

# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

Regular Meeting  
TUESDAY, JULY 17, 2007  
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

CHAIRMAN JOHN PEDROZO.....DISTRICT 1  
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

JAMES N. FINCHER  
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)**

**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**

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The Agenda is divided into three sections:

**CONSENT CALENDAR** – These matters include routine financial and administrative actions and are approved by a single majority vote.

**SCHEDULED ITEMS** – These items are noticed hearings, work sessions and public hearings.

**REGULAR CALENDAR** – These items include significant policy and administration actions. Immediately after approval of the CONSENT CALENDAR, if the time of the hearing of SCHEDULED ITEMS has not arrived, the REGULAR CALENDAR will be considered.

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 Government Code Section 54956.9(b): 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 Government Code Section 54956.9(a): Merced County Farm Bureau, et al. v. County of Merced Fox Hills, et al., RPI Merced County Superior Court Case No. 150015

**CLOSED SESSION:** It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957.6 concerning a Conference with County of Merced Staff Negotiators concerning negotiations 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; Deputy Sheriff Association, Unit 10 and Non-Safety Corrections, Unit 12

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION:** It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Government Code Section 54956(b): One Case

**THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH SUPERVISOR NELSON NOT PRESENT AND THE CHAIRMAN ADVISED STAFF WAS PROVIDED DIRECTION**

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

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** (Testimony limited to five minutes per person)

**REVIEW BOARD ORDER – SEE PAGE 11**

**PRESENTATION** - California High Speed Rail Project - Update and Progress Report

**REVIEW BOARD ORDER – SEE PAGE 11**

**APPROVAL OF CONSENT AGENDA CALENDAR** (Items #1 - 34)

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

**PLANNING - PUBLIC HEARING**

To consider proposed Transfer of Funds from Community Development Block Grant (CDBG) Rehabilitation Revolving Account to the Housing Acquisition Revolving Loan Account

**REVIEW BOARD ORDER – SEE PAGE 12**

**MENTAL HEALTH - PUBLIC HEARING**

To consider Proposed Ordinance amending the Fee Schedule for Mental Health Services for FY 2007/08 (Amends Chapter 9.48, Section 9.48.030 and Ordinance No. 1801)

**REVIEW BOARD ORDER – SEE PAGE 12**

**REPORTS/BOARD DIRECTION**

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

CONSENT CALENDAR (Items #1 - 34)

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

Public Works

1. Approve and authorize Chairman to sign Renewal Contract No. 2006186 with Office of State Controller-Audits for preparation of Annual Street and Road Report of FY 2006/2007 at a cost not to exceed \$3,200.
2. Adopt Resolution annexing Assessor's Parcel Number 009-432-035 into the Almond Tree Estates Drainage Maintenance Zone of Benefit Number 114 in County Service Area Number One.  
**ADOPTED RESOLUTION NO. 2007-105**
3. Set public hearing for July 31, 2007 at 10:00 a.m. to consider Proposed Ordinance relative to Conduct in Parks (Amends Chapter 10.28 of the County Code and Ordinance No. 1719).

## Mental Health

4. Adopt Resolution authorizing the County Alcohol and Drug Program Administrator to sign the Amendment to Contract No. 2006057 with State Dept. of Alcohol and Drug Programs to support operation of the Dependency Drug Treatment Court Program.

### **ADOPTED RESOLUTION NO. 2007-106**

5. Approve and authorize Chairman to sign Renewal Contract No. 2005117 with Families First, Inc. for specialty mental health services.
6. Approve and authorize Chairman to sign Renewal Contract No. 2003025 with BHC Heritage Oaks Hospital for Inpatient hospital services for Non-Medi-Cal clients.
7. Approve and authorize Chairman to sign Renewal Contract No. 2003023 with BHC Heritage Oaks Hospital for Inpatient hospital services for Medi-Cal clients.
8. Approve and authorize Chairman to sign Renewal Contract No. 2004204 with Stanislaus Behavioral Health and Recovery Services for inpatient psychiatric services for adults.
9. Approve and authorize Chairman to sign Renewal Contract No. 2006058 with Rutan and Tucker, LLP for outside Counsel for two clients.
10. Approve and authorize Chairman to sign Renewal Contract No. 2004007 with Staff Care Incorporated for Licensed Psychiatrist Services.

## Human Services Agency

11. Approve and authorize Chairman to sign Renewal Contract No. 2003134 with Public Works-Transportation Division for No Cost Transportation Program.
12. Approve and authorize Chairman to sign Renewal Contract No. 2005128 with Public Works-Transportation Division for Reduced Cost Transportation Program.
13. Approve and authorize Chairman to sign Renewal Contract No. 2004035 with Dept. of Workforce Investment for the Senior Community Services Employment Program.

## Ag. Commissioner

14. Approve and authorize Chairman to sign Renewal Contract No. 2001105 with Calif. Dept. of Food and Agriculture for Fruit and Vegetable Inspection Services.

### **ADOPTED RESOLUTION NO. 2007-107**

## Commerce, Aviation and Economic Development

15. Set public hearing on July 31, 2007 at 10:00 a.m. to consider Proposed Ordinance Revisions to Water and Sewer Systems Rates and Related Charges at Castle Airport (Revises Chapter 5.48 of the County Code and Ordinance No. 1788)

## Sheriff

16. Approve and authorize Chairman to sign Amendment to Contract No. 2005273 with Merced College for Correctional Officer Core Academy.

## Public Defender

17. Approve and authorize Chairman to sign Renewal Contract No. 2004341 with Eunice Brown Investigations for Public Defender Investigative Services.

18. Approve and authorize Chairman to sign Renewal Contract No. 2005041 with Peter Wann Investigations for Public Defender Investigative Services.
19. Approve and authorize Chairman to sign Renewal Contract No. 2006025 with Gator Investigations for Public Defender Investigative Services.
20. Approve and authorize Chairman to sign Renewal Contract No. 2004338 with Williams and Company Investigations for Public Defender Investigative Services.

Board Recognition

21. Authorize Certificate of Recognition to Livingston's Yamato Colony celebrating the Centennial of the Founding by Japanese Immigrants.
22. Authorize Certificates of Recognition to individuals selected by the Greater Merced Chamber of Commerce as 2007 Business Award Recipients, Outgoing Officers and Board Members.

**REVIEW BOARD ORDER – SEE PAGE 13**

23. Authorize Certificates of Recognition to individuals selected by the Father of the Year Committee - 2007 Essay Contest: Winner-Lucas Suarez, 1<sup>st</sup> Runner Up-Kirsten Engel, 2<sup>nd</sup> Runner Up-Jaden Rocha and 2007 Father of the Year Winners-Bruce Pearson, Hayden Pearson and Dustin Pearson.
24. Authorize Certificates of Recognition to Austin Worden for selection as Volunteer of the Year and Bob and Yvonne Ayers in recognition of Business of the Year by Atwater Chamber of Commerce.
25. Authorize Certificate of Recognition to Tom Scheidt in recognition of 37 years of dedicated service to the County of Merced in the field of education.
26. Authorize Certificate of Recognition of the New Courthouse Facility Dedication.
27. Authorize Certificate of Recognition to At Your Service Storage in celebration of the Ribbon Cutting.
28. Authorize Certificate of Recognition of Jenn Handy in appreciation of successful completion of the Drug Store Project.
29. Authorize Certifications of Recognition to individuals for recognition by the Catholic Charities Diocese of Fresno.

**REVIEW BOARD ORDER – SEE PAGE 13**

30. Authorize Certificate of Recognition to Gail Wills for being the Honored Citizen for the 79th Le Grand Community Day.
31. Authorize Certificate of Recognition to Yadira Taylor for her dedicated service as the Director of the Ariday Hispanic Women's Christian Ministry and her work with the Hispanic Women in the Community.
32. Authorize Certificates of Recognition to individuals for being recognized by Merced/Golden Valley FFA at the Annual Parent-Member Awards Banquet.

**REVIEW BOARD ORDER – SEE PAGE 13 AND 14**

Planning

33. Set public hearing for July 31, 2007 at 10:00 a.m. to consider comments on the Flood Plain Management 8-Step Review Process.

34. Set public hearing for July 31, 2007 at 10:00 a.m. to consider proposed Combined Housing Rehabilitation Program Participation Guidelines.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

35. Contract with Bryan A. Stirrant & Associates for Consulting Services for Design of Landfill Scalehouse serving the Highway 59 Landfill.  
**AUTHORIZED CONTRACT NO. 2007169 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**
36. Resolution authorizing Chairman to sign Cooperative Agreement with State Dept. of Transportation for the realignment of a portion of Santa Fe Avenue and Baker Drive planned to occur with the Bradley Overhead Replacement Project.  
**AUTHORIZED CONTRACT NO. 2007170 AND ADOPTED RESOLUTION NO. 2007-108 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**
37. Approve the 2007/08 Priority List for Merced County Community and Veterans Halls and authorize Public Works to proceed with completion of the projects on the approved list in priority order, commensurate with the amount available in the approved budget.  
**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**
38. By 4/5 Vote, approve Contract with MB Sports to use Lake Yosemite to test newly constructed power boats during normal park operating hours Monday through Friday and during off season for a period of five years with the fees to be paid quarterly.  
**AUTHORIZED CONTRACT NO. 2007171 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**
39. Contract with Fineline Industries for exclusive use of Lake Yosemite Pier, grassy area near the swim pier and the lake area directly in front of the pier at Lake Yosemite Park for Wake Surfing demonstrations and competitions from August 24 to 26, 2007.  
**AUTHORIZED CONTRACT NO. 2007172 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**
40. Contract with STC General Building Contractor for the New Trussed Roof over Existing Walls at the Planada Fire Station.  
**AUTHORIZED CONTRACT NO. 2007173 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**
41. Contract with Economic Planning Systems to assist in the review of Critical Habitat designations countywide understanding this contract also covers work done in mid 2006 and approve the Reimbursement Agreement with the City of Merced to reimburse share of costs.  
**AUTHORIZED CONTRACTS NO. 2007174-CITY OF MERCED AND NO. 2007175-ECONOMIC PLANNING SYSTEMS AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

## MENTAL HEALTH

42. Contract with Merced Drug for Pharmacy Services to clients.

**AUTHORIZED CONTRACT NO. 2007178 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

## HEALTH

43. Contract with Mater Misericordise Hospital, dba Mercy Medical Center Merced for Disaster Planning Assistance for completion of the medical surge capacity plans.

**AUTHORIZED CONTRACT NO. 2007176 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

44. Contract with Memorial Hospital Los Banos for Disaster Planning Assistance for completion of the medical surge capacity plans.

**AUTHORIZED CONTRACT NO. 2007177 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

45. Contract with Barnes Associates for Fundraising Development Plan for the Children's Health Initiative Steering Committee.

**AUTHORIZED CONTRACT NO. 2007179 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

## DEPT. OF ADMIN. SERVICES

46. Declare Exhibit A as Surplus Property and authorize its disposal and an Internet Public Auction to be conducted by Public Surplus LLC of all items listed in Exhibit A.

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

## COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT

47. Approve the Foreign Trade Zone No. 226 Tariff Schedule Adjustments and adopt Resolution.

**ADOPTED RESOLUTION NO. 2007-109 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

48. Approve 6-month Contract with Hunt's Water Services to operate and manage the Castle water system and authorize release of an RFP for Castle water system operations and management services with County Counsel coordination.

**AUTHORIZED CONTRACT NO. 2007180 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

## SHERIFF

49. Authorize solicitation of proposal for Inmate Electronic Monitoring Program and return to the Board with recommended action.

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

## HUMAN SERVICES AGENCY

50. Authorization to apply for the Fatherhood Resource Center Grant with the National Fatherhood Initiative.

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

51. Contract with Valley Caregiver Resource Center for National Family Caregiver Support Program.  
**AUTHORIZED CONTRACT NO. 2007181 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**
52. Contract with Alz Care, Inc. for Alzheimer's Day Care Resource Center.  
**AUTHORIZED CONTRACT NO. 2007182 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**
53. Approve the FY 2007-2008 Area Plan Update for the Merced County Area Agency on Aging and authorize the Chairman to sign the Transmittal Letter.  
**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**
54. Contract with Catholic Charities of the Diocese of Fresno for the Senior Companion Program.  
**AUTHORIZED CONTRACT NO. 2007183 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**
55. Contract with First 5, Merced County for sublease of space at First 5 for Fatherhood Program.  
**AUTHORIZED CONTRACT NO. 2007184 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

**PUBLIC DEFENDER**

56. Contract with Colleen Tucker Investigations for Public Defender Investigative Services.  
**AUTHORIZED CONTRACT NO. 2007185 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

**PROBATION**

57. Contract with City of Atwater to house two Deputy Probation Officers at Atwater Police Department.  
**AUTHORIZED CONTRACT NO. 2007186 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

**PLANNING**

58. Contract with Bandoni, Inc. for the reimbursement of costs related to consultant costs provided by Michael Brandman and Associates for the preparation of an Initial Study/Mitigated Negative Declaration for Major Subdivision Application No. MAS6-011, Lucca Villas Subdivision.  
**AUTHORIZED CONTRACT NO. 2007187 AS RECOMMENDED AYES: 1, 2, 4, 5**  
**NOT PRESENT: 3**

**BOARD OF SUPERVISORS**

59. Authorize \$4,695 from Special Board Project Funds-District Three to the Atwater Historical Society for restoration work on the Bloss Mansion upon approval of FY 2007/08 Final Budget.  
**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**
60. Authorize \$3,000 from Special Board Project Funds-District One and \$3,000 from Special Board Project Funds-District Five to be forwarded to the Merced County Food Bank upon approval of the Final Budget.  
**APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**



61. Authorize \$16,624 from Special Board Project Funds-District Five to be paid to Commercial Construction for the installation of two signs at the Robert M. Falasco Justice Center in Los Banos.

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

**EXECUTIVE OFFICE**

62. Authorize Amended and Restated Joint Powers Agreement of Merced County Association of Governments (MCAG), for a ten year period.

**REVIEW BOARD ORDER – SEE PAGE 14**

63. Accept the retirement of Wayne Eisenhart, County Public Defender, effective July 20, 2008 and add one County Public Defender Designee, Job Class 7793, Range 87.4, understanding the position will be deleted upon the incumbent's retirement.

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

**HUMAN RESOURCES**

64. Approve a Retention Salary Adjustment of one range (approximately 5%) for the following classifications, effective Pay Period 16, July 27, 2007: Deputy Sheriff I/II (Class #4079/4080), Deputy Sheriff/Coroner I/II (Class #7715/7716), Sheriff Sergeant (Class #6913) and Sheriff Senior Sergeant (Class #7517).

**ADOPTED RESOLUTION NO. 2007-110 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3**

**DEPT. OF WORKFORCE INVESTMENT**

65. Workforce Investment Board, Educational Representative Appointment - Appointed Lyle J. Wright until June 30, 2010.

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

**BOARD APPOINTMENTS**

66. Snelling Cemetery District – Reappointed Don Weber until July 1, 2011.

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

67. Snelling Municipal Advisory Council – Appointed Donna Martinez until February 16, 2009.

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

68. Los Banos Cemetery District – Appointed Duane Brehm and Reappointed Michael Villalta and Tony Melillo until June 7, 2011.

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

**BOARD INFORMATION & POSSIBLE ACTION**

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

69. Dept. of Workforce Investment re: Application for Competitive Grant Funding for Dept. of Labor (DOB) Wired Initiative - Third Generation, Not funded.

70. State Water Resources Control Board re: Notice of Public Hearing and Pre-Hearing Conference - Carmel River in Monterey County.

71. State Water Resources Control Board re: Notice of Cancellation of Public Hearing regarding whether to impose Administrative Civil Liability as Proposed in Administrative Civil Liability Complaint No. SB-2007-002-03 against Mr. Louis Zamora.

**THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA**

72. State Water Resources Control Board re: Notice of Public Hearing on Stay Request Technical Report issued by San Francisco Bay Regional Water Quality Control Board.
73. State Fish and Game Commission re: Notice of Proposed Changes in Regulations relating to waterfowl hunting.
74. State Water Resources Control Board re: Notice of Board Meeting set for July 17, 2007.
75. Dept. of Forestry and Fire Protection re: Notice of Correction for Proposed Rulemaking - Fire Hazard Severity Zones, 2007.
76. San Francisco Planning Department re: Public Notice - Availability of Draft Program Environmental Impact Report for the San Francisco Public Utilities Commission's Water System Improvement Program.
77. State Water Resources Control Board re: Notices related to Yuba County Water Agency's Lower Yuba Accord. (On file with Clerk)
78. MBK Engineers re: Petition for Temporary Transfer of Water under License 11395 (Application 16186).

**ADOPTED RESOLUTION IN MEMORY OF SHIRO BOB MORIMOTO AND ADJOURNED MEETING UNTIL TUESDAY, JULY 31, 2007 AT 10:00 A.M.**

**BOARD ORDERS – SUMMARY ACTION MINUTES – JULY 17, 2007**

**10:00 A.M. SCHEDULED ITEM**  
**2007-07-17 PUBLIC OPPORTUNITY**

Grant Wilson (Merced resident) states concerns regarding the issuance of the Medical Marijuana ID Cards.

Samuel Matthews states he is a Medical Marijuana patient and reviews the lawsuit against the City of Merced.

Stacy Dabbs, Representative of Congressman Cardoza, submits letters dated July 1, 2007 and June 13, 2007 regarding High Speed Rail budget and states the Congressman will include Merced in Phase One of the project.

Ken Gosting, Transportation Involves Everyone, submits and provides an overview of the pamphlet from Amtrak “Making Tracks” and applauds the Board for including Mariposa County on the Rail Committee and their support of the transportation issues.

Maureen McCorry, representing Valley Land Alliance, submits and reads letter dated July 17, 2007, A Plea for “Label Free” Public Hearing/Excerpt from previous letter dated July 4, 2007 and further comments on the June 26, 2007 Board Meeting.

Present: Pedrozo, Crookham, Kelsey, O’Banion

Not Present: Nelson

**10:00 A.M. SCHEDULED ITEM**  
**2007-07-17 PRESENTATION**

California High Speed Rail Authority Deputy Director Carrie Pourvahidi reviews a video on the High Speed Rail Project providing an updated progress report and submits an information packet on the High Speed Rail Project.

Ken Gosting, Transportation Involves Everyone, states concerns regarding the route of the High Speed Rail advising he would like to see an alternate route from the ones offered.

Dr. Lee Boese, Jr., on behalf of the Merced County High Speed Rail Committee, thanks the Board for their support on the project.

Present: Pedrozo, Crookham, Kelsey, O’Banion

Not Present: Nelson

**10:00 A.M. SCHEDULED ITEM**  
**2007-07-17 PLANNING - PUBLIC HEARING**

The time and date previously set to consider the proposed Transfer of Funds from the Community Development Block Grant (CDBG) Rehabilitation Revolving Account to the Housing Acquisition Revolving Loan Account submitted by the Planning Department.

Development Services Director Bobby Lewis reviews the staff report and recommendation.

Self Help Enterprises Program Director-Housing Rehabilitation Denise Fletcher provides the power point presentation on Program Income and Revolving Loan Accounts.

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

The Chairman closes the public hearing.

Upon motion of Supervisor O'Banion, seconded by Supervisor Nelson, duly carried, the Board authorizes transfer of \$147,361.00 from the County Housing Rehabilitation Revolving Loan Account (RLA) to the County Homebuyer Assistance Revolving Loan Account and adopts Resolution No. 2007-104.

Ayes: Pedrozo, Crookham, Kelsey, O'Banion

Not Present: Nelson

**10:00 A.M. SCHEDULED ITEM**  
**2007-07-17 MENTAL HEALTH - PUBLIC HEARING – ORDINANCE NO. 1812**

The time and date previously set for a public hearing to consider a Proposed Ordinance submitted by Mental Health. The Clerk reads the Proposed Ordinance by title only: An Ordinance Changing Fees Charged for Mental Health Services (Amends County Code, Chapter 9.48, Section 9.48.030 and Supercedes Ordinance No. 1801).

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board waives further reading of the Proposed Ordinance.

Ayes: Pedrozo, Crookham, Kelsey, O'Banion

Not Present: Nelson

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

The Chairman closes the public hearing.

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board changes the fees charged for Mental Health Services as recommended and adopts Ordinance No. 1812.

Ayes: Pedrozo, Crookham, Kelsey, O'Banion

Not Present: Nelson

**CONSENT ITEM NO. 22**

**2007-07-17 BOARD OF SUPERVISORS**

Upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board authorizes Certificates of Recognition to individuals selected by the Greater Merced Chamber of Commerce as follows: 2006/2007 Chamber Board Members-Susan Bubenchik, Amalee Jayasinghe and Mike Carpenter, 2004/2007 Chamber Board Members-Ernie Amezcua and Paul Lo, Athena Recipient-Kara Parle, Citizen of the Year-Duane Andrews, Educator of the Year-Dolores Mosley-Maples, President of the Merced Booster's-Doug Fluetsch, Business of the Year-Raley's, Small Business of the Year-MERCO Credit Union, Home Based Business of the Year-Jim's Hot Diggety Dogs & Catering (Jim North), Associate Member of the Year-Mary Ann Mc Kissick and Volunteer of the Year.

Ayes: Pedrozo, Crookham, Kelsey, O'Banion

Not Present: Nelson

**CONSENT ITEM NO. 29**

**2007-07-17 BOARD OF SUPERVISORS**

Upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board authorizes Certificates of Recognition to individuals recognized by the Catholic Charities Diocese of Fresno for dedicated service to the Senior Companion Program, Catholic Charities Diocese of Fresno as follows: 6 years and over 6,000 hours - Doris Garner, Jorge Gamboa, Ofelia Gamboa, Ben Roybal and Lucille Matthews; 5 years and over 5,000 hours - Dolores Valenzuela; and Rookie of the Year - Betty Mox.

Ayes: Pedrozo, Crookham, Kelsey, O'Banion

Not Present: Nelson

**CONSENT ITEM NO. 32**

**2007-07-17 BOARD OF SUPERVISORS**

Upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board authorizes Certificates of Recognition to individuals recognized by the Merced/Golden Valley FFA at the Annual Parent-Member Awards Banquet as follows:

Star Administrators-Tom Scheidt (Merced High School Principal) and Ralf Swenson (Golden Valley High School Principal);

Competitive Team Awards: Creed Speaking-Olivia Baker and Alison Kostecky; Best Informed Greenhand-Olivia Baker, Kaden Cochran, Katelyn Montague, Sierra Lindman, Josh Clamp; Job Interview-Jesus Magallon, Amanda Kudulis, Kristine Nunes, Ryan Benson, Tyler Maxwell; Farm Power-Kyle Harrison, Robert Kostecky, Johnny Lopes, Tyler Maxwell, Case Vyfhysen, Ryan Lima, Ryan Layton and Jeff Rivas; Small Engines-Tito Hildalgo, Harlan Durant, Kim Fenton, Allen Thomas, Richard Mora; Opening/Closing Ceremonies-Taylor Palomino, Nicole Nance, Ashley Smyk, Robert Kostecky, Kyle Harrison, Johnny Lopez, Olivia Baker, Kelli Taylor, Robert Ryland, Tyler Maxwell, Erica Rios and Alison Kosetecky; Project Competition-Ashley Boyles, Jesus Magallon, Johnny Lopes, Nicole Nance, Steven Correia, Alison Kostecky, Cody Aldrige, Kristine Nunes; Extemporaneous Speaking: Chelsea Dunlap and Brandon Von Allman; Cooperative

Marketing-Ashley Boyles, Kayla Bonifay, Chelsea Dunlap, Kristine Nunes, Amanda Kudulius, Joanna Lopez and Ashley Smyk;  
Hometown Hero Award-Bob Souza;  
Distinguished Service Awards-David Bliss, Steve Bell, Ed Palomino, Jeff Hammer, John Pedrozo, Merced College Agriculture Department, Sandra Bonifay, Kevin Kostecky, Kassie Snowden, Mr. and Mrs. Raggio, The Rios Family and Mario Massasso;  
Honorary Chapter Degree-Jim Anderson and Bob Abraham;  
Outstanding Agriculture Education Students:  
Power Mechanics Award-Freshman Paul Espino, Sophomore Harlan Durrant, Junior Jacob Brown and Senior Tito Hidalgo; Ag Mechanics Award: Freshman Kyle Jones, Sophomore Matt Raggio and Cody Beaman, Junior Kyle Harrison and Senior Alex Parker; Floral Design Award-Pearla Aceves; Ag Science Award-Katelyn Montegue; DeKalb Award-Nicole Nance;  
Star Greenhand-Case Vyfhuizen;  
Star Chapter Farmer-Ryan Benson;  
Star Agri-Businessman-Allan Thompson;  
Program of Activities Awards-Johnny Lopes, Kyle Harrison, Nicole Nance, Robert Kosetecky, Chelsea Dunlap, Amanda Kudulis, Ryan Lima, Taylor Palomino, Kristine Nunes, Ryan Benson, Ashley Smyk, Alex Parker, Rebecca Ledford, Case Vyfhuizen, Allen Thomas, Allison Kosetecky, Katelyn Montegue, Jesus Magallon, Tyler Maxwell, Robert Ryland, Ryan Layton, Brandon Von Allman, Codie Auldridge, Nathan Gomes, Matt Raggio, Steven Correia, Tito Hildalgo, Kaden Cochran, Joanna Lopez and Marinna Philips;  
Outstanding Ag. Science Students-Katelyn Montegue, Ryan Layton, Rosemarie Borne, Melanie Ricketts and Ashley Boyles.  
Present: Pedrozo, Crookham, Kelsey, O'Banion  
Not Present: Nelson

## **ACTION ITEM NO. 62**

### **2007-07-17 EXECUTIVE OFFICE**

The Clerk announces the Amended and Restated Joint Powers Agreement of Merced County Association of Governments is before the Board for consideration.

Maureen McCorry, Valley Land Alliance, states concerns with how the transportation issues will interface with the General Plan and this contract, and expresses additional concerns that public comments taken at forums and workshops are not being considered.

Jean Okuye states concerns with the MCAG contract and the loss of agricultural land and submits letter dated July 17, 2007.

Following discussion and upon motion of Supervisor O'Banion seconded by Supervisor Crookham, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2007188 with the Cities of Merced, Atwater, Los Banos, Livingston, Gustine and Dos Palos for the Merced County Association of Governments' Joint Powers Agreement for a ten-year period.

Ayes: Pedrozo, Crookham, Kelsey, O'Banion  
Not Present: Nelson