



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, JANUARY 08, 2008
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
CHAIRMAN 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

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

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

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

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

THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED THERE WAS NOTHING TO REPORT

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

NOMINATION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2008 YEAR
NOMINATED SUPERVISOR KATHLEEN CROOKHAM AS 2008 CHAIRMAN AND SUPERVISOR DEIDRE F. KELSEY AS 2008 VICE-CHAIRMAN **AYES: ALL**

2007 OUTGOING CHAIRMAN ADDRESS
REVIEW BOARD ORDER

2008 INCOMING CHAIRMAN ADDRESS
REVIEW BOARD ORDER

SHERIFF – Presentation Report
REVIEW BOARD ORDER

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Health-\$70,000, \$76 and \$232; Mental Health-\$10,300 and \$12,500 and Public Works-\$30,390
APPROVED AS RECOMMENDED **AYES: ALL**

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 14)
APPROVED AS RECOMMENDED **AYES: ALL**

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10:00 A.M.

REPORTS/BOARD DIRECTION

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

CONSENT CALENDAR (Items #1 - 14)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Approve plans and specifications for the Repair of Planada Deep Pit Repairs at the Planada Park; authorize solicitation of competitive bids and issuance of Purchase Order if within approved budget and direct Public Works to return to the Board with results.
2. Adopt Resolution authorizing Public Works and Auditor to sign the Amended Local Transportation Funds Claim for the 2007/2008 Fiscal Year and file with Merced County Association of Governments.

ADOPTED RESOLUTION NO. 2008-01

3. Approve and authorize Public Works Director to sign Change Order with Rolfe Construction for additional scope of work for the Sale/Removal of three County-owned Relocatable Buildings at Courts Plaza in the amount of \$29,300.
4. Adopt Resolution honoring Charles Dixon for service with the County of Merced.
5. Approve Budget Transfer submitted by Public Works and recommended by Executive Office in the amount of \$8,300.

Mental Health

6. Approve and authorize Chairman to sign Renewal Contract No. 2004072 with Millhouse Children's Services for special services.
7. Approve and authorize Chairman to sign Renewal Contract No. 2002218 with Sierra Vista Child and Family Services for specialty mental health services for children.

Ag. Commissioner

8. Approve and authorize Chairman to sign Renewal Contract No. 2004057 with California Crop Improvement Association for Certified Seed Inspection Services.
9. Approve and authorize Chairman to sign Renewal Contract No. 2004201 with California Dept. of Food and Agriculture for Insect Pest Detection Inspections.

ADOPTED RESOLUTION NO. 2008-02

Child Support Services

10. Approve and authorize Chairman to sign Renewal Contract No. 2005153 with Sheriff Department for process services (summons and complaints).

Dept. of Admin. Services

11. Approve Budget Transfer submitted by Dept. of Admin. Services and recommended by Executive Office in the amount of \$8,913.

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Board Recognition

12. Authorize Certificate of Recognition to Michael Goodwin, Wade Chapman and Ryan Crevolin for Heroic and Selfless Bravery Rescuing Amanda De Rosa from a burning vehicle on Snelling Road on October 14, 2007.
13. Authorize Certificates of Recognition to Bob Acheson-Bill Del Nero Lifetime Achievement Award; Dave Shewey, David Hoffman, Jim Newhoff, Ray Rodriguez and Martin Neister-Directors; Dan Hultgreen-Jesse Fees Memorial Award; Kay Stahl-Lifetime Achievement Award; Dorothy Kielty-Presidents Award and Realtor of the Year Award; Jim Wetmore-Affiliate of the Year and Scott Oliver-President as recognized by the Merced County Association of Realtors.
14. Authorize Certificate of Recognition to Sunburst Solar in celebration of Ribbon Cutting.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

15. Approve Funding Extension for the Dickenson Ferry Road at Bear Creek Bridge Replacement Project and Canal School Road over the Newman Wasteway Bridge Replacement Project and authorize Public Works Director to sign required Caltrans extension of Budget Authority with lapsing unspent federal or state funds.
APPROVED AS RECOMMENDED AYES: ALL
 16. Adopt Resolution committing the 10% local match for the State Safe Routes to School (SR2S) Grant applications for the seventh cycle; direct Public Works to return to the Board upon receipt of any approved Caltrans Grant for approval.
ADOPTED RESOLUTION NO. 2008-03 AS RECOMMENDED AYES: ALL
 17. Approve New Air Conditioning Unit at Coroner's Facility bidding documents and authorize solicitation of bids to come back to the Board for award.
APPROVED AS RECOMMENDED AYES: ALL
 18. Approve Budget Transfer from Parkland Dedication Funds Trust #02497 (Hilmar Funds) for the Hilmar Pool repairs in the amount of \$45,000; approve bidding documents for said project; authorize solicitation of bids and issue Purchase Order to lowest bidder with report back to the Board on action taken and approve the necessary budget transfer. (4/5 Vote Required)
APPROVED AS RECOMMENDED AYES: ALL
 19. Lake Yosemite Park - New Domestic and Automated Irrigation Water System Project (Phase 2) - Contract Award.
APPROVED AS RECOMMENDED AYES: ALL
- #### MENTAL HEALTH
20. Contract with Sutter Center for Psychiatry for Electroconvulsive Therapy Treatments.
APPROVED AS RECOMMENDED AYES: ALL

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21. Contract with State Dept. of Mental Health for implementation of Merced County's Mental Health Services Act Community Services and Supports Three Year Plan and designate the Mental Health Director to act as the fiscal and administrative agent.

APPROVED AS RECOMMENDED AYES: ALL

22. Contract with State Dept. of Alcohol and Drug Programs for Comprehensive Drug Court Implementation Grant and approve the necessary budget transfer.

ADOPTED RESOLUTION NO. 2008-04 AS RECOMMENDED AYES: ALL

23. Contract with Dr. Maria Daisy Ilano for Psychiatric Services.

APPROVED AS RECOMMENDED AYES: ALL

24. Contract with Quest Diagnostics for laboratory testing for consumers.

APPROVED AS RECOMMENDED AYES: ALL

25. Contract with Masonic Center for office space located at 561 West 18th Street, Merced for the Mental Health Administrative offices.

PULLED FROM AGENDA – NO ACTION TAKEN

HUMAN SERVICES AGENCY

26. Authorize submission of Community Based Child Abuse Prevention (CBCAP) Application for SFY 2007/08 and authorize Chairman to sign necessary documents to submit and accept Funding in the amount of \$19,369.

APPROVED AS RECOMMENDED AYES: ALL

27. Authorize Request for Proposal for Kinship Support Services Program for a vendor to manage the program effective June 1, 2008 with recommendation to be returned to the Board for approval.

APPROVED AS RECOMMENDED AYES: ALL

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT

28. Adopt Resolution approving the withdrawal of 13.62 acres from FTZ 226 Site 6A (City of Madera Airport Industrial Park) and authorize the FTZ Administrator to initiate a minor boundary modification application.

ADOPTED RESOLUTION NO. 2008-05 AS RECOMMENDED AYES: ALL

29. Approve the 2006-2007 Foreign Trade Zone No. 226 Annual Report and authorize the Commerce, Aviation and Economic Development Director/FTZ Administrator to submit the report to the U.S. Foreign Trade Zones Board.

APPROVED AS RECOMMENDED AYES: ALL

AG. COMMISSIONER

30. Adopt Resolution authorizing Contract with California Dept. of Food and Agriculture for Light Brown Apple Moth Pest Detection/Emergency Projects and authorize Chairman to sign necessary documents.

ADOPTED RESOLUTION NO. 2008-06 AS RECOMMENDED AYES: ALL

HEALTH

31. Contract with San Joaquin County Health Commission for services to Healthy Families beneficiaries enrolled in the Health Plan of San Joaquin (HPSJ) Merced County.

APPROVED AS RECOMMENDED AYES: ALL

32. Contract with San Joaquin County for access and use of the EMSsystem, an online resource management product in California to track both hospital and ambulance resources.

APPROVED AS RECOMMENDED AYES: ALL

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33. Contract with California Dept. of Public Health for FY 07-08 California Health Care for Indigents Program (CHIP), adopt Resolution and the necessary budget transfer. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2008-07 AS RECOMMENDED AYES: ALL

34. Contract with Caremark PCS Health, LP for NACo Prescription Drug Card Program and authorization for Health Department to implement the Program.

REVIEW BOARD ORDER

FIRE

35. Authorize submission of Grant Application for the FEMA Fire Prevention and Safety (FP&S) Grant in the amount of \$22,835 and direct Fire Chief to return to the Board for final approval.

APPROVED AS RECOMMENDED AYES: ALL

36. Authorize submission of Grant Application for the Office of Traffic Safety (OTS) Grant in the amount of \$250,000 to purchase six lightweight combination tools (Jaws of Life) authorizing the Fire Chief to sign and direct Fire Chief to return to the Board for final award.

APPROVED AS RECOMMENDED AYES: ALL

DISTRICT ATTORNEY

37. Contract with Philip S. Trompetter, Ph.D., Inc. for psychiatric expert witness from September 1, 2007 through August 31, 2008 in an amount not to exceed \$20,000.

APPROVED AS RECOMMENDED AYES: ALL

DEPT. OF WORKFORCE INVESTMENT

38. Authorize initiation of procurement process for In-School and Out-of-School Workforce Investment Youth Services and return to the Board for final approval.

APPROVED AS RECOMMENDED AYES: ALL

CHILD SUPPORT SERVICES

39. Contract with Electronic Document Processing, dba EDP Legal Services for service of process (method of which legal documents are personally served to an individual).

APPROVED AS RECOMMENDED AYES: ALL

PLANNING

40. Contract with Planning Partners for the preparation and environmental documents and permit processing for the Brasil Dairy Expansion.

APPROVED AS RECOMMENDED AYES: ALL

41. Contract with Guilherme Brasil for the reimbursement of costs related to consultants costs and approve the necessary budget transfer. (4/5 Vote Required)

APPROVED AS RECOMMENDED AYES: ALL

42. Contract with Colorscape II Greenwaste Composting Facility for the reimbursement of costs related to consultant cost and approve the necessary budget transfer.

APPROVED AS RECOMMENDED AYES: ALL

AUDITOR

43. Declare Punching Machine (Inventory Tag Number 1469) Surplus County Property and donate the equipment to the Historical Society for display at the Merced County Courthouse Museum.

APPROVED AS RECOMMENDED AYES: ALL

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44. Approve a 9 month Cash Flow Loan up to \$2,000,000 bearing an interest rate equal to the rate the County Treasury earns.

APPROVED AS RECOMMENDED AYES: ALL

COUNSEL

45. Contract with Remy, Thomas, Moose and Manley, LLP for professional consulting services in the areas of solid waste and environmental law.

APPROVED AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

46. Contract with Michael Fagalde for Indigent Defense Services.

APPROVED AS RECOMMENDED AYES: ALL

47. Contract with C. Logan McKechnie to provide Indigent Defense Services to Case No. MF47319.

APPROVED AS RECOMMENDED AYES: ALL

48. Accept retirement of John Fowler, Director of Commerce, Aviation and Economic Development effective January 31, 2009 and add one Director of Commerce, Aviation and Economic Development Designee, Range 83.2 understanding this position will be deleted upon the incumbent's retirement.

APPROVED AS RECOMMENDED AYES: ALL

49. Accept retirement of M. Stephen Jones, Auditor-Controller-Recorder-Clerk, effective January 4, 2009.

APPROVED AS RECOMMENDED AYES: ALL

50. Accept the retirement of Robert A. Morris, Human Resources Director effective December 21, 2008 and add one Director of Human Resources Designee, Range 83.2 understanding the position will be deleted upon the incumbent's retirement.

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

51. Authorize \$5,000 from Special Board Project Funds-District Four to Hilmar Helping Hands to support efforts to feed the needy in Hilmar and Stevinson and \$2,500 to the City of Gustine to assist with the building of a new animal shelter and approve the necessary budget transfer.

APPROVED AS RECOMMENDED AYES: ALL

52. Authorize \$5,000 each of Special Board Project Funds-District One and District Two to be forwarded to the Boys and Girls Club of Merced and approve the necessary budget transfer.

APPROVED AS RECOMMENDED AYES: ALL

53. Approve and adopt a revised County Seal of the Old County Courthouse as the Official Seal of the County of Merced.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

54. Delhi Municipal Advisory Council - Appointment.

APPROVED AS RECOMMENDED AYES: ALL

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PROBATION

55. Contract Amendment with Behavioral Interventions for Juvenile and Adult Electronic Monitoring Program and approve the necessary budget transfer. (4/5 Vote Required)

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

56. Mental Health re: Annual Report to the Board for FY 2004-2007.
57. State Water Resources Control Board re: California Clean Water State Revolving Fund Loan Program Survey Extension Date.
58. State Water Resources Control Board re: Notice of Opportunity for Public Comment on proposed amendment to the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) to establish a total maximum daily load and implementation plan for Bacterial Indicators in the Coachella Valley Storm Water Channel.
59. State Water Resources Control Board re: Revised Notice of Public Workshop Comment Period Extended - Consideration of the Pelagic Organism Decline in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary.
60. State Water Resources Control Board re: Proposed Water Recycling Policy - Hearing set for February 19, 2008.
61. State Water Resources Control Board re: Notice of Filing Opportunity for Public Comment - Proposed Statewide Policy for compliance schedules in National Pollutant Discharge Elimination System Permits - Hearing set by March 18, 2008.
62. State Water Resources Control Board re: Petition of City of Arcata, North Coast Water Board - Board Meeting notification SWRCB/OCC File A-1754.
63. State Dept. of Housing and Community Development re: Consideration to help fund Office of Migrant Services operations for the upcoming harvest season and if possible, beyond; by identifying and pursuing funding from not only employers in area but also from agencies that support farm workers and their families.
64. California Clean Water State Revolving Fund re: Loan Program Public Workshops for projects for future dates.
65. County of Siskiyou re: Resolution 07-184 demanding action on the part of the US Forest Service to reduce the threat to Siskiyou County citizens of catastrophic wildland fire, adopted by Siskiyou County Board of Supervisors on December 4, 2007.
66. State Air Resources Board re: Vehicles subject to the Fleet Rule for Public Agencies and Utilities.

ADOPTED RESOLUTIONS IN MEMORY OF ROBERT JOHNSON, RALPH NAVARRO, MARGARET BOOCK, DANIEL TIMMERMAN, FRANK DIEBOLD, WILLIE DRUESEDOW AND ELIZABETH (BETTY) ENOS TRAUBA UNTIL TUESDAY, JANUARY 15, 2008 AT 10:00 A.M.

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