



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, MARCH 14, 2006
Closed Session – 4:00 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
CHAIRMAN 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

4:00 P. 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, Director-Commerce, Aviation and Economic Development pursuant to Government Code Section 54956.8 as follows: Castle Property

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 Government Code of Section 54956.9(a): Alamo v. Alamo, Case No. 146709

CLOSED SESSION: It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957: PUBLIC EMPLOYEE PERFORMANCE EVALUATION - County Counsel

REVIEW BOARD ORDER

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

5:00 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 (Testimony limited to five minutes per person)

PRESENTATIONS

Girl Scout Troop #67, Flag Ceremony and Recognition of 94th Anniversary

Recognition of 65th Wedding Anniversary - Kenneth and Helen Jackson

REVIEW BOARD ORDER

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Human Services Agency-\$40,000 and \$11,736 and Department of Admin. Services-\$13,882

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT

PRESENT: 4

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 28)

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT

PRESENT: 4

5:30 P. M.

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To consider contents of an Application requesting \$1,180,000 from the California Dept. of Housing and Community Development, Community Development Block Grant Program for rehabilitation/development of critical Castle Airport flight operations infrastructure

REVIEW BOARD ORDER

PLANNING - CONTINUED PUBLIC HEARING

To consider completion of a Community Development Block Grant (CDBG) Housing Rehabilitation Activity in the Westside of Merced County

REVIEW BOARD ORDER

REPORTS/BOARD DIRECTION

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

CONSENT CALENDAR (Items #1 - 28)

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

Public Works

1. Adopt Resolution designating the intersection of Kenneth Way and Myers Lane in Delhi as a stop-controlled intersection and authorize installation.
ADOPTED RESOLUTION NO. 2006-33
2. Adopt Resolution accepting an Easement Deed from Raul Guardado for public utility purposes along Cypress Avenue in connection with Quail Hollow Estates Major Subdivision No. 02011 in Winton.
ADOPTED RESOLUTION NO. 2006-34
3. Adopt Resolution accepting an Easement Deed from Jorge R. & Ana M. Lara for public utility purposes along Cypress Avenue in connection with Quail Hollow Estates Major Subdivision Application No. 02011 in Winton.
ADOPTED RESOLUTION NO. 2006-35
4. Adopt Resolution accepting an Easement Deed from Nenita A. Payne for public utility purposes along Cypress Avenue in connection with Quail Hollow Estates Major Subdivision Application No. 02011 in Winton.
ADOPTED RESOLUTION NO. 2006-36
5. Adopt Resolution accepting an Easement Deed from Serafim Aguiar, Jr. for public road purposes along Cypress Avenue in connection with Quail Hollow Estates Major Subdivision Application No. 02011 in Winton.
ADOPTED RESOLUTION NO. 2006-37
6. Adopt Resolution accepting an Easement Deed from Raymond and Arlene Peaster for public utility purposes along Cypress Avenue in connection with Quail Hollow Estates Major Subdivision No. 02011 in Winton.
ADOPTED RESOLUTION NO. 2006-38
7. Adopt Resolution accepting a Grant Deed for a 10 foot wide Public Utility Easement along M Street and 23rd Street to be conveyed to the City of Merced for the Merced County Courts Building.
ADOPTED RESOLUTION NO. 2006-39
8. Authorize the Winton Spring Festival Committee to use Winton County Park from April 26 through 30, 2006 for their Annual Spring Festival, waive the restriction on amplified sound equipment for the dance bands; waive the restriction on alcohol and authorize the sale of beer to the public and waive the restriction of animals in the park on pony rides and waive the hours of operation until 12:00 a.m. on Friday, April 28 and Saturday, April 29 subject to conditions.
9. Approve plans and specifications for the Highway 59 Landfill Water System Improvement Project, set bid opening and authorize opening by Public Works to return to the Board with a recommendation for award to the lowest responsive bidder within the established budget.
10. Adopt Resolution of Appreciation commending Umberto Hernandez for his outstanding years of service to the County of Merced.
11. Approve and authorize Chairman to sign Amendment to Contract No. 2005270 with Viking General Contractors for Castle Airport Spaceport Entry Improvement Project.

Mental Health

12. Approve and authorize Chairman to sign Amendment to Contract with Valley Pharmacy for Pharmacy Services and supplies for mental health clients.
13. Approve and authorize Chairman to sign Renewal Contract No. 2004134 with Merle V. Charles, LPT and MAOM for Patients Rights Advocates.

Ag. Commission

14. Approve and authorize Chairman to sign Renewal Contract No. 2004324 with Calif. Dept. of Food and Agriculture for Cotton Plowdown Enforcement Inspections.

Executive Office

15. Act on Application for Leave to Present Late Claim for Damages submitted by Robert Mulcahy and Claims for Damage submitted by Levinio N. Garza.

Board of Supervisors

16. Set public hearing for April 4, 2006 at 10:30 a.m. to consider Appeal received from Frank Cuttone to Minor Subdivision Application No. 04067 submitted by Vincent Plagenza.
17. Set public hearing for April 4, 2006 at 10:30 a.m. to consider an Appeal received from Community Systems Associates, Inc. on behalf of Merced Union High School District and Merced City School District to Major Subdivision Application No. 02018 submitted by Tim Razzari and Don Stewart, Jr.

Commerce, Aviation and Economic Development

18. Approve and authorize Chairman to sign Extension to Contract No. 2005096 with McDonough Holland & Allen for Redevelopment Legal Assistance.
19. Approve and authorize Chairman to sign Extension to Contract No. 2005095 with Keyser Marston and Associates, Inc. for Redevelopment Technical Assistance.

Board Recognition

20. Authorize Certificates of Recognition for Merced County Historical Society Awards to Playhouse House, Winton and Hilmar- Irwin-Stevinson Historical Society for Estep-Burchell Community Grant; Herb Wood for Letus Wallace Award and Docent of the Year; Henry DuPertuis for Heacox Pioneer Award; Dos Palos and Gustine Historical Society for Rossotti Capital Improvement Grant and Julie Sansoni Ferrario and Frank Muratore for Outgoing Board of Director and Rick Scoto for Outgoing President.
21. Authorize Certificates of Recognition for the Gustine Chamber of Commerce to Ceferino Jamero for Lowell N. Peters Award, John and Cecilia Pires for Farmer of the Year, Jerry Silva for Citizen of the Year and Silveira Brothers for Agriculturalist of the Year.
22. Authorize Plaque in recognition of Dave Crow for his dedicated services as Executive Director of the San Joaquin Valley Air Pollution Control District.
23. Authorize Certificate of Recognition to Olin's Floor Covering for selection as Business of the Quarter February 2006 by the Atwater Chamber of Commerce.
24. Authorize Certificate of Recognition to Merced City Fire Station 55 in celebration of the Grand Opening and Ribbon Cutting.

25. Authorize Certificate of Recognition to Educational Employees Credit Union-Merced Branch in celebration of the Grand Opening and Ribbon Cutting.
26. Proclaim the Week of March 12 through 18, 2006 as Portuguese Immigrant Week in the County of Merced.
27. Proclaim March 3, 2006 as Arbor Day in the County of Merced.

Child Support Services

28. Approve Budget Transfer for Child Support Services in the amount of \$45,000 as recommended by Executive Office.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

29. Contract with Universal Field Services, Inc. for Right-of-Way Acquisition Consultant Services.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
30. Contract with URS Corporation for Consultant Services for the Campus Parkway Project and approve the necessary budget transfer. (4/5 Vote Required)
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
31. Approve the Re-roofing of the Cressey Fire Department as a Capital Improvement Project, approve plans and specifications and authorize Public Works to advertise and conduct bid opening with Public Works to return to the Board with recommendation award within the estimated project budget and approve the necessary budget transfer. (4/5 Vote Required)
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
32. Approve plans and specifications for the construction of the In-Roadway Warning Lights on State Highway 165 from Echo Street and Campbell Street contingent to obtaining the needed Encroachment Permit from Caltrans and authorize Public Works to return to the Board with results of the award.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
33. Contract with Community Action Board for the management of the Stevinson Veterans' Building for the term of five years. (4/5 Vote required per Government Code Section 25536)
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
34. Approve the revised Project Budget for the Los Banos Judicial Center (Relocatable Building) in the amount of \$306,964.00, authorize award of contract for the Installation of Outside Utilities to Hobbs Construction in the amount of \$49,798.00, and award and issuance of a Purchase Order for the purchase of a 36' x 48' relocatable building to Design Space Modular Building, Inc. in the amount of \$230,994.00 and approve the related Budget Transfer,
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

DEPT. OF ADMINISTRATIVE SERVICES

35. Contract allowing Merced County to participate in the U.S. Communities Government Purchasing Alliance through the use of Los Angeles Contract No. 42596 for use of Office

Depot to provide county-wide office and stationery supplies, equipment, computer equipment and supplies.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

COUNTY COUNSEL

36. Contract with Silveira, Mattos and Lewis for special legal services.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

37. Contract with Allen, Polgar, Proietti & Fagalde for special legal services.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

CHILD SUPPORT SERVICES

38. Authorize issuance of Purchase Orders (not to exceed \$15,000 each) based upon the lease agreement with Moonlight Investments for property located at 750 and 760 Loughborough.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

BOARD OF SUPERVISORS

39. Authorize Letter of Support for Grassland Water District Grant Application for a \$400,000 watershed planning grant through the Department of Water Resources/CALFED Watershed Program.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

BOARD APPOINTMENTS

40. Franklin-Beachwood Municipal Advisory Council - Reappointments.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

41. Hilmar Municipal Advisory Council - Reappointments.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

42. Mental Health Advisory Board - Appointment.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

43. Hilmar Cemetery District - Reappointments.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

44. East Merced Resource Conservation District - Appointments.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

45. Le Grand Municipal Advisory Council - Appointment.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: 1, 2, 3, 5 NOT PRESENT: 4

46. Fire Department re: Merced County Fire Department Accomplishments Report for 2005.

47. CSAC re: Letter of December 1, 2005 response regarding request for CSAC assistance in pursuing reform for the Payment-in-Lieu-of- Taxes (PILT) program as it relates to wildlife management areas.

48. Winton School District re: Increase in Developer Fees, Level I.

49. Plainsburg Union Elementary School District re: Fourteen Day Notice of Proposal to Implement Fees.
50. State Water Resources Control Board re: Notice of DFA Main Web Page to view and download various Requests for Proposals/Solicitation Packages for grant and loans.
51. Central Valley Regional Water Quality Control Board re: Agenda for March 16, 2006 at 8:30 a.m.

ADOPTED RESOLUTIONS AND ADJOURNED MEETINGS IN MEMORY OF DAVID WAITE, MARGIE FANCONI, GRETA WEIMER, LEON MARTIN AND MALAKI SANCHEZ UNTIL TUESDAY, MARCH 28, 2006 AT 10:00 A.M.