



MERCED COUNTY BOARD OF SUPERVISORS

SUMMARY ACTION MINUTES

Regular Meeting

TUESDAY, JANUARY 9, 2001

Closed Session – 8:30 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

CHAIR GLORIA CORTEZ KEENE.....DISTRICT 1
KATHLEEN M. CROOKHAM....DISTRICT 2
JOE RIVERO.....DISTRICT 3
DEIDRE F. KELSEY....DISTRICT 4
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

8:30 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 Staff negotiators concerning negotiations with American Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6, and 8; Independent Employees of Merced County (IEMC), Unit 3; Merced County Lawyers' Association, Unit 7; Merced County Sheriff Employee Association (MCSEA), Unit 2 and Merced County Law Enforcement Sergeants, Unit P

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

Title: Private Industry Training Department Director and
Planning and Community Development Director

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) Paul Fillebrown–

Public Works Director pursuant to Section 54956.8 as follows:

Property/Reference: Castle Airport

Negotiating Parties: Sports Car Club of America

THE BOARD RECONVENED AT 10:00 A.M. AND THE CHAIRMAN ADVISES DIRECTION WAS GIVEN TO STAFF

10:00 A. M.

PLEDGE OF ALLEGIANCE

COUNTY ADMINISTRATOR / BOARD OF SUPERVISORS – YEAR END REVIEW

2000 CHAIRMAN O'BANION PROVIDES A YEAR END REVIEW OF ACCOMPLISHMENTS

NOMINATION AND ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2001

THE BOARD ELECTS SUPERVISOR CORTEZ KEENE AS CHAIRMAN AND SUPERVISOR RIVERO AS VICE-CHAIRMAN FOR THE YEAR 2001

PRESENTATION BY CHAIRMAN

2001 CHAIRMAN CORTEZ KEENE PRESENTS 2001 GOALS OVERVIEW

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 Report

RECEIVED REPORT FROM LIAISON REPRESENTATIVE KATHLEEN CROOKHAM

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1– 15)

APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF COMMUNITY ACTION AGENCY CONSENT AGENDA CALENDAR (Items #16 - 20)

APPROVED AS RECOMMENDED AYES: ALL

10:00 A. M.

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 TAKE ACTION ON PLANNING AND UC MERCED ISSUES AND PLACES THE ITEMS ON THE AGENDA FOR CONSIDERATION

AYES: ALL

1. **PLANNING** - Designate Assistant Director of Planning and Community Development, William Nicholson, as “Acting Director of Planning and Community Development” and authorize “A” Level Management Benefits
2. **UC MERCED PROJECT** - Resolution in support of funding from the State Dept. of Fish and Game of approximately \$11.381 million to assist Merced County and University of California in the planning process and environmental studies for the UC

APPROVED RECOMMENDATIONS AYES: ALL

REPORTS/BOARD DIRECTION

County Administrator
County Counsel
County Auditor
Board of Supervisors Members

LUNCH BREAK

1:30 P. M.

WORKSHOP – Community Development Block Grant (CDBG)

Business-Economic Opportunities / Planning and Community Development

REVIEW BOARD ORDER – SEE PAGE 9 AND 10

CONSENT CALENDAR (Items #1 – 15)

APPROVED AS RECOMMENDED AYES: ALL

Travel Requests

1. Approve Travel Requests for Human Services Agency, Fire, Mental Health, Probation, Public Defender and District Attorney as recommended.

Budget Transfer

2. Approve Budget Transfer as recommended for \$5,800-Fire Facilities, DPW-CIP (#015).

Public Works

3. Approve and authorize Chairman to sign Amendment to Contract No. 2000118 with Bedesen-Cardoza Associates and Golden Valley Engineering & Surveying for Surveying Services for the Campus Parkway Project.

4. Adopt Resolution and authorize Chairman to sign Cooperative Agreement No. 10-137 with State Dept. of Transportation covering improvements on Route 165 and Bradbury Road.

ADOPTED RESOLUTION NO. 2001-01

5. Accept Final Map for Orchard Park Unit 2, Subdivision No. 97005 in the Atwater area.

Health

6. Approve and authorize Chairman to sign Amendment to Contract No. 99035 with State Dept. of Health Services for the Healthy Families and Medi-Cal for Children Outreach Project through June 30, 2001.

Ag. Commissioner

7. Approve and authorize Chairman to sign Renewal Contract No. 8306 with Calif. Dept. of Food and Agriculture for Pink Bollworm Cotton Plowdown and Host-Free Period Monitoring Program.

Mental Health

8. Approve and authorize Chairman to sign Renewal Contract No. 200077 with Alameda County Behavioral Health Care for S.T.A.R.S. (Sub-Acute Treatment for Adolescents with Rehabilitation Services) Program.
9. Approve and authorize Chairman to sign Amendment to Contract No. 99199 with C & D Guest Home to add Happy Haven Guest Home use for special services.
10. Approve and authorize Chairman to sign Amendment to Contract No. 8965 with Probation for funding for two and one-half Probation Officers for on-site probation services at Mental Health for youth and families concurrently being served by Probation and Mental Health.
11. Set public hearing for February 27, 2001 at 10:30 a.m. to consider an Amendment to Ordinance known as Fee Schedule for Mental Health Services performed by the Mental Health Department.

Business-Economic Opportunities

12. Set public hearing for January 23, 2001 at 10:30 a.m. to consider an Amendment to Ordinance for Northland Cable Properties for cable television services.

Board Recognition

13. Authorize Certificates of Recognition to various individuals honoring their Graduation from the Building Trades Program sponsored by PITD, Human Services Agency and Merced College.
14. Authorize presentation of Plaque in Celebration of 60th Wedding Anniversary to John and Frances Cupples and 50th Wedding Anniversary to Mr. And Mrs. Wilbur O'Neal.

Board of Supervisors

- 14a. Adopt Resolutions and adjourn the Meeting in memory of Betty Mitchell, Alvin Haywood, Agnes McNamara, Janette Corman, Supervisor Kay Bryan, Laverne Hunt, Burton Ellis, Josephine Wolff, Bryan "Bernie" Richard Burnthorne, Sr. and Maxine Perea.
- 14b. Authorize Certificates of Appreciation to 2000 Los Banos Golden Agers Club, Inc. Officers as follows: President-Nancy Barcellos, Vice President-Jim Cook, Secretary-Nola Cardoza, Treasurer-Marlene Gargano, Historian-June Marques and Directors Donald Rowe, Mary Curdy, A.V. Bettencourt, Violet Brizzee and Frank Pereira.

UC Merced Project

15. Approve and authorize Chairman to sign Amendment to Contract with EIP Associates for the University Community Plan – Phase IIA, LEDPA.

AUTHORIZED CHAIRMAN TO SIGN AMENDMENT TO CONTRACT NO. 99106

COMMUNITY ACTION AGENCY CONSENT CALENDAR (Items #16 - 20)

APPROVED AS RECOMMENDED AYES: ALL

16. Approve and authorize CAB Chairman to sign Amendment to Contract with State Dept. of Community Services and Development for 2000 Weatherization and Energy-Efficient Rehabilitation (WEER) Program.
17. Approve and authorize CAB Chair to sign Contract with State Dept. of Education for materials/ supplies funds for the Child Development Program.
18. Approve and authorize CAB Chair to sign Contract with State Dept. of Community Services and Development for Low-Income Home Energy Assistance Program-Emergency Contingency Funds (LIHEAP-ECF) through 12/31/2001 and adopt Resolution.
ADOPTED RESOLUTION NO. 2001-02
19. Approve and authorize CAB Chair to sign Contract with State Dept. of Community Services and Development for Community Services Block Grant Funding through 12/31/2001 and adopt Resolution.
ADOPTED RESOLUTION NO. 2001-03
20. Accept and place CAA Information, Staff and Committee Reports on file.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

21. Waive Section 13.40.040.C of the Merced County Code pertaining to the timing of the First Payment of the Hilmar Bridge and Major Thoroughfare Fee to one year after final building inspection for Hilmar Diamond Food Center, Building Permit Application No. 19990792 subject to the Applicant entering into a Deferment of Payment Agreement and paying the \$150 processing fee prior to final building inspection.
APPROVED AS RECOMMENDED AYES: ALL
22. Authorize negotiation of Contract Amendment for Curbside Yard Waste Collection within the unincorporated urban centers with Solid Waste Franchise Haulers and return to the Board for public hearing and approval.
APPROVED AS RECOMMENDED AYES: ALL

HEALTH

23. Amendment to Contract No. 2000130 with Epstein, Becker and Green, P.C. for legal services in conjunction with negotiations surrounding the transfer of lease and operations of

the former County Hospital from Sutter Health to Mercy Hospital/Catholic Health Care West and approve the necessary budget transfer.

APPROVED AS RECOMMENDED AYES: ALL

24. Renewal Contract No. 200028 with State Dept. of Health Services for the Chlamydia Prevention and Control Project, approve expenditures of Grant for Fast Food Service Coupons as Program Incentives and approve the necessary budget transfer.

APPROVED AS RECOMMENDED AYES: ALL

UC MERCED PROJECT

25. Set Joint Study Session with Planning Commission for January 23, 2001 at 1:30 p.m. and set a Public Hearing for February 27, 2001 at 10:30 a.m. to consider Revisions to the General Plan in support of UC Merced.

APPROVED AS RECOMMENDED AYES: ALL

SHERIFF

26. Approve and accept Fiscal Year 2000 State Criminal Alien Assistance Award and authorize Sheriff to process the INTERNET draw down and acceptance of funding and authorize unanticipated revenue be transferred into Trust Fund 2576, Sheriff Adult Correctional Facilities with the approval of Auditor and Administrator.

APPROVED AS RECOMMENDED AYES: ALL

27. Contract – Purchase Agreement for the canine named “Blitz” from Deputy Sheriff Mark Taylor to serve the Merced County Sheriff Department Canine unit and adopt Resolution.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200102 AND ADOPTED RESOLUTION NO. 2001-04 AYES: ALL

MENTAL HEALTH

28. Authorize entering into Interim Therapeutic Behavioral Services (TBS) Contracts with Big Valley Helping Hands, Victor Treatment Center, Turning Point and other necessary TBS Providers through the authority of General Services on an “as needed” basis with each agreement not to exceed \$10,000 upon review of Counsel.

APPROVED AS RECOMMENDED AYES: ALL

PRIVATE INDUSTRY TRAINING DEPARTMENT

29. Authorize Contract with ERISS Corporation to acquire the ERISS Workforce Intelligence Survey and ERISSWORKS, the Interactive Web Application to provide Regional Employer Survey Project.

APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200103 AYES: ALL

BUSINESS-ECONOMIC OPPORTUNITIES

30. Approve the 1999-2000 Foreign Trade Zone No. 226 Annual Report and authorize submission to the U.S. Foreign Trade Zones Board.

APPROVED AS RECOMMENDED AYES: ALL

30a. Resolution authorizing application for a Calif. Defense Adjustment Matching Grant for \$150,000 to assist with local match requirement of the Economic Development Administration Grant for development of Telecommunications Infrastructure at Castle Airport and Aviation Development Center
AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200104 AND ADOPTED RESOLUTION NO. 2001-05 AYES: ALL

GENERAL SERVICES

31. Contract with Stephen G. Tinetti and Trustees for Human Services Agency Employment and Training Department office space.
APPROVED RECOMMENDATION AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200105 AYES: ALL

MANAGEMENT SERVICES

31a. Resolution to implement changes for Unrepresented Management Employees Life Insurance and adopt Resolution to amend Management Recognition Program policies.
APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2001-06
AYES: ALL

31b. Ratify establishing the Calif. Minimum Wage Salary (\$6.25/hour) effective January 1, 2001 for all Extra Help classifications which are currently salaried below this amount and adopt Resolution.
APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2001-07
AYES: ALL

31c. Approve modification of job specification for the Planning and Community Development Director.
APPROVED AS RECOMMENDED AYES: ALL

31d. Authorize aligned Extra Help Typist Clerk II, \$8.51/hour to Revenue & Reimbursement and Recorder and adopt Resolution.
APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2001-08
AYES: ALL

BOARD APPOINTMENTS

32. Board of Supervisors re: Committee/Commissions and Boards.
Workforce Investment Board
REVIEW BOARD ORDER – SEE PAGE 9
MODIFIED RECOMMENDATION AYES: ALL

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

33. City of Merced re: Support of Assignment of Lease and Operating Agreement between Sutter Medical and Mercy Hospital and Health Services CHW.

34. State Dept. of Justice re: Notice of Public Meeting to be held by the Office of the Attorney General on Wednesday, January 17, 2001 at 5:00 p.m. in the Merced County Board of Supervisors Chambers to receive public comment on the proposed transfer by Sutter Merced Medical Center to Mercy Hospital and Health Services.
35. California Highway Patrol re: Meeting notice of the California Traffic Congestion Relief Panel symposium(s) which will facilitate discussions of the magnitude of traffic congestion problems, potential solutions, funding issues and solicit public input.
36. U.S. Fish & Wildlife Service re: Draft Economic Analysis on California Red-Legged Frog Critical Habitat Proposal – Comments on proposal to designate 5.4 million acres in 31 California counties as critical habitat for the threatened amphibian will be accepted during this time frame. (On file with Clerk)
37. Calif. State University-Sacramento / Calif. State Assembly re: Information regarding the Jesse Marvin Unruh Assembly Fellowship Program. (On file with Clerk)
38. Salmon Restoration Federation re: Notice of Workshop / Conference Sessions.
39. State Board of Equalization re: Notice of Meeting to discuss the Property Tax Committee Procedures Manual (explanation of current practices and procedures that have been utilized by those participating in the Property Tax Committee process). (On file with Clerk)
40. State Board of Equalization re: State Assessment Manual (description of principles and procedures used in the assessment of state-assessed property). (On file with Clerk)
41. Legal Community Against Violence re: 2000 Supplement to 1996 Local Ordinance Manual - Addressing Gun Violence through Local Ordinances, A Legal Resource Manual for California Cities and Counties. (On file with Clerk)
42. State Dept. of Health Services re: Notification of Emergency Medical Services Appropriation (EMSA) and the availability of \$22,324,000 to California Healthcare for Indigent Program counties for the reimbursement of uncompensated emergency physician services.

ADOPTED RESOLUTIONS AND ADJOURNED MEETING IN MEMORY OF BETTY MITCHELL, ALVIN HAYWOOD, AGNES MC NAMARA, JANETTE CORMAN, SISKIYOU COUNTY SUPERVISOR KAY BRYAN, LAVERNE HUNT, BURTON ELLIS, JOSEPHINE WOLFF, BRYAN "BERNIE" BURNTHORNE, SR. AND MAXINE PEREA UNTIL JANUARY 23, 2001 AT 10:00 A.M.

BOARD ORDERS - SUMMARY ACTION MINUTES – JANUARY 9, 2001

LATE AGENDA ITEM

2001-01-09 PLANNING / UC Project Office

Upon motion of Supervisor Rivero, seconded by Supervisor Crookham, duly carried, the Board finds the need, subsequent to the posting of the agenda, to take action on Planning and UC Merced Issues and places the items on the agenda for consideration.

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

Upon motion of Supervisor Rivero, seconded by Crookham, duly carried, the Board designated Assistant Director of Planning and Community Development, William A. Nicholson as "Acting Director of Planning and Community Development" and authorizes "A" level management benefits.

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

Upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2000101 with the State Department of Fish and Game for Funding of the UC planning process and environmental studies and adopts Resolution No. 2001-09.

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

ACTION ITEM NO. 32

2001-01-09 WORKFORCE INVESTMENT BOARD

Upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board appoints Michael O. Sullivan to serve as a member of PITD Workforce Investment Board representing Private Sector until June 30, 2004 replacing Jeff Braga.

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

1:30 P.M. SCHEDULED ITEM

2001-01-09 BUSINESS-ECONOMIC OPPORTUNITIES

Business-Economic Opportunities Director John Fowler states this Community Development Block Grant (CDBG) Workshop was scheduled due to Board interest on CDBG, use of CDBG funds and to select/prioritize planning and economic development projects for the funding cycles that will begin in FY 2001/2002. He submits and reviews the following:

State of California Community Development Block Grant Program establishment, purpose-national objectives, program requirements and program categories;

Housing/General Community Development – Planning/Technical Assistance Awards, eligible projects criteria and use of funds;

Housing/Community Development Awards and eligible activities under the following criteria:
Housing New Construction, Housing Acquisition, Housing Rehabilitation, Community Facilities,
Public Works and Public Services;

Housing/Community Development - General Allocation and use of funds;

Economic Development allocations – Planning/Technical Assistance and eligible projects,
use of funds, Enterprise Fund Awards and Over the Counter Awards.

Deputy Director of Planning and Community Development Leon Martinez and Business-
Economic Opportunities Director John Fowler respond to questions.

Following a lengthy discussion, the Board accepts the report to approve prioritization of
Community Development Block Grant projects and requests the information come back to the
Board for consideration.

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