



**MERCED COUNTY**  
**BOARD OF SUPERVISORS**

**SUMMARY ACTION MINUTES**

Regular Meeting  
TUESDAY, MAY 1, 2001  
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

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

9:30 A. M.

**CLOSED SESSION:** It is the intention of the Board to meet in Closed Session pursuant to Subdivision (e) of Section 54957:

PUBLIC EMPLOYEE APPOINTMENT(S)

Title: Mental Health Director

Title: Private Industry Training Director

Title: Human Services Agency Director

**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

9:30 A. M.

**CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:** It is the intention of the Board to meet in Closed Session concerning existing litigation pursuant to Subdivision (a) of Section 54956.9:  
Name of case: Pacesetters, Industries, Inc. – Bankruptcy No. 01-10110-B-7  
**THE BOARD RECONVENED AT 10:00 A.M. AND THE CHAIRMAN ADVISED DIRECTION WAS GIVEN TO STAFF**

10:00 A. M.

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**Pastor Billy Bunts – Mt. Pisgah A.M.E. Zion Church-Merced**

**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, Sandra Saxton and Ed Mitchell**

**UC MERCED PROJECT - Liaison Report**

**RECEIVED REPORT FROM UC LIAISON KATHLEEN CROOKHAM**

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

Spring Fair-\$26,000 and Risk (Self-Insurance Pool)-\$900,000

**APPROVED AS RECOMMENDED AYES: ALL**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 – 16)**

**APPROVED AS RECOMMENDED PULLING CONSENT ITEM NO. 8A FOR SEPARATE CONSIDERATION AYES: ALL**

**CONSENT NO. 8A – APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5**

**NOES: 4**

**MINUTES SUBMITTED FOR APPROVAL: MARCH 13, 20 AND 27, 2001**

**APPROVED AS RECOMMENDED AYES: ALL**

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

**ADDED AGENDA ITEM:**

**THE BOARD FINDS THE NEED, SUBSEQUENT TO THE POSTING OF THE AGENDA, TO CONSIDER A TRANSFER OF FUNDS FOR THE SPRING FAIR AYES: ALL**

**THE BOARD APPROVED AND AUTHORIZED TRANSFER OF FUNDS TO PAY NECESSARY COSTS FOR ENTERTAINMENT AT THE SPRING FAIR AND APPROVES THE NECESSARY BUDGET TRANSFER IN THE AMOUNT OF \$35,000 AYES: ALL**

10:30 A. M.

**HEALTH – PUBLIC HEARING – PROPOSED ORDINANCE, POSSIBLE ADOPTION**

An Ordinance establishing Ambulance Service Planning and Response Areas, Ambulance Service Licensing and Operations, Convalescent Transport Provider Licensing and Operations and an Ambulance Review Board (Revises Ordinance No. 1301 and Repeals and Reinstates Section 9.44 of the County Code)

**REVIEW BOARD ORDER – SEE PAGE 9 AND 10**

**APPROVED AND ADOPTED ORDINANCE NO. 1656      AYES: ALL**

**REPORTS/BOARD DIRECTION**

County Administrator  
County Counsel  
County Auditor  
Board of Supervisors Members

**LUNCH BREAK**

CONSENT CALENDAR (Items #1 – 16)

**APPROVED AS RECOMMENDED      AYES: ALL**

Budget Transfers

1. Approve Budget Transfers submitted by Spring Fair-\$6,825; Health-\$100,000 and \$171,000 and District Attorney/Family Support-\$15,000 as recommended by Administration.

Travel Requests

2. Approve Travel Requests submitted by Sheriff as recommended by Administration.

Public Works

3. Set public hearing for June 5, 2001 at 10:30 a.m. to consider a Proposal from Winton Disposal to implement a curbside yard waste collection program for unincorporated urban centers within County Solid Waste Franchise Areas 1 through 5 and consider an ordinance amendment which would increase Refuse Service Fees and Charges to offset the costs of program implementation.
4. Set public hearing for June 5, 2001 at 10:30 a.m. to consider amendments to proposed ordinance entitled User Charge Rates for Zones of Benefit, Establishing FY 2001/2002 County Service Area Number One User Charge Rates (Repeals Ordinance No. 1626).
5. Proclaim the Month of May, 2001 as “National Bike Month” in Merced County.

UC Project

6. Set public hearing for May 15, 2001 at 10:30 a.m. to consider the Regional Conservation Planning Agreement for Eastern Merced County.

Treasurer

7. Accept the Merced County Pooled Investments Report for the Quarter Ending March 31, 2001.

Administration

8. Adopt Resolution designating Merced County Arts Council to execute the 2000/2001 State-Local Partnership Program Grant.

**ADOPTED RESOLUTION NO. 2001-80**

- 8a. Appoint William Nicholson as Planning and Community Development Director effective May 7, 2001, Pay Period 10, at the fifth step of Range 78.8 and authorize the Chairman to sign the "Acknowledgment Letter of Employment Status".

**REVIEW BOARD ORDER – SEE PAGE 9**

**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOES: 4**

Board Recognition

9. Authorize Plaque for Ted and Jan Falasco for their dedication and support to the community and the Los Banos Arts Center.
10. Authorize Certificates of Recognition to individuals for their completion of the First Healthy House "Partners in Healing" Orientation Program to Western Medicine offered in Merced County. **REVIEW BOARD ORDER – SEE PAGE 9**
11. Authorize Certificates of Recognition to Lorre Freitas for 36 years and Mike Downing for 30 years of dedicated service to the Los Banos Unified School District.
12. Authorize Certificates of Recognition to Charmain Albertson and Fay Davis for their selection as 2000 Los Banos Memorial Hospital Volunteers of the Year.
13. Authorize plaque for the Groundbreaking of the Housing Authority of the County of Merced-John O'Banion Community Learning Center held on April 17, 2001.
14. Proclaim April 29, 2001 as "Old Timers Day" in Merced County

Human Services Agency

15. Approve and authorize Chairman to sign Amendment to Contract No. 10042 with Andrew Neufeld, Ph.D. for provision of psychological services testing increasing the contract amount to \$61,000 for Fiscal Year 2000-2001.

Mental Health

16. Proclaim May, 2001 as "Drug Court Month" in Merced County.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

17. Adopt Resolution authorizing Public Works Director to set bid opening dates, award and execute Road Construction Contracts.

**REVIEW BOARD ORDER – SEE PAGE 10**

**APPROVED AND ADOPTED RESOLUTION NO. 2001-81 AYES: ALL**

18. Approve plans and specifications for HVAC Replacements at Building No. 2 at Human Services Agency and authorize Public Works Director to advertise for bids, hold bid opening and return to the Board for Award of Project, if within budget and in concurrence with Counsel.

**APPROVED AS RECOMMENDED      AYES: ALL**

- ~~19.~~ Juvenile Justice Correctional Facility (JJCC) – Notification of pending Phase II Grant Award, authority to revise Phase I Construction Documents, authority to proceed with Phase II Construction documents and approve the necessary budget transfer (#072).

**PULLED – NO ACTION TAKEN**

20. Authorize Public Works-Road Commissioner to award the construction contract for the Planada T.E.A. Project to the lowest successful bidder, if within budget, and to sign said contract with the concurrence of Counsel.

**APPROVED AS RECOMMENDED      AYES: ALL**

**PUBLIC WORKS-CASTLE**

21. PULLED

22. Resolution consenting to the subleasing of property at Castle Airport Aviation and Development Center between Red Rhino Trailer Manufacturing and L&K Enterprises, Inc. dba Red Rhino Equipment Sales.

**AUTHORIZED THE CHAIRMAN TO SIGN CONTRACT NO. 200188 AND ADOPTED RESOLUTION NO. 2001-82      AYES: ALL**

23. Supplemental Lease Agreement No. 6 to Lease BCA-0L-1-95-02 between the County of Merced and the Dept. of the Air Force-Air Force Base Conversion Agency.

**APPROVED AND AUTHORIZED THE CHAIRMAN TO SIGN CONTRACT NO. 200187 AYES: ALL**

24. Castle Airport Sublease Agreement #01-06 Building #1336 and Fuel Tanks 4130 and 4131 between Merced County and Castle Knights Aviation, Inc. dba Gemini Flight Support.

**APPROVED AND AUTHORIZED THE CHAIRMAN TO SIGN CONTRACT NO. 200186 AYES: ALL**

**HEALTH**

25. Application with State Dept. of Health Services for funding under the Healthy Families/Medical for Children Outreach Program in the amount of \$586,454.

**APPROVED AS RECOMMENDED      AYES: ALL**

26. Authorize Health Director and Sheriff to solicit bids in an abbreviated manner from appropriate private vendors for the services of three Registered Nurses to augment the nursing staff of the Jail Health Program for a period of 120 days and to return to the Board with proposed contract for such services with the vendor submitting the lowest responsible bid.

**REVIEW BOARD ORDER – SEE PAGE 10**

**APPROVED AS RECOMMENDED      AYES: ALL**

## SPRING FAIR

27. Entertainment Contract for May 3, 2001 for Headliner Entertainment with Colin Raye in the amount of \$27,500.

**APPROVED AND AUTHORIZED THE CHAIRMAN TO SIGN CONTRACT NO. 200184**

**AYES: ALL**

28. Entertainment Contract for May 4, 2001 for Headliner Entertainment with Joan Jett and Blackhearts Records, Inc. in the amount of \$20,000.

**APPROVED AND AUTHORIZED THE CHAIRMAN TO SIGN CONTRACT NO. 200185**

**AYES: ALL**

## ADMINISTRATION

29. Authorize non-aligned Extra Help Student Intern, \$7.68/hour to Information Systems.

**APPROVED AND ADOPTED RESOLUTION NO. 2001-83**                      **AYES: ALL**

30. Approve modifications to the minimum qualifications of the Auditor I and Accountant I job specifications.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

31. Resolution adopting a prioritization of criteria to guide and define how redistricting alternative plans will be designed and to establish Redistricting criteria for the redistricting of the Board of Supervisors districts.

**APPROVED AND ADOPTED RESOLUTION NO. 2001-84**                      **AYES: ALL**

32. Consideration of options for Sheriff's Department Management pending election of the next Sheriff.

**REVIEW BOARD ORDER – SEE PAGES 11 AND 12**

**APPOINTED GARY CARLSON AS SHERIFF**                      **AYES: ALL**

## AUDITOR

33. Approve a Loan in the amount of \$150,000 to the Merced County Spring Fair to operate the Fair and Junior Livestock Auction, loan will be for period of May 1, 2001 through October 1, 2001 and will bear an interest rate equal to the Treasury rate of approximately 6% on the unpaid balance per annum.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

## SHERIFF

34. Approve Correctional Officer Nycole Murane be promoted to Correctional Officer II effective Pay Period 23, 2000 and authorize Auditor's Adjustment to accomplish promotion.

**APPROVED AS RECOMMENDED**                      **AYES: ALL**

## BUSINESS-ECONOMIC OPPORTUNITIES

35. Award of Architectural/Engineering Contract to Golden State Utility Company to design the telecommunications phase of the EDA Project at Castle, authorize Public Works Director to

negotiate and sign contract document for a total fee not to exceed \$222,000 after review by Counsel and approve necessary budget transfer (#071).

**APPROVED AND AUTHORIZED THE CHAIRMAN TO SIGN CONTRACT NO. 200190**

**AYES: ALL**

36. Request for Joint Venture Proposal FOCUS Proposal Contract Approval.

**REVIEW BOARD ORDER – SEE PAGE 12**

**APPROVED AND AUTHORIZED THE CHAIRMAN TO SIGN CONTRACT NO. 200101**

**AS RECOMMENDED AYES: ALL**

#### **BOARD OF SUPERVISORS**

37. Arts Council – Strategic Planning process - Five Year Plan.

**REVIEW BOARD ORDER – SEE PAGE 12 AND 13**

**RECEIVED REPORT PRESENT: ALL**

#### **APPOINTMENTS**

38. Board of Supervisors re: Committees/Commissions and Board Recommendations.

#### **BOARD INFORMATION AND POSSIBLE ACTION**

**ACCEPTED AND PLACED ON FILE AYES: ALL**

39. Invitation to attend the East Merced Watershed Tour set for May 16, 2001, 8:30 a.m. – 3 p.m. Tour provided by a 319(h) Grant and the following co-sponsors: East Merced Resource Conservation District, CARD, San Joaquin Valley Conservancy, Merced River Corridor Restoration Plan Stakeholder's Group, Merced River Educational Initiative, Wild on Watersheds, US Fish & Wildlife and Calif. Dept. of Fish & Game.
40. Grassland Water District re: 2001 Annual Plan and 200 Annual Report.
41. Senator Wesley Chesbro re: Request for support of SB 381.
42. Calif. State Board of Equalization re: San Luis Obispo County Assessment Practices Survey.
43. State Dept. of Wildlife Conservation Board re: Notification of request from California Waterfowl Association to consider an allocation for a grant to CWA for a cooperative project with CWA, the Dept. of Fish and Game and the Board to restore 305+/- acres of wetland wildlife habitat on the Department's Gadwall Unit of the North Grasslands Wildlife Area one mile east of the City of Los Banos set for May 18, 2001 WCB Meeting.
44. State Dept. of Wildlife Conservation Board re: Notification of request from Ducks Unlimited, Inc. to consider an allocation for a grant to Ducks Unlimited, Inc. (DU) for a cooperative project with DU, the landowners, the Dept. of Fish and Game and the Board to enhance approximately 2,000 acres of seasonal wetland and upland habitats and restore more than four miles of slough channels on privately-owned property located approximately 15 miles southwest of the City of Merced in Merced County set for May 18, 2001 WCB Meeting.

45. State Dept. of Wildlife Conservation Board re: Notification of request from Department of Fish and Game to consider an allocation for a grant to Ducks Unlimited, Inc. to restore and enhance riparian habitat on three private hunting clubs located approximately six miles southeast of the town of Los Banos in Merced County set for May 18, 2001 WCB Meeting.
46. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer of up to 1,905 acre-feet of water to areas within the North Bay Aqueduct (NBA) Service Area, Contra Costa Water District Service Area, State Water Project Service Area and Central Valley Project Service Area under Natomas Central Mutual Water Company's Licenses 2814 and 3109 (Applications 1056 and 1203).
47. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer of up to 5,475 acre-feet of water to areas within the North Bay Aqueduct, Contra Costa Water District, State Water Project and Central Valley Project Service Areas under Reclamation District 108's License 3066 (Application 763).
48. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer of up to 2,454 acre-feet of water to areas within the North Bay Aqueduct, Contra Costa Water District, State Water Project and Central Valley Project Service Areas under Sutter Mutual Water Company's License 8547A (Application 12470A).

**ADOPTED RESOLUTIONS AND ADJOURNED MEETING IN MEMORY OF ROLAND BROOKS AND BAMBI BENABENTE UNTIL TUESDAY, MAY 15, 2001 AT 10:00 A.M.**



**BOARD ORDERS – SUMMARY ACTION MINTUES – MAY 1, 2001**

**CONSENT ITEM NO. 8a**

**2001-05-01 ADMINISTRATION / PLANNING**

Supervisor O'Banion moves, seconded by Supervisor Crookham, the Board appoint William Nicholson as the Planning and Community Development Director effective May 2, 2001, Pay Period 10, Range 78.2, Step 5 and authorize the Chairman to sign the "Acknowledgment Letter of Employment Status".

Supervisor Kelsey expresses concern with the permanent appointment at this time stating duties have shifted in this department and there are less responsibilities to be performed with this new appointment. She further states in the best interest of her constituents and district, she cannot support this appointment.

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

Motion carries.

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

Noes: Kelsey

**CONSENT ITEM NO. 10**

**2001-05-01 BOARD RECOGNITION**

Upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board authorizes Certificates of Recognition to the following for completion of the First Healthy House " Partner in Healing" Orientation Program to Western Medicine Offered in Merced County: Chong Ma Lee, Va Meng Lee, Yee Lee, Xeng Koua Moua, Vang Neng Moua, Khai Vang, Ma Vue and Boua Seng Xiong.

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

**10:30 AM. SCHEDULED ITEM**

**2001-05-01 HEALTH – Public Hearing**

The time and date previously set for a public hearing to consider An Ordinance establishing Ambulance Service Planning and Response Areas, Ambulance Service Licensing and Operations, Convalescent Transport Provider Licensing and Operations and an Ambulance Review Board (Revises Ordinance No. 1301 and Repeals and Reinstates Section 9.44 of the County Code) submitted by the Health Department.

Public Health Director Michael Ford states this proposal addresses the Emergency Medical Services (EMS) changes to comply with State Statute.

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

Upon motion of Supervisor Rivero, seconded by Supervisor Crookham, duly carried, the Board waives further reading and adopts Ordinance No. 1656.  
Ayes: Cortez Keene, Crookham, Rivero, Kelsey, O'Banion

**ACTION ITEM NO. 17**  
**2001-05-01 PUBLIC WORKS**

Following discussion, Supervisor O'Banion moves, seconded by Supervisor Rivero, the Board authorize the Public Works Director to set bid opening dates, award and execute road construction contracts which are within previously budgeted limits and adopts Resolution No. 2001-81.

County Counsel Dennis Myers states, for the record, adoption of this Resolution will relinquish Board authority to sign the road construction contracts and will delegate the authority to the Public Works Director.

Public Works Director Paul Fillebrown reviews the bid opening process and the Public Contracts Code performance of such a project stating the authority will significantly expedite the contract delivery process and reduce the possibility of losing funding.

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

**ACTION ITEM NO. 26**  
**2001-05-01 HEALTH**

Supervisor Crookham moves, seconded by Supervisor Kelsey, the Board authorize the Health Director and the Sheriff, in coordination with County Counsel and General Services, to solicit bids in an abbreviated manner from appropriate private vendors for the services of three FTE Registered Nurses to augment the nursing staff of the Jail Health Program for a period of 120 days and to return to the Board with a proposed contract for such services with the vendor submitting the lowest responsible bid.

Public Health Director Michael Ford advises the abbreviated manner is needed to address the immediate issue but a Request for Proposal (RFP) is being prepared for future Board consideration due to the continuing problem of nurse shortages.

Sheriff Tom Sawyer states he has worked closely with Mr. Ford and there has been an over abundance of funds spent on recruitment due to the shortage of nurses.

The Chairman calls for a Vote on the Motion.

Motion carries.  
Ayes: Cortez Keene, Crookham, Rivero, Kelsey, O'Banion

**ACTION ITEM NO. 32**  
**2001-05-01 SHERIFF**

The Chairman advises consideration of options for Sheriff's Department Management is before the Board for discussion based on the resignation of the Sheriff before the end of his term and pending election of the next Sheriff. The Chairman asks if there is anyone who would like to speak.

The following speak: IEMC Representative Darryl Rusk, Donna Crowder, Sandra Kay Saxton and Bridgette Sanford.

Supervisor O'Banion states it is difficult to make an appointment when so many current individuals in the department want to be considered for this position. Therefore, he states he supports going on the outside of the department on an interim basis and would support the appointment of Jerry Brockman.

Supervisor O'Banion moves, seconded by Supervisor Rivero, to appoint Jerry Brockman to serve in capacity as Sheriff on an interim basis.

Supervisor Rivero states he cannot support the motion and is against having anyone from the outside of the department managing the department.

Supervisor Kelsey expresses concern requesting full information to make a sound choice. She suggests Acting County Administrator Dee Tatum meet with individuals interested in serving in this capacity and define the criteria by which the Board will make the appointment.

Supervisor Crookham requests additional information on the next in command at the Sheriff's office and the legal parameters of the appointment process.

County Counsel Dennis Myers states there is an Attorney General opinion concluding there is no authority to appoint an interim Sheriff, the only authority is to appoint a Sheriff. He further states if you do nothing, the next person in line would be the next person in line to assume and work in this capacity and you may appoint at any time.

Jerry Brockman appears before the Board and states at the end of the contractual agreement he will not run for election and will step down as soon as the Sheriff is elected.

The Board discusses the potential candidates, qualifications, an interim time period and a possible separate special meeting.

The Chairman calls for a Vote on the Motion. The Clerk takes Roll Call Vote.

Motion fails.

Ayes: O'Banion, Crookham,

Noes: Cortez Keene, Rivero, Kelsey

Following further discussion, Supervisor Kelsey moves, to continue the Board Meeting to Friday, May 4, 2001, and requests Acting County Administrator Dee Tatum compile a list and receive written statements from the individuals interested in serving as the Interim Sheriff until the next election.

Supervisor Rivero seconds the motion, further requesting the individuals interested in serving be available to have an interview with the Board.

Supervisor Kelsey states the Original Motion made was not to include an interview situation but only to solicit names and letters of interest from individuals that were interested in serving.

The Chairman calls for a Vote on the Motion. The motion dies for lack of second.

Ayes: Kelsey

Noes: Cortez Keene, Crookham, Rivero, O'Banion

Following further discussion, Supervisor O'Banion moves, seconded by Supervisor Crookham, the Board appoint Gary Carlson to serve as Sheriff with the stipulation at the end of the contractual agreement he will not run for election and will step down as soon as the Sheriff is elected; said Appointment is to be effective May 5, 2001 at 12:01 a.m.

Following discussion, the Chairman calls for a Vote on the Motion. The Clerk takes a Roll Call Vote.

Motion carries.

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

### **ACTION ITEM NO. 36**

#### **2001-05-01 BUSINESS-ECONOMIC OPPORTUNITIES**

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board approves a Request for Joint Venture Proposal (RFJVP) No. 5658 Contract Award for Categories A. 1-5 to Remedy Corporation, Finds that based on evidence in the record that the provisions of the special services described in the proposed contracts will not adversely impact the provision of similar services by private sector companies or individuals within the County, approves and authorizes the Chairman to sign Contract No. 200191, authorizes the Chairman to sign FOCUS Contract Award Announcement Letter for Remedy Corporation and authorize General Services to utilize such services/products as defined under this FOCUS contract, or any other County FOCUS contract offering similar services/products, when in the best interest of the County, without the necessity for any further bid process.

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

### **ACTION ITEM NO. 37**

#### **2001-05-01 BOARD OF SUPERVISORS**

Executive Director of the Merced County Regional Arts Council Joan Sortini appears before the Board and states the Arts Council is currently working on the Strategic Planning process for the next five years. She states the Arts Council is very interested in the Board's input on what the role of the Arts Council is in the communities of the County of Merced. She introduces the planning committee and submits the California Arts Council campaign information to increase public awareness of the arts.

The Board responds as follows:

Supervisor Crookham speaks in support of community activities,

Supervisor Rivero speaks in support of arts in the schools,

Supervisor Kelsey speaks in support of the display of art work in our office environment or the County Administration Building,

Supervisor O'Banion speaks in support of promotion of arts in individual communities or unincorporated areas, and

Supervisor Cortez Keene speaks in support of hands on projects with kids to allow full participation for children that would not be exposed to arts and requests the Arts Council plan for a cooperative efforts of communities, cities and the county to set aside funds for art projects.

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