



MERCED COUNTY BOARD OF SUPERVISORS

SUMMARY ACTION MINUTES

Regular Meeting

TUESDAY, SEPTEMBER 25, 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
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 APPOINTMENT
Title: Human Services Agency Director

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; and Independent Employees of Merced County (IEMC), Unit 3

9:00 A. M.

CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: It is the intention of the Board to meet in Closed Session concerning a significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9: One Case
THE BOARD RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED DIRECTION WAS GIVEN TO STAFF

10:00 A. M.

PLEDGE OF ALLEGIANCE

INVOCATION

Father Mike Lastiri, St. Patrick's /OLM Catholic Church

PRESENTATIONS

PROBATION: Martha Flores, Supervisor of the Year Award from the Central District of the Calif. Assoc. of Probation Institution Administrators

FIRE DEPT.: In recognition of dedication and heroism by the Merced County Fire Department to save lives and homes in the City of Susanville

PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (See Board Clerk - Testimony limited to five minutes per person)

UC MERCED PROJECT - Liaison Report

RECEIVED REPORT FROM UC LIAISON KATHLEEN CROOKHAM

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 – 17)

APPROVED AS RECOMMENDED AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:30 A. M.

AUDITOR – PUBLIC HEARING

To consider State COPS (Citizen's Option for Public Safety) Program Funding Allocation and consider requests for funding from Sheriff and District Attorney

REVIEW BOARD ORDER – SEE PAGE 8

APPROVED RECOMMENDATION AYES: ALL

10:30 A. M.

REPORTS/BOARD DIRECTION

County Administrator
County Counsel
County Auditor
Board of Supervisors Members

LUNCH BREAK

CONSENT CALENDAR (Items #1 - 17)

APPROVED AS RECOMMENDED AYES: ALL

Travel Requests

1. Approve Travel Request submitted by Marshal and Sheriff Department as recommended by Administration.

Budget Transfers

2. Approve Budget Transfer submitted by Human Services Agency-\$656 (#H01) as recommended by Administration.

Health

3. Approve and authorize Chairman to sign Renewal Contract No. 2000224 with Human Services Agency for Social Worker Services in conjunction with the First Steps Project.
4. Approve and authorize Chairman to sign Renewal Contract No. 7686 with Neil Ernst, M.D. to serve as the Child Health and Disability Prevention (CHDP) and Calif. Childrens Services Medical Consultant.
5. Approve and authorize Chairman to sign Amendment to Contract No. 6929 with State Water Resources Control Board for the Underground Storage Tank Program.

ADOPTED RESOLUTION NO. 2001-184

6. Approve and authorize Chairman to sign Renewal Contract No. 9906 with Dee Rowe, D.D.S. for services to the Medical Assistance Program.
7. Approve and authorize Chairman to sign Renewal Contract No. 2000175 with State Dept. of Health Services for Housing Opportunities for Persons with AIDS (HOPWA).

Probation

8. Approve and authorize Chairman to sign Renewal Contract No. 2000149 with Children and Families Commission for the Strengthen and Alter Family Environment (S.A.F.E) Project authorizing the continued allocation of one deputy probation officer position for this project.

Human Services Agency

9. Approve and authorize Chairman to sign Renewal Contract No. 10189 with Landy Care, Inc. to provide Respite Care Services and Minor Home Repair and Maintenance Services for the Multipurpose Senior Services and the Linkages Programs.

10. Approve and authorize Chairman to sign Renewal Contract No. 9966 with A Woman's Place for Domestic Abuse Counselors who will assess the physical and emotional needs of CalWORKs individuals who have experienced trauma of domestic abuse.
11. Approve and authorize Chairman to sign Renewal Contract No. 7172 with Merced Union High School District/Merced Adult School for administrative services to continuing CalWORKs participants.

Area Agency on Aging

12. Approve and authorize Chairman to sign Renewal Contract No. 9511 with Private Industry Training Department to provide employment training to qualified seniors.

Private Industry Training Department

13. Approve and authorize Chairman to sign Amendment to Contract replacing Northern Calif. Carpenters Regional Council with Carpenters 46 Northern Calif. Counties Conference Board for Building Trades Pre-Apprentice Training Program.

AUTHORIZED CHAIRMAN TO SIGN AMENDMENT TO CONTRACT NO. 2000151

14. Approve and authorize Chairman to sign Amendment to Contract No. 200088 to sublease the office space for EDD Staff at the Merced County One-Stop Office.

Community Action Agency

15. Authorize CAB Chair or CAA Executive Director to sign Amendment to Contract for an increase of \$1,909 in administrative funding for the Women, Infants and Children (WIC) Supplemental Nutrition Program.

Board of Supervisors

16. Cancel December 4, 2001 Board Meeting and add December 11, 2001 Board Meeting to attend CSAC Conference.

Board Recognition

17. Proclaim October 20 – 26, 2001 as "Red Ribbon Week" in Los Banos and Merced County.

REGULAR CALENDAR

BOARD ACTION

PROBATION

18. Approve implementation of Flexible Work Schedule Plan for Professional and Clerical Employees of the Probation Department on a Permanent Basis.

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

19. Application with State Dept. of Health Services for Hepatitis C Prevention and Control Project and authorize the Director of Public Health to submit said application.

APPROVED AS RECOMMENDED AYES: ALL

UC MERCED PROJECT

20. Contract with John Vollmar Consulting for surveys of the San Joaquin Kit Fox and other medium sized mammals.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001216 AYES: ALL

GENERAL SERVICES

21. Authorize participation with County of Los Angeles and approve Participation Certificate for office/stationery supplies and products through the GPA/Los Angeles Contract No. 41421.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

22. Authorize the sale of Merced County Surplus Fire Engine to the City of Dos Palos for \$1.00.

APPROVED AS RECOMMENDED AYES: ALL

ADMINISTRATION

23. Approve outline of Risk Management's plan to address Safety and Workers' Compensation issues and authorize to proceed with Ergonomics Training, Safety Evaluation and the development of Workers' Compensation educational materials/training; authorize Risk Management to procure consultant services through the assistance of General Services and direct Risk Management to return to the Board with specific recommended policy on the Early Return to Work Program.

APPROVED AS RECOMMENDED AYES: ALL

PLANNING

- 23a. Authorize Release of Request for Proposal for Consultant Services to help administer HOME (First Time Homebuyer Program) and Community Development Block Grant (CDBG) Grants.

APPROVED AS RECOMMENDED AYES: ALL

AUDITOR

24. Authorize increase in the Worker's Compensation Insurance Bank Account from \$75,000 to \$125,000.

APPROVED AS RECOMMENDED AYES: ALL

- 24a. Approve assessing Santa Nella Outlet parcels in excess of the 50% maximum (assessment/current value) provided for in the Assessment Engineer's preliminary report in connection with Santa Nella Assessment District Number 1993-1.

APPROVED AS RECOMMENDED AYES: ALL

25. Adopt Resolution setting the Secured Property Tax Rates for the 2001-2002 Fiscal Year.

APPROVED AND ADOPTED RESOLUTION NO. 2001-185 AYES: ALL

26. Amendment to the Debt Trust Agreement, Site and Facility Lease and Master Lease Agreement of the CSAC Capital Lease Financing dated October 1, 1992 and authorize the County Administrator and the Auditor-Controller to sign said Agreement subject to review of Counsel.

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

27. Authorize the Board Chair, on behalf of the Board of Supervisors, to sign and submit a Letter supporting Los Banos in their efforts to obtain the Rural E-Commerce Grant from the California Trade and Commerce Agency.

APPROVED AS RECOMMENDED AYES: ALL

28. Refer letter received from American Legion-Merced Post No. 83 and Veterans of Foreign Wars-Post 4327 requesting the land surrounding the monuments in Courthouse Park be designated to honor Veterans be called "Veterans Memorial Park" to Public Works Director Paul Fillebrown for report back to the Board for possible action.

REVIEW BOARD ORDER – SEE PAGE 8 AND 9

APPOINTMENTS

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

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

30. Merced County Community Action Agency re: Request for support of the Annual Meals-on-Wheels Fundraising Dinner-Auction.
31. Merced County Office of Education re: Request for Job Shadow Hosts.
32. State Board of Equalization re: Extension of time for accepting Applications for Reduction in Assessment under Sections 1603 and 1605 of the Revenue and Taxation Code.
33. State Board of Equalization re: Notice of proposed Regulatory Action by the State Board of Equalization – Property Tax Rule 29, Possessory Interests in Taxable Government-owned Real Property.
34. State Board of Equalization re: Calaveras County Assessment Practices Survey. (On file with Clerk)
35. State Board of Equalization re: Notice of Rescheduled Public Hearing, Rule 206, Assessment of Artificial Satellites for September 26, 2001.
36. State Board of Corrections re: Schiff-Cardenas Crime Prevention Act of 2000 (CPA 2000) Capital Improvements/Construction.
37. Calif. Redevelopment Association re: CRA Introduction to Redevelopment Seminar to be held October 4 and 5, 2001 in San Jose, CA.

38. CSAC re: Draft language for the CSAC/League/CSDA Constitutional Amendment.
39. Regional Council of Rural Counties re: Opposition to SB 975, Public Works.
40. Regional Council of Rural Counties re: Request for participation in a gift-basket raffle at Annual Conference.
41. NACo re: Counties Care for America – ask to join commitment by organizing a fundraising effort.

ADOPTED RESOLUTIONS AND ADJOURNED MEETING UNTIL OCTOBER 2, 2001 AT 9:00 A.M. IN MEMORY OF JANE GOUL AND SCOTT THARP

BOARD ORDERS – SUMMARY ACTION MINUTES – SEPTEMBER 11, 2001

10:30 A. M. SCHEDULED ITEM **2001-09-25 AUDITOR – PUBLIC HEARING**

The time and date previously set for a public hearing to consider State COPS (Citizen's Option for Public Safety) Program Funding allocation and to consider requests for funding from the Sheriff and District Attorney as submitted by the Auditor.

The Chairman asks if there is anyone present that wishes to speak in favor or opposition. No one speaks.

Upon motion of Supervisor Kelsey, seconded by Supervisor Rivero, duly carried, the Board authorizes the Auditor-Controller to apportion the COPS Funds including any changes to the front line protection made by the State and approves the Sheriff and District Attorney's requests for State COPS allocation as follows: Jail-\$74,546; District Attorney-\$74,546; Juvenile Hall-\$723,749 and Front Line Protection-\$790,547 (Sheriff-\$163,533; Atwater, Dos Palos, Gustine, Livingston and Los Banos-\$100,000 each and Merced-\$127,014).

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

ACTION ITEM NO. 28 **2001-09-25 BOARD OF SUPERVISORS**

The Chairman states correspondence has been received from American Legion-Merced Post No. 83 and Veterans of Foreign Wars-Post 4327 requesting the land surrounding the monuments in Courthouse Park be designated to honor Veterans and be called "Veterans Memorial Park" and the Board make decisions on the repairs for the Veterans Memorial Building. She recommends the correspondence be referred to Public Works Director Paul Fillebrown for report back to the Board.

Supervisor Kelsey states she is not opposed to the request but recommends the Board think about the request and decide on whether or not this is an appropriate location.

Bob Martratt, Commander of VFW Post #83, states there is no intention to put anything more at the park than what is already there. The only request is for the name change to Veterans Memorial Park.

Supervisor Crookham expresses concern with the Courthouse Park name change and requests the matter be referred to Public Works for a full report with the inclusion of the request to look at the repairs at the memorial building as noted in the letter.

Harold Heyer, Executive Board Member for Merced Post 83-American Legion, appears before the Board and states the request is to honor our fire, police and veterans.

The Chairman recommends Public Works meet with the individuals from American Legion and Veterans of Foreign Wars and come back with a proposal.

Bob Abasti, expresses on behalf of the Vietnam Veterans, his support for the designation of the park as Veterans Memorial Park with a sign that displays that designation.

Following discussion and upon motion of Supervisor Rivero, seconded by Supervisor O'Banion, duly carried, the Board refers the correspondence received from American Legion-Merced Post No. 83 and Veterans of Foreign Wars-Post 4327 requesting the land surrounding the monuments in Courthouse Park be designated to honor Veterans and named "Veterans Memorial Park" and further consideration be given to the repairs at the Veterans Memorial Building to Public Works Director Paul Fillebrown for a report back to the Board with several alternatives to consider understanding that Supervisor Rivero be included as the representative on behalf of the Board.

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