



MERCED COUNTY
BOARD OF SUPERVISORS

SUMMARY ACTION MINUTES

Regular Meeting
TUESDAY, MAY 22, 2001
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

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

9:00 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 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 and Merced County Sheriff Employee Association (MCSEA), Unit 2

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

PLEDGE OF ALLEGIANCE

INVOCATION

Pastor Nathan Ogan – Calvary Baptist Church-Los Banos

PROCLAMATION – May, 2001 as “FOSTER CARE MONTH”

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)

REVIEW BOARD ORDER – SEE PAGE 10

The following speak: Les McCabe and Fred Patterson

UC MERCED PROJECT - Liaison Report

RECEIVED REPORT FROM UC LIAISON KATHLEEN CROOKHAM

BUDGET TRANSFERS FROM REVENUE (4/5 Vote Required)

Human Services Agency - \$610,510 (#H16), \$53,400 (#H15), \$60,000 (#H20); Private Industry Training Department (5) - \$13,750, \$26,750, \$89,649, \$78,547, \$720,700, PW-Castle - \$25,000 (#075)

APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 – 29b)

APPROVED AS RECOMMENDED AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

ADDED AGENDA ITEM:

REVIEW BOARD ORDER – SEE PAGE 12

THE BOARD FINDS THE NEED, SUBSEQUENT TO THE POSTING OF THE AGENDA, TO CONSIDER STATE FAIR EXHIBIT, BUDGET TRANSFER FOR RISK MANAGEMENT AND CASTLE PRELIMINARY DEVELOPMENT STRATEGY FOR POSSIBLE ACTION AYES: ALL

- 1. THE BOARD AUTHORIZED THE CHAIRMAN TO SIGN THE CALIF. STATE FAIR COUNTIES EXHIBIT ENTRY FORM DESIGNATING JOSEPH AND DIANA WESTMORELAND PEDROZO AS THE EXHIBIT REPRESENTATIVES FOR THE MERCED COUNTY EXHIBIT AT THE STATE FAIR AYES: ALL**
- 2. THE BOARD APPROVED THE BUDGET TRANSFER IN THE AMOUNT OF \$1.6 MILLION TO PAY THE NECESSARY COSTS FOR HEALTH CARE INSURANCE PREMIUMS AS SUBMITTED BY RISK MANAGEMENT. AYES: ALL**
- 3. THE BOARD APPROVED THE RECOMMENDATION SUBMITTED FOR THE CASTLE PRELIMINARY DEVELOPMENT STRATEGY AYES: ALL**

10:30 A. M.

UC MERCED OFFICE – CONTINUED PUBLIC HEARING

To consider Planning Agreement to prepare a Natural Communities Conservation Plan (NCCP) and Habitat Conservation Plan (HCP) in Eastern Merced County and authorize development of an RFP to identify the appropriate consultants to prepare the HCP/NCCP

REVIEW BOARD ORDER – SEE PAGE 13, 14 AND 15

APPROVED RECOMMENDATION AYES: 1, 2, 3, 5 NOES: 4

PRESENTATION – REDISTRICTING PROJECT

By Special Counsel Marguerite Mary Leoni and Demographer R. Anthony Sissons

REVIEW BOARD ORDER – SEE PAGE 15

HELD OVER UNTIL LATER IN THE DAY TO COINCIDE WITH THE 2:00 P.M. ADMINISTRATIVE PRACTICES SESSION

REPORTS/BOARD DIRECTION

County Administrator
County Counsel
County Auditor
Board of Supervisors Members

LUNCH BREAK

2:00 P. M.

**ADMINISTRATIVE PRACTICES SESSION
FORUM ON REDISTRICTING**

CONSENT CALENDAR (Items #1 – 29b)

APPROVED AS RECOMMENDED AYES: ALL

Budget Transfers

1. Approve Budget Transfers submitted by Human Services Agency-\$1,320 (#H18), \$85,000 (#H19) and Mental Health-\$3,000 as recommended by Administration.

Public Works

2. Authorize Merced Animal Rescue Foundation to use Courthouse Park on May 26, June 16 and July 7, 2001 for At-Cost Vaccination Shots for cats and dogs subject to providing liability insurance in the amount determined by Risk Management and the rental of portable restroom units (if determined necessary) at no cost to the County of Merced.

Overhires

3. Authorize extension of Overhire of an Appraiser I/II/III (Position No. 14) for a Limited Term Appointment of an additional 60 days in the Assessor's Office.
4. Authorize Overhire of Ombudsman Program Manager (Position No. 8) for five pay periods to begin May 21, 2001 in Human Services Agency.

Tax Collector

5. Grant the Tax Collector Relief of Shortages in the amount of \$60.00 and authorize replenishment in the amount of \$60.00.

Health

6. Approve and authorize Chairman to sign Amendment to Contract No. 99246 with State EMS Authority for extension of development of an EMS for Children Project to December 31, 2001.
7. Approve and authorize Chairman to sign Amendment to Contract No. 10268 with Memorial Medical Center for Major Trauma Patient Receiving Center designation.
8. Approve and authorize Chairman to sign Amendment to Contract No. 7266 with State Office of AIDS for AIDS/HIV related grant funded projects reimbursement to the County in the amount of \$26,969 for Fiscal Year 1999/2000.

Ag. Commissioner

9. Approve and authorize Ag. Commissioner to sign Contract No. 7654 with State Dept. of Consumer Affairs–Structural Pest Control Board to administer their written Certified Applicator examinations for the benefit of individuals being examined in our area for Fiscal Year 2001/2002 and authorize Ag. Commissioner to sign subsequent amendments until FY 2005/2006.
10. Approve and authorize Ag. Commissioner to sign Renewal Contract No. 6777 with Calif. Dept. of Boating and Waterways for Water Hyacinth Treatment and Control Program on the Merced and San Joaquin Rivers.

Mental Health

11. Adopt Resolution amending Salary from \$70.00 to \$72.00/per hour and authorize Chairman to sign Renewal Contract No. 2000131 with Dr. Thuy Huynh for provision of psychiatric services for a maximum amount \$145,600 for Fiscal Year 2001/2002.

ADOPTED RESOLUTION NO. 2001-94

12. Adopt Resolution amending Salary from \$68.00 to \$70.00/per hour and authorize Chairman to sign Renewal Contract No. 10234 with Dr. Isabel Sarinas-Manuel for provision of psychiatric services in the maximum amount of \$146,400 for Fiscal Year 2001/2002.

ADOPTED RESOLUTION NO. 2001-95

13. Adopt Resolution amending Salary from \$77.00 to \$79.00/per hour and authorize Chairman to sign Renewal Contract No. 9436 with Dr. Edward Benton for provision of psychiatric services in the maximum amount of \$164,920 for Fiscal Year 2001/2002.

ADOPTED RESOLUTION NO. 2001-96

14. Adopt Resolution amending Salary from \$76.00 to \$78.00/per hour and authorize Chairman to sign Renewal Contract No. 9279 with Dr. Laura Georgina Valdovinos for provision of psychiatric services in the maximum amount of \$180,512 for Fiscal Year 2001/2002.

ADOPTED RESOLUTION NO. 2001-97

15. Adopt Resolution amending Salary from \$74.00 to \$76.00/per hour and authorize Chairman to sign Renewal Contract No. 9892 with Dr. Manuela Fernandez for provision of psychiatric services in the maximum amount of \$158,880 for Fiscal Year 2001/2002.

ADOPTED RESOLUTION NO. 2001-98

16. Adopt Resolution amending Salary from \$87.00 to \$90.00/per hour and authorize Chairman to sign Renewal Contract No. 7852 with Dr. Maria Daisy Illano for provision of psychiatric services in the maximum amount of \$252,000 for Fiscal Year 2001/2002.

ADOPTED RESOLUTION NO. 2001-99

17. Approve and authorize Chairman to sign Renewal Contract No. 99098 with Rebekah Children's Services for availability to a subacute residential treatment home for seriously emotionally disturbed children in the maximum amount of \$40,000 for Fiscal Year 2001/2002.

Private Industry Training Department

18. Approve and authorize Chairman to sign Amendment to Contract No. 2000151 with Merced College clarifying contract changes for Building Trades Pre-Apprentice Skills Training for WIA participants.

Human Services Agency

19. Approve and authorize Chairman to sign Amendment to Contract No. 200109 with PITD in collaboration with Merced County for Employment Training Services to Welfare to Work eligible participants extending the six month period to January 1, 2001 through December 31, 2001.

20. Approve and authorize Chairman to sign Extension to Contract No. 9440 with Information Systems for Intra County Electronic Data Processing services.

21. Approve and authorize Chairman to sign Renewal Contract No. 10036 with State Dept. of Rehabilitation for provision of vocational rehabilitation services to mutual CalWORKs Employment and Training participants in the amount of \$65,037 for the period of July 1, 2001 to June 30, 2002 and authorize the Human Services Agency Director to sign subsequent amendments within contract budget.

ADOPTED RESOLUTION NO. 2001-100

22. Approve and authorize Chairman to sign Amendment to Contract No. 200135 with PITD for extension of time from February 1, 2001 through December 31, 2001 to prevent a lapse in services pending reallocation of the State Welfare-to-Work match dollars for eligible convicted felons who are on probation and are non-custodial parents.

23. Approve and authorize Chairman to sign Amendment to Contract No. 200157 with PITD for extension of time from February through December 31, 2001 to prevent a lapse in services pending reallocation of the State Welfare-to-Work match dollars for removal of tattoos that present a significant barrier to employment.

24. Approve and authorize Chairman to sign Renewal Contract No. 10018 with Health Department for coordination, tracking and reporting on immunizations required by CalWORKs legislation for program participants and authorize the Human Services Agency Director to sign subsequent amendments within contract budget.

Board Recognition

25. Authorize Certificates of Recognition to individuals selected for the Merced County Regional Occupation Program 2001 Merit Award Medalists.

REVIEW BOARD ORDER – SEE PAGE 10 AND 11

26. Authorize Certificates of Recognition to Jobs for California Graduates of Merced County in the areas of Community Service, Research Paper, Employment Test, Posters, General Interview, Portfolio, Decision Making, Chapter Display, Vocational Interview, Public Speaking and Top Community Service School.

REVIEW BOARD ORDER – SEE PAGE 11

27. Authorize Certificates of Recognition to individuals selected by the Hispanic Chamber of Commerce for outstanding 2000 service to the community as follows:

Nellie McGarry - Hispanic Woman of the Year; Dr. Benjamin Duran - Hispanic Man of the Year; Yosemite Harley Davidson - Hispanic Chamber Business of the Year; Mercy Hospital and Health Services - Hispanic Chamber Member of the Year; and Crystal Benevidez, Claudia Llamas, Patricia Rameriz, Alba Navarette, Alma Huerta, and Yira Lara – Cynthia Garcia Leadership Institute Inaugural Class.

28. Authorize Certificates of Recognition to 2000 Dispatchers of the Year as follows: Diane Goins – Sheriff; Wilma Edwards - Los Banos Police Department; Leslie Day - California Dept. of Forestry; Kathy Mathis - Merced Police Department and George Fowler - Atwater Police Department.

Sheriff

29. Set public hearing for June 19, 2001 at 10:30 a.m. to consider An Ordinance to Amend the Criminal Justice Administrative Fee for FY 2001/02 (Amends Ordinance No. 1525).

Business-Economic Opportunities

29a. Set public hearing for June 5, 2001 at 10:30 a.m. to consider a new entrepreneurial activity which will assist businesses in accessing California Employment Training Panel funds.

Board of Supervisors

29b. Set public hearing for June 19, 2001 at 10:30 a.m. to consider an Appeal submitted by Calvary Temple Church to Staff Determination of permitted use in the Castle Airport Compatibility Zone B2.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

30. Authorize submission of Bicycle Transportation Account Grant Application to Caltrans for repair of a portion of the Bear Creek Bike Path.

APPROVED AND ADOPTED RESOLUTION NO. 2001-101 AYES: ALL

31. Approve plans and specifications for Mental Health Facility Additional Parking Lot and authorize competitive bids by Public Works.

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

32. Adopt Resolution authorizing Chairman signature on the Solid Waste Enforcement Grant Application in the amount of \$20,000 for FY 2001/02.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 7825 AND ADOPTED RESOLUTION NO. 2001-102 AYES: ALL

AG. COMMISSION

33. Contract with Calif. Dept. of Food and Agriculture for Inspection Services in the Fruit and Vegetable Standardization Program in the amount of \$13,680 for Fiscal Year 2001/2002.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001105

AYES: ALL

34. Contract with Calif. Dept. of Food and Agricultural for Northern San Joaquin Valley Weed Management Area Integrated Weed Management Plan for Merced County and approve the necessary budget transfers in the total amount of \$30,666 for the period of February 1, 2001 through December 31, 2001.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001106

AYES: ALL

DISTRICT ATTORNEY

35. Resolution and Certificate of Assurance of Compliance authorizing the District Attorney to submit Grant proposal to Office of Criminal Justice Planning for participation in the Anti-Drug Abuse Enforcement Program.

ADOPTED RESOLUTION NO. 2001-103 AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 9113 AYES: ALL

SHERIFF

36. Approve surplus bricks currently maintained at the Correctional Facility be utilized as a buffer wall to preclude soil erosion around the evaporative ponds located at the Facility.

PULLED – NO ACTION TAKEN

BUSINESS-ECONOMIC OPPORTUNITIES

37. Authorize release of Request for Proposal to identify a qualified bilingual business development counselor and authorize staff to select the most qualified respondent and develop contract, with said contract to not exceed \$25,000 per year understanding the contract will come back to the Board for final approval.

APPROVED AS RECOMMENDED AYES: ALL

ADMINISTRATION

38. Authorize aligned Extra Help Typist Clerk I/II, \$7.72-8.51/hour to Planning and Community Development.

APPROVED AND ADOPTED RESOLUTION NO. 2001-104 AYES: ALL

39. Appoint Troy Fox as Director of Mental Health at Range 80.0, Step 5, effective May 21, 2001 and authorize the Chairman to sign Acknowledgement Letter of Employment Status.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 ABSTAINS: 4
40. Accept Letter of thanks and Certificate of Appreciation for continuing support of the U.S. Air Force Reserve and the National Guard.
APPROVED AS RECOMMENDED AYES: ALL

APPOINTMENTS

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

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE WITH SEPARATE ACTION TAKEN FOR INFO ITEMS #44A, 55 AND 57 AYES: ALL

42. Human Services Agency re: Report of Persons Receiving Assistance for February and March, 2001.
43. County of Santa Cruz re: Request to consider elimination of MTBE-Gasoline in Fleet Services.
44. NACo re: Membership on NACo Steering Committees for 2001-02.
- 44a. NACo re: Voting Credentials – 2001 Annual Conference - Designation of Voting Delegate and Alternate(s) authorized to pick up county’s voting materials.

REVIEW BOARD ORDER – SEE PAGE 15

DESIGNATED SUPERVISOR CORTEZ KEENE AS THE VOTING DELEGATE AT THE NACo ANNUAL CONFERENCE

45. Great Valley Center re: Notification of award of Rural E-commerce Grant from Calif. Technology, Trade and Commerce Agency and request for contact person for San Joaquin Valley ACCESS (Advanced Communications Connectivity for E-Commerce Strategy Success) which will help communities in the counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare.
46. American’s Promise-The Alliance for Youth re: NACo’s announcement of partnership with America’s Promise.
47. Verizon Wireless re: Notification Letter for CPUC Cell Site Report for Snelling – California – RSA No. 4 Limited Partnership.
48. CSAC re: Field Test of Emergency Notification System – for local, state and federal governments set for May 24, 2001.
49. State Dept. of Mental Health re: Maternal and Child Health (MCH) Allocation Augmentation – Adolescent Family Life Program Augmentation and Adolescent Sibling Pregnancy Prevention Program.

50. U.S. Dept. of Interior re: Notice of the Re-Opening of the Comment Period for the Sacramento Splittail.
51. Calif. Regional Water Quality Control Board re: Unpermitted Discharge from Merced Swim Tank, Merced, Merced County.
- 51a. Merced Swim Tank re: Letter of response to Calif. Regional Water Quality Control Board.
52. Calif. State Board of Equalization re: Mendocino County Assessment Practices Survey – April 2001.
53. Calif. Dept. of Mental Health re: One-to-One Mental Health Services. (On file with Clerk)
54. Merced County Office of Education re: Request for Board support of the plan developed by Merced County Digital Television Cable Planning Committee of document “Request to Government Franchising Agencies for Access to Cable Services”.
55. Law Offices of Hargrove & Costanzo re: City of Dos Palos – Resolution 1965 – Request for Board to reconsider decision of Notice of Sale of Defaulted Property setting sale date of May 24, 2001.
REVIEW BOARD ORDER – SEE PAGE 16
56. Regional Council of Rural Counties re: Request for a mounted county seal from each of the member counties to be placed in conference room at new RCRC offices.
57. Vita-Bella Group Homes, Inc. re: Request for letter of support of Vita-Bella Group Homes, Inc.
REVIEW BOARD ORDER – SEE PAGE 16

THE MEETING IS ADJOURNED UNTIL TUESDAY, JUNE 5, 2001 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – MAY 22, 2001

10:00 A.M. SCHEDULED ITEM 2001-05-22 PUBLIC OPPORTUNITY

Les McCabe, Merced resident, submits a document entitled U.S. EPA Comments on the Draft Comprehensive Alternatives Analysis on the UC Merced Campus and Community Project and reviews the document for the Board.

Fred Patterson, speaking on behalf of Shred It Company, appears before the Board and demonstrates the shredder and its features and requests the Board reject all bids before them relative to bid opening acquisitions. Chairman Cortez Keene refers Mr. Patterson to Acting County Administrator Dee Tatum.

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

CONSENT ITEM NO. 25 2001-05-22 BOARD RECOGNITION

Upon motion of Supervisor Crookham seconded by Supervisor Rivero, duly carried, the Board authorizes Certificates of Recognition to individuals selected for the Merced County Regional Occupation Program 2001 Merit Award Medalists as follows:

Chowchilla High School: Simranjeet Brar (Power Equipment Tech), Julie Dill (Computers in Ag.), Rafael Rocha (Power Equipment) and Tiffany Zurilgen (Computers in Ag.); **Delhi High School:** Justin Elkins (Auto Services); **Dos Palos High School:** Dayanara Espinoza (Career Planning), Thomas J. Hardelsty (Auto Services), Erika Marin (Marketing Occupations), Lucia Navarro (Career Planning), Cortney Shaeffer (Auto Services) and Cole Strickland (Computer Maintenance & Repair); **Gustine High School:** Sara Gonzales (Career Planning); **Los Banos High School:** Vanessa Alderete (Business Occupations), Lindsay Cascia (Advisory Ag. Science), Raeanne Cooks (Business Occupations), Melissa Estep (Business Occupations), Manuel Gomes (Advisory Ag. Science), Selena Gutierrez (Business Occupations), Gabriela Heredia (Marketing Occupations), Miguel Hernandez (Career Planning), Amy Hunter (Business Occupations), Dustin Kentzell (Microcomputer Accounting); Mallory McDonald (Business Occupations), Amber Ortiz (Business Occupations), Jason Perry (Ag. Business Management), Megan Silva (Ag. Business Manager), Jovan Solis (Business Occupations), Manuel Villanueva (Computer Aided Drafting); **Livingston High School:** Ashley L. Bates (Ornamental Horticulture), Mark Cruz (Landscape Gardening), Maria Guadalupe Bautista, Carol Roseann Correa, Marisela Duran, Kecia Davon Moore, Terrence Nutt, Petra Tinoco and Frances Zuniga (Computer/Office Technician); **Hilmar High School:** Frank Maciel (Marketing Occupations), Desiree Minjares, Kartie Rocha and Tiffany Thomas (Occupations with Children); **Independence High School:** Julie Ortiz (Graphic Arts); **Le Grand High School:** Adriana Elena Barnum, Fedilcruz De Flores, Mariela Gonzalez, Genevieve Lua, Diana Pantoja (Career Planning); **Valley Community School:** Michael Aguilar and Angel Calderon (Landscape Gardening), Jessica Freeman and Lindsay Spitsbuerg (Career Planning) and Ramar Turner (Computer Maintenance and Repair); **Atwater High School:** Katie Arnold (Ag Leadership/Technician), Brenton Bento (Marketing Services), Justin L. Cheek (Computerized Drafting), Meggie Fagundes (Ag. Leadership/Tech), Cassie Gunter (Business Occupations), Kamaljit Kaur (Health Occupations), Kue Lor (Ornamental Horticulture), Ernesto Robles Melendez

(Marketing Services), Chris Migliazzo, John Lawrence Migliazzo, Chris Morrow (Welding Technology), Desiree Neil (Graphic Arts), Kelly L. Nickel (Health Occupations), Adriana Rocha (Marketing Occupations), Jon Schnidt (Welding Technology), Angelica Vargas (Toddler/Infant Care), Emily Williams (Health Occupations) and Desiree Zachary (Business Occupations); **Golden Valley High School:** Karla Avina (Careers in Toddler/Infant Care), Melinda Azevedo (Ornamental Horticulture), Matthew Bernard and Steve Cavazos (Welding Technology); Dawn Daniels (Ag. Sales and Services), Angela Devine (Toddler/Infant Care), Michelle Fagundes (Occupations with Children), Vincent Fillebrown (Marketing Services), Amanda Gipe (Ag. Leadership/Technician), Jennifer Gonzales (Career Planning), Yer Her (Business Occupations), Zang Her (Computer Maintenance & Repair), Marshall Hoopes (Diesel Ag. Equipment Mechanics), Matt Johnson (Business Occupations), Dominico Johnston (Computer Maintenance and Repair), Claudia Llamas (Business Occupations), Sarah Machado (Ornamental Horticulture), Elizabeth Mills (Advanced Ag Science), Alice Moua and Jenny Moua (Marketing Occupations), Bryan Tyler Parker (Auto Services), Janell Pearson (Ornamental Horticulture), Carmen Rodriguez (Career Planning), Tera Thow and Angie Vang (Marketing Occupations), Chai Vang (Occupations with Children), Muy Chessey Vue (Graphic Arts), Mai Y. Xiong (Computerized Drafting), Mark Xiong (Auto Services), Seng Xiong and Shoua Xiong (Marketing Occupations); **Merced High School:** Ofelia Bejar (Business Occupations), Pamela Benitez (Marketing Occupations), Daisy Cardoso (Business Occupations), Daryl Cox (Computer Maintenance and Repair); Alondra Flores (Graphic Arts), Erika Guzman (Career Planning), Aleatrice Harper (Marketing Services), Neil Heinmiller (Ag. Construction and Maintenance), Elisa Kleitman (Careers in Education), Santos Larios (Landscape Gardenings), Rafael Montoya (Auto Body), Amanda Morel (Career Planning), Fey Saechao (Graphic Arts), Steven Smith (Marketing Occupations), David Souza (Ag. Construction and Maintenance), Mai Vang (Marketing Occupations), May Vang (Graphic Arts) and Devvie Xiong (Creative Design/Merchandising).

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

CONSENT ITEM NO. 26

2001-05-22 BOARD RECOGNITION

Upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board authorizes Certificates of Recognition to the Jobs for California Graduates of Merced County as follows:

Community Service Awards – Feng Xiong, Monica Garcia, Leticia Martinez, Ludivina Martinez and Adriana Barnum; **Employment Test** - Karina Macias, Amy Blaisdell, Jose Maciel, Victor Flores and Michael Goularte; **General Interview** – Diana Pantoja, Alicia Fulguim, Jennifer Espinoza, Alex Renteria and Viviana Garcia; **Decision Making** – Ludivina Martinez, Nicole Nichols, Nicole Madril, Harold Jones and Fernando Cortez; **Vocational Interview** – Alma Huerta, Minerva Meza, Matt Heumark, Robert Salas and Francisco Torres; **Top School for Community Service** – Le Grand High School; **Research Paper** Roenn Boney, Derik Miller, Mariela Gonzalez, Jessica Wolfsen and Claudia Martinez; **Posters** Eduardo Lupian, Vincent Ruez, Jessica Sanchez, Javier Murillo, William Curl and Lisa Fuentes; **Portfolio** Lisa Thao, Miguel Hernandez, Farm Saetern, Tony Carrillo and Katie Wortman; **Chapter Display** – Le Grand High School, Dos Palos High School, Pioneer High School, Los Banos High School and Gustine High School; **Public Speaking** Adriana Barnum, Vanessa Flores, Christie Freitas, Crystal Mendoza and Genevieve Lua.

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

LATE AGENDA ITEM

2001-05-22 ADMINISTRATION

Upon motion of Supervisor Kelsey, seconded by Supervisor Rivero, duly carried, the Board finds the need to take action, subsequent to the posting of the agenda, on items relative to the California State Fair Exhibit, a Budget Transfer for Health Care Insurance Premium and Castle Reuse and places the items on the agenda for consideration.

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

LATE AGENDA ITEM

2001-05-22 BOARD OF SUPERVISORS

Upon motion of Supervisor Kelsey, seconded by Supervisor Rivero, duly carried, the Board approves and authorizes the Chairman to sign the California State Fair Counties Exhibit Entry Form – Authorization and Appointment designating Joseph Pedrozo and Diana Westmoreland Pedrozo as the Exhibit Representatives for the 2001 Merced County Exhibit on behalf of the Merced County Chamber of Commerce.

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

LATE AGENDA ITEM

2001-05-22 ADMINISTRATION

Upon motion of Supervisor Kelsey, seconded by Supervisor Rivero, duly carried, the Board approves the necessary Budget Transfer in the amount of \$1,600,000 to pay the necessary costs for Health Care Insurance premiums.

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

LATE AGENDA ITEM

2001-05-22 PUBLIC WORKS-Castle/BUSINESS-ECONOMIC OPPORTUNITES

Upon motion of Supervisor Rivero, seconded by Supervisor Crookham, duly carried, the Board authorizes the utilization of the Preliminary Castle Reuse Layout Plan as guidance pending completion of the master reuse plan; authorizes the use of the preliminary layout plan as a basis for beginning marketing activities and infrastructure planning; approves the development of a strategic marketing plan for Castle and authorizes development of a Request for Proposal to select a professional marketing firm to prepare the marketing plan.

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

10:30 A.M. SCHEDULED ITEM

2001-05-22 UC PROJECT OFFICE – Continued Public Hearing

The time and date previously set for a continued public hearing to consider a Planning Agreement to prepare a Natural Communities Conservation Plan (NCCP) and Habitat Conservation Plan (HCP) in Eastern Merced County.

UC Project Planning Director Bob Smith reviews the Staff Report advising criteria has been met in accordance with Board Action of May 15, 2001 and the Municipal Advisory Councils, Merced/Mariposa Cattleman's Association, Northern Merced Huling Association and Cortez Growers have been re-notified as well as a special meeting with the Merced County Farm Bureau relative to their concerns. Mr. Smith submits and reviews memo dated May 18, 2001 – Natural Communities Conservation Plan (NCCP) describing the NCCP process and its differences with other conservation planning processes. He also submits and reviews the Draft Redlined NCCP Agreement, Dept. of Fish and Game Draft – May 8, 2001.

Environmental Specialist-Fish and Game Jeff Single appears before the Board and reviews the guidelines to be met on management of species relative to NCCP (State) and HCP (Federal).

The Chairman asks if there is anyone present who wishes to speak in favor or against.

Cathy Webber, representing the League of Women Voters of Merced County, requests the Board delay the matter to insure the public is aware of this action and states the League would hope the Board would consider a conservation plan to preserve the natural boundaries.

Robin Blake, Winton Municipal Advisory Council President, states the MAC has not received any information so they cannot speak in support or denial at this time.

Richard Kilgore, Vice-Chair of Le Grand Municipal Advisory Council, reviews the concerns and affect on the small property owner.

Frank Borges, representing Mike Gallo, urges the Board's support of this draft agreement and advises Mr. Gallo is interested in serving on the Advisory Committee.

Mary Furey, Planada resident, states the Planada MAC has not been well informed.

Les McCabe, Merced resident, reads and submits Letter to the Board dated May 22, 2001 questioning the following issues: recitals, purposes of the planning agreement, goals and principals of the plan, public participation in the plan, terms of plan, permits and management authorization, geographic area covered by this plan and basic planning concepts to be included in the plan.

Nancy Slater, Executive Director of Merced County Farm Bureau, states special efforts were made by UC Merced staff to meet and address their concerns and she further reviews the areas of their concerns: Page 9, Section 3.7.8.; Page 11, Section 4.3; Page 14, Section 7.1.1.

Bud Roduner, Merced resident and Cattle Rancher on area north of La Paloma Road to G Street, speaks regarding the proposed site and environmental issues and the habitat.

Diana Westmoreland Pedrozo reviews concerns and urges the Board to consider extending the deadline to allow adequate notification.

Leroy Egling expresses concern on the State's responsibilities and power of the local area.

Shannon Rinkenberger, Calif. Women for Agriculture President, requests the Board delay the decision.

Rick Dreyer, Le Grand resident, points out concerns with the Redline Draft Agreement and urges the Board to not take action on short notice.

Neil Wells, Le Grand resident, expresses concern on the lack of information provided to the public.

Lorraine Bocks, property owner and farmer, expresses concern that the agreement does not include the entire county and only addresses the eastern Merced County area.

Jana Neran, Ballico resident, expresses her concern about the lack of community between the city and county.

Lydia Miller, San Joaquin Raptor Rescue Center, speaks regarding changes and new documents being presented and states access to documents are not being addressed. She reads a letter to the Board regarding a state meeting.

Following discussion, UC Planning Director Robert Smith states this plan does not create any new regulations. He states throughout the negotiations for this planning agreement, the County representatives have made it clear that the planning process had to meet two fundamental objectives – first, the plan must further the goals of the County as set forth in the General Plan and second, the plan will emphasize the use of incentives to encourage property owners to voluntarily conserve habitat and species within the plan area. He also states the Planning Agreement sets for the process under which Regional Conservation Planning for Eastern Merced County will occur. Approval of this Planning Agreement does not obligate the county to adopt the plan. The future consideration of this plan will be discretionary. The process for developing the Plan will include extensive participation by many stakeholder groups, including landowners.

Following further discussion, Supervisor Kelsey moves, the Draft Redlined document be taken to the community and the Cattleman's Association and have staff meet with them and get their input, direct staff to work with Fish and Game to modify the existing agreement to adjust the June 1 date deadline that has been signed by Mr. Wellman.

Supervisor Rivero seconds the Motion on the Floor and requests Counsel provide information on the out clause wording of this agreement.

Counsel Myers states previously the Board unanimously entered into this agreement with the State. He reviews the options and states the Board has the sole authority to implement or reject any or all.

Following discussion, UC Project Director Greg Wellman reviews the federal and state funds provided stating the Board has the final input on the development of the UC Merced campus.

Supervisor Crookham states she cannot support the Motion on the Floor stating this agreement is only a guideline, is not a policy being directed and Merced County will not be tied into anything.

Supervisor Kelsey states her concern is with the people in the community affected and not providing them with the opportunity to understand what is proposed. Supervisor Kelsey requests additional time for the people most affected stating the cities have not been included also.

Supervisor O'Banion states he is not in support of the Motion on the Floor stating this is not something that just came up and the Board has had discussions for over one year.

The Chairman calls for a Vote on the Motion on the Floor. Motion Fails.

Ayes: Kelsey

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

Following further discussion, Supervisor Rivero moves, seconded by Supervisor Crookham, the Board approves and authorizes the Chairman to sign Contract No. 2001121 with University of California, Calif. Dept. of Fish and Game and the U.S. Fish and Wildlife Service for the Planning Agreement for a Natural Communities Conservation Plan (NCCP) and Habitat Conservation Plan (HCP) in Eastern Merced County and authorize the UC Merced Office and General Services to develop an RFP to identify the appropriate consultants to prepare the NCCP and HCP.

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

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

Noes: Kelsey

10:30 A.M. SCHEDULED ITEM

2001-05-22 PRESENTATION – REDISTRICTING PROJECT

The Chairman advises the Presentation set for 10:30 a.m. on the Redistricting Project to be presented by Special Counsel Marguerite Mary Leoni and Demographer R. Anthony Sissons will be held over until later in the day at 2:00 p.m. to coincide with the Administrative Practices Study Session – Forum on Redistricting.

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

BOARD INFORMATION NO. 44A

2001-05-22 NACo

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board designates Supervisor Cortez Keene as the Voting Delegate for Merced County authorized to pick up voting materials for the NACo 2001 Annual Conference to be held July 13-17, 2001.

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

BOARD INFORMATION NO. 55

2001-05-22 TAX COLLECTOR/TREASURER

Supervisor O'Banion requests Treasurer/Tax Collector Bill Smith provide updated information to the Board regarding Board Information Item No. 55, correspondence received from Law Offices of Hargrove & Costanzo, A Professional Corporation regarding City of Dos Palos Resolution No. 1965 – A Resolution of the City Council of the City of Dos Palos objecting to sale of Tax Defaulted Property pursuant to provision of Revenue and Taxation Code Section 3695.

Treasurer/Tax Collector Bill Smith submits a letter dated May 22, 2001 from Law Offices of Hargrove & Costanzo regarding the May 24, 2001 – Public Auction confirming a phone conversation on behalf of the City of Dos Palos withdrawing the objection to sale of tax defaulted property pursuant to Revenue and Taxation Code Section 3695.

Upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board accepts and places the Correspondence on file.

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

BOARD INFORMATION NO. 57

2001-05-22 ADMINISTRATION

Following discussion and upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board refers Letter dated May 15, 2001 received from Vita-Bella Group Homes, Inc., to the County Administrative Officer and the Mental Health Director for review of appropriate credentials and documentation with a recommendation to come back to the Board of Supervisors.

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