



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

Regular Meeting
TUESDAY, SEPTEMBER 26, 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: It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957, Subdivision (e):
PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS
Director of Public Works

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 54956.9: One Case

9:00 A. M.

CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9 Name of Case: Connie Martin v. County of Merced
RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED CLOSED SESSION WAS HELD

10:00 A. M.

PLEDGE OF ALLEGIANCE

PRESENTATION OF PLAQUE

PLAQUE PRESENTED TO RITA SKINNER FOR HER 31+ YEARS OF SERVICE TO THE COUNTY OF MERCED (7/1/58 – 4/10/90)

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: Donna Crowder

UC MERCED PROJECT - Liaison Report

RECEIVED REPORT FROM LIAISON REPRESENTATIVE KATHLEEN CROOKHAM

PERSONNEL ISSUE:

ADMINISTRATION – Authorization to establish a separate bargaining unit for Courts Employees pursuant to Section XV C. of the Employer-Employee Relations Policy (EERP) and SB 2140 and approve the following actions:

- 1) Establish Unit 9-Trial Court Employees to be effective January 1, 2001.
- 2) Establish a Court Secretary III classification, Range 57.5; change one Secretary III, Range 57.5 to a Court Secretary III and reclassify the incumbent in BU 76500;
- 3) Establish the Court Legal Secretary classification, Range 54.8; change one Legal Secretary, Range 54.8 to a Court Legal Secretary classification and reclassify the incumbent in BU 76503;
- 4) Delete one vacant Deputy Jury Clerk, Range 50.6 and add one Court Processing Clerk I/II, Range 50.6/52.6 to BU 76500;
- 5) Delete one vacant V/S Typist Clerk I/II and two vacant Typist Clerk I/II; add one V/S Typist Clerk I/II and two Court Processing Clerk I/II, Range 50.6/52.6 to BU 76500;
- 6) Delete one vacant Typist Clerk III-Confidential, Range 51.4 and add one Court Processing Clerk I/II, Range 50.6/52.6 to BU 76500;
- 7) Establish and add the Court Technology Analyst I/II classification, Range 59.4/61.4 and delete one Automation System Analyst I/II, Range 59.4/61.4 in BU 76500;
- 8) Establish and add the Court Legal Secretary-Confidential, Range 55.9 to BU 76500;

- 9) Effective January 1, 2001, establish the Court Fiscal Services Analyst classification, Range 59.8; change one Fiscal Services Analyst to a Court Fiscal Services Analyst and reclassify the incumbent in BU 76500;
- 10) Effective January 1, 2001, change one (1) Assistant Judicial Secretary to a Court Processing Clerk I/II and reclassify the incumbent in BU 76500 and
- 11) Effective January 1, 2001, change one Deputy Jury Clerk to a Court Processing Clerk I/II and reclassify the incumbent in BU 76500 and
- 12) Approve the amending the Salary and Position Allocation Resolutions.

REVIEW BOARD ORDER – SEE PAGE 8 AND 9

APPROVED AND ADOPTED RESOLUTION NO. 2000-189

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

APPROVAL OF CONSENT AGENDA CALENDAR (Items # 1 – 7)

APPROVED AS RECOMMENDED AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS) REVIEW BOARD ORDER – SEE PAGE 9

ADDED AGENDA ITEM:

THE BOARD FINDS THE NEED, SUBSEQUENT TO THE POSTING OF THE AGENDA, TO CONSIDER AN EXTENSION TO THE WILLIAMSON ACT FILING DEADLINE AYES: 1, 2, 3, 4, 5

THE BOARD AMENDS RESOLUTION TO EXTEND THE WILLIAMSON ACT FILING PERIOD FROM SEPTEMBER 30 TO OCTOBER 31, 2000 AND ADOPTS RESOLUTION NO. 2000-194 AYES: 1, 2, 3, 4, 5

REPORTS/BOARD DIRECTION

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

LUNCH BREAK

CONSENT CALENDAR (Items #1 – 7)

APPROVED AS RECOMMENDED AYES: ALL

Spring Fair

- 1. Approve Budget Transfer for Spring Fair in the amount of \$3,600 as recommended by Administration.

Probation

- 2. Authorize change in Job Specification for Supervising Juvenile Institutions Officer.

Public Works

3. Adopt Resolution annexing Lots 13 and 14 of Santa Nella Village, Tract 2, Phase 2 into the Santa Nella Lighting Maintenance Zone of Benefit #400, Santa Nella Village Drainage Maintenance Zone of Benefit #407, Santa Nella Village Landscape Maintenance Zone of Benefit #408 and Santa Nella Village Road Maintenance Zone of Benefit #410 in County Service Area No. One.

ADOPTED RESOLUTION NO. 2000-190

4. Adopt Resolution annexing the Merced River Commercial Complex into the Snelling Lighting Maintenance Zone of Benefit #105 in County Service Area Number One.

ADOPTED RESOLUTION NO. 2000-191

5. Authorize Calif. Assn. Of Muscle Machines request to use Courthouse Park on October 14, 2000 from 8:00 a.m. – 4:00 p.m. for Annual Car Show, waive restriction on use of amplified sound equipment, allow WalMart to operate a food concession, require provision of portable restroom units to accommodate participants and spectators, provide refuse containers and arrange for disposal of such refuse, require providing a Certificate of Insurance for Comprehensive General Liability including product liability naming the County as an additional insured in the amounts required by Risk Management and approve closure of the interior streets of the Courthouse Square and coordinate closure with Merced City Police Department.

Marshal

- 5a. Authorize overhire of Deputy Marshal I/II with a Limited Term Appointment for a period not to exceed six months.

Board Recognition

6. Authorize Certificate of Recognition honoring the Re-dedication and Open House of the State Dept. of Motor Vehicles Merced Office.
7. Authorize Certificate of Recognition in honor of the Dedication Ceremony of the Habitat for Humanity House.

REGULAR CALENDAR

BOARD ACTION

UC PROJECT OFFICE

8. Authorize Renewal of Contract with James Forsberg for Special Services and authorize Project Director to transfer \$95,000 from BU 18400/21894 to BU 18400/21800 for contract services.

**APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN
CONTRACT NO. 200086 AYES: ALL**

PUBLIC WORKS

9. Contract with City of Merced for use of the Merced Transpo Center by "The Bus" – Merced County Transit.

**APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN
CONTRACT NO. 2000199 AYES: ALL**

HEALTH

10. Contract with Planned Parenthood Mar Monte for HIV Education and Prevention Outreach Services.

APPROVED AS RECOMMENDED AYES: ALL

11. Resolution approving the Annual Assessment of the Emergency Medical Services System for 1999.

APPROVED AND ADOPTED RESOLUTION NO. 2000-192 AYES: ALL

TREASURER/TAX COLLECTOR

12. Approve distribution of excess proceeds from the Public Auction Sale of Tax-Deeded Property Sold Due to Failure to Pay Taxes on Real Property by the Auditor-Controller payable as follows: APN 046-030-005 (Last Assessee-Bertram F. Rudolph, Jr in the amount of \$603.69 and APN 057-160-077 (Last Assessee-CBA Corporation in the amount of \$42.60.

REVIEW BOARD ORDER – SEE PAGE 9

APPROVED AS RECOMMENDED AYES: ALL

AREA AGENCY ON AGING

13. Approve Area Agency on Aging Plan Update for time frame of July 2000 through July 2001 as required by Calif. Dept. of Aging.

APPROVED AS RECOMMENDED AYES: ALL

FAMILY SUPPORT

14. Contract with Computer Assisted Support Enforcement System (CASES) Users Consortium for Family Support services.

**APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN
CONTRACT NO. 2000198 AYES: ALL**

PLANNING

15. Adopt Resolution to amend Rules of Procedure to Implement the California Land Conservation Act of 1965 (Williamson Act) to allow staff discretion in the requirement of the title documents.

APPROVED AND ADOPTED RESOLUTION NO. 2000-193 AYES: ALL

PRIVATE INDUSTRY TRAINING DEPARTMENT

16. Approve 14 – 18 Year-round Youth Proposal submitted by Merced County Office of Education Regional Occupational Program to carry out a 21 Month Program for 1063 Workforce Investment Act eligible youth and authorize PITD to negotiate a contract to come back to the Board for approval.

APPROVED AS RECOMMENDED AYES: ALL

- 16a. Set a Study Session for November 14, 2000 at 1:30 p.m. at Agriculture Extension to review issues and challenges and to explore policy options and recommendations for the Board of Supervisors identified through the previous study groups in connection with presentation of Strategic Choices, Creating Opportunity in Merced by CPPS at Calif. State University, Stanislaus. **REVIEW BOARD ORDER – SEE PAGE 9**

APPROVED CONCEPT OF PROPOSAL WITH UNDERSTANDING STUDY SESSION DATE WILL BE COORDINATED WITH COUNTY ADMINISTRATOR AYES: ALL

BOARD APPOINTMENTS

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

Advisory Board on Alcohol and Other Drug Problems

APPOINTED CHRISTOPHER NEIL JENSEN TO SERVE AS A MEMBER OF THE ADVISORY BOARD ON ALCOHOL AND OTHER DRUG PROBLEMS REPRESENTING DISTRICT TWO UNTIL JUNE 30, 2004

Business-Economic Opportunities Revolving Loan Fund Loan Admin. Board

APPOINTED BILL KITCHEN TO SERVE AS A MEMBER OF THE BUSINESS-ECONOMIC OPPORTUNITIES REVOLVING LOAN FUND LOAN ADMINISTRATION BOARD REPRESENTING BUSINESS PERSON AT LARGE UNTIL DECEMBER 22, 2001

Workforce Investment Board

APPOINTED SUSAN ARMSTRONG AND GISELA MALONE TO SERVE AS MEMBERS OF THE WORKFORCE INVESTMENT BOARD REPRESENTING THE PRIVATE SECTOR UNTIL JUNE 30, 2002

AYES: ALL

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

18. Fire re: Participation in National Fire Prevention Week.
19. State Dept. of Fish and Game re: License Sales Center and Marine Region, Oil Spill Prevention and Response and South Coast Region staff will move its office from Long Beach to a new office in Los Alamitos.
20. Calif. Dept. of Health and Human Services Agency re: Federal Office of Child Support Enforcement request that the Calif. Dept. of Child Support Services share with the local child support offices guidance regarding the Passport Denial Program.

21. Dept. of Justice re: Federal Register – Notice of Solicitation for applicants from public and private agencies, organizations, institutions, tribal and Alaskan Native communities, and individuals to conduct research and evaluation projects in a wide range of topical areas that will enhance, inform and advance knowledge in the field of juvenile justice.
22. State Board of Equalization re: Business Tax Rule 133 – Business Inventory Exemption – Notice the State Board of Equalization amended Property Tax Rule effective July 26, 2000. (On file with Clerk)
23. State Board of Equalization re: Property Tax Rules 305 and 306 – Local Equalization Rules – Notice the State Board of Equalization amended Property Tax Rule effective May 26, 2000.
24. State Board of Equalization re: Assessment Practices Survey for Alpine County and Sonoma County.
25. Calif. Dept. of Child Support Services re: Notice of Community Forums and opportunity to contribute input to the child support program in California – Community Forum will provide overview of the P3 special project and a summary of the workgroup recommendations.

THE BOARD ADOPTED A RESOLUTION AND ADJOURNED THE MEETING IN MEMORY OF CHARLES KERR UNTIL OCTOBER 3, 2000 AT 9:00 A. M.

SUMMARY ACTION MINUTES - SEPTEMBER 26, 2000 – BOARD ORDERS

10:00 A.M. PERSONNEL ISSUE **2000-09-26 ADMINISTRATION**

Deputy County Administrator Bev Morse advises the recommended actions do reflect the involvement of the Unions.

Supervisor Crookham moves, seconded by Supervisor Rivero, the Board takes the following actions:

Approve establishing Unit 9 – Trial Court Employees to be effective January 1, 2001;

Establish a Court Secretary III classification, Range 57.5; change one Secretary III, Range 57.5 to a Court Secretary III; reclassify the incumbent in Trial Court Operations, Budget Unit 76500;

Establish the Court Legal Secretary classification, Range 54.8; change one Legal Secretary, Range 54.8 to a Court Legal Secretary classification; reclassify the incumbent in Trial Court Operations, Budget Unit 76503;

Delete one vacant Deputy Jury Clerk, Range 50.6; add one Court Processing Clerk I/II, Range 50.6/52.6 to Trial Court Operations, Budget Unit 76500;

Delete one vacant Variable Shift Typist Clerk I/II and two vacant Typist Clerk I/II; add one Variable Shift Typist Clerk I/II and two Court Processing Clerk I/II, Range 50.6/52.6 to Trial Court Operation, Budget Unit 76500;

Delete one vacant Typist Clerk III – Confidential, Range 51.4; add one Court Processing Clerk I/II, Range 50.6/52.6 to Trial Court Operations, Budget Unit 76500;

Establish the Court Technology Analyst I/II classification, Range 59.4/61.4; delete one Automation System Analyst I/II, Range 59.4/61.4; add one Court Technology Analyst I/II in Trial Court Operations, Budget Unit 76500;

Establish the Court Legal Secretary – Confidential, Range 55.9; add one Court Legal Secretary – Confidential to Trial Court Operations, Budget Unit 76500;

Establish the Court Fiscal Services Analyst classification, Range 59.8 effective January 1, 2001; change one Fiscal Services Analyst to a Court Fiscal Services Analyst; reclassify the incumbent in Trial Court Operations, Budget Unit 76500;

Change one Assistant Judicial Secretary to a Court Processing Clerk I/II effective January 1, 2001; reclassifies the incumbent in Trial Court Operations, Budget Unit 76500;

Change one Deputy Jury Clerk to a Court Processing Clerk I/II effective January 1, 2001; reclassify the incumbent in Trial Court Operations, Budget Unit 76500 and adopt Resolution No. 2000-189.

Superior Court Administrator Lee Haugen speaks on the transition of employees from County Courts to State positions.

Following further discussion, the Chairman calls for a Vote on the Motion. Motion carries.
Ayes: O'Banion, Cortez Keene, Crookham, Rivero Not Present: Kelsey

ACTION ITEM NO. 12

2000-09-26 TREASURER/TAX COLLECTOR

Upon motion of Supervisor Kelsey, seconded by Supervisor Rivero, duly carried, the Board approves distribution of excess proceeds from the Public Auction Sale of Tax-Deeded Property sold due to failure to pay on Real Property by the Auditor –Controller as follows:

APN 046-030-005 (Last Assessee: Bertram F. Rudolph, Jr.) - \$603.69; and

APN 057-160-077 (Last Assessee: CBA Corporation) - \$42.60

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

ADDED/LATE AGENDA ITEM

2000-09-26 ASSESSOR / PLANNING

Upon motion of Supervisor Kelsey, seconded by Supervisor Rivero, duly carried, the Board finds a need arose, subsequent to the posting of the agenda, to take action relative to the filing period of the Williamson Act and places the item on the agenda for consideration.

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

Supervisor Kelsey moves, seconded by Supervisor Rivero, the Board amend Resolution No. 2000-137 Rules of Procedure to Implement the California Land Conservation Act of 1965 (Williamson Act) extending the filing period to October 31, 2000.

Planning Director Robert Smith and County Assessor Dave Cardella states the need for extending the filing period for Williamson Act applications had been justified after speaking with several landowners.

Following discussion, the Chairman calls for a Vote on the Motion. Motion carries.
Ayes: O'Banion, Cortez Keene, Crookham, Rivero, Kelsey

ACTION ITEM NO. 16a

2000-09-26 PRIVATE INDUSTRY TRAINING DEPARTMENT

Following a lengthy discussion and upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board approves the concept of scheduling a Study Session to review issues and challenges and to explore policy options and recommendations for the Board of Supervisors identified through the previous study groups in connection with presentation of Strategic Choices, Creating Opportunity in Merced by CPPS at Calif. State University, Stanislaus with the understanding the Study Session date will be coordinated with the County Administrator.

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