



MERCED COUNTY
BOARD OF SUPERVISORS
SUMMARY ACTION MINUTES

Regular Meeting
TUESDAY, JUNE 26, 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 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

8:30 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 PERFORMANCE EVALUATION/JOB PERFORMANCE
Title: County Administrator
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 Bruce Metcalf, Hilmar Covenant Church

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 11

The following speak: Hans Marsen and Peter Stavrianoudakis

UC MERCED PROJECT - Liaison Report

RECEIVED REPORT FROM UC LIAISON KATHLEEN CROOKHAM

BUDGET TRANSFERS FROM REVENUE (4/5 Vote Required)

Management Services-Risk Management-\$6,500 and \$15,000

APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 – 26a)

APPROVED AS RECOMMENDED PULLING CONSENT ITEM NO. 16 AND 26 FOR SEPARATE CONSIDERATION AYES: ALL

CONSENT NO. 16 AND 26 – APPROVED AS RECOMMENDED

AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

ADDED AGENDA ITEM:

REVIEW BOARD ORDER – SEE PAGE 17

THE BOARD FINDS THE NEED, SUBSEQUENT TO THE POSTING OF THE AGENDA, TO CONSIDER A BUDGET TRANSFER FOR THE SHERIFF'S DEPARTMENT AYES: ALL

THE BOARD APPROVED THE BUDGET TRANSFER FOR THE SHERIFF'S DEPARTMENT IN THE AMOUNT OF \$42,100 TO ADJUST THE CORONER SALARY ACCOUNT AYES: ALL

10:30 A. M.

**ADMINISTRATION – CONTINUED DISCUSSION/ACTION
PROPOSED ORDINANCE - FIRST READING - SET SECOND READING
AND POSSIBLE ADOPTION FOR JULY 3, 2001 AT 10:30 A.M.**

To consider and select Final Redistricting Plan and to consider Proposed Ordinance to Establish Boundaries of Supervisorial Districts in Merced County

REVIEW BOARD ORDER – SEE PAGE 12, 13 AND 14

THE BOARD ACCEPTED DRAFT PLAN 4 AS AMENDED

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

**THE BOARD WAIVED FURTHER READING OF PROPOSED ORDINANCE
AND SET SECOND READING AND POSSIBLE ADOPTION FOR JULY 3,
2001 AT 10:30 A.M. AYES: ALL**

REPORTS/BOARD DIRECTION

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

LUNCH BREAK

1:30 P. M.

ADMINISTRATION – PROPOSED BUDGET FOR FY 2001/02

1. Administration: Adopt the Proposed Budget for FY 2001/02 as an Operating Budget until the Board adopts a Final Budget and adopt Recommendations submitted.

REVIEW BOARD ORDER – SEE PAGE 16

APPROVED AS RECOMMENDED AYES: ALL

2. Public Works: Approve Vehicle User Mileage Rates for the 2001/2002 Fiscal Year.

APPROVED AS RECOMMENDED AYES: ALL

3. Information Systems/Clerk of the Board: Authorize Agreement with Decision Management Company, Inc. for the purchase of the Questys, WorkStream and LegisStream; authorize Contract for three year lease/purchase of the 2001/02 Information Systems Requested Equipment with a funding source selected by the Director of General Services for Information Systems and authorize Public Works to proceed with the Board Automation Remodel, Fixed Asset #87442 in BU 17000-CIP prior to Final Budget.

APPROVED AS RECOMMENDED AYES: ALL

4. Human Services Agency: Approve contribution to the Greater Merced Chamber of Commerce for the California Welcome Center in FY 2001/02

REVIEW BOARD ORDER – SEE PAGE 16

APPROVED AS RECOMMENDED AYES: ALL

CONSENT CALENDAR (Items #1 - 26a)
APPROVED AS RECOMMENDED AYES: ALL

Sheriff

1. Authorize Overhire of Correctional Officer I/II until January 2002.
2. Authorize Overhire of Deputy Sheriff I/II.

Health

3. Authorize Overhire of one Support Services Analyst I/II for a period of six months.

Public Works

4. Waive restriction of use of amplified sound equipment as follows: June 29, 2001-Merced County Animal Shelter Fundraiser at Lake Yosemite Fish & Game Building, July 15, 2001-AFSCME Local 57 Annual Picnic at Lake Yosemite Veterans Cove, July 22, 2001-Gateway Community Church at Lake Yosemite Fish & Game Building and July 21 and September 8, 2001-Foster Farms Annual Employee Picnic at Hagaman Park Mahoney Shelter and Pit Area #1 on July 21 and September 8, 2001.
5. Accept Final Map for North Palm Estates Subdivision located in the Delhi area.

Health

6. Approve and authorize Chairman to sign Renewal Contract No. 7549 with Probation for health care services to Juvenile Hall for Fiscal Year 2001/2002.
7. Approve and authorize Chairman to sign Renewal Contract No. 9622 with Sheriff's Department for staffing of the Correctional Facilities Health Services Budget in the amount of \$1,397,102 for Fiscal Year 2001/2002.
8. Approve and authorize Chairman to sign Renewal Contract No. 9624 with Merced Faculty Associates for Medical Services in the Correctional Health Services Program for a total contract amount of \$160,000 for Fiscal Year 2001/2002.

Ag. Commission

9. Approve and authorize Chairman to sign Renewal Contract 10220 with U.S. Dept. of Agriculture for Wildlife Services Annual Work Plan and Reimbursement Budget Plan for Fiscal Year 2001/2002.

Human Services Agency

10. Approve and authorize Chairman to sign Amendment to Contract No. 10230 with Merced Community College District to provide Independent Living Skills Program services in the amount of \$318,434.
11. Approve and authorize Chairman to sign Renewal Contract No. 99118 with MCAG to provide transportation needs for CalWORKs clients for Fiscal Year 2001/2002 and authorize Human Services Agency Director to sign subsequent amendments to contract for change to line items within the contract budget and to close out actual expenditures.
12. Approve and authorize Chairman to sign Renewal Contract No. 2000196 with Transit Joint Powers Authority of Merced County to provide transportation services to CalWORKs participants in the amount of \$34,125 for Fiscal Year 2001/2002 and authorize Human

Services Agency Director to sign subsequent amendments to contract to change line items within the contract budget and to close out actual expenditures.

13. Approve and authorize Chairman to sign Renewal Contract No. 10262 with Calif. Dept. of Aging for Multipurpose Senior Services Program in the amount of \$738,408 for Fiscal Year 2000/2002 and authorize the Director of Human Services Agency to sign subsequent amendments to contract for to change line items within contract budget and close out actual expenditures.

ADOPTED RESOLUTION NO. 2001-114

14. Approve and authorize Chairman to sign Renewal Contract No. 1033 with Community Action Agency for Home Delivered Meals Program to increase funding by \$1,574 to the total amount of \$145,545 for Fiscal Year 2000/2001.
15. Approve and authorize Chairman to sign Amendment to Contract No. 1034 with Community Action Agency for Congregate Meals Program services to increase funding by \$1,055 to the total amount to \$260,421 for Fiscal Year 2000/2001.
16. Approve and authorize Chairman to sign Renewal Contract No. 99254 with MCAG for Graffiti Abatement Project in the amount of \$170,300 for Fiscal Year 2001/2002 and authorize the Human Services Agency Director to sign subsequent amendments to change line items within the contract budget and to close out actual expenditures.

REVIEW BOARD ORDER – SEE PAGE 11

Mental Health

17. Approve and authorize Chairman to sign Renewal Contract No. 99199 with C & D Guest Home for the provision of special services for one consumer for the maximum amount of \$65,670 for Fiscal Year 2001/2002.
18. Approve and authorize Chairman to sign Renewal Contract No. 9193 with Stanislaus County Behavioral Health for provision of Inpatient Psychiatric Services for children and adolescents for a maximum contract amount of \$100,000 for Fiscal Year 2001/2002.
19. Approve and authorize Chairman to sign Renewal Contract No. 9602 with Tulare County for provision of inpatient services Fiscal Year 2001/2002
20. Approve and authorize Chairman to sign Renewal Contract No. 9531 with Larry Dumford for the provision of residential services for a maximum amount of \$150,000 for Fiscal Year 2001/2002.
21. Approve and authorize Chairman to sign Renewal Contract No. 99019 with The Bridge, J. Stanley Bunce, Ph.D & Associates for Counseling services for sexual offenders activities for a maximum not to exceed \$95,000 for Fiscal Year 2001/2002.
22. Approve and authorize Chairman to sign Renewal Contract No. 10260 with Merced Community College District to provide clinical observation experience to Nurses enrolled in the Nursing Program for Fiscal Year 2001/2002.

23. Approve and authorize Chairman to sign Renewal Contract No. 9489 with Rite Aid Corporation for provision of pharmaceutical services to consumers for a maximum amount of \$30,000 for Fiscal Year 2001/2002.
24. Approve and authorize Chairman to sign Renewal Contract No. 2000206 with Seventh Avenue Center for specialized treatment for polydypsia in the maximum amount of \$48,540 for Fiscal Year 2001/2002.

Private Industry Training Department

25. Approve and authorize Chairman to sign Amendment to Contract No. 200079 with Strumpf Associates for additional training for PITD Staff and WIB Members for the period of April 8, 2000 through June 30, 2002.

Administration

26. Approve and authorize Chairman to sign Renewal Contracts for contract public defender services: Deborah Bennett, David Capron, Arthur Collins, William A. Davis, Marc Garcia, Dominic Falasco, C. Logan McKechnie, Casey Oliver, Thomas Pfeiff and Russell Whiting.

REVIEW BOARD ORDER – SEE PAGE 11

- 26a. Approve Budget Transfer for Ag. Commissioner-Animal Control-\$1,060 as recommended by Administration.

REGULAR CALENDAR

BOARD ACTION

HEALTH

27. Authorize release of Request for Proposal for Correctional Healthcare Services and direct staff to return with recommendations.

APPROVED AS RECOMMENDED AYES: ALL

28. Proposed Revisions to the Policies and Procedures for the Indigent Health Care Programs.

APPROVED AS RECOMMENDED AYES: ALL

29. Contract with Vital Signs Nursing Services, Inc. for three Licensed Registered Nurses to augment the staffing of the Jail Health Program in an amount not to exceed \$95,000 for the period of July 1, 2001 to October 31, 2001.

APPROVED AND AUTHORIZED THE CHAIRMAN TO SIGN CONTRACT NO. 2001124

AYES: ALL

30. Approve Plan for the proposed expenditure of the California Healthcare for Indigents Program (CHIP) Fund for Fiscal Year 2000/2001 and authorize Chair to sign Certificate forms.

APPROVED AS RECOMMENDED AYES: ALL

ADMINISTRATION

31. Human Services Agency/District Attorney - Authorize Renewal/Amendments to Contracts for Temporary Assistance for Needy Families and Food Stamp Fraud Investigation and

Prosecution; Adopt amended class specifications for the Welfare Investigator I/II, Welfare Investigator III and Supervising Welfare Fraud Investigator; transfer one Typist Clerk III, seven Welfare Investigator I/II, one Welfare Investigator III and one Supervising Welfare Investigator to BU 20409; Increase the Probationary Period from six months to one year for Welfare Investigator I/II; Add one additional District Attorney Investigator I/II, Range 61.4/63.1; delete four vacant Welfare Investigator I/II positions in BU 50057; Establish the new classification and authorize one Chief District Attorney Investigator, Range 70.0 and adopt class specification; approve property transfer request to transfer Fixed Assets for use in Welfare Fraud Program; allocate three Bilingual Designations to the District Attorney.

REVIEW BOARD ORDER – SEE PAGE 14

APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2001-115

AYES: ALL

32. Delete one Account Clerk I/II, add one Account Clerk III in Revenue & Reimbursement, add one Variable Shift Typist Clerk I/II to Ag. Commissioner and delete one EMS Specialist from Health-EMS effective December 31, 2001.

REVIEW BOARD ORDER – SEE PAGE 14

MODIFIED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2001-116

AYES: ALL

33. Authorize aligned Extra Help Account Clerk Technician, \$11.85/hour and non-aligned Extra Help Special Projects Coordinator, \$33/hour to Business-Economic Opportunities; authorize aligned Extra Help Elections Clerk I/II, \$8.11-8.94/hour to Clerk-Elections.

APPROVED AND ADOPTED RESOLUTION NO. 2001-117 **AYES: ALL**

34. Adjust the Salary Range for Environmental Remediation Specialist from Range 67.8 to 71. in BU 40016, adjust the Salary Range for Children and Families Program Administrator from 67.5 to 74.8 in BU 40500 and approve revisions to position title and job specifications and approve revisions to the Benefits Administrator job specification.

APPROVED AND ADOPTED RESOLUTION NO. 2001-118 **AYES: ALL**

35. Approve proposed Memorandum of Understanding between PITD and BEO and allocate one Project Development Manager position, Range 70.5 to PITD and adopt Resolution.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001125 AND ADOPTED RESOLUTION NO. 2001-119 **AYES: ALL**

36. Memorandum of Understanding between Merced County and IEMC representing Unit 3.

APPROVED AS RECOMMENDED **AYES: ALL**

- 36a. Consolidation of Prior Resolutions regarding Unrepresented Management Benefits, Recommended changes for FY 2001/02 and set reading for an Ordinance to replace Ordinance No. 1647 and Amend Ordinance No. 1497.

REVIEW BOARD ORDER – SEE PAGE 15

APPROVED AND ADOPTED RESOLUTION NO. 2001-120 (SALARY RESOLUTION) AND 2001-121 (UNREPRESENTED MANAGEMENT POLICIES) **AYES: ALL**

PUBLIC WORKS

37. Adopt plans, specifications and working details for the Human Services Agency Phase 2 Office Remodel and Restroom Upgrades, advertise and set bid opening for July 19, 2001 at

3:00 p.m. and authorize award of contract within established budget with report back to the Board.

APPROVED AS RECOMMENDED AYES: ALL

38. Approve Coroner's Facility HVAC Replacement Plans and Specifications and authorize bid opening and to return to the Board for possible award.

APPROVED AS RECOMMENDED AYES: ALL

39. Resolution waiving the "90-Day Notice" of State's Intention to Relinquish portions of Right of Way of the Livingston Freeway to the County of Merced.

APPROVED AND ADOPTED RESOLUTION NO. 2001-122 AYES: ALL

40. PULLED.

SHERIFF

41. Authorize submission of 2001 Local Law Enforcement Block Grant Application process through the computerized INTERNET application process, authorize the Sheriff Department to continue as the implementing agency and authorize the County Administrative Officer to sign the appropriate documentation as required by the Grant.

APPROVED AS RECOMMENDED AYES: ALL

42. Authorize submission of 2000 State Criminal Alien Assistance Program (SCAAP) through the computerized INTERNET application process and authorize the County Administrative Officer to sign the appropriate documentation as required by the Grant.

APPROVED AS RECOMMENDED AYES: ALL

43. Approve recommendation that the active badge of retired Sheriff Coroner Tom Sawyer be retired and allowed to be presented by the active Sheriff to the retired Sheriff in appreciation of his years of service and dedication to Merced County.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

44. The Board takes the following action: Authorize Appointment of Stan Craig as Merced County Fire Chief and pursuant to Government Code 24008 as Merced County Fire Warden to enforce all laws and ordinances adopted by the County, State Board of Forestry and State Fire Marshal and pursuant to Ordinance No. 1567 as Director of Merced County's Office of Emergency Services; and, to authorize Appointment of Pat Kerrigan as Merced County Deputy Fire Chief and pursuant to Government Code 24008 as Deputy Fire Warden and pursuant to Ordinance No. 1567 as Operations Chief for Merced County Office of Emergency Services.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY/AREA AGENCY ON AGING

45. Authorize Human Services Agency to set up Direct Deposit Account for Public Assistance Clients.

APPROVED AS RECOMMENDED AYES: ALL

46. Amendment to Contract No. 5434 with California Dept. of Aging to increase funding by \$3,157 for a new total of \$91,405 for Senior Community Services Employment Program via the Title V Contract for Fiscal Year 2000/2001 and approve necessary budget transfer in the amount of \$3,157 (#A13). (4/5 Vote Required)
APPROVED AS RECOMMENDED AYES: ALL

PLANNING

47. Resolution approving use of Merced County Farmland and Open Space Trust with funding from California Dept. of Conservation, Farmland Conservancy Program for purchase of Agricultural Conservation Easements in the Delhi area as follows: Alice M. Cochrane on 44 acres (APN 046-210-012), George and Irene Cole on 39 acres (APN 046-200-032) and Roland and Hazel Flora and Michael Graser on 39 acres (APN 046-200-046).
APPROVED AND ADOPTED RESOLUTION NO. 2001-123 AYES: ALL

COUNSEL

48. Contract with Lexis/Nexis for the provision of legal research program services for the District Attorney, Public Defender and County Counsel Offices.
APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001126
AYES: ALL

MENTAL HEALTH

49. Contract with Calif. State University, Stanislaus to employ graduate social work students – Field Practice Agreement for Fiscal Year 2001/2002.
APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001127
AYES: ALL
50. Contract with J & C Nationwide for the provision of temporary locum tenens psychiatric services for a maximum amount of \$100,000 for Fiscal Year 2001/2002.
APPROVED AND AUTHORIZED THE CHAIRMAN TO SIGN CONTRACT NO. 2001128
AYES: ALL
51. Amendment to Contract with San Joaquin County Mental Health for provision of Residential Treatment for Severely Emotionally Disturbed Minors for a total amount of \$250,000 for Fiscal Year 2000/2001 and approve the necessary budget transfer in the amount of \$50,000.
APPROVED AND AUTHORIZED CHAIRMAN TO SIGN AMENDMENT TO CONTRACT NO. 5147 AYES: ALL
52. Children's System of Care Responsibility in accordance with statutes and Contracts/Memorandums of Understandings required as the oversight agency: System of Care (SOC) Policy and Planning Council, Children's Placement Council, Supportive On-going Services Committee, Mental Health and Probation Data Link and Special Education Local Plan Agreement.
REVIEW BOARD ORDER – SEE PAGE 15
APPROVED AS RECOMMENDED AYES: ALL

ASSESSOR

53. Authorize Continued participation in the State-County Property Tax Administration Program as per AB 719 and authorize CAO to sign the Contract with State Dept. of Finance.

APPROVED AS RECOMMENDED AYES: ALL

APPOINTMENTS

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

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

55. Assemblyman Cardoza re: AB 1391 – San Joaquin Valley: Communications Leadership and Information Center.
56. Calif. State Library re: California Public Library Construction and Renovation Board Meeting.
57. State Water Resources Control Board re: Notice of Petition for Temporary Change involving the transfer of 3,975 acre-feet of water to areas within the Westlands Water District under Calif. Dept. of Water Resources Permit16482 (Application 17512)
58. U.S. Dept. of Census re: Annual Survey of Government Employment – March 2001 – Municipalities, Counties, Townships.

REFERRED TO THE AUDITOR FOR COMPLETION

59. Westside Resource Conservation District re: CALFED Drinking Water Grant Proposal.
60. Calif. Workforce Investment Board re: Meeting Notice – June 26, 2001.
61. State Wildlife Conservation Board re: Minutes of May 18, 2001. (On file with Clerk)

ADOPTED RESOLUTIONS AND ADJOURNED THE MEETING IN MEMORY OF REVEREND MURPHY AND ANITA ASHWORTH UNTIL TUESDAY, JULY 3, 2001 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 26, 2001

10:00 A.M. SCHEDULED ITEM
2001-06-26 PUBLIC OPPORTUNITY

Hans Marsen, City of Atwater resident, appears before the Board and expresses concern on statements made by Supervisor Rivero at a recent Atwater City Council Meeting.

Peter Stavrianoudakis, Chairman of the Hilmar Municipal Advisory Council, appears before the Board and submits a letter stating the Hilmar MAC adamantly opposes any redistricting that does not include both communities of Hilmar and Stevinson to be in District 4.

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

CONSENT ITEM NO. 16
2001-06-26 HUMAN SERVICES AGENCY

Supervisor O'Banion moves, seconded by Supervisor Crookham, the Board approve and authorize the Chairman to sign Contract No. 99254 with Merced County Association of Government (MCAG) for the Graffiti Abatement Project in the amount of \$170,300 for Fiscal Year 2001/2002 and authorize the Human Services Agency Director to sign subsequent amendments to the contract within the contract budget.

Human Services Agency Deputy Director for Employment and Training Division Phil Flores responds to questions and states pictures will be submitted of graffiti abatement incidents as requested by the Board.

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

CONSENT ITEM NO. 26
2001-06-26 ADMINISTRATION / PUBLIC DEFENDER

Following discussion and upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board approves and authorizes the Chairman to sign Renewal Contracts with Contract Public Defenders for Indigent Defense Services as follows:

David Capron–No. 9177; Dominic Falasco–No. 8872; William Davis–No. 9178; Russell G. Whiting–No. 9176; Arthur R. Collins–No. 2000140; Marc Garcia–No. 99165; Thomas Pfeiff–No. 9860; Casey A. Oliver–No. 9120; C. Logan McKechnie–No. 9847 and Deborah A. Bennett–No. 9846.

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

10:30 A.M. SCHEDULED ITEM

2001-06-26 ADMINISTRATION - Continued Discussion/Action

The time and date previously set for continued discussion and possible action on the selection of the Final Redistricting Plan and to consider First Reading of a Proposed Ordinance to Establish Boundaries of Supervisorial Districts in Merced County and set second reading and possible adoption for July 3, 2001 at 10:30 a.m. submitted by Administration.

Special Counsel Marguerite Leoni reviews the June 19, 2001 discussion stating the Board directed the Redistricting Consultants to prepare draft plans to include the following possible modifications: pair Hilmar and Stevinson in the same district, include Celeste in District 1, modify District 4 boundary south of the City of Gustine and place the UC Merced area in one or two districts. Ms. Leoni reviews Draft Plan 1, 2, 3, 4 and 5 proposals incorporating the modifications.

The Chairman states numerous letters have been received and requests the following be noted for the record: Letters received from Mayor of the City of Atwater recommending the Board select the map labeled Test 3 as presented at the meeting of June 19, 2001 and from the South Merced Neighborhood Council stating South Merced should remain in District 1 so as not to destroy District 1 as a minority District.

Following a lengthy discussion on boundaries and community input, Supervisor Rivero moves, to approve Draft Plan 4 as reviewed stating he is not willing to give up the UC district area.

Motion dies for lack of a second.

Ayes: Rivero

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

The Board discusses the proposed Motion language from the June 19, 2001 Board Meeting. The Chairman calls for a recess to allow discussion with the demographers and Counsel on the proposed language and possible motion before the Board.

The Board recesses at 11:07 a.m. and reconvenes at 11:20 a.m. with all members present.

Supervisor O'Banion states the demographers have submitted drafts as requested by the Board and withdraws the Motion from the Meeting of June 19, 2001 in question. Supervisor Rivero withdraws the Second.

Supervisor O'Banion states he prefers a District that does not identify the rangelands and he does not support a district with two supervisors for the UC area.

Supervisor Rivero moves, seconded by Supervisor Kelsey, to approve Draft Plan 4 as reviewed.

Special Counsel Marguerite Leoni states Draft Plan 4 includes the area East of Highway 165 and South of Highway 140 to Howard Road and south to the San Joaquin River to be included in District 4.

Supervisor Kelsey clarifies support on the motion is based on the condition the southeastern portion of Stevinson be included in District Four per the request of the Hilmar Municipal Advisory Council and the east side rangelands are also included in District Four for the purpose of keeping communities of interest together. Supervisor Kelsey states concerns on splitting the UC Merced

area between two supervisors and states assurance is needed for a compatibility plan that works for both.

Supervisor Crookham advises she feels strongly that only one Supervisor should represent the UC Merced area stating there is a greater common interest with the City of Merced as opposed to the City of Atwater/Castle area.

Supervisor Rivero requests District 3 be kept intact as much as possible and that includes the UC Merced area.

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

Peter Stavrianoudakis, Hilmar Municipal Advisory Council (MAC) President, requests consideration for Gustine to stay together and states he primarily represents the Hilmar/Stevinson MAC and asks the Board to consider Draft Plan 4.

City of Gustine Mayor Fred Souza states just as Hilmar and Stevinson want to remain intact, so does Gustine. He speaks in favor of the Pfitzer Road boundary line.

City of Atwater Councilman Ed Abercrombie speaks in favor of Draft Plan 4 stating it covers the growth plan and the City of Atwater wishes to see the entire Atwater area remain in the same district.

Brian Strong, Atwater resident, speaks on the impact the UC Merced Campus will have on the Merced community.

Warren Cox, Merced resident, speaks in support of the UC Merced area remaining in District 2.

Following a lengthy discussion on the boundaries of the UC Merced area, Supervisor Rivero moves an Amendment to the Motion on the Floor, seconded by Supervisor Kelsey, to include the following language approving Draft Plan 4 as follows:

Includes the area east of Highway 165 and south of Highway 140 to Howard Road, then south to the San Joaquin River in District 4 keeping both the Hilmar and Stevinson communities together in their entirety;

Approves the Boundary between Districts 4 and 5 at Pfitzer Road; and,

Approves the UC Merced Area to be shared by District 2 and District 3 moving the Boundary to Lake Road allowing the territory to be in District 2 and the infrastructure concerns to remain in District 3.

Supervisor O'Banion states he cannot support the Motion on the Floor as he had no prior knowledge that El Nido was to be taken out of District 5. He states a district which wraps around a community is not a good map, however, he does believe that each board member should have an incorporated city in their district.

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

Supervisor O'Banion votes "no". Motion carries.

Ayes: Cortez Keene, Crookham, Rivero, Kelsey

Noes: O'Banion

Upon motion of Supervisor O'Banion, seconded by Supervisor Rivero, duly carried, the Board waives further reading of proposed ordinance as follows: An Ordinance Establishing Boundaries of Supervisorial Districts in Merced County and sets second reading and possible adoption for July 3, 2001 at 10:30 a.m.

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

ACTION ITEM NO. 31

2001-06-26 HUMAN SERVICES AGENCY/DISTRICT ATTORNEY

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board authorizes the following actions to transfer the Welfare Special Investigative Unit from the Human Services Agency to the District Attorney's Office:

Approve and authorize the Chairman to sign the following Amendments to Contracts: Contract No. 9284 for Food Stamps Fraud Prosecution; Contract No. 9390 for CalWORKs Fraud Investigation; Contract No. 9379 for Food Stamp Fraud Investigation and Contract No. 9253 for CalWORKs Fraud Prosecution;

Adopts the amended classification specifications for the Welfare Investigator I/II, Welfare Investigator III, and Supervising Welfare Fraud Investigator;

Transfers One Typist Clerk III (Position #438), seven Welfare Investigator I/II (Positions #10, 17, 193, 247, 249, 441 and 442), one Welfare Investigator III (Position #443), and one Supervising Welfare Investigator (Position #155) positions to the District Attorney's Budget Unit 20409;

Increases the probationary period from six months to one year for Welfare Investigator I/II;

Adds one additional District Attorney Investigator I/II, Range 61.4 or 63.1 to Budget Unit 20409;

Deletes four vacant Welfare Investigator I/II (Positions #33, 45, 248 and 429) positions, Budget Unit 50057;

Establishes new classification and authorize the allocation of one Chief District Attorney Investigator, Range 70.0 and adopt the classification specification;

Approves Property Transfer Request to transfer Fixed Assets for use in the Welfare Fraud Program;

Allocates three bilingual designations to the District Attorney; and adopts Resolution No. 2001-115.

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

ACTION ITEM NO. 32

2001-06-26 ADMINISTRATION/AUDITOR/HEALTH/PLANNING/MENTAL HEALTH

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board deletes one Account Clerk I/II (Position #14) and adds one Account Clerk III, Range 52.8 in Auditor-Revenue and Reimbursement, BU 11100; deletes one EMS Specialist (Position #170) from Health-EMS, BU 40005 effective December 31, 2001; changes one Code Compliance Technician to one Flex-staffed Code Compliance Specialist, Range 58.9/60.9 to Planning and Community Development, BU 28500; adds one Flex-staffed Community Public Health Nurse, Range 64.0/66.4 to Public Health-Community Children Services, BU 40007; adds three Flex-staffed Alcohol and Drug Counselors/Service Workers, Range 56.0/58.0 to Mental Health, BU 41500 and adopts Resolution No. 2001-116.

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

ACTION ITEM NO. 36a

2001-06-26 ADMINISTRATION

Following discussion and upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board takes the following action:

Sets August 21, 2001 at 10:30 a.m. for the first reading of an Ordinance Establishing Compensation for the Board of Supervisors of the County of Merced and August 28, 2001 at 10:30 a.m. for the second reading and possible adoption;

Approves 1 range (5%) COLA for Unrepresented Management effective the first pay period in July, 2001 and change the salary range for Assistant County Administrator's from 81.0 to 82.5;

Adopts the Policies relating to the Designation, Compensation and Recognition of Unrepresented Management Employees; and

Adopts Resolution No. 2001-120 (Salary-Unrepresented Management) and Resolution No. 2001-121 (Policies and Compensation-Unrepresented Management).

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

ACTION ITEM NO. 52

2001-06-26 MENTAL HEALTH

Upon motion of Supervisor Kelsey, seconded by Supervisor Crookham, duly carried, the Board authorizes the Chairman to sign the following contracts on behalf of the County of Merced and the Mental Health Department in compliance with W & I Code 5865, 5880 and SB 1452 as the designated oversight agency for Children's System of Care in Merced County:

Contract No. 2001129 for Children's System of Care-Interagency Policy and Planning Council services with Human Services Agency, Probation, Health, District Attorney, Public Defender, County Counsel, Merced County Office of Education and Merced County Prop 10 Commission Juvenile Court;

Contract No. 2001130 for Children's Placement Council services with Human Services Agency, Probation, Health, County Counsel, Merced County Office of Education, Challenged Family Resource Center and Child Advocates-Merced County;

Contract No. 2001131 for Supportive On-Going Services Committee services with Human Services Agency, Probation, Health, County Counsel, Merced County Office of Education, Merced City School District, Central Valley Regional Center, A Woman's Place and Challenged-Family Resource Center;

Contract No. 2001132 for Juvenile Hall/DATA Collection services with County Counsel, Probation and Information Systems; and,

Contract No. 2001133 for Special Education Local Plan Area (SELPA) services with Merced County Office of Education.

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

1:30 P.M. SCHEDULED ITEM
2001-06-26 ADMINISTRATION

Acting County Administrator Dee Tatum provides an overview of key issues and challenges facing Merced County. He reviews the staff report and recommendations submitted for Board approval.

Upon motion of Supervisor O'Banion, seconded by Supervisor Rivero, duly carried, the Board takes the following actions on the FY 2001/2002 Proposed Budget:

1. Adopts the Proposed Budget for Fiscal Year 2001/02 as an Operating Budget until the Board adopts a Final Budget.
2. Directs that no expenditures be made for any item requiring policy direction, as listed in the Proposed Budget, without specific Board authorization.
3. Directs that no fixed assets recommended in the Proposed Budget be purchased until adoption of Final Budget without specific Board authorization.
4. Requests the Clerk of the Board make available copies of the Fiscal Year 2001/2002 Proposed Budget to all interested people and advertise the Final Budget Hearings to commence August 28, 2001 at 1:30 p.m.
5. Schedules the Public Hearing on Prop 4 Appropriation Limit on August 28, 2001 at 2:30 p.m.
6. Establishes Budget Unit 40600—Children and Family First in Fund 01500 and transfers Children and Family First Program Administrator (Position #002), Typist Clerk I/II (Position #003) and Supportive Services Analyst I/II (Position #004) from Budget Unit 40500 to Budget Unit 40600;
7. Directs Management Services, in accordance with the County's "Jeopardy Process" to attempt to relocate any employees in positions identified for deletion at Final Budget to funded positions.

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

1:30 P.M. SCHEDULED ITEM - Item #4
2001-06-26 HUMAN SERVICES AGENCY

Supervisor Crookham moves, seconded by Supervisor Rivero, the Board approve contributions to the Greater Merced Chamber of Commerce for the California Welcome Center in Fiscal Year 2001/2002.

Following discussion, Greater Merced Chamber of Commerce President Don Bergman advises the Board the funds are used primarily to employ a CalWORKs individual to assist in the operations of the California Welcome Center.

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

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

10:00 A.M. LATE AGENDA ITEM
2001-06-26 ADMINISTRATION/SHERIFF

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board finds a need arose, subsequent to the posting of the agenda, to take action on a budget transfer from the Sheriffs Department.

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

Not Present: Crookham

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board approves a Budget Transfer for the Sheriff's Department in the amount of \$42,100 to adjust the Coroner Salary Account.

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