

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, MARCH 25, 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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TESTIMONY LIMITED TO FIVE MINUTES PER PERSON
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:** It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT, Public Defender

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

THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH SUPERVISOR NELSON NOT PRESENT AND THE CHAIRMAN ADVISED THERE WAS NOTHING TO REPORT

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 7

PRESENTATIONS

Recognition of Harold and Ann DePalma

Recognition of Colusa County

REVIEW BOARD ORDER – SEE PAGE 7

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Public Works-\$6,000

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

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 14)

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

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10:00 A.M.

PLANNING - PUBLIC HEARING

To consider the 2008 Community Development Block Grant (CDBG) Application and authorization to release a Request for Proposal (RFP) to qualified consultants to provide services for the implementation and administration of the Grant

REVIEW BOARD ORDER – SEE PAGES 7 AND 8

10:15 A. M.

JOINT MEETING - BOARD OF SUPERVISORS AND DEPT. OF WORKFORCE INVESTMENT - WORKFORCE INVESTMENT BOARD

Presentation of End of the Year Report, July 2006 - June 2007

Solicitation of Comments on Future Goals

REVIEW BOARD ORDER – SEE PAGE 8

REPORTS/BOARD DIRECTION

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

CONSENT CALENDAR (Items #1 - 14)

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

Health

1. Approve and authorize Chairman to sign Amendment to Contract No. 2007233 with California Dairy Research Foundation for preparing dairy educational materials and extending the contract term.
2. Approve and authorize Chairman to sign Renewal Contract No. 2006037 with Marin County for Medi-Cal Administrative Activities/Targeted Case Management Program for FY 07/08.

Mental Health

3. Approve and authorize Chairman to sign Renewal Contract No. 2004230 with Probation for On-site Probation services for youth concurrently enrolled in Mental Health and Probation services.
4. Approve and authorize Chairman to sign Amendment to Contract No. 2006253A with the Regents of the University of California, Davis for Parent Child Interaction Therapy Trainings.
5. Approve and authorize Chairman to sign Amendment to Contract No 2007199 with Guardco Security Services at the inpatient unit and other facilities and approve budget transfer-\$10,000.

Executive Office

6. Act on Claims for Damages filed by Matt Lusk (2008-032), Jose Mendoza (2008-025), Irma Gonzalez DePineda (2008-029) and Heulet Suggs (2008-028) as recommended by Executive Office.
7. Approve Budget Transfers for Human Services Agency-\$1,068 and Executive Office-\$15,000 as recommended by Executive Office.

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Dept. of Workforce Investment Board

8. Approve and authorize Chairman to sign Amendment to Contract No. 2007053 with Merced County Office of Education for Regional Occupation Program for High Concentration of Eligible Youth 14-21.

Board Recognition

9. Authorize Certificate of Recognition to Lu Edmonson in recognition of creation of scholarship endowment in honor of Jim and Lu Edmonson.
10. Authorize Certification of Recognition to Ron Smith in recognition of Good Business Citizen Award.
11. Authorize Certificate of Recognition to Garcia Signs in celebration of Ribbon Cutting.
12. Authorize Certificate of Recognition to Mike Hughes in recognition of service to the Advisory Board on Alcohol and Drug Problems.
13. Authorize Certificate of Recognition to Dr. Jozsef Linsky in celebration of Ribbon Cutting.
14. Authorize Certificate of Recognition to Mackenzie Buckner in recognition of serving as 2007 Wee Miss Atwater and Holly Holt.

REGULAR CALENDAR

BOARD ACTION

HEALTH

15. Resolution accepting the California Dept. of Public Health Tobacco Control Program funding in the amount of \$450,000 and authorize the Director of Public Health to sign the necessary agreements.

AUTHORIZED CONTRACT NO. 2008055 AND ADOPTED RESOLUTION NO. 2008-34 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3

CHILD SUPPORT SERVICES

16. Contract with UC Davis Center for staff development and training.

AUTHORIZED CONTRACT NO. 2008056 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3

DEPT. OF WORKFORCE INVESTMENT

17. Resolution supporting the Business-Education of Merced County (BEAM) Initiative.

ADOPTED RESOLUTION NO. 2008-35 AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3

FIRE

18. Authorize Fire to apply online for the FEMA Assistance to Firefighters grant to purchase 4 hard-mount washer extractors and direct the Fire Chief to return to the Board prior to acceptance of award.

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

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19. Authorize submission of Grant Application with California Dept. of Forestry and Fire Protection for Volunteer Fire Assistance Program funding and direct Fire Chief to return to the Board with results prior to accepting award.

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

HUMAN SERVICES AGENCY

20. Approve Child and Family Services Review (C-CFSR) System Improvement Plan for Merced County and authorize submission to Calif. Dept. of Social Services as required by Welfare and Institutions Code 10601.2.

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

21. Contract (Interdepartmental Agreement) with Library for training of Library Staff.

**AUTHORIZED CONTRACT NO. 2008057 AS RECOMMENDED AYES: 1, 2, 4, 5
NOT PRESENT: 3**

MENTAL HEALTH

22. Contract with Central Valley Coalition for Affordable Housing for lease of 2806 Parsons Avenue, Merced for mental health clients safe housing.

**AUTHORIZED CONTRACT NO. 2008058 AS RECOMMENDED AYES: 1, 2, 4, 5
NOT PRESENT: 3**

23. Contract with Mother Cynthia's Residential Care Facility for the provision of residential care services for consumers and approve budget transfer-\$45,000.

**AUTHORIZED CONTRACT NO. 2008059 AS RECOMMENDED AYES: 1, 2, 4, 5
NOT PRESENT: 3**

PLANNING

24. Contract with Don Chapin and George Simmons for reimbursement of costs related to consultant costs for preparation of an Initial Study/Mitigated Negative Declaration for MS)7-027 and CUP07-015 of the required CEQA environmental documents and approve budget transfer-\$18,910. (4/5 vote required)

**AUTHORIZED CONTRACT NO. 2008054 AS RECOMMENDED AYES: 1, 2, 4, 5
NOT PRESENT: 3**

25. PULLED

SPRING FAIR

26. Approve the Spring Fair 2008 Operating Budget Amendment.

**AUTHORIZED CONTRACT NO. 2008060 AS RECOMMENDED AYES: 1, 2, 4, 5
NOT PRESENT: 3**

BOARD OF SUPERVISORS

27. Authorize Special Board Project Funds-District Three in the amount of \$3,000 to be forwarded to the Castle Air Museum and approve the necessary budget transfer.

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

BOARD APPOINTMENTS

28. Snelling Cemetery District - Reappointment.

PULLED FROM THE AGENDA – NO ACTION TAKEN

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HUMAN RESOURCES

29. Confirm the appointment of Mr. Michael L. Pro as the County Public Defender Designee and approve "A" Level benefits effective April 14, 2008.

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

30. Dept. of Workforce Investment re: 2006/2007 WIA Subgrant Agreement R760332, Modification 8, with the State Dept. of Employment Development Department.
31. California Regional Water Quality Control Board re: Central Valley Region - Notice of Special Meeting, discussion of Board Procedures and Initiating Strategic Planning.

ADOPTED RESOLUTIONS IN MEMORY OF LEO KOLLIGIAN, BILL MARCHESE AND TROY PETERSEN AND ADJOURNED MEETING UNTIL TUESDAY, APRIL 1, 2008 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – MARCH 25, 2008

10:00 A.M. SCHEDULED ITEM
2008-03-25 PUBLIC OPPORTUNITY

Colette Alvernaz, Livingston, reads and submits a statement dated March 28, 2008 and refers to a document entitled City of Livingston, Ranchwood Homes and Property Owners Easement Agreements for 42-inch Sewer Trunk Line.

Grant Wilson, Merced, states he feels his constitutional rights are being violated and requests the Board reconsider its ban on Medical Marijuana Dispensaries in Merced County. He asks the Board direct the County Executive Officer look in this matter and contact him.

Present: Crookham, Pedrozo, Kelsey, O'Banion

Not Present: Nelson

10:00 A.M. SCHEDULED ITEM
2008-03-25 PRESENTATIONS

The Board presents a Plaque to Harold DePalma of Ballico recognizing Harold and Ann DePalma for taking care of the Ballico Veterans' Hall for many years.

The Board presents a plaque to Colusa County District Attorney John Poyner and Colusa County Chief Investigator Dave Markss in recognition of Colusa County's assistance during the Thao Rivera trial that was held in Colusa County due to a change of venue. Merced County District Attorney Larry Morse reads a statement of appreciation for Colusa County's support while the Merced County District Attorney staff spent time in Colusa County on the Thao Rivera case.

Present: Crookham, Pedrozo, Kelsey, O'Banion

Not Present: Nelson

10:00 A.M. SCHEDULED ITEM
2008-03-25 PLANNING – PUBLIC HEARING

The time and date previously set for a public hearing to receive public input on an application to seek funds for first-time homebuyer and owner-occupied housing rehabilitation from the 2008 Community Development Block Grant (CDBG) submitted by the Planning and Community Development Department.

Development Services Director Robert Lewis reviews the Staff Report and advises staff is requesting authorization to seek \$1,000,000 CDBG funding and advises information concerning CDBG is available on the Planning and Community Development Department website or interested persons can call the Planning and Community Development Department for further information.

Denise Fletcher, Self-Help Enterprise representative, reads a statement concerning the Community Development Block Grant process and advises there is a sign-in sheet for anyone interested.

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 Pedrozo, duly carried, the Board authorizes submittal of the Community Development Block Grant application; authorizes Administrative Services-Support Services, in conjunction with the Planning and Community Development, to prepare and release a Request for Proposal to qualifying consultants for implementation and administration of the 2007-2008 CDBG Grant, if funded; directs staff to return to the Board for selection of a consultant and for approval of the consultant agreement, upon review by County Counsel and directs staff to return to the Board to accept the CDBG Grant, if awarded and adopts Resolution No. 2008-33.

Ayes: Crookham, Pedrozo, Kelsey, O'Banion

Not Present: Nelson

10:15 A.M. SCHEDULED ITEM

2008-03-25 WORKFORCE INVESTMENT BOARD – JOINT MEETING

Department of Workforce Investment (DWI) Director Andrea Baker acknowledges members of the Workforce Investment Board that are present and reviews the Year-End Report June 2006 through July 2007 powerpoint presentation.

WIB Board Member Rick Osorio states one of the highlights is implementation of the new Scan Card which records accurate data and provides clients the opportunity to use the card at any one of the sites to determine their eligibility. He hopes in the near future the entire valley will have the same scan system which would enable clients to check on their eligibility in a larger area.

WIB Board Member Albert Montejano states appreciation to WIB staff and WIB Chairman Bob Harmon.

Present: Crookham, Pedrozo, Kelsey, O'Banion

Not Present: Nelson