



**MERCED COUNTY
BOARD OF SUPERVISORS
SUMMARY ACTION MINUTES**

Regular Meeting
TUESDAY, SEPTEMBER 12, 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

DEMITRIOS O. TATUM
ACTING 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 LEGAL COUNSEL –
ANTICIPATED LITIGATION:** It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Subdivision (b) of Section 54945.9: Two Case
**RECONVENED AT 10:30 A.M. WITH ALL MEMBERS PRESENT AND THE
CHAIRMAN ADVISES DIRECTION WAS GIVEN TO STAFF**

10:00 A. M.

PLEDGE OF ALLEGIANCE

SHERIFF – PUBLIC HEARING REVIEW BOARD ORDER – SEE PAGE 8

To consider Local Law Advisory Committee recommended expenditures for funds received from Department of Justice for Local Law Enforcement Block Grant in the amount of \$85,173

APPROVED AS RECOMMENDED AYES: ALL

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
RECEIVED REPORT FROM LIAISON REPRESENTATIVE KATHLEEN CROOKHAM
- Actions/Direction
- Public Comment

APPROVAL OF CONSENT AGENDA CALENDAR (Items # 1 – 13a)

APPROVED AS RECOMMENDED AYES: ALL

10:30 A. M.

ADMINISTRATION – PROPOSED ORDINANCE – SECOND READING AND POSSIBLE ADOPTION REVIEW BOARD ORDER – SEE PAGE 8

An Ordinance Amending Ordinance No. 1450 Establishing the Compensation of the Board of Supervisors of the County of Merced

APPROVED AND ADOPTED ORDINANCE NO. 1647 AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

REPORTS/BOARD DIRECTION

- County Administrator
- County Counsel
- County Auditor
- Board of Supervisors Members

LUNCH BREAK

CONSENT CALENDAR (Items #1 – 13a)

APPROVED AS RECOMMENDED AYES: ALL

Administration

1. Approve Travel Request for Mental Health as recommended by Administration.
2. Approve Budget Transfer for Marshal-\$2,400 as recommended by Administration.

3. Authorize corrections to Final Budget position allocations as follows: add one Account Clerk III, Range 52.1 and delete one Account Clerk I/II, Range 47.1/49.1 to Human Services Agency/MSSP, BU 50001 and adopt Resolution.
ADOPTED RESOLUTION NO. 2000-178

Public Works

4. Authorize request for use of Old Courthouse on September 20, 2000 from 5:30-7:30 p.m. for Merced Chamber of Commerce Fund Raiser benefiting the Merced Boosters Club, authorize the sale of alcohol beverages and food to the general public attending this function subject to providing the County of Merced with a Certificate of Insurance for Comprehensive General Liability, including liquor liability, naming the County as an additional insured in the amount required by County Risk Management.

Health

5. Approve and authorize Chairman to sign Renewal Contract No. 7325 and Certification Statements between Human Services Agency, Probation and Health for Child Health and Disability Prevention Program responsibilities.
6. Approve and authorize Chairman to sign Renewal Contract No. 99164, Non-Discrimination and Drug Free Work Place policies with State Emergency Medical Services for Disaster Plan Development Project.

Ag. Commission

7. Approve and authorize the Ag. Commissioner to sign Renewal Contract No. 5041 with Calif. Crop Improvement Association for Seed Certification Program Services.
8. Approve and authorize the establishment of a Petty Cash Fund Account in the amount of \$75 for the Animal Control Division.

Mental Health

9. Approve and authorize Chairman to sign Amendment to Contract No. 10031 with State Dept. of Alcohol and Drug Programs for local alcohol and drug services

Sheriff

10. Authorize Auditor's Adjustment for approximately \$81.00 to Deputy Sheriff Jeff Coburn for a missed merit increase for one pay period in 1999, BU 22100.

Board Recognition

11. Authorize Certificates of Recognition honoring the first group of Hmong Shaman for completion of the First Healthy House "Partners in Healing" Orientation Program to Western Medicine.
12. Authorize presentation of Plaque for the new Merced Amtrak Station opening ceremonies held on August 26, 2000.

13. Authorize Certificates of Recognition to Isabel Benavidez-Day Care, Richard Garza-Landscaping, Kathrin Hernandez-Interpreting Services, Lidia Lamp-Clothing Store, Leticia Lara-Medical Billing, Pedro Montoya-Electrical Services and Oscar Rangel-Dance Promotions for CAA Welfare to Work Students/Entrepreneurial Class Graduations held on August 23, 2000.

13a. Adopt Resolution adjourning the Meeting in Memory of Bill Del Nero.

REGULAR CALENDAR

BOARD ACTION

HEALTH

14. Contract with Human Services Agency and Probation for Health Care Program for Children in Foster Care (HCPCFC) Program

**APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN
CONTRACT NO. 2000185 AYES: ALL**

PUBLIC WORKS

15. Reject Proposal submitted by On Target Marketing for Transit Advertising and Promotion for FY 2000/2001 and authorize Staff to negotiate a Contract with On Targeting Marketing with a mutually agreed upon Scope of Work advertising and promoting "The Bus" subject to review of Counsel and Auditor approval.

**APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN
CONTRACT NO. 2000186 AYES: ALL**

PRIVATE INDUSTRY TRAINING DEPARTMENT

16. Authorize Director/Assistant Director to prepare/execute/submit appropriate documents necessary to revise or update the Five Year Plan and other Workforce Investment Act related documents including the Sub-Grant (the WIA Agreement between the State and County to access WIA funds) and Cash Requests on behalf of the County and adopt Resolution authorizing the execution of the documents related to the Workforce Investment Act.

**APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2000-179
AYES: ALL**

17. Approve Supplemental Information to be incorporated into the Local Workforce Investment Board (WIB) Five Year Plan and authorize the Chairman to sign the appropriate documentation.

APPROVED AS RECOMMENDED AYES: ALL

18. Contract with The Foundation for Self-Esteem to provide training for Private Industry Training Department and Human Services Agency staff members.

**APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN
CONTRACT NO. 2000184 AYES: ALL**

ADMINISTRATION

19. Authorize aligned Extra Help Traffic Hearing Clerk, \$9.67/hour to Probation-BU 23400 and aligned Extra Help Typist Clerk I, \$7.46/hour to Juvenile Hall-BU 23300 and adopt Resolution.

APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2000-180

AYES: ALL

- 19a. Establish the classification of CC Water Technician for Public Works-Castle, authorize Public Works Director to enter into Contract with employee for testing, treatment and maintenance of the water system at Castle and adopt Resolution.

REVIEW BOARD ORDER – SEE PAGE 9

AUTHORIZED PUBLIC WORKS DIRECTOR TO SIGN CONTRACT NO. 2000201 WITH JEFFREY MANN AND ADOPTED RESOLUTION NO. 2000-181 **AYES: ALL**

- 19b. Approve a one time change in hours at the Main Library on September 27 from 11:00 a.m.-8:00 p.m., September 28 from 11:00 a.m.-8:00 p.m. and September 30 from 8:00 a.m.-Noon; authorize the Merced Downtown Association to use portions of the Library Ground Floor as part of the Central Valley Blues Festival and authorize the Librarian and Public Works Director to develop and sign the agreement regarding use of the Library.

REVIEW BOARD ORDER – SEE PAGE 9

APPROVED AS RECOMMENDED AND AUTHORIZED PUBLIC WORKS DIRECTOR AND THE COUNTY LIBRARIAN TO SIGN CONTRACT NO. 2000204 WITH MERCED DOWNTOWN ASSOCIATION, INC. **AYES: ALL**

SHERIFF

20. Authorize completion of Request for Proposal (RFP) with a number of inmate transportation companies for national extradition purposes and authorize General Services Director to sign the Agreements.

APPROVED AS RECOMMENDED **AYES: ALL**

HUMAN SERVICES AGENCY

21. Approve the release of the Request for Proposals for the Mentoring Program, authorize Human Services Agency to prepare the Request for Proposal, solicit and select potential vendors in coordination with General Services and negotiate the preparation of the contracts to be returned to the Board for approval.

APPROVED AS RECOMMENDED **AYES: ALL**

22. Approve the recommended composition of the In-Home Supportive Services Advisory Committee; authorize Human Services Agency to coordinate marketing and recruitment of said Advisory Committee with Administration, approve the change from Full-Time to Variable Shift status for a Typist Clerk III, Range 50.3 and adopt Resolution.

REVIEW BOARD ORDER – SEE PAGE 9, 10

APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2000-182

AYES: ALL

BUSINESS-ECONOMIC OPPORTUNITIES

23. Resolution authorizing Chairman to sign Application and Contract for Calif. Defense Adjustment for matching funds through the California Trade and Commerce Agency for the Procurement Technical Assistance Center Program.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000183 AND ADOPTED RESOLUTION NO. 2000-183 AYES: ALL

BOARD APPOINTMENTS

24. Board of Supervisors re: Committee/Commissions and Boards.

Le Grand Recreation Committee

REAPPOINTED JUDY KAHL, CARLOS YBARRA UNTIL DECEMBER 1, 2001 AND APPOINTED CORY HAAS, SUSIE GRINDER, MIKE MARCHINI, NANCY MARCHINI AND JEANIE GIAMPOLI UNTIL DECEMBER 1, 2001 TO SERVE AS MEMBERS OF THE LE GRAND RECREATION COMMITTEE AYES: ALL

Assessment Appeals Board

REAPPOINTED NAT WOODHOUSE TO SERVE AS A MEMBER OF THE ASSESSMENT APPEALS BOARD – APPRAISER REPRESENTATIVE UNTIL SEPTEMBER 1, 2003
AYES: ALL

Housing Authority of the County of Merced

REAPPOINTED MARGARET WARMACK AS A TENANT COMMISSIONER ON THE HOUSING AUTHORITY OF THE COUNTY OF MERCED UNTIL OCTOBER 19, 2002
AYES: ALL

San Joaquin Valley Water Coalition Council

APPOINTED SUPERVISOR CROOKHAM AS COUNTY REPRESENTATIVE AND SUPERVISOR O'BANION AS ALTERNATE REPRESENTATIVE
AYES: 2, 3, 4, 5 NOES: 1

BOARD APPOINTMENTS

24. Board of Supervisors re: Committee/Commissions and Boards.

(a) Vacancy Lists for All Boards – August 2000

(b) Listing of Pending Expirations for Month – August 2000

TOOK NO ACTION AND PLACED ON FILE

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

25. Public Works re: Award of Contract to Chrisp Company for Upgrade Curve Advisory Signs at various locations in Merced County – Bid Results.

AUTHORIZED PUBLIC WORKS DIRECTOR TO SIGN CONTRACT NO. 2000156

26. Private Industry Training Department re: PITD Report for August 2000.

27. Community Action Agency re: Project CHERISH – Annual Fundraising Auction set for October 28, 2000.
28. State Water Resources Control Board re: Notice of Petition for Temporary Change involving the transfer of up to 25,000 Acre-Feet of Water for use by the U.S. Bureau of Reclamation Central Valley Project Improvement Act Water Acquisition Program under Merced Irrigation District's License 11395 (Application 16186).
29. State Dept. of Health Services re: FY 2000/2001 California Healthcare for Indigents Program county allocations.
30. State Dept. of Health Services re: Estimated Maintenance of Effort (MOE) Requirement for CHIP/RHS Program Funds for FY 2000/2001.
31. U.S. Dept. of Interior re: News Release – New Director of the Bureau of Land Management California State Office.
32. United Domestic Workers of America re: IHSS Program Budget for FY 2000/01.
REFERRED TO HUMAN SERVICES AGENCY DIRECTOR GROVER OMYER
33. Tulare County re: Resolution opposing the Westlands Water District's attempt to appropriate water now used in the Central Valley Project's Friant Division from the San Joaquin River.
REFERRED TO COUNSEL DENNIS MYERS FOR BOARD ACTION
34. Central Valley Regional Water Quality Control Board re: Meeting Agenda of September 15, 2000.

THE BOARD ADOPTED RESOLUTION AND ADJOURNED THE MEETING IN MEMORY OF BILL DE NERO UNTIL SEPTEMBER 19, 2000 AT 9:00 A. M.

SUMMARY ACTION MINUTES – SEPTEMBER 12, 2000 – BOARD ORDERS

10:00 A.M. SCHEDULED ITEM

2000-09-12 SHERIFF – Public Hearing – 2000 Local Law Enforcement Block Grant

The time and date previously set for a public hearing to consider the Department of Justice 2000 Local Law Enforcement Block Grant Award in the amount of \$85,173 and the funding recommendations by the Local Law Advisory Committee.

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

Upon motion of Supervisor Rivero, seconded by Supervisor Cortez Keene, duly carried, the Board approves the recommendations of the Local Law Advisory Committee, approves submission of the 2000 Local Law Enforcement Follow-up Information Form and authorizes the CAO or designee to sign via INTERNET once all requirements are met as follows:

Upgrade of Motorola 800 Megahertz System for increased level of ports and slots for portables and radios expansion with the County and Addition of one Converter Repeater to the Sandy Mush Facility Tower increasing communications when needed or allowing back up system for Sheriff Department; and, purchase of portable radios and peripheral equipment for Sheriff, Marshal and Probation Departments.

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

10:30 A.M. SCHEDULED ITEM

2000-09-12 ADMINISTRATION – Ordinance 1647 – Board of Supervisors Compensation

The time and date previously set for the Second Reading and possible adoption of An Ordinance Amending Establishment of the Compensation of the Board of Supervisors of the County of Merced (Amends Ordinance No. 1450).

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

AFSCME Representative Judy Steinke requests clarification on additional compensation to the Board Chairman and expresses her concern of equal compensation to other employees.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Crookham, duly carried, the Board waives further reading and adopts Ordinance No. 1647.

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

ACTION ITEM NO. 19a

2000-09-12 ADMINISTRATION – Castle Employee Issue

Upon motion of Supervisor Kelsey, seconded by Supervisor Cortez Keene, duly carried, the Board establishes the classification of CC Water Treatment Technician in Budget Unit 75200; authorizes the Public Works Director to sign Contract No. 2000201 with Jeffrey Mann for the testing, treatment, and maintenance of the water system at Castle upon review and approval of Counsel, Administration, Risk Management and Auditor-Controller and adopts Resolution No. 2000-181.

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

ACTION ITEM NO. 19b

2000-09-12 ADMINISTRATION / LIBRARY - Temporary Modification to Library Hours

Following discussion and upon motion of Supervisor Rivero, seconded by Supervisor Cortez Keene, duly carried, the Board approves a one time change in hours at the Main Library, Wednesday, September 27, 2000 and Thursday, September 28, 2000 to 11:00 a.m. - 8:00 p.m. and Saturday, September 30, 2000 to 8:00 a.m. - 12 o'clock noon and authorizes the County Librarian to post notices and notify the newspaper; approves and authorizes the County Librarian and Public Works Director to sign Contract No. 2000204 with the Merced Downtown Association, Inc. regarding conditions and expectations for the use of the Library's Ground Floor during the Blues Festival.

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

ACTION ITEM NO. 22

2000-09-12 HUMAN SERVICES AGENCY – In-Home Supportive Services

Human Services Agency Director Grover Omyer reviews the Staff Report submitted and the requirement of AB 1682 and SB 710.

The Board discusses In-Home Care Providers and funding issues.

Victoria Rigalotto, In-Home Care Provider, appears before the Board stating this is a rewarding job, however, very underpaid.

Mr. Carl Pollard speaks in favor of In-Home Care Providers making more money.

Following further discussion and upon motion of Supervisor Rivero, seconded by Supervisor Cortez Keene, duly carried, the Board approves the recommended composition of the In-Home Supportive Services Advisory Committee as follows with recommendations to come back to the Board for final approval: Six Consumers with one for each Supervisorial District and one At Large, One CAO or designee, One Private Health Service Director, Two individual providers from In-Home Supportive Services (current or former), one AAA Board Member with the IHSS Program Administrator and Account Clerk III to be support staff; authorizes the Human Services Agency to coordinate marketing and recruitment of Advisory Committee membership with County

Administration; approves the change from Full-Time to Variable Shift status for Typist Clerk III, Range 50.3 (Position #60) and adopts Resolution No. 2000-182.
Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

ACTION ITEM NO. 23

2000-09-12 BUSINESS-ECONOMIC OPPORTUNITIES

Following discussion and upon motion of Supervisor Rivero, seconded by Supervisor Cortez Keene, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2000183 with the Department of Defense for matching funds through the California Trade and Commerce Agency to operate the Procurement Technical Assistance Center Program and adopts Resolution No. 2000-183.

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