hearing to consider proposed Fox Hills Development Agreement and Proposed Ordinance related thereto. Fox Hills is located at the south end of Volta Road within the Fox Hills SUDP, southwest of Los Banos south of Highway 152 and immediately east of Interstate 5. Proposed Ordinance is a Development Agreement between the County and Fox Hills Management Group, LLC for the Fox Hills Golf Community Subdivision.

County Counsel Ruben Castillo introduces the Proposed Ordinance and reads the Ordinance by title only: An Ordinance of the County of Merced Approving a Development Agreement between the County and the Fox Hills Management Group, LLC for the Fox Hills Golf Community Subdivision, Major Subdivision No. 97006.

Upon motion of Supervisor Crookham, seconded by Supervisor Nelson, duly carried, the Board waives further reading of Proposed Ordinance entitled An Ordinance Adopting A Development Agreement Produced By Fox Hills Management Group.

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

Planning Director Bill Nicholson provides the Board with the background information on this project.

Planner James Holland states this is the final step in the subdivision process for this project and reviews the Staff Report.

The Chairman asks if there is anyone present wishing to speak.

Greg Boch, representing the Fox Hills Management Group, LLC speaks in support.

The Chairman closes the Public Hearing.

Following discussion and upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2005088 with Fox Hills Management Group, LLC for the Fox Hills Development Agreement and adopts Ordinance No. 1750.

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

CONSENT ITEM NO. 32

2005-05-03 BOARD OF SUPERVISORS

Upon motion of Supervisor Nelson, seconded by Supervisor Pedrozo, duly carried, the Board authorizes Certificates of Recognition to the 2004 Firefighter of the Year Award selections: Fireman Michael Afferino – City of Livingston, Fireman Larry Goodger – Los Banos City Fire, Fireman Dave Varneli – Gustine City Fire, Captain Mark Simmons - Merced County Fire, Volunteer Michael Hernandez – Merced County Fire, Captain Manuel Berumen – Merced City Fire, Volunteer Andrew Hathaway – Atwater City Fire, Engineer Andrew McMurry – Atwater City Fire, Captain Dustin Rasey – Dos Palos City Fire and the 2004 Heroism Award to Jessica McAdams.

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

CONSENT ITEM NO. 36

2005-05-03 BOARD OF SUPERVISORS

Upon motion of Supervisor Nelson, seconded by Supervisor Pedrozo, duly carried, the Board authorizes Certificates of Recognition to the following recognized by the Merced County Old Timers Association for attaining 85 years of age and 50 years of residency in the County of Merced:

Atwater-Leslie (Les) Papazian;

Dos Palos-Mary Jacobsen; Gustine-Frank Scesa and Helen Scesa;

Los Banos-Joseph A. Areias, Genevieve Cozzi, Carl Garbini, Ann Iacopi, Dan Iacopi, Mary Menezes, Robert Oetken, Phil Stadler, Jessie Vajaretti and Joe Vajaretti;

Merced-Barbara Beames, Bea Buessing, Betty Carruth, Louie Chettero, Thelma Chettero, Virginia Clendenin, Herma Colwell, August Dal Porto, Laura Daniel, Beulah Douglas, Edward Forte Margaret Freed, Louis Goncalves, Mike Hernandez, Sr., Leonora Herren, Eleanor Martignoni, Tillie Mazzei, Merle Milosevich, June Staley Morris, Michael Muratore, Alexander Mussotto, Mary Nicotera, Irene Parker, John M. Parker, Elinora Puglizevich, Florene Stockton, Emogene Stroming, Violet Twomey and Bill Spriggs;

Snelling-Hugh Boland and Donald M. Robinson;

Winton-Ruby J. Gorden and Fannie Harlan.

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

ACTION ITEM NO. 44

2005-05-03 PUBLIC WORKS

The Clerk announces the next item on the Agenda for Board consideration: Refurbishment of Landscaping and New Client Visitation Shelter at Human Services Agency.

Public Works Director Paul Fillebrown reviews the Staff Report and advises the lowest bidder for this project is Commercial Construction Company of Merced, Inc.

Upon motion of Supervisor Pedrozo, seconded by Supervisor Crookham, duly carried, the Board authorizes the Chairman to sign Contract No. 2005099 with Commercial Construction Company of Merced, Inc. for Refurbishment of Landscaping and New Client Visitation Shelter at Human Services Agency.

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

ACTION ITEM NO. 47

2005-05-03 SHERIFF

The Clerk announces the next item on the agenda for Board consideration: Purchase of TASERs and ancillary equipment for the Sheriff's Department from A.L.D. Company Inc./De Nio Enterprises, the sole authorized police distributor in California and Nevada for TASER equipment and necessary budget transfer.

Supervisor Crookham and Supervisor Nelson express concerns on purchasing TASERs and the issue of safety of using TASERs is discussed.

Sheriff Pazin states TASERs have been authorized for over three years for the Merced County Correctional Officers and there have been 15 occasions necessary and were used without incidence. The Sheriff also states there is extensive training of personnel that will use the equipment when new purchases are made.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Pedrozo, duly carried, the Board authorizes the Administrative Services to order and purchase TASERs and ancillary equipment from A.L.D. Company Inc./De Nio Enterprises, Sparks NV, the sole authorized police distributor in California and Nevada, for TASER Equipment for Sheriff-Corrections and ancillary equipment and approves a budget transfer in the amount of \$25,000.00. Ayes: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

ACTION ITEM NO. 57

2005-05-03 EXECUTIVE OFFICE

The Clerk announces the next item on the agenda for Board consideration: A Resolution authorizing the Financing of the New Courts Building.

County Executive Officer Dee Tatum speaks relative to the County's "A" rating which is not typical for a County the size of Merced County.

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board approves and authorizes designated County staff to sign Contract No. 2005179 with the Merced County Public Facilities Corporation and Bank of New York Trust Company for the New Courts Building lease which includes a facilities sublease, an assignment agreement, a trust agreement, a continuing disclosure agreement, a contract of purchase; approves execution of certificates of participation to finance a County Courts Facility; approves an official statement for said certificates of participation and authorizes certain other actions in connection with the lease financing and adopts Resolution No. 2005-85.

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