



MERCED COUNTY
BOARD OF SUPERVISORS

SUMMARY ACTION MINUTES

Regular Meeting
TUESDAY, JULY 3, 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: 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

Rev. Willard Harmon – House of Prayer, 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: Stephanie Espinosa, PG & E Governmental Relations Representative-Public Affairs

UC MERCED PROJECT - Liaison Report

REVIEW BOARD ORDER – SEE PAGE 11

RECEIVED REPORT FROM UC LIAISON KATHLEEN CROOKHAM AND SUBMITTED CORRESPONDENCE FROM THE HUNT FAMILY RELATIVE TO THE UC PROJECT REQUESTING THE LETTER BE MADE PART OF THE RECORD

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 – 30c)

APPROVED AS RECOMMENDED PULLING CONSENT ITEM #8 FOR SEPARATE DISCUSSION AYES: ALL

CONSENT ITEM #8 - APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF COMMUNITY ACTION AGENCY CONSENT AGENDA (Items #31 - 36)

APPROVED AS RECOMMENDED AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:30 A. M.

ADMINISTRATION – PROPOSED ORDINANCE - SECOND READING AND POSSIBLE ADOPTION

To consider Proposed Ordinance to Establish Boundaries of Supervisorial Districts in Merced County

REVIEW BOARD ORDER – SEE PAGE 13 AND 14

WAIVED FURTHER READING AND ADOPTED ORDINANCE NO. 1660 AS SUBMITTED AYES: ALL

REPORTS/BOARD DIRECTION

County Administrator

County Counsel

County Auditor

Board of Supervisors Members

LUNCH BREAK

CONSENT CALENDAR (Items #1 - 30c)
APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Waive restriction on use of amplified sound equipment by the Estilo Car Club on July 7, 2001 at Lake Yosemite-Veterans Cove Picnic Shelter for Annual Summer Picnic.
2. Award and authorize Chairman to sign Contract No. 2001135 with Viking General Contractors, Inc. for Mental Health Facility Additional Parking Lot in the amount of \$35,500.
3. Award and authorize Chairman to sign Contract No. 2001136 with Bob Holl Sheet Metal, Inc. for Human Services Agency-HVAC Replacement at Building No. 2 in the amount of \$104,898.
4. Award and authorize Chairman to sign Contract No. 2001137 with John Rohrer Construction for Correctional Facility-New Security Walls at Buildings No. 3 and No. 6.

Health

5. Approve and authorize Chairman to sign Renewal Contract No. 2000233 with Healthcare Clinical Laboratories for Courier Service for Health Department Laboratory in the maximum amount of \$7,800 for the period of September 1, 2001 through August 31, 2001.
6. Approve and authorize Chairman to sign Renewal Contract No. 200146 with State Dept. of Health Services for administrative functions in conjunction with AIDS Drug Assistance Program in the amount of \$1,000 for Fiscal Year 2001/2002.
7. Approve and authorize Chairman to sign Renewal Contract No. 9333 with State Dept. of Health Services for Targeted Case Management Services for Medi-Cal eligible clients for Fiscal Years 2001/02, 2002/03 and 2003/04.
8. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 9632 with State Dept. of Health Services for Drinking Water Surveillance Program.

PULLED FOR SEPARATE DISCUSSION

APPROVED AND ADOPTED RESOLUTION NO. 2001-124 AYES: ALL

Ag. Commission

9. Approve and authorize Chairman to sign Renewal Contract No. 1133 with Calif. Dept. of Pesticide Regulation for Pesticide Regulatory Enforcement for Fiscal Year 2001/02.
10. Approve and authorize Chairman to sign Renewal Contract No. 7704 with Calif. Dept. of Pesticide Regulation for Pesticide Application Reporting for Fiscal Year 2001/02.

Human Services Agency

11. Approve and authorize Chairman to sign Renewal Contract No. 10028 with Mental Health for provision of counseling services to CalWORKs Employment and Training participants in the amount of \$741,433 for Fiscal Year 2001/2002 and authorizes the Human Services Agency Director to sign subsequent amendments to changes within contract budget.
12. Approve and authorize Chairman to sign Renewal Contract No. 9468 with Lao Family Community, Inc. for Child Abuse Prevention Classes at Merced County Schools in the amount of \$40,000 for Fiscal Year 2001/2002.

13. Approve and authorize Chairman to sign Renewal Contract No. 10027 with Mental Health for Alcohol and Drug Counseling Services in the amount of \$878,765 for Fiscal Year 2001/2002 and authorize the Human Services Agency Director to sign subsequent amendments for changes within the contract budget.
14. Approve and authorize Chairman to sign Renewal Contract No. 2000195 with Community Action Agency for Head Start Services to CalWORKs participants in the amount of \$165,508 for Fiscal Year 2001/2002 and authorize the Human Services Agency Director for changes within the contract budget.
15. Approve and authorize Chairman to sign Amendment to Contract No. 2000235 with University of California-Davis to add Executive Development Training for Executive Staff in the amount of \$8,700 for Fiscal Year 2001/2002.
16. Approve and authorize Chairman to sign Renewal Contract No. 9356 with Merced County Office of Education to provide Promoting Safe and Stable Families Services in the amount of \$552,128 for Fiscal Year 2001/2002.

Mental Health

17. Approve and authorize Chairman to sign Renewal Contract No. 5978 with Merced Community College District to provide alcohol and drug services for Women's Services and the Student Assistance Program in the maximum amount of \$25,000 for Fiscal Year 2001/2002.
18. Approve and authorize Chairman to sign Renewal Contract No. 5045 with San Benito County for provision of mental health services to San Benito County clients in Merced County in the maximum amount of \$25,000 for Fiscal Year 2001/2002.
19. Approve and authorize Chairman to sign Renewal Contract No. 9123 with Valley Behavioral Health Network LLC, dba Cedar Vista Hospitals, Inc. for the provision of inpatient psychiatric services for Medi-Cal beneficiaries in the maximum amount of \$100,000 for the period of July 1, 2001 through June 30, 2002.
20. Approve and authorize Chairman to sign Renewal Contract No. 9241 with Valley Behavioral Health Network LLC dba Cedar Vista Hospitals, Inc. for Non Medi-Cal and private insurance consumers for the maximum amount of \$100,000 for Fiscal Year 2001/2002.

Clerk-Registrar of Voters

21. Certify the Election Results of the Retirement Board Election held on June 26, 2001 for the Third Miscellaneous Member.

Public Works-Castle

22. Approve and authorize Chairman to sign Addendum to Contract No. 200194 with Dobson, Cellular One for Airport Sublease of Building #1327.

Board Recognition

23. Authorize Certificates of Recognition to various individuals for completion of the necessary skills in the Building Trade Industry for the FIRM BUILD, Inc. Program.

REVIEW BOARD ORDER – SEE PAGE 11

24. Authorize Certificate of Recognition to Mary Helen Foster, R.N. for 42 years of dedicated service to Dos Palos Memorial Hospital.
25. Authorize Certificate of Recognition to various individuals selected by the Greater Merced Chamber of Commerce for their dedicated service for 2001.
REVIEW BOARD ORDER – SEE PAGE 11
26. Authorize Certificate of Recognition to Gerard Hauck for dedicated service to the Library Advisory Commission and the community of Los Banos.
27. Authorize Certificate of Recognition to Transcounty Title for 16 years of dedicated service to the community of Merced.
28. Authorize Certificate of Recognition to Rafael V. Montes for being selected as the Young Journalist of the Year – 2001.
29. Authorize Certificate of Recognition to Deputy Gerard Verderber for dedicated services to the Merced County Community Law Enforcement Offices and serving as Advisor to the Merced County Explorer's Post.
30. Authorize Certificate of Recognition to Karen Steele upon her victory of First Place in the Half Marathon Race at the Great Wall of China.

Sheriff

- 30a. Approve and authorize Chairman to sign Renewal Contract No. 9572 with Winton School District for a Community and School Resource Deputy for Fiscal Year 2001/02.
- 30b. Set Public Hearing for July 24, 2001 at 10:30 a.m. to consider the 2001 Local Law Enforcement Block Grant Funding recommendations.
- 30c. Set Public Hearing for August 28, 2001 at 10:30 a.m. to consider An Ordinance to Establish A new Fee Schedule for Services Performed by the Sheriff's Department (Amends Ordinance No. 1309).

COMMUNITY ACTION AGENCY CONSENT CALENDAR (Items #31 - 36)

APPROVED AS RECOMMENDED AYES: ALL

31. Adopt Resolution authorizing CAB Chair to sign Subcontract with Madera County Community Action Agency to provide Low Income Home Energy Assistance Program (LIHEAP) Weatherization Assistance to eligible low-income households in Madera County for 2001 in the amount of \$84,985.
ADOPTED RESOLUTION NO. 2001-125
32. Approve and authorize CAB Chair to sign Amendment to Contract with Madera County Community Action Agency for increased funding for LIHEAP Weatherization Services in Madera County for 2001 to amend maximum amount to \$87,999.

33. Authorize CAA to submit an Application to the National Head Start to establish Early Head Start Program Grant Funding in the amount of \$1,118,486 for the communities of Merced, Livingston and Atwater.
34. Approve and authorize CAB Chair to sign Contract with Pepper's Auto Parts for the Los Banos Child Development Center Facility.
35. Approve and authorize CAB Chair to sign Contract with Frank Peluso, John O. Germino, Donald Germino and Judy McMorrow for use of playground area and parking area adjacent to the Los Banos Child Development Center Facility.
36. Accept and place CAA Information, Staff and Committee Reports on file.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

37. Contract and Change Order No. 1 to Contract with R. Simons Company for Courthouse Museum Re-roofing and Exterior Repair in the amount of \$93,218.

REVIEW BOARD ORDER – SEE PAGE 12

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001115

AYES: ALL

38. Court Construction Project – Authorize proceeding with preparation of environmental documents using existing consultant contract, authorize circulation of Request For Proposal for Architectural Services and to come back to the Board for approval, direct County Staff to proceed with development of a financing plan, which will look at options, as well as legal constraints and/or opportunities of the Court obtaining the borrowed funds necessary to construct this project and approve the necessary budget transfer.

REVIEW BOARD ORDER- SEE PAGE 12

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

39. Resolution authorizing Contract with Planning Partners for the preparation of the Merced County Dairy Environmental Impact Report on Dairies.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001139 AND ADOPTED RESOLUTION NO. 2001-126 AYES: ALL

40. Resolution authorizing submission of Used Oil Recycling Block Grant Application to the California Integrated Waste Management Board in the amount of \$76,133.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001140 AND ADOPTED RESOLUTION NO. 2001-127 AYES: ALL

PUBLIC WORKS/BUSINESS-ECONOMIC OPPORTUNITIES

41. Rescind the design/build Request for Proposal (RFP) to construct the fiber optic loops portion of the EDA Project at Castle; authorize the use of CalNet Contract #CNT001 for the design and construction of fiber optic loops and related infrastructure and equipment at

Castle under the approved EDA Grant Project and authorize the Chair to sign the Letter of Interest to Pacific Bell and Form 20 once prepared and reviewed by Counsel.

APPROVED AS RECOMMENDED AYES: ALL

42. Approve the Award of an Architect/Engineering Contract to Carter-Burgess, Inc. to design the Communications Hub Center and demolish Building #152, Phase II of the Castle EDA Project, authorize Public Works Director to negotiate and sign Contract for a total fee not to exceed \$84,910 after review by Counsel and authorize Public Works to proceed with the EDA Fiber Optic/Communication Hub and Demolition Project, Fixed Asset #83630 in BU 75200 Castle Airport Development Center prior to Final Budget.

APPROVED AND AUTHORIZED PUBLIC WORKS DIRECTOR TO SIGN CONTRACT NO. 2001141 AYES: ALL

PLANNING

43. Authorize Release of Request for Proposal to conduct a Redevelopment Feasibility Study involving unincorporated communities and Castle and return to the Board for contract approval.

REVIEW BOARD ORDER – SEE PAGE 12

APPROVED AS RECOMMENDED AYES: ALL

UC MERCED PROJECT

44. Contracts with John Vollmar Consulting to Conduct Surveys in Eastern Merced County for Small Mammals and Perennial Stream Amphibians and Reptiles.

AUTHORIZED THE CHAIRMAN TO SIGN CONTRACT NO. 2001142 (Small Mammals Survey) AND CONTRACT NO. 2001143 (Amphibians & Reptiles Survey) AS RECOMMENDED AYES: ALL

45. Contract with EIP Associates for Phase III of the University Community Plan.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001138 AYES: ALL

MENTAL HEALTH

46. Request authorization to identify available space for the Mental Health Department Adult and Alcohol & Drug Services in the Los Banos area to be returned to the Board for approval.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

47. Establishment of an In-Home Supportive Services Advisory Committee, appointment of members and adoption of By Laws submitted.

REVIEW BOARD ORDER – SEE PAGE 14 AND 15

MODIFIED APPROVAL TO REQUEST DISTRICT FIVE REPRESENTATIVE BE HELD OVER AND ADOPT RECOMMENDATIONS WITH MEMBERS TO SERVE UNTIL JULY 3, 2004 AYES: ALL

PRIVATE INDUSTRY TRAINING DEPARTMENT

48. Contract with Dos Palos-Oro Loma Joint Unified School District for Special Services to provide start-up funding for Cisco Academy in the amount of \$24,892.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001144

AYES: ALL

BUSINESS-ECONOMIC OPPORTUNITIES

49. Approve Request for Joint Venture Proposal (RJVP) FOCUS Program Contract Award to WesTech Solutions Corporation for Categories A. 1-5 based on Board's Findings that evidence in the record find that the provision of special services described in the proposed contracts will not adversely impact the provisions of similar services by private sector companies or individuals within the County; authorize Chairman to sign FOCUS contract award Announcement Letter for WesTech Solutions Corp. 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.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001145

AYES: ALL

50. Approve Request for Joint Venture Proposal (RJVP) FOCUS Program Contract Award to Dimension5 Solutions, Inc. for Categories A. 1-5 based on Board's Findings that evidence in the record find that the provision of special services described in the proposed contracts will not adversely impact the provisions of similar services by private sector companies or individuals within the County; authorize Chairman to sign FOCUS contract award Announcement Letter for Dimension5 Solutions, Inc. 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.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001146

AYES: ALL

51. Approve Request for Joint Venture Proposal (RJVP) FOCUS Program Contract Award to Modern Business Applications, Inc. for Categories A. 1-5 based on Board's Findings that evidence in the record find that the provision of special services described in the proposed contracts will not adversely impact the provisions of similar services by private sector companies or individuals within the County; authorize Chairman to sign FOCUS contract award Announcement Letter for Modern Business Applications, Inc. 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.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001147

AYES: ALL

52. Approve Request for Joint Venture Proposal (RJVP) FOCUS Program Contract Award to Bluecrane, Inc. for Categories A. 1-5 based on Board's Findings that evidence in the record find that the provision of special services described in the proposed contracts will not adversely impact the provisions of similar services by private sector companies or individuals within the County; authorize Chairman to sign FOCUS contract award Announcement Letter for Bluecrane, Inc. 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.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001148

AYES: ALL

ADMINISTRATION

53. Memorandum of Understanding between LAFCo Commission and the County of Merced to commit resources necessary to support LAFCo Operations and for the LAFCo Commission to reimburse the County costs incurred.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001149

AYES: ALL

SHERIFF

54. Contract with State Board of Corrections for services of Commander Margaret Work for a One Year Period subject to final approval by Administration and Counsel; authorize an overhire of one Correctional Senior Sergeant/Sergeant for Position #35 for a one year period and an overhire of Correctional Officer I/II position vacated by the promotion to Correctional Sergeant for one year.

APPROVED AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001150

AYES: ALL

APPOINTMENTS

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

NO ACTION REQUIRED

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

56. Private Industry Training Department re: Master Subgrant Agreement transferring Federal Workforce Development Funds to the local Workforce Invest area.
57. City of Merced re: Resolutions adopted concerning the Municipal Election to be held on November 6, 2001.
58. Rails to Trails Conservancy re: Rail Corridor Abandonment in Merced County and the possibility of the corridor being suitable for trail use.
59. State Board of Equalization re: Development of Section 237 Guidelines – Exemption for Indian Tribal Owned Low-Income Rental Housing.
60. State Water Resources Control Board re: Notice of Petition for Temporary Change Involving the Transfer of 20,000 acre feet of water to areas within the service areas of the State Water Project and Central Valley Project under Placer County Water Agency's Permits 13856 and 13858.

61. State Water Resources Control Board re: Notice of Petition for Temporary change involving the transfer of up to 8,000 acre-feet of water to the Dept. of Water Resources under Brown's Valley Irrigation District Permit 8649 (Application 13130).
62. Calif. Dept. of Child Support Services re: Advance payment of 2001 Tax Credit.
63. Calif. Dept. of Child Support Services re: Implementation of Revised State Case Closure Policy. (On file with Clerk)
64. San Joaquin Valley Air Pollution Control District re: 2001-2002 Recommended Budget. (On file with Clerk)

ADOPTED RESOLUTIONS AND ADJOURNED MEETING IN MEMORY OF EMIL ERRECA AND BUD JIRSA UNTIL TUESDAY, JULY 24, 2001 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JULY 3, 2001

10:00 A.M. SCHEDULED ITEM

2001-07-03 UC MERCED PROJECT

Supervisor Crookham provides UC Merced Project Report as UC Liaison and submits correspondence received from Sharon Hunt Dicker on behalf of Hunt Farms regarding the Proposed University Community Plan and requests the letter be made part of the record.

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

CONSENT ITEM NO. 23

2001-07-03 BOARD RECOGNITION

Upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board authorizes Certificates of Recognition to various individuals for completion of the necessary skills in the building trade industry for the Firm Build Program as follows:

Graduates – Juan Aguayo, Cesar Aguilar, Tae Chang, Joe Garcia, Ronald Garcia, Cesar Gutierrez, Christina Ledezma, Mario Lopez, Ernesto Mesa, Salvador Molina, Yao Yinh Saechao, Vincent Dovalos, Jose Luis Elisea, Maurilio Reyes, and Raphael Villar.

Participants – Adam Ward, Chao Chang, Jose Juan Duran, Omar Garcia, Socorro Garcia, David Gomez, Maria Haro, Norma Lizarde, Time Bergstrom, Cher Lee, Nick Montanez, Txeng Yang, Deanna Lopez, Sam Felix, Jonathan Richards and Timothy Parker.

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

CONSENT NO. NO. 25

2001-07-03 BOARD RECOGNITION

Upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board authorizes Certificates of Recognition to various individuals for The Greater Merced Chamber of Commerce 2001 Award Recipients as follows:

Business of the Year – Save Mart Store, Sally Sanborn; **Small Business of the Year** – Bagel Tyme, Dennis and Janice Scerbo; **Home Based Business of the Year** – Cusack Video Ventures, Tom Cusack; **Associate Member of the Year** - Jesse Brown; **Volunteer Member of the Year** – Kathy Andrade; **ATHENA Recipient** – Karen Baker; **Citizen of the Year** – Curtis Riggs; **Outgoing Chamber Directors** – President, Nancy Brawley; Vice President, Kathy Andrade; Vice President, Gayle Callahan and **Board Members** – Lupe Sawson, Larry Salinas, Carol Soares and Kathy Wagner.

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

ACTION ITEM NO. 37

2001-07-03 PUBLIC WORKS

Upon motion of Supervisor Crookham, seconded by Supervisor Rivero, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2001115 and Change Order No. 1 to Contract with R. Simons Company for Merced County Courthouse Museum Re-roof, Exterior Repair and Repainting.

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

ACTION ITEM NO. 38

2001-07-03 PUBLIC WORKS

Upon motion of Supervisor Rivero, seconded by Supervisor Crookham, duly carried, the Board takes the following action:

1. Authorizes Public Works to proceed with preparation of environmental documents for the Court Construction Project using existing consultant contract;
2. Authorizes Public Works to circulate a Request for Proposal for Architectural Services in connection with the project and to negotiate a contract with the selected firm and to return to the Board with results;
3. Directs County Staff, in conjunction with the Courts, to proceed with the development of a financing plan, which will look at options, as well as legal constraints and/or opportunities of the Court obtaining the borrowed funds necessary to construct this project; and,
4. Approves the necessary budget transfer in the amount of \$415,000 (#098).

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

ACTION ITEM NO. 43

2001-07-03 PLANNING

Supervisor Rivero moves, seconded by Supervisor Kelsey, the Board authorize the release of a Request for Proposal to conduct a Redevelopment Feasibility Study involving Unincorporated Communities and Castle and return to the Board for contract approval once the consulting firm has been selected and the scope of work defined.

Supervisor O'Banion requests combining joint efforts in redevelopment with the cities and requests this be added to the Request for Proposal if its possible to combine two agencies in the RFP.

Planning Director Bill Nicholson states sharing of funds between two agencies can be a benefit for the communities overall. He reviews the letter dated June 28, 2001 submitted to the Board with Information from Other Counties with Redevelopment Agencies.

Following discussion, the Chairman requests a Guideline and Schedule be brought back to the Board within 6 weeks or 2 months.

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

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

10:30 A.M. SCHEDULED ITEM

2001-07-03 ADMINISTRATION – Ordinance No. 1660

The time and date previously set to consider second reading and possible adoption of proposed Ordinance to Establish Boundaries of Supervisorial Districts in Merced County (Replaces Ordinance No. 1411) submitted by Administration.

Special Counsel Marguerite Leoni reviews the staff report and adds between April 16 and May 17, 2001, there have been at least thirteen informational committee meetings with governmental entities throughout the County and twenty public meetings in the proposed districts as reported and reviewed with the Board on June 5, 2001.

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

Scott Porter, Le Grand Municipal Advisory Council (MAC) Secretary, submits and reviews letter dated July 3, 2001 stating opposition to the June 26, 2001 boundary change and asks that the east side of District One be kept as it presently stands since the proposed change will cut the Le Grand community in half.

Supervisor Cortez Keene expresses concern with the request stating a different plan is before the Board than what the Le Grand community is requesting and nothing was submitted at the time of local community meetings.

Special Counsel Leoni reviews community input at the Le Grand meeting. She states another amendment at this time would require creation of a re-introduction of the proposed ordinance and the filing date would be missed as required by the Department of Justice.

Supervisor O'Banion requests clarification on minority population and the El Nido area boundary change.

Discussion is had on the boundaries of El Nido and Le Grand and attendance at the local meetings.

Demographer Tony Sissons states two people attended the Planada meeting, eight people attended the Le Grand meeting and there was not a meeting held in the El Nido area.

Following discussion, Supervisor Rivero moves, seconded by Supervisor Crookham, the Board waive further reading of the proposed ordinance to establish boundaries of Supervisorial Districts in Merced County and adopts proposed ordinance.

Supervisor O'Banion speaks in support of the ordinance stating his opposition to the map advising he did not have adequate presentation of the El Nido and Planada/Le Grand area and reiterates his goal to get out from preclearance of the Department of Justice.

Following further discussion, Supervisor Cortez Keene moves an Amendment to the Motion, to put the Le Grand area back into a community of interest as it was in the beginning as recommended by the Planada MAC.

County Counsel Dennis Myers states this would be subsidy change to the proposed ordinance and would require the proposed ordinance to have a First Reading again and then

another second reading. Counsel Myers further states you would have wait five days between the introduction and the next reading.

Following discussion on the timelines set by the Department of Justice, Supervisor Rivero states he cannot support the amendment if there will be an additional charge to the taxpayers and if an adjustment is going to be made for one, then it should be made for all.

Supervisor O'Banion seconds the Amendment to the Motion on the Floor, to include moving the El Nido area back into District Five.

Supervisor Kelsey reiterates her concern of keeping the Grasslands together and requests this information come back to the Board prior to the final voting.

The Board recesses at 11:35 a.m. to allow Special Counsel Leoni and Demographer Sissons to re-evaluate the maps with the recommended adjustments and reconvenes at 1:07 p.m. with all members present.

Special Counsel Leoni and Demographer Sissons submit and review the adjustments and advise the modifications of the Redistricting Plans have been evaluated as requested and both recommendations exceed the deviation standard.

Following a lengthy discussion of the demographics, Special Counsel Leoni reviews the alternatives before the Board on county liability due to deviation.

Following further discussion, the Chairman calls for a Vote on the Amendment to the Motion.

Supervisors Crookham, Rivero and Kelsey vote "no". Amendment to the Motion fails.

Ayes: Cortez Keene, O'Banion

Noes: Crookham, Rivero, Kelsey

Upon motion of Supervisor O'Banion, seconded by Supervisor Rivero, duly carried, the Board waives further reading of proposed Ordinance to Establish Boundaries of Supervisorial Districts in Merced County as presented and adopts Ordinance No. 1660.

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

ACTION ITEM NO. 47

2001-07-03 HUMAN SERVICES AGENCY

Supervisor Kelsey moves, seconded by Supervisor Crookham, the Board establish an In-Home Supportive Services Advisory Committee per requirements of AB 1682, adopts the By Laws as submitted and appoints the following members to serve until July 3, 2004:

Debra Albert, representing District One;

Edith Watson, representing District Two;

Florence Martin, representing District Three;

Wilma Juliussen, representing District Four;

Rose Shaugnessy, representing Consumer At Large;

John Mowrer, representing Business Person;

Rachel Trujillo, representing Provider;
Shizuko Huston, representing Provider;
Pegg Eyerman, representing AAA Council;
And Bev Morse, representing County Administration.

Supervisor O'Banion states District Five representative will be removed from the membership list at this time.

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