



# A G E N D A

## MERCED COUNTY BOARD OF SUPERVISORS

### SUMMARY ACTION MINUTES

Regular Meeting

TUESDAY, MARCH 21, 2000

Closed Session – 9:30 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

GLORIA CORTEZ KEENE.....DISTRICT 1  
KATHLEEN M. CROOKHAM....DISTRICT 2  
JOE RIVERO.....DISTRICT 3  
DEIDRE F. KELSEY....DISTRICT 4  
CHAIRMAN JERRY O'BANION.....DISTRICT 5  
Lydia A. Beiswanger, Chief Clerk

GREGORY B. WELLMAN  
COUNTY ADMINISTRATIVE OFFICER

DENNIS MYERS  
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.  
Phone number: (209) 385-7366*

#### SCHEDULED ITEMS

9:30 A. M.

**CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**

It is the intention of the Board to meet in Closed Session concerning a conference with Legal Counsel pursuant to Government Code Section 54956.9, Subdivision (c) as follows:

Martinez v. County of Merced, MCMC et al. Court No 1141595

**SCHEDULED ITEMS**

9:30 A. M.

**CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATOR:** It is the intention of the Board to meet in Closed Session concerning a conference with County of Merced negotiators, Gregory Wellman-County Administrator and Bev Morse-Assistant County Administrator concerning negotiations with American Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6, and 8 and Independent Employees of Merced County (IEMC), Unit 3

**\*BOARD RECONVENES AT 10:00 A.M. AND THE CHAIRMAN ADVISES STAFF WAS GIVEN DIRECTION ON CLOSED SESSION ITEMS**

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

**\*\*FIND THE NEED TO TAKE ACTION FOR ATWATER VETERANS MEMORIAL BUILDING AROSE AFTER THE POSTING OF THE AGENDA FOR THE BOARD MEETING OF MARCH 21, 2000.**

**APPROVED AS RECOMMENDED AYES: ALL**

**\*\*AUTHORIZE EXPENDITURE OF \$2,700 FOR THE ATWATER VETERANS MEMORIAL BUILDING FOR MINOR IMPROVEMENTS AND APPROVE BUDGET TRANSFER FROM DISTRICT THREE'S SPECIAL PROJECT APPROPRIATION.**

**APPROVED AS RECOMMENDED AYES: ALL**

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 (See Board Clerk - Testimony limited to five minutes per person)**

**THE FOLLOWING SPEAK: Ed Abercrombie**

**UC MERCED PROJECT**

**(1) Liaison and Project Director Report  
RECEIVED REPORTS FROM LIAISON, PLANNING STAFF AND EIP REPRESENTATIVE BRIAN BOXER**

**(2) Actions/Direction**

**(A) Planning – Approve Budget Transfer in the amount of \$34,332 to set aside funds for California Tiger Salamander Studies**

**APPROVED AS RECOMMENDED AYES: ALL**

**(3) Public Comment**

**THE FOLLOWING SPEAK: Lydia Miller representing San Joaquin Raptor Center**

**BUDGET TRANSFER FROM REVENUE (4/5 Vote Required)**

Health

**APPROVED AS RECOMMENDED AYES: ALL**

10:00 A. M.            **APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 11)**  
**APPROVED AS RECOMMENDED        AYES: ALL**

10:30 A. M.            **PLANNING – Public Hearing**  
**An Ordinance to adopt a Development Agreement for the “Prince William Commons” Subdivision (Major Subdivision Application No. 97003) –**  
Bhupinder Sahota – To enter into a Development Agreement in accordance with Article 2.5 of Chapter 4 of Division 1 of the Government Code pertaining to rights and responsibilities of both the property owner and Merced County. Prince William Commons is a subdivision of 69 one acre Single Family Residential lots located at the northwest corner of State Highway 140 and Buhach Road  
**APPROVED AND ADOPTED ORDINANCE NO. 1637        AYES: ALL**

**REPORTS/BOARD DIRECTION**

County Administrator  
County Counsel  
Board of Supervisors Members

**LUNCH BREAK**

**CONSENT CALENDAR (Items #1 - 11)**  
**APPROVED AS RECOMMENDED        AYES: ALL**

1.        Approve Travel Requests for District Attorney as recommended by Administration.
2.        Approve Budget Transfers from Human Services Agency (2) (#90-2, #90-14) and Treasury as recommended by Administration.
3.        Act on Claims for Damages submitted by Roderick Herlitz, Anna Martin, Zachary Dunne, Connie Martin and Patrick Dunne, Risk Management.
- 3a.      Set public hearing for April 11, 2000 at 11:00 a.m. to consider an Appeal submitted by Robert/Kathleen Lopez to Planning Commission decision on Conditional Use Application No. 99025, Board of Supervisors.
4.        Approve and authorize Chairman to sign Renewal Contract No. 8953 with Merced County Office of Education for Educational Psychologist to the AB 3015 Program, Mental Health.
- 4a.      Approve and authorize Chairman to sign Renewal Contract No. 6784 with Sergeant’s Wholesale Biologicals to provide small animal (feline) carcasses as specimens for bio-medical educational usage, Ag. Commissioner.
5.        Adopt Resolution of Appreciation commending Joe Marquez for outstanding service to the County of Merced, Public Works.

6. Proclaim April 9 through 15, 2000 as "Crime Victims Rights Week" in Merced County, District Attorney.
7. Proclaim March 12 – 18, 2000 as "Portugese Immigrant Week" in Merced County, Board of Supervisors.
8. Authorize Certificates of Recognition to the Outstanding Businesses nominated by the City of Merced, Board of Supervisors.
9. Proclaim March 27 – April 2, 2000 as "Sleep Awareness Week" in Merced County, Board of Supervisors.
10. Proclaim April 6, 2000 as "Court Appointed Special Advocates Day" in Merced County, Board of Supervisors.
11. Proclaim March 19 – 25, 2000 as "Agriculture Week" in Merced County, Board of Supervisors.

## REGULAR CALENDAR

### BOARD ACTION

12. Public Works re: Contract with Penguin La Natural to sell ice cream at Hagaman Park.  
**APPROVED AS RECOMMENDED AYES: ALL**
13. Health re: Contract with Boyle Engineering Corporation for consulting services to conduct the Project approved with Federal Environmental Protection Agency to assess the groundwater recharge areas for the City of Los Banos to determine potential sources of contamination.  
**APPROVED AS RECOMMENDED AYES: ALL**
14. District Attorney re: Authorization to identify available space for the District Attorney – Welfare Fraud Unit.  
**APPROVED AS RECOMMENDED AYES: ALL**
15. Public Works re: Resolution delegating authority for the Public Works Director to execute property acquisition contracts associated with Planada Transportation Enhancement Activity Project.  
**APPROVED AND ADOPTED RESOLUTION NO. 2000-51 AYES: ALL**
16. Administration re: Fiscal Year 2000/2001 Work Program and Budget for the Merced County Association of Governments.  
**APPROVED AS RECOMMENDED AYES: ALL**
- 16a. Administration re: Support Federal Emergency Supplemental for Workforce Investment Act Youth Block Grants.  
**APPROVED AS RECOMMENDED AYES: ALL**

17. Mental Health re: Contract with F. George Kassebaum, M.D. for provision of Psychiatric Services.  
**APPROVED AS RECOMMENDED AYES: ALL**
18. Private Industry Training Department re: Set Joint Meeting of the Board of Supervisors and the Private Industry Council for March 28, 2000 at 1:00 p.m.  
**APPROVED AS RECOMMENDED AYES: ALL**
- 18a. Library re: Gates Foundation Grant purchase of equipment and software for all Merced County Library Branches as stipulated under the terms of the Grant.  
**APPROVED AS RECOMMENDED AYES: ALL**
19. Planning re: Status Report – Community Plan Update Program.  
**DIRECTED STAFF TO IDENTIFY AND PRESENT PROPOSAL BACK TO BOARD ON POSSIBLE SOLUTIONS AND REQUESTED M.A.C.'s BE SO INFORMED OF CURRENT STATUS AYES: ALL**
20. Board of Supervisors re: Castle Joint Powers Authority – Committee Assignment.  
**RECOGNIZED THE TWO EXISTING BOARD MEMBER REPRESENTATIVES WILL CONTINUE TO SERVE UNTIL A LATER DATE. AYES: ALL**
21. Board of Supervisors re: Committee/Commissions and Boards.  
Winton Municipal Advisory Council (2)  
Merced County Children and Families First Commission  
**APPROVED AS RECOMMENDED AYES: ALL**

**BOARD INFORMATION AND POSSIBLE ACTION**

- ACCEPTED AND PLACED ON FILE AYES: ALL**
22. Public Works re: Notification of Award of Contract No. 99216 with John Rohrer Construction for Temporary Public Works Relocatable Building.
23. Public Works re: Notification of Award of Contract No. 200034 to John Rohrer for Construction for Repainting and Recarpeting of Buildings No. 1 and 2 – Mental Health Facility.
24. Merced County Mosquito Abatement District re: Membership vacancy.  
**APPROVED AS RECOMMENDED UNDERSTANDING CLERK WILL COORDINATE NECESSARY POSTINGS AYES: ALL**
25. Private Industry Training Department re: March 2000 Report.
26. Supervisor Kelsey re: Yosemite National Park Transportation Planning Update.
27. Supervisor Kelsey re: YARTS Schedule – From Yosemite / To Yosemite (Proposed).
28. Weaver Union School District re: Resolution ordering an election establishing specifications of the Election order and requesting consolidation with other elections occurring on June 6, 2000.

29. State Dept. of Transportation re: Updated designs for the Livingston/Atwater Freeway.
30. State Controller re: First "Controller's Quarterly" for the new millennium which focuses on the current state of health care in California.
31. Calif. Dept. of Parks and Recreation re: Notice of comments being accepted for San Luis Creek Day Use concession.
32. San Joaquin Valley Unified Air Pollution Control District re: PM 10 Attainment Demonstration Plan Progress Report – 1997 – 1999. (On file with Clerk)
33. State Board of Equalization re: Guidelines for the Assessment of Taxable Government – Owned Properties.
34. Merced County Children and Families First Commission re: Copy of proposed Merced County Children and Families Commission (Proposition 10) Strategic Plan. (On file with Clerk)
35. Office of Juvenile Justice and Delinquency Prevention re: Invitation to obtain Application Package for Drug-Free Communities Support Program.
36. SafetyBeltSafe USA re: Support for Safety Seat Check Week and Day.
37. State Fish and Game Commission re: California Code of Regulations, August 1, 1999 – Title 14. Natural Resources. (On file with Clerk)

#### **POSSIBLE DIRECTION FOR FUTURE AGENDA ITEMS**

**\*THE BOARD ADDED LATE ITEM TO THE AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS) \*\*See 9:00 a.m. Item**

**THE BOARD ADOPTED RESOLUTION AND ADJOURNED THE MEETING IN MEMORY OF JOHN ALLONO UNTIL MARCH 28, 2000 AT 10:00 A.M.**