



MERCED COUNTY BOARD OF SUPERVISORS

SUMMARY ACTION MINUTES

Regular Meeting

TUESDAY, JUNE 27, 2000

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

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.
(209) 385-7366*

SCHEDULED ITEMS

9:00 A. M.

CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATOR: It is the intention of the Board to meet in Closed Session pursuant to Section 54957.8 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 Merced County Lawyers Association, Unit 7

CLOSED SESSION : It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957, Subdivision (e):
PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: County Librarian

RECONVENED AT 10:10 A.M. AND THE CHAIRMAN ADVISED CLOSED SESSION WAS HELD AND DIRECTION WAS GIVEN TO COUNSEL

10:00 A. M.

PLEDGE OF ALLEGIANCE

PRESENTATION BY FRIENDS OF THE LIBRARY
FRIENDS OF THE LIBRARY CHAIR LORI NELSON PRESENTS A PLAQUE TO COUNTY LIBRARIAN CHARLEEN RENTERIA IN RECOGNITION OF OUTSTANDING LEADERSHIP AND SUPPORT TO THE LIBRARY SYSTEM

PRESENTATION – Recognition of Carmelita Romero – 118 Years Old Reception in Room 310 will be held in honor of the presentation
PRESENTATION IS MADE ON BEHALF OF THE BOARD, CONGRESSMAN CONDIT, SENATOR MONTEITH, ASSEMBLYMAN CARDOZA AND CITY OF MERCED IN HONOR AND CELEBRATION OF 118 YEARS OLD CARMELITA ROMERO

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)

UC MERCED PROJECT

- **Liaison and Project Director Report**
- **Actions/Direction** **REVIEW BOARD ORDER – SEE PAGE 15**
Planning - Amendment to Contract No. 99016 with EIP Associates for Phase I - University Community Plan and EIR
APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AMENDMENT TO CONTRACT NO. 99106 AS RECOMMENDED
AYES: 1, 4, 5 NOT PRESENT: 2, 3
- **Public Comment**

BUDGET TRANSFERS FROM REVENUES (4/5 Vote Required)

Ag. Commission-\$8,440, Public Works-\$18,000 and Sheriff-\$58,531

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

APPROVAL OF CONSENT AGENDA CALENDAR (Items # 1– 38a)

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

PERSONNEL ISSUES:

A. REQUEST TO CHANGE POSITIONS

PUBLIC WORKS

Change one Engineering Technician I/II to Engineering Technician I/II/III in Roads and adopt appropriate Resolutions

APPROVED AND ADOPTED RESOLUTION NO. 2000-108

AYES: 1, 3, 4, 5 NOT PRESENT: 2

B. REQUEST FOR MODIFICATION OF CLASS SPECIFICATIONS

AG. COMMISSION

Adopt Modified class specifications to the Essential Functions and Minimum Qualifications for the Animal Services Manager, Animal Services Operations Supervisor, Animal Services Field Supervisor, Animal Control Officer I/II, Kennel Attendant, Deputy Agricultural Commissioner, Deputy Director Weights and Measures, Agricultural Biologist I/II/III and Weights and Measures Inspector I/II/III

APPROVED AS RECOMMENDED

AYES: 1, 3, 4, 5

NOT PRESENT: 2

PUBLIC WORKS

1. Change classification of Automotive Mechanic III to Senior Mechanic and adopt amended class specification;
2. Change classification of Automotive Mechanic II to Automotive Mechanic and adopt amended class specification;
3. Reclassify incumbent in Position #001, 002 to Automotive Mechanic in Fleet;
4. Delete classification of Automotive Mechanic I, and
5. Adopt appropriate Resolutions

APPROVED AND ADOPTED RESOLUTION NO. 2000-109

AYES: 1, 3, 4, 5 NOT PRESENT: 2

PROBATION

Adopt amendments to class specifications and change the titles of Group Counselor I/II, Group Counselor III and Supervising Group Counselor to Juvenile Institutions Officer I/II, Juvenile Institutions Officer III and Supervising Juvenile Institutions Officer, and adopt appropriate Resolutions

APPROVED AND ADOPTED RESOLUTION NO. 2000-110

AYES: 1, 3, 4, 5 NOT PRESENT: 2

C. REQUEST FOR REIMBURSEMENT AUTHORIZATION

PUBLIC WORKS

Authorize Auditor to reimburse Professional Architects and Engineers/Surveyors for License Renewal Fees and adopt appropriate Resolutions

APPROVED AND ADOPTED RESOLUTION NO. 2000-111

AYES: 1, 3, 4, 5 NOT PRESENT: 2

C. REQUEST FOR REIMBURSEMENT AUTHORIZATION (Continue)

SHERIFF

Authorize amendment to Uniform Allowance for Sheriff Reserve Deputies to \$100 after successful completion of six months of Program, \$200 after completion of the next 400 volunteer hours and \$300 for every 400 volunteer hours thereafter and adopt appropriate Resolutions

APPROVED AND ADOPTED RESOLUTION NO. 2000-112

AYES: 1, 3, 4, 5 NOT PRESENT: 2

D. REQUEST FOR POSITIONS

HUMAN SERVICES AGENCY

Allocate one additional Social Services Program Administrator position, Range 67.7 and adopt appropriate Resolution

APPROVED AND ADOPTED RESOLUTION NO. 2000-113

AYES: 1, 3, 4, 5 NOT PRESENT: 2

AUDITOR-REGISTRAR OF VOTERS

Allocate one Variable-Shift Election Clerk I/II position, Range 45.6/47.6 and adopt appropriate Resolution

APPROVED AND ADOPTED RESOLUTION NO. 2000-114

AYES: 1, 3, 4, 5 NOT PRESENT: 2

E. REQUEST FOR EXTRA HELP SALARY ADJUSTMENT ADMINISTRATION

1. Authorize salary alignment of all Extra-Help classifications, aligned to classes in Units 4, 5, 6 and 8 classifications receive a salary adjustment of approximately 4% effective first pay period in FY 2000/2001;

2. Authorize salary alignment of Extra-Help classifications, aligned to classes in Units 4, 5, 6, and 8 classifications that are receiving an additional benchmark salary adjustment shall receive the same salary rates as those specified in the AFSCME, MOU addendum effective Pay Period 25 in FY 2000/2001; and Adopt appropriate Resolutions

APPROVED AND ADOPTED RESOLUTION NO. 2000-115

AYES: 1, 3, 4, 5 NOT PRESENT: 2

F. RATIFICATION OF M.O.U.

ADMINISTRATION

Ratify Addendum to December, 1997 MOU with AFSCME representing Units 4, 5, 6, and 8

APPROVED AS RECOMMENDED AYES: 1, 3, 4, 5

NOT PRESENT: 2

G. REQUEST FOR AMENDMENTS – UNREPRESENTED MANAGEMENT EMPLOYEES

ADMINISTRATION

1. Amend Resolution Nos. 90-421, 98-131, 2000-22 and 94-89 to implement revisions related to the Management Recognition Program;

2. Direct Administration to develop options for Revision to Ordinance Nos. 1450 and 1497 to address salary adjustments and benefits for Board Members pursuant to March, 2000 Grand Jury Report;

3. Authorize 4% Salary Adjustment for all employees designated as Unrepresented Management effective July, 2000 and authorize the Chairman to sign County Administrative Officer's Amended Letter of Agreement;
4. Direct Management Services Staff to implement the following:
 - a) Process Dental Plan changes which will adjust the annual cap to \$2,000 effective January 1, 2001 for Unrepresented Management.
 - b) Review options for increasing Group Life and Accidental Death/Dismemberment Coverage for all designated levels of Unrepresented Management and Confidential Employees for further Board action and implementation of changes in January, 2001.
 - c) Direct Management Services Staff to review potential compaction of equity issues stemming from MOU salary adjustments and return to the Board at Final Budget with recommendations

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AMENDMENT TO CONTRACT NO. 10274 AND ADOPTED RESOLUTION NO. 2000-116

AYES: 1, 3, 4, 5 NOT PRESENT: 2

H. REQUEST FOR PUBLIC SERVICE BUY BACK OPPORTUNITY

Authorize implementation of rights of members of the Merced County Employees Retirement Association to elect to make contributions and receive credit for service rendered to other Public Agencies and direct Administration and Auditor to work with Retirement Board and their staff to implement

APPROVED AND ADOPTED RESOLUTION NO. 2000-117

AYES: 1, 3, 4, 5 NOT PRESENT: 2

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

***ADDED AGENDA ITEMS**

THE BOARD FINDS THE NEED, SUBSEQUENT TO THE POSTING OF THE AGENDA, TO TAKE ACTION ON A BUDGET TRANSFER TO MEET A STATE DEADLINE FOR PURCHASE OF EQUIPMENT AND PLACES THE ITEM ON THE AGENDA FOR CONSIDERATION

AYES: 1, 3, 4, 5 NOT PRESENT: 2

AUTHORIZED CHAIRMAN TO SIGN THE NECESSARY BUDGET TRANSFER IN THE AMOUNT OF \$2,800 FOR A MULTI-MEDIA COMPUTER SYSTEM FOR THE SHERIFF'S OFFICE WHICH WILL BE 100% POST REIMBURSED.

AYES: 1, 3, 4, 5 NOT PRESENT: 2

10:30 A. M.

PLANNING – CONTINUED PUBLIC HEARING

REVIEW BOARD ORDER – SEE PAGE 15

Appeal of the Planning Commission denial of Zone Variance Application No. 99008 and Minor Subdivision Application No. 99033 – Edward Mackin

To subdivide a 19.5 acre parcel into two parcels of 2.5 and 17 acres each and to vary from the minimum 20 acre parcel requirement of the A-1 (General Agricultural) Zone on property located on the south side of American Avenue, 660 feet west of Golf Link Road in the Hilmar area

APPROVED NEGATIVE DECLARATION, UPHELD APPEAL AND OVERTURNED DETERMINATION OF PLANNING COMMISSION AND

**APPROVED ZONE VARIANCE AND MINOR SUBDIVISION APPLICATION
BASED ON FINDINGS SUBJECT TO CONDITIONS WITH DIRECTION TO
STAFF TO DEVELOP THE APPROPRIATE FINDINGS BASED ON THE
PERMANENT LEVEE AND ELEVATED LAND DIFFERENCE**
AYES: 1, 3, 4, 5 NOT PRESENT: 2

10:30 A. M.

**PUBLIC WORKS – PUBLIC HEARING – PROPOSED ORDINANCE,
POSSIBLE ADOPTION REVIEW BOARD ORDER – SEE PAGE 16**

An Ordinance entitled “Establishment of Public Facilities Fees” and a Resolution entitled “Public Facilities Fees for Unincorporated Areas located within the City of Merced Specific Urban Development Plan”

**ADOPTED ORDINANCE NO. 1641 FINDING THE ORDINANCE IS EXEMPT
FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT AS IT WILL NOT RESULT IN A PHYSICAL CHANGE IN THE
ENVIRONMENT AND DOES NOT INCREASE REGULATORY
CONSTRAINTS AND ADOPTED RESOLUTION NO. 2000-118**
AYES: 1, 3, 4, 5 NOT PRESENT: 2

**PLANNING – 2000 CYCLE II – PROPOSED ORDINANCES, POSSIBLE
ADOPTION REVIEW BOARD ORDER – SEE PAGE 15**

1. General Plan Amendment No. 98002, Zone Change No. 98003 and Minor Subdivision No. 98010 – Ed Sanchez;
2. General Plan Amendment No. 99007, Zone Change No. 99008 and Conditional Use Permit No. 99011 – Bhupinder Sahota;
3. General Plan Amendment No. 99010, Zone Change No. 99011 and Conditional Use Permit No. 99016 – Hilmar Covenant Church;
4. General Plan Amendment No. 99008, Zone Change No. 99009 and Minor Subdivision No. 99025 – Robert Hertel and Merced County; and
5. General Plan Amendment No. 98007, Zone Change No. 98008 and Administrative Permit No. 99060 – Northern Merced Hulling.

**ADOPTED GENERAL PLAN AMENDMENT CYCLE II FOR 2000 AND
RESOLUTION NO. 2000-119 AND THE FOLLOWING ORDINANCES: NO.
1642-ZONE CHANGE NO. 98003, NO. 1643-ZONE CHANGE NO. 98008,
NO. 1644-ZONE CHANGE NO. 99008, NO. 1645-ZONE CHANGE NO. 99009
AND NO. 1646-ZONE CHANGE NO. 99011 AYES: 1, 3, 4, 5
NOT PRESENT: 2**

11:00 A. M.

**PUBLIC WORKS – PUBLIC HEARING
REVIEW BOARD ORDER – SEE PAGE 17**

Consider and adopt Resolution of Necessity for Authorization to Institute Eminent Domain proceedings to Condemn Property for the Expansion of the Existing Highway 59 North Landfill from Cheng-Sung Kuo and Lee Mei-Lan Kuo

**APPROVED AS RECOMMENDED AND ADOPTED RESOLUTION NO.
2000-120 AYES: 1, 3, 4, 5 NOT PRESENT: 2**

11:00 A. M.

CASTLE JPA

- Report
- Possible Action

REVIEW BOARD ORDER – SEE PAGE 17

Administration/Counsel re: Approve Draft Contract for Fire Services and authorize Chairman to sign Contract between Castle Joint Powers Authority and the City of Atwater for Castle Development Center Fire Protection Services for FY 2000/2001

AUTHORIZED CHAIRPERSON OF THE JOINT POWERS AUTHORITY TO SIGN CONTRACT NO. 2000163 BETWEEN CASTLE JOINT POWERS AUTHORITY AND THE CITY OF ATWATER FOR CASTLE AIRPORT, AVIATION AND DEVELOPMENT CENTER FIRE PROTECTION SERVICES FOR FY 2000/2001

AYES: 1, 3, 4, 5 NOT PRESENT: 2

REPORTS/BOARD DIRECTION

County Administrator
County Counsel
County Auditor
Board of Supervisors Members

LUNCH BREAK

1:30 P. M.

PROPOSED BUDGET

A. Administration – FY 2000/2001 Proposed Budget

Recommendations:

1. Adopt Proposed Budget for FY 2000/2001 as an Operating Budget until the Board adopts a Final Budget.
2. Direct that no expenditures be made for any item requiring Board policy direction, as listed in the Proposed Budget, without specific Board authorization.
3. Direct that no Fixed Assets recommended in the Proposed Budget be purchased until adoption of the Final Budget, without specific Board authorization.
4. Authorize the Registrar of Voters to purchase Fixed Asset #81009, 1 Letter Opener in Budget Unit 14000 before Final budget in order to have the equipment prior to the 2000 Presidential Election.
5. Request the Clerk of the Board make available copies of the FY 2000/2001 Proposed Budget to all interested people and advertise the Final Budget Hearings to commence August 29, 2000 at 1:30 p.m.
6. Schedule Prop 4 Appropriation Limit Public Hearing on August 29, 2000 at 2:30 p.m.
7. Direct Administration to identify actions necessary to balance the remainder of the proposed Budget based on the outcome of the final State Budget and present recommendations at or before Final Budget Hearings.
8. Change the name of Budget Unit 71500, Debt Service-Solid Waste to Budget Unit 71500, Debt Service-Dairy Loan Program.

9. Establish Budget Unit 55100-WIA Youth, Fund 01581; Budget Unit 55200-WIA Adults, Fund 01582 and Budget Unit 55300-WIA Dislocated Workers, Fund 01583 and change the name of Budget Unit 57600, State Dislocated Workers to Budget Unit 57600, Welfare to Work

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

1:30 P. M.

B. Public Works

Accept Five Year Capital Improvement Program Plan prepared by Patrick Sullivan Architects for the County of Merced (Program Plan on file with Clerk)

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

C. Public Works

Authorize expenditures of \$196,200 for the Re-roof the County Administration Building; \$85,000 for Re-roof of the CD Warehouse and \$200,000 for Repairs, Repainting and Re-roofing of the Old Courthouse Museum prior to the approval of the Final CIP budget for FY 2000/2001, Prior Year Funding-\$150,000 and \$200,000 requested FY 2000/01 will create total budget of \$350,000 for the Old Courthouse Museum Project; authorize Public Works to proceed with bid documents and advertisement and bid opening and authorize Public Works to award and sign contracts within established budgets to return to the Board with results **(4/5 Vote Required)**

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

D. Administration

1. Authorize Amendment to Contract No. 10208 with Leifer Capital to act as Financial Advisor for the new Juvenile Justice Correctional Facility and other services,
2. Authorize Administration, auditor, Counsel and Treasurer, in conjunction with Financial Advisor, to assemble a Finance Team consisting of Bond Counsel, Disclosure Counsel, Trustee and Underwriter to assist in the preparation of the plans and preliminary documents for the new Juvenile Justice Correctional Facility;
3. Authorize Administration, Auditor, Counsel and Treasurer in conjunction with Financial Advisor, to prepare agreements with Finance Team members and return to the Board;
4. Approve appropriation of \$150,000 in Budget Unit 17000, Capital Improvement for financial advisory services for the new Juvenile Justice Facility and other issues

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

1:30 P. M.

E. Administration

REVIEW BOARD ORDER – SEE PAGE 17

1. Appropriate \$10,000 for Regional Council of Rural Counties Water Committee membership dues and designate Merced County's representative
2. Appropriate \$10,000 for San Joaquin Valley Water Coalition Membership dues and designate Merced County's representatives

APPROVED AS RECOMMENDED WITH UNDERSTANDING DESIGNATION OF REPRESENTATIVE WILL COME BACK TO THE BOARD FOR FURTHER DISCUSSION

AYES: 1, 3, 4 NOES: 5 NOT PRESENT: 2

CONSENT CALENDAR (Items #1 - 38)

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

1. Approve Travel Request for Human Services Agency and Business-Economic Opportunities as recommended by Administration.
2. Authorize Overhire of One Group Counselor position for a Limited Term Appointment for an additional six month period, Probation.
3. Authorize bid advertisement for Painting Traffic Stripes and Pavement Markings in the communities of Le Grand, Winton and Delhi, set bid opening for July 27, 2000 at 3:00 p.m. and authorize award and Public Works Director to sign contract with report back to the Board, Public Works.
4. Approve and authorize Chairman to sign Contract No. 6315 with California Dept. of Education for National School Breakfast and Lunch Program, Probation.
5. Approve and authorize Chairman to sign Contract No. 8529 with Sheriff Department for provision of meals for minors incarcerated at the Juvenile Hall, Probation.
6. Approve and authorize Chairman to sign Contract No. 9763 with Fouts Springs Ranch for youngsters found by Juvenile Hall to be appropriate for commitment, Probation.
7. Approve and authorize Chairman to sign Renewal Contract No. 7130 with Calif. Cantaloupe Advisory Board for 2000 Season Cantaloupe Surveillance Inspection Program, Ag. Commission.
8. Approve and authorize Chairman to sign Renewal Contract No. 1133 with Calif. Dept. of Pesticide Regulation for Pesticide Regulatory Enforcement, Ag. Commission.
9. Approve and authorize Chairman to sign Renewal Contract No. 8374 with Merced Community College to provide Laboratory-type learning experience to students, Administration.
10. Approve and authorize Chairman to sign Renewal Contract No. 9792 with Community Action Agency for Brown Bag Program, Area Agency on Aging.

11. Approve and authorize Chairman to sign Renewal Contract No. 1033 with Community Action Agency for Home Delivered Meals to Senior Citizens, Area Agency on Aging.
12. Approve and authorize Chairman to sign Renewal Contract No. 1034 with Community Action Agency to provide Congregate Meals to Senior Citizens, Area Agency on Aging.
13. Approve and authorize Chairman to sign Renewal Contract No. 99111 with Human Services Agency for Linkages and Respite Program, Area Agency on Aging.
14. Approve and authorize Chairman to sign Renewal Contract No. 9090 with Human Services Agency for Management and Administrative Fiscal Services, Area Agency on Aging.
15. Approve and authorize Chairman to sign Renewal Contract No. 99254 with Merced County Association of Governments for Graffiti Abatement Pilot Project, Human Services Agency.
16. Approve and authorize Chairman to sign Renewal Contract No. 8451 with Hilmar Unified School District for placement of Social Worker, Human Services Agency.
17. Approve and authorize Chairman to sign Renewal Contract No. 99007 with Health for Multipurpose Senior Services Program, Human Services Agency.
18. Approve and authorize Chairman to sign Renewal Contract No. 7508 with Mary Eirich for Alcohol and Drug Services lease for Countywide Prevention Unit and Recovery Assistance for Teens, Mental Health.
19. Approve and authorize Chairman to sign Amendment to Contract No. 8051 with Merced Manor for Mental Health consumers, Mental Health.
20. Approve and authorize Chairman to sign Renewal Contract No. 5045 with San Benito County for provision of mental health services to clients, Mental Health.
21. Approve and authorize Chairman to sign Amendment to Contract No. 9783 with Merced Adult School for Office Occupation Skills Training, Private Industry Training Dept.
22. Approve and authorize Chairman to sign Renewal Contract No. 99171 with Merced County Office of Education to provide Basic and Advanced Office Occupations for JTPA participants in Merced Program, Private Industry Training Dept.
23. Approve and authorize Chairman to sign Renewal Contract No. 99170 with Merced County Office of Education to provide Accounting for JTPA participants, PITD.
24. Approve and authorize Chairman to sign Renewal No. 99172 with Merced County Office of Education for Basic and Advance Office Occupations for JTPA participants in Los Banos/Castle Program, Private Industry Training Dept.
25. Approve and authorize Chairman to sign Renewal Contracts for Contract Public Defender Services for David Capron-No. 9177, Marc Garcia-No. 99165 and Casey Oliver-No. 9120, Administration.

26. Approve and authorize Chairman to sign Renewal Contract No. 9929 with Kings View Counseling Services for provision of inpatient services, Mental Health.
27. Approve and authorize Chairman to sign Amendment to Contract No. 8056 with Crestwood Behavioral Health, Inc. for additional funds to pay claims for period of May – June, 2000, Mental Health.
28. Approve and authorize Chairman to sign Amendment to Contract No. 10275 with Alphonse Peterson to increase funds and extend expiration date for Business Assistance Services, Business-Economic Opportunities.
29. Adopt Resolution commending Jim and Lucille Edmondson upon their retirement from Castle Challenger Learning Center, Business-Economic Opportunities.
30. Proclaim June 10, 2000 as Day of Portugal, Camoes and Portuguese Communities in the County of Merced, Board of Supervisors.
31. Authorize Certificates of Recognition to Portuguese Azores, Island of Pico in recognition of the Sister City-County relationship, Board of Supervisors.
32. Authorize Certificates of Recognition to Mayors of the Island of Pico, Portuguese Azores, Board of Supervisors.
33. Authorize Certificates of Recognition to Atwater Chamber of Commerce Award Recipients, Board of Supervisors.
34. Authorize Certificates of Appreciation to Pacific Bell for their dedicated efforts during United Way Campaign 2000 and to Pacific Bell Castle Customer Care Center in recognition of their Third Anniversary, Board of Supervisors.
35. Adopt Resolution in support of Merced County Fatherhood Efforts, Board of Supervisors.
36. Authorize Certificate of Recognition to City of Atwater Chief of Police Jerry Moore upon his selection as Atwater Signal Citizen of the Year, Board of Supervisors.
37. Adopt Resolution adjourning the Meeting in memory of Jean Stoughton Carlson, Board of Supervisors.
38. Authorize presentation of Plaque in recognition of Merced County Courthouse 125th Birthday Celebration, Board of Supervisors.
- 38a. Approve and authorize General Services Director to sign Renewal Contract No. 2000139 with Megabyte Systems for maintenance of the MPTS2000+ Property Tax System, Information Systems.

REGULAR CALENDAR

BOARD ACTION

39. Administration re: Contract with Arthur R. Collins for Contract Public Defender Services.
APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000140
AYES: 1, 3, 4, 5 NOT PRESENT: 2
40. Mental Health re: Request to identify available space to house Prevention Services and Adolescent Treatment Programs.
APPROVED AS RECOMMENDED AYES: 1, 3, 4, 5 NOT PRESENT: 2
41. Public Works re: Resolution in support of "The Fair Competition and Taxpayer Savings Act".
APPROVED AND ADOPTED RESOLUTION NO. 2000-121 AYES: 1, 3, 5
NOES: 4 NOT PRESENT: 2
42. Health re: Contract with Entrix, Inc. for preparation of Environmental Impact Report on the revisions to the Animal Confinement Ordinance in an amount not to exceed \$100,000 and adopt Resolution.
AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000142 AND ADOPTED RESOLUTION NO. 2000-122 AYES: 1, 3, 4, 5 NOT PRESENT: 2
43. Business-Economic Opportunities re: Request for Joint Venture Proposal FOCUS Program Contract Approval to EDS Corporation Award – Category A. E-Government Services 1 – 5.
PULLED FROM THE AGENDA – NO ACTION TAKEN
44. Fire re: Donation of 2000 Ford Cab and Chassis from Stevinson Volunteer Fire Company to the Fire Department and approve necessary budget transfer-\$9,051.00.
APPROVED AS RECOMMENDED AYES: 1, 3, 4, 5 NOT PRESENT: 2
45. Administration re: Memorandum of Understanding with Merced County Association of Governments to administer an Economic Development Graffiti Abatement Pilot Project in the unincorporated areas of Merced County and direct Administration to work with County departmental staff to facilitate management of the Graffiti Abatement Pilot Project.
APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000144
AYES: 1, 3, 4, 5 NOT PRESENT: 2
46. District Attorney re: Authorize Letter of Termination on leased space at 470 West Main Street-Merced and identify available space near the Courthouse facilities to be returned to the Board for approval.
APPROVED AS RECOMMENDED AYES: 1, 3, 4, 5 NOT PRESENT: 2
47. Sheriff re: Accept COPS in School Grant Award from U.S. Dept of Justice-Office of Community Oriented Policing Services in the amount of \$500,000 and add four Deputy Sheriff I/II positions for the School Resource Officer Program to Budget Unit 22107 and adopt appropriate Resolution.
AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000143 AND ADOPTED RESOLUTION NO. 2000-123 AYES: 1, 3, 4, 5 NOT PRESENT: 2

48. Mental Health re: Contract No. 9531 with Larry Dumford for provision of Residential Services to consumers and approve necessary budget transfer-\$10,000.00.
APPROVED AS RECOMMENDED AYES: 1, 3, 4, 5 NOT PRESENT: 2
49. Public Works re: Contract with City of Merced for the collection of Public Facility Fees for unincorporated areas located within the City of Merced Specific Urban Development Plan.
APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000141 AYES: 1, 3, 4, 5 NOT PRESENT: 2
50. Marshal re: Accept Extension Award for DUI Warrant Service Project in the amount of \$238,352.40 from California Office of Traffic Safety for Fiscal Year 2000/2001 and authorize CAO to sign Contract.
APPROVED AND AUTHORIZED CHAIRMAN TO SIGN EXTENSION TO CONTRACT NO. 99120 AYES: 1, 3, 4, 5 NOT PRESENT: 2
- 50a. Planning re: Amendment to Contract No. 102090 with Quad Knopf, Inc. for additional Redevelopment Feasibility Study Services.
APPROVED AS RECOMMENDED AYES: 1, 3, 4, 5 NOT PRESENT: 2
51. Board of Supervisors re: Committee/Commissions and Boards.

BOARD INFORMATION AND POSSIBLE ACTION

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

52. Public Works re: Notice of Contract Award to Garcia Paving for the Construction of an Asphalt Concrete Overlay on "G" Street, Lake Road, Snelling Road and Turlock Road.
AUTHORIZED PUBLIC WORKS DIRECTOR TO SIGN CONTRACT NO. 200091
53. Administration re: Capital Case Defense.
54. San Joaquin Valley Unified Air Pollution Control District re: Notice of Public Hearing approval of PM10 Attainment Demonstration Plan Progress Report.
55. Calif. Workforce Investment Board re: Summarization of second *Supplemental Local Planning Guidance and Instructions for Submission of the Strategic Five Year Local Plan for the Workforce Investment Act (WIA)*. (On file with Clerk)
56. State Health and Human Services Agency re: Invitation to attend Regional Forum to discuss California's performance goals under the WIA, Title 1. (On file with Clerk)
57. State Water Resources Control Board re: Notice of Claims of Water Rights for Stockponds in Merced County, June 15, 2000.
58. City of Merced Redevelopment Agency re: Final Environmental Impact Report for the Gateways Redevelopment Plan Amendment – June, 2000. (On file with Clerk)
59. Public Policy Institute of California re: Report, *Risky Business: Providing Local Public Services in Los Angeles County*. (On file with Clerk)

60. Michael Gallo and various business leaders re: Request to meet with county business people and leaders for discussion of county business operations.

ADOPTED RESOLUTION AND ADJOURNED THE MEETING IN MEMORY OF MR. RONALD DEAN FRIESEN UNTIL JULY 11, 2000 AT 9:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 27, 2000

10:30 A.M. SCHEDULED ITEM

2000-06-27 PLANNING – Phase I / University Community Plan

Assistant Planning Director Bill Nicholson reviews the Staff Report and Contract before the Board stating this is part of Phase I of the University Community Plan process Phase II will be coming forward in July.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Cortez Keene, duly carried, the Board approves and authorizes the Chairman to sign Amendment to Contract No. 99106 with EIP Associates for Phase I – University Community Plan and EIR.
Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

Lucinda Smith, Merced resident, speaks of studies by Scientists and Professors of various universities regarding the Conservation Planning Process in relation to UC Merced.

Present: O'Banion, Cortez Keene, Rivero, Kelsey

Not Present: Crookham

10:30 A.M. SCHEDULED ITEM

2000-06-27 PLANNING – Public Hearing – Zone Variance Application No. 99008 and Minor Subdivision Application No. 99033

The time and date previously set for a public hearing to consider an Appeal of the Planning Commission denial of Zone Variance Application No. 99008 and Minor Subdivision Application No. 99033 submitted by Edward Mackin to subdivide a 19.5 acre parcel into two parcels of 2.5 and 17 acres each and to vary from the minimum 20 acre parcel requirement of the A-1 (General Agricultural) Zone on property located on the south side of American Avenue, 660 feet west of Golf Link Road in the Hilmar area.

Planning Deputy Director Butch Cope provides the Planning Staff Report and Recommendation and responds to questions of the Board.

The Chairman asks if there is anyone present who wishes to speak.

Duane Andrews, Golden Valley Engineering and Surveying, representing the Applicant, reads a letter into the record from Mr. Mackin stating his inability to farm due to illness. Mr. Andrews urges the Board to uphold the Appeal and states there is a natural elevation levee separating the homesite from the farmland and the request is not inconsistent with the General Plan.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Cortez Keene, duly carried, the Board adopts the Negative Declaration; upholds the appeal and overturns the determination of the Planning Commission and approves Zone Variance Application No. 99008 and Minor Subdivision Application No. 99033 based on Findings subject to Conditions with direction to Staff to develop the appropriate Findings based on the permanent levee and elevated land difference.

Ayes: O'Banion, Cortez Keene, Rivero, Kelsey

Not Present: Crookham

10:30 A.M. SCHEDULED ITEM

2000-06-27 PUBLIC WORKS – Public Hearing – Public Facilities Fees

The time and date previously set for a public hearing to consider An Ordinance entitled “Establishment of Public Facilities Fees” and a Resolution entitled “Public Facilities Fees for Unincorporated Areas located within the City of Merced Specific Urban Development Plan” submitted by Public Works.

Public Works Director Paul Fillebrown reviews a Staff Report and responds to questions of the Board relative to the unincorporated areas.

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

Following discussion and upon motion of Supervisor Cortez Keene, seconded by Supervisor Rivero, duly carried, the Board establishes Public Facility Fees for Unincorporated Areas located within the City of Merced Specific Urban Development Plan; finds the Proposed Ordinance exempt from the provisions of the California Environmental Quality Act as it will not result in a physical change in the environment and does not increase regulatory restraints; waives further reading and adopts Ordinance No. 1641 and adopts Resolution No. 2000-118.

Ayes: O’Banion, Cortez Keene, Rivero, Kelsey

Not Present: Crookham

10:30 A.M. SCHEDULED ITEM

2000-06-27 PLANNING – 2000 Cycle II

Upon motion of Supervisor Kelsey, seconded by Supervisor Rivero, duly carried, the Board adopts the 2000 Cycle General Plan Amendment; approves and adopts the following:

1. General Plan Amendment No. 98002, Zone Change No. 98003 and Minor Subdivision No. 98010 (Ed Sanchez) - Ordinance No. 1642;
2. General Plan Amendment No. 99007, Zone Change No. 99008 and Conditional Use Permit No. 99011 (Bhupinder Sahota) - Ordinance No. 1643;
3. General Plan Amendment No. 99010, Zone Change No. 99011 and Conditional use Permit No. 99016 (Hilmar Covenant Church) - Ordinance No. 1644;
4. General Plan Amendment No. 99008, Zone Change No. 99009 and Minor Subdivision No. 99025 (Robert Hertel and Merced County) - Ordinance No. 1645;
5. General Plan Amendment No. 98007, Zone Change No. 98008 and Administrative Permit No. 99060 (Northern Merced Hulling) - Ordinance No. 1646; and,
6. Adopts Resolution No. 2000-119

Ayes: O’Banion, Cortez Keene, Rivero, Kelsey

Not Present: Crookham

11:00 A.M. SCHEDULED ITEM

2000-06-27 PUBLIC WORKS – Public Hearing – Eminent Domain / Highway 59 North Landfill

The time and date previously set for a public hearing to consider and adopt Resolution of Necessity for Authorization to Institute Eminent Domain proceedings to Condemn Property for the expansion of the existing Highway 59 North Landfill from Cheng-Sung Kuo and Lee Mei-Lan Kuo.

Public Works Director Paul Fillebrown reviews the Staff Report.

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

Following discussion and upon motion of Supervisor Cortez Keene, seconded by Supervisor Kelsey, duly carried, the Board authorizes Eminent Domain proceedings to condemn property for the Expansion of the Existing Highway 59 North Landfill from Cheng-Sung Kuo and Lee Mei-Lan Kuo and adopts Resolution 2000-120.

Ayes: O'Banion, Cortez Keene, Rivero, Kelsey

Not Present: Crookham

11:00 A.M. SCHEDULED ITEM

2000-06-27 CASTLE JOINT POWERS AUTHORITY – Castle Fire Protection Services

County Administrator Greg Wellman recommends continuation of the Castle Development Center Fire Protection Services Fire Contract for one year.

Supervisor Rivero moves, seconded by Supervisor Kelsey, the Board approve and authorize the Joint Powers Authority Chairman to sign Contract No. 2000163 between Castle Joint Powers Authority and the City of Atwater for fire services in the amount of \$408,100 for Fiscal Year 2000/2001.

Discussion is had on level of service and the "Out" Clause.

The Chairman asks if there is anyone present who wishes to speak.

Pacific Bell Representative Joy Grant reviews Page 7 Article 12 of the existing Contract with the Joint Powers Authority and urges the Board to support the contract to provide adequate safety to all the employers/employees.

The Chairman calls for a Vote on the Motion. Motion carries.

Ayes: O'Banion, Cortez Keene, Rivero, Kelsey

Not Present: Crookham

1:30 P.M. SCHEDULED ITEM

2000-06-27 ADMINISTRATION – Regional Council of Rural Counties Water Committee and San Joaquin Valley Water Coalition Membership

Supervisor Cortez Keene moves, seconded by Supervisor Kelsey, the Board appropriate \$10,000 for Regional Council of Rural Counties Water Committee (RCRC) membership dues and \$10,000 for San Joaquin Valley Water Coalition Membership dues.

Following further discussion Supervisors Kelsey amends the motion as follows:

Appropriate \$10,000 for Regional Council of Rural Counties Water Committee membership dues; appropriate \$10,000 for San Joaquin Valley Water Coalition Membership dues and Continues action relative to the designation of Board members on each committee.

Following discussion, the Chairman calls for a Vote on the Motion.

Chairman O'Banion votes "no". Motion carries.

Ayes: Cortez Keene, Rivero, Kelsey

Noes: O'Banion

Not Present: Crookham