



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, JUNE 21, 2005
FY 2005/2006 Proposed Budget – 3:00 p.m.
Regular Meeting – 5:00 p.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

3:00 P. 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)

FY 2005-2006 PROPOSED BUDGET – RECOMMENDATIONS:

(1) Adopt the Proposed Budget for FY 2005/2006 as an Operating Budget until the Board adopts the Final Budget. (2) Direct that no expenditures be made for any item requiring policy direction, as listed in the Proposed Budget, without specific authorization. (3) Direct that no fixed assets recommended in the Proposed Budget be purchased until adoption of

the Final Budget, without specific authorization. (4) Request the Clerk make available copies of the FY 2005/06 Proposed Budget to all interested people and advertise the Final Budget Hearings to commence August 30, 2005 at 1:30 p.m. (5) Schedule the Public Hearing on Prop 4 Appropriation Limit on August 30, 2005 at 1:30 p.m. (6) Direct Administration to identify actions necessary to Balance the remainder of the Proposed Budget based on the outcome of the final state budget, and present recommendations at or before final budget hearings.

REVIEW BOARD ORDER – SEE PAGE 8

PERSONNEL ACTIONS FOR FY 2005/2006 – RECOMMENDATIONS:

(1) Add one Building Permit Clerk (Class 7473) to Public Works-Buildings, BU 27300; (2) Add two Supervising Public Health Nurses (Class 5990) to Health, BU 40013; (3) Add one Public Health Nurse (Class 5860) and one California Children's Service Worker I/II (Class 7706/2942) to Health, BU 4007; (4) Add two Support Services Analyst I/II (Class 1213/1214 to First 5, BU 40600; (5) Add one Typist Clerk I/II (Class 2210/2211) to First 5, BU 40602; (6) Allocate the Extra Help Sheriff Security Attendant to Sheriff-Corrections, BU 23000 and Inmate Welfare, BU 23100; (7) Add one Facilities Assistant (Class 7513) to Human Services Agency, BU 50054 (8) Transfer one Management Analyst I/II/III (Class 7536/7537/7538) in UC Merced to CEO, BU 10100; (9) Delete the following vacant positions: Director of General Services (Class 1819) in General Services, BU 11500, Special Programs Director (Class 7707) in UC Merced, BU 18400 and Chief Probation Officer Designee (7705) in Probation, BU 23400; and (10) Delete the following classifications (title only): 7705-Chief Probation Officer Designee, 1182-Child Support Assistant, 1819-Director of General Services, 1286-Director Risk Management, 4705-Graphic Arts Technician, 6062/6065-Offset Equipment Operator I and II, 6435-Program Manager-Eligibility Services, 4455-Supervising Employment and Training Worker, 1277-Supervising Family Assistance Representative, 7597-UC Planning Director, 0194-Extra Help Graphic Arts Technician, 1218-Spring Fair Technician and 1328-Procurement Director

ADOPTED RESOLUTION NO. 2005-104 AS RECOMMENDED
AYES: ALL

5:00 P. M.

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1-21)
APPROVED AS RECOMMENDED AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

5:30 P. M.

PUBLIC WORKS - PUBLIC HEARING

To consider comments on the Draft EIS-EIR (Environmental Impact Statement-Environmental Impact Report) for the Campus Parkway Project. Campus Parkway is proposed to be a four-lane limited-access expressway located on the east side of the City of Merced and is proposed to extend from the planned Mission Interchange to Yosemite Avenue, a length of

approximately 4.5 miles

REVIEW BOARD ORDER – SEE PAGE 8 AND 9

10:30 A. M.

REPORTS/BOARD DIRECTION

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

CONSENT CALENDAR (Items #1 - 21)

Public Works

1. Adopt Resolution revising the Speed Zone on Lobo Avenue between Franklin Road and Beachwood Drive from 40 MPH to 35 MPH and authorize replacement and update of signage.

ADOPTED RESOLUTION NO. 2005-105

2. Adopt Resolution establishing a Speed Zone on Cardoza Road between Center Street and Los Banos City Limits to be 35 MPH and authorize erect of speed limit signs providing adequate notification.

ADOPTED RESOLUTION NO. 2005-106

Mental Health

3. Approve and authorize Chairman to sign Renewal Contract No. 2004065 with Delhi United Drug for Pharmacy Services.
4. Approve and authorize Chairman to sign Interdepartmental Renewal Contract No. 2003108 with Human Services Agency for Money Management Program Services.

Sheriff

5. Approve and authorize Chairman to sign Amendment to Contract No. 2003157 with Hilmar School District for Canine Drug Patrol Services.
6. Approve and authorize Chairman to sign Amendment to Contract No. 2004236 with Jose and Salvador Walle for lease of Winton Community Law Enforcement Office space.
7. Approve and authorize Chairman to sign Amendment to Contract No. 2004326 with Ivers and Alcorn Funeral Home for Deceased Removal Services.

Ag. Commissioner

8. Approve and authorize Chairman to sign Renewal Contract No. 2001105 with California Department of Food and Agriculture for Fruit and Vegetable Inspection Services.

ADOPTED RESOLUTION NO. 2005-107

Planning

9. Approve and authorize Chairman to sign Addendum to Contract No. 2004361 with EMC Planning Group for Stevinson Community Plan expanded EIR analysis to include project-level detail and increased project coordination and processing costs.
10. Approve and authorize Chairman to sign Addendum to Contract No. 2004128 with Stevinson Ranch-Savannah, G.P. and Bates Properties, Inc. for Stevinson Community Plan

for the expansion of the EIR analysis to include project-level detail and increased project coordination and processing costs.

Dept. of Workforce Investment

11. Approve and authorize Chairman to sign Amendment to Contract No. 2004293 with City of San Jose for provision of services to 50 individuals who live in or near Merced County but who previously worked and were laid off in Santa Clara County.

Human Services Agency

12. Approve and authorize Chairman to sign Interdepartmental Contract No. 2004035 with Dept. of Workforce Investment for Senior Community Employment Program.
13. Approve and authorize Chairman to sign Renewal Contract No. 2004028 with Calif. Dept. of Aging for Senior Community Services Employment Program.

ADOPTED RESOLUTION NO. 2005-108

Executive Office

14. Act on Application for Leave to Present Late Claim submitted by Jose Orozco as recommended by Risk Management.
15. PULLED
16. Approve Travel Request requested by Human Services Agency (3) as recommended by Executive Office.

Board of Supervisors

17. Set public hearing for August 2, 2005 at 10:30 a.m. to consider an Appeal to Planning Commission decision on Conditional Use Permit Application No. 02008-Merced Community Gold and R.V. Park received from Merced County Farm Bureau in the Planada area.

Board Recognition

18. Authorize Certificates of Recognition for the Senior Recognition Luncheon on May 19, 2005.
REVIEW BOARD ORDER – SEE PAGE 9
19. Authorize presentation of plaque to Bettylou George in recognition of her 40 years of dedicated service to the students and education community.
20. Authorize Certificates of Recognition to the 2005 Award Recipients selected by the Greater Merced Chamber of Commerce.
REVIEW BOARD ORDER – SEE PAGE 9 AND 10
21. Authorize Certificate of Recognition to Michael Gallo as the National Runner Up for Bridging Wetland and Agricultural Landscapes.

REGULAR CALENDAR

BOARD ACTION

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT

22. To conduct Second Reading and possible adoption of Proposed Ordinance as follows: An Ordinance Transferring Redevelopment Authority for the Redevelopment of Certain

Unincorporated areas adjacent to the City of Merced to the City of Merced.

REVIEW BOARD ORDER – SEE PAGE 10

HEALTH

23. Contract with Calif. Integrated Waste Management Board for Waste Tire Enforcement Grant and adopt Resolution authorizing the Environmental Health Director to sign all payment requests and grant activity forms.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005133 AND ADOPTED RESOLUTION NO. 2005-109 AYES: ALL

AG. COMMISSIONER

24. Resolution authorizing Contract with California Tomato Commission for Inspection and Surveillance in Merced County during the 2005 Tomato Harvest.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005144 AND ADOPTED RESOLUTION NO. 2005-110 AYES: ALL

HUMAN SERVICES AGENCY

25. Authorize Human Services Agency participation in a Federal Dept. of Justice Grant for implementation of a Family Drug Court in the amount of \$427,467 for period of January 1, 2006 through December 31, 2008 with no additional County Funds.

APPROVED AS RECOMMENDED AYES: ALL

26. Authorization for Chair to sign the Application and Assurances Form for the Community-Based Family Resource and Support (CBFRS) Program Grant with the California Office of Child Abuse Prevention.

APPROVED AS RECOMMENDED AYES: ALL

27. Authorization to close the Culinary Training Elderly Nutrition (CTEN) Request for Proposal process and authorize operation under a non-competitive bid process for the CTEN Program and return to the Board with final results or contract.

REVIEW BOARD ORDER – SEE PAGE 10

DEPT. OF WORKFORCE INVESTMENT

28. Contract with Brawley Enterprises for Workforce Investment Act One-Stop Program office lease.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005134 AYES: ALL

29. Contract with Merced County Office of Education for Younger Youth Program services.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005135 AYES: ALL

30. Contract with Merced County Office of Education for Out of School Youth Program.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005136 AYES: ALL

31. Contract with Richard Gerbi for Los Banos Office space.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2005137 AYES: ALL

AUDITOR-CONTROLLER

32. Authorize issuance of a Request for Proposal (RFP) for credit card, voice response and internet services for collection of Revenue and Reimbursement Accounts.

APPROVED AS RECOMMENDED AYES: ALL

PLANNING

33. Partial Response to the organizational and staff analysis of the Planning and Community Development Department by Zucker Systems - Authorize release of RFP for recruitment of professional consultant services for interim management of current planning and to support application processing functions and return to the Board for contract approval.

APPROVED AS RECOMMENDED AYES: ALL

MENTAL HEALTH

34. Renewal Contract No. 2004204 with Stanislaus Behavioral Health and Recovery Services for Adolescent Inpatient Facility and authorize Letters of Support for Medicare regulatory changes.

APPROVED AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

35. Resolution supporting applications for funding on behalf of the Housing Authority of Merced County through the Resident Opportunities and Self-Sufficiency Program and authorize signing the necessary documents.

ADOPTED RESOLUTION NO. 2005-111 AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

36. Dept. of Workforce Investment re: 2004/2005 WIA Subgrant Agreement R588733, Modification 6, with State Employment Development Department.
37. Dept. of Workforce Investment re: 2004/2005 WIA Subgrant Agreement R588733, Modification 7, with State Employment Development Department.
38. Merced Theatre Foundation re: Letter of thanks on behalf of the Merced Theatre Foundation Board for donated (two) display panels for the sesquicentennial celebration held on May 14.
39. San Joaquin Valley Air Pollution Control District re: Adopted 2005 Amendments to the 2003 PM10 Plan.
40. Central Valley Regional Water Quality Control Board re: Notice of meeting June 23, 2005.
41. Calif. Board of Corrections re: Approval of the Juvenile Justice Crime Prevention Act (JJCPA) Application for Continuation Funding and Plan Modification for FY 2005-2006.
42. Dept. of the Interior-Bureau of Reclamation re: Draft Environmental Impact Statement on the San Luis Drainage Feature Re-evaluation. (On file with Clerk)

43. State Water Resources Control Board re: Notice of Petition for Temporary Change Involving the Transfer of 27,000 Acre-Feet of Water to areas within the Westlands Water District under California Dept. of Water Resources Permit 16482 (Application 17512).
44. State Fish and Game Commission re: Notice of Meeting June 23, 2005.
45. Federal Emergency Management Agency re: Letter of Map Revision based on Fill Determination Document (Removal) - Hollywood Park 2 Subdivision.

ADJOURNED MEETING UNTIL TUESDAY, JUNE 28, 2005 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 21, 2005

3:00 P.M. SCHEDULED ITEM

2005-06-21 EXECUTIVE OFFICE – PROPOSED BUDGET

County Executive Officer Demitrios Tatum provides an overview of the FY 2005/2006 Proposed Budget Recommendations.

Deputy County Executive Officer Nancy Havens presents a power point presentation on the FY 2005/2006 Proposed Budget Recommendations.

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

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board takes the following actions relative to the FY 2005/2006 Proposed Budget:

1. Adopts Proposed Budget for FY 2005/2006 as operating budget until the Board adopts the Final Budget.
2. Directs that no expenditures be made for any item requiring policy directions, as listed in the Proposed Budget, without specific Board authorization.
3. Directs that no fixed assets recommended in the Proposed Budget be purchased until adoption of the Final budget, without specific Board authorization.
4. Requests the Clerk of the Board make available copies of the FY 2005/2006 Proposed Budget to all interested people and advertise the final budget hearings to commence August 30, 2005 at 1:30 p.m.
5. Schedules the Public Hearing on Prop 4 Appropriation Limit on August 20, 2005 at 1:30 p.m.
6. Directs Administration to identify actions necessary to Balance the remainder of the Proposed Budget based on the outcome of the final state budget, and present recommendations at or before final budget hearings.

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

5:30 P.M. SCHEDULED ITEM

2005-06-21 PUBLIC WORKS – PUBLIC HEARING

The time and date previously set for a public hearing to consider a Draft Environmental Impact Statement / Environmental Impact Report (EIS-EIR) for the Campus Parkway Project proposed to be a four-lane limited-access expressway located on the east side of the City of Merced and is proposed to extend from the planned Mission Interchange to Yosemite Avenue, a length of approximately 4.5 miles.

Public Works Engineer Steve Rough reviews the staff report and presents a power point presentation on the Draft EIS-EIR for the Campus Parkway Project advising the information has not changed from what is stated in the EIR-EIS and CD's are available upon request.

The Chairman asks if there is anyone present wishing to speak and states the public hearing is to receive public comments.

The following speak:

Merced residents Tom Fife, Don Gorman, Larry McCandro, Kim Rogina, Helen Walker and John Raggio speak in favor of the Yellow Route.

Greg Avellar reads and submits a Letter dated June 17, 2005, submits Letter dated June 2, 2005 from Terri Pimental, Letter dated June 18, 2005 from Dr. and Mrs. Lester Barger and submits Petitions from residents against the proposed Yellow Route and speaks in favor of the Green Route, Edward Michaelson speaks in favor of the Green Route.

The following also speak in support of the Campus Parkway Project: Rod Harris, Vice Chancellor for the University of Merced Lindsay Desrochers submits a statement and speaks, Bryant Owens, Jerry Callister, Ralph Temple submits a statement and speaks, Virginia Smith Trust representative Terri Bates and Dan Holmes.

Public Works Director Paul Fillebrown states after the comment period has ended, Public Works will begin preparation of responses to comments and the Final EIS-EIR and the environmentally preferred alignment for Campus Parkway will be presented in the Final EIS-EIR.

No further action is taken and the public hearing is closed.
Present: O'Banion, Pedrozo, Crookham, Nelson, Kelsey

CONSENT ITEM NO. 18

2005-06-21 BOARD OF SUPERVISORS

Upon motion of Supervisor Nelson, seconded by Supervisor Pedrozo, duly carried the Board authorizes Certificates of Recognition to the following individuals from Winton Cherish for Senior Recognition and their contributions to their communities:

Diana Ingram, Soroptomist Los Banos; June Erreca, Soroptomist Los Banos; Lilly Marshall, Dos Palos Senior Citizens Club; Marie Von Allman, Dos Palos Senior Citizens Club; Tony Cozzi, Los Banos Golden Agers Club; Genevive Cozzi, Los Banos Golden Agers Club; Don Thomas, Merced Senior Social Club; Kiiko Fisher, Merced Senior Social Club; Helen Fragulia, Winton Senior Social Club; Virginia Jaramillo, Winton Senior Social Club; Anita Hernandez, Atwater Senior Social Club; Merle Freitas, Atwater Senior Social Club; Virginia L. Burton, Merced Cherish Site; Joseph C. Hodge, Merced Cherish Site; Diana J. Utter, AARP Merced Chapter #282; Dale Vincent Hammond, AARP Merced Chapter #282; Peggy Merritt, Atwater AARP #2194; Yvonne Gualco, Atwater AARP #2194; Steve Shelton, Atwater Cherish; Celia Tilghman, Merced Over 50 Club; Ola Tennis, Winton Cherish Site and Ramona Rothenberger, Winton Cherish Site.

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

CONSENT ITEM NO. 20

2005-06-21 BOARD OF SUPERVISORS

Upon motion of Supervisor Nelson, seconded by Supervisor Pedrozo, duly carried, the Board authorizes Certificates of Recognition from The Grater Merced Chamber of Commerce for 2005 Award Recipients to the following individuals:

Mike and Jeannie Salvadori, Humanitarians of the Year; Gaye Carksaddon-Riggs, ATHENA Recipient; Donald L. Bergman, Citizen of the Year; Costco Wholesale Warehouse, Business of the Year; Toni's Courtyard Café (Toni Fiorenza), Small Business of the Year; Wegley Public Relations (Lisa Wegley), Home-Based Business of the Year; Virginia and Ed Morford, Associate Members of the Year, and Kelly Medrano, Volunteer of the Year.

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

ACTION ITEM NO. 22

2005-06-21 COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT – Ordinance No. 1754

The time and date previously set to conduct Second Reading and possible adoption of Proposed Ordinance Transferring Redevelopment Authority for the Redevelopment of Certain Unincorporated areas adjacent to the City of Merced to the City of Merced.

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

Upon motion of Supervisor Nelson, seconded by Supervisor Crookham, duly carried, the Board adopts Ordinance No. 1754, An Ordinance Transferring Redevelopment Authority for the Redevelopment of Certain Unincorporated Areas Adjacent to the City of Merced to the City of Merced.

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

ACTION ITEM NO. 27

2005-06-21 HUMAN SERVICES AGENCY

The Clerk announces the recommendation from Human Services Agency to closing the Culinary Training Elderly Nutrition Request for Proposal is before the Board for consideration.

Human Services Agency Director Ana Pagan provides an overview of the Staff report and states closure of the current RFP is needed to pursue new applicants.

Supervisor Nelson questions the current status of the Elderly Nutrition Program.

Ms. Pagan states there is a current contract with the Community Action Board for the services.

Upon motion of Supervisor Crookham, seconded by Supervisor Kelsey, duly carried, the Board authorizes closure of the Culinary Training Elderly Nutrition (CTEN) RFP process and authorizes the Human Services Agency – Area Agency on Aging to operate under a non competitive bid process for the CTEN (Culinary Training Elderly Nutrition) program and return to the Board of Supervisors with a negotiated contract with the concurrence of County Counsel.

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