



**MERCED COUNTY
BOARD OF SUPERVISORS**

SUMMARY ACTION MINUTES

Regular Meeting
TUESDAY, OCTOBER 16, 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 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR:

It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator(s) Paul Fillebrown-Public Works Director pursuant to Section 54956.8 as follows:

Property/Reference: Development Services Facility

Negotiating Parties: City of Merced

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: Two Cases

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
Title: County Counsel

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
THE BOARD RECONVENED AT 10:10 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED DIRECTION WAS GIVEN TO STAFF

10:00 A. M. **PLEDGE OF ALLEGIANCE**

INVOCATION
Rev. Manuel Reyes, Living Water World Outreach-Atwater

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: Catholic Charities Representative submits New York Times Article dated October 14, 2001 and requests the Board consider local pledges before any other pledges

UC MERCED PROJECT - Liaison Report
RECEIVED REPORT FROM UC LIAISON KATHLEEN CROOKHAM

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 – 21)
APPROVED AS RECOMMENDED AYES: ALL

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required)
Public Works – \$175,500 (#010)
APPROVED AS RECOMMENDED AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:30 A. M. **PLANNING - PUBLIC HEARING**
To consider County of Merced's Community Development Block Grant (CDBG) program activities and past performance
REVIEW BOARD ORDER – SEE PAGE 11
APPROVED AS RECOMMENDED 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 - 21)

APPROVED AS RECOMMENDED AYES: ALL

Budget Transfers

1. Approve Budget Transfers submitted by Ag. Commissioner-\$600, Health-\$12,998 and \$20,000, PITD-\$5,000 and Public Works-\$149,599.50 (#009) as recommended by Administration.

Risk Management

2. Act on Claims for Damages filed by Vernon Moore (2).

Elections

3. Approve Consolidation of the following Districts wishing to consolidate with Election to be held on November 6, 2001: City of Merced; Various School Districts (Atwater, Ballico Cressey, Delhi Unified, Dos Palos Oro Loma Joint Unified, Gustine, Livingston Elementary, Los Banos Unified, Merced City, Merced River, Planada, Snelling/Merced Falls, Turlock Elementary, Winton, Merced Union Hgh and Turlock High); Planada Community Service District, Delhi Water District, Merced Irrigation District and Winton Water and Sanitary District.

District Attorney-Family Support

4. Authorize an Overhire of one Family Support Officer (Pos. #044) until a maximum period up to September 1, 2002.
5. Adopt Resolution authorizing the District Attorney to continue participation in the Spousal Abuser Prosecution Program (SAPP) with Dept. of Justice, authorize the District Attorney to sign Contract No. 9529 and CAO to sign Drug-Free Workplace Certification.

ADOPTED RESOLUTION NO. 2001-191

Health

6. Approve and authorize Chairman to sign Renewal Contract No. 9568 with James Andrews, M.D. to serve as the Medical Director of the Merced County EMS Agency.
7. Approve and authorize Chairman to sign Renewal Contract No. 7306 with Margaret Philp, M.D. to serve as the Merced County Health Officer in coordination with the Director of Public Health.

8. Adopt Resolution authorizing Chairman to sign Amendment to Contract No. 2000142 with Entrix, Inc. for preparation of the initial dairy environmental impact report.
ADOPTED RESOLUTION NO. 2001-192

Probation

9. Approve and authorize Chairman to sign Amendment to Contract with Shasta County Probation for use of the Crystal Creek Juvenile Detention Facility for youngsters found by Merced County Juvenile Court to be appropriate for commitment to such programs.
AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001221

Ag. Commission

10. Approve and authorize Chairman to sign Amendment to Contract No. 1472 with the Calif. Dept. of Food and Agriculture for the Egg Quality Control Program.
11. Approve and authorize Chairman to sign Renewal Contract No. 9191 with Calif. Dept. of Agriculture for Nematode Control Program.

Human Services Agency

12. Approve and authorize Chairman to sign Amendment to Contract No. 99114 with State Dept. of Child Abuse Prevention for the extension of the Answers Benefiting Children Grant through September 2002 and increasing the funding by \$118,000.
13. Approve and authorize Chairman to sign Amendment to Contract No. 10086 with Merced Community College District to provide childcare during daytime Foster Parent Training classes.

Mental Health

14. Authorize County Departments and employees to wear red ribbons, to display red ribbons on County buildings and vehicles and adopt Proclamation designating the week of October 23-31, 2001 as "Red Ribbon Week" in Merced County.
15. Authorize Staff to conduct the 2001 United Way Campaign for Merced County employees and authorize the use of payroll deduction and direct all Department Heads to insure every employee receives an information brochure and pledge card.
16. Approve and authorize Chairman to sign Renewal Contract No. 9697 with Madera County for the provision of Short Term Acute Psychiatric Hospitalization.

Board of Supervisors

17. Approve and authorize Chairman to sign Renewal Contract with Nancy Lueder Misra for the loan of the "Merced County Courthouse Needlepoint" to Merced County for the purposes of display.
AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001226

Board Recognition

18. Authorize Certificate of Recognition to Merced Arts Council in recognition of "Arts Day in California – October 10, 2001".
19. Authorize presentation of plaque in celebration of the Dedication of the Buhach Colony High School.

20. Authorize presentation of plaque to Merced County Sheriff's Department North Area Station in celebration and recognition of its 5th Anniversary.
21. Authorize presentation of plaque to E.C. "Terry" Nunes for his 41+ years of dedicated service to the City of Los Banos and the County of Merced.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

22. Adopt Resolution accepting Right of Way Contract/Deed from Karl/Ray Cunyus for acquisition of land necessary to reconstruct the Almond Avenue Bridge over the Livingston Canal.

ADOPTED RESOLUTION NO. 2001-193 AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001222 AYES: ALL

23. Adopt Resolution accepting Right of Way Contract/Deed from David/Lucille Friesen for acquisition of land necessary to reconstruct the Almond Avenue Bridge over the Livingston Canal.

ADOPTED RESOLUTION NO. 2001-194 AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001223 AYES: ALL

24. Adopt Resolution accepting Right of Way Contract/Deed from Gurchetan Samra for acquisition of land necessary to reconstruct the Almond Avenue Bridge over the Livingston Canal.

ADOPTED RESOLUTION NO. 2001-195 AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001224 AYES: ALL

25. Adopt Resolution accepting Right of Way Contract/Deed from Trustee Jesse Chavez and Manuel Baiz for acquisition of land necessary to reconstruct the Almond Avenue Bridge over the Livingston Canal.

ADOPTED RESOLUTION NO. 2001-196 AND AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001225 AYES: ALL

26. Adopt Resolution to apply for Grant Funds for the Per Capita Grant Program under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000, encumbering the entire allocation so that individual projects can be submitted at a later date.

REVIEW BOARD ORDER – SEE PAGE 11 AND 12

MODIFIED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2001-197 AYES: ALL

27. Authorize Merced County Association of Governments (MCAG) to sponsor with Calif. Dept. of Conservation grant funds, the University of California, Merced's Pilot Recycling Project for 2001-2002 Fiscal Year on behalf of the County of Merced and authorize Public Works designee to coordinate with MCAG Staff to develop and authorize future County recycling projects pursuant to SB 332, Bottle Bill Expansion Legislation.

APPROVED AS RECOMMENDED AYES: ALL

28. Approve plans and specifications for the County Main Library Re-roofing and authorize bid opening and award within the estimated budget with a report back to the Board.

APPROVED AS RECOMMENDED AYES: ALL

29. Authorize issuance of Request for Proposal for Mobile Digital Surveillance System (MDVS) for Merced County Transit, solicit and select the most responsive firm to perform the services and authorize negotiation and execution of the Contract with concurrence of Counsel and Auditor.

APPROVED AS RECOMMENDED AYES: ALL

30. Establish Transit Facility Budget Unit 75300 in the amount of \$262,000, authorize Public Works to proceed with development of plans, specifications and bid documents for the Transit Facility, direct Staff to report back with a proposal in an amount not to exceed \$2,100,000 to fund the construction of the Transit Facility for approval by the Transit Joint Powers Authority for Merced (TJPAMC) and Board of Supervisors, authorize Public Works to negotiate an architectural services contract with Mead and Hunt for a not-to-exceed fee amount of \$120,000 subject to review and approval and approve the budget transfer (#014).

APPROVED RECOMMENDATION AND AUTHORIZE CHAIRMAN TO SIGN CONTRACT NO. 2001227 AYES: ALL

30a. Authorize expenditure of \$3,100 to D&D Associates Management Consultants to provide facilitation and training for the Delhi and Winton Municipal Advisory Council's (MAC's), authorize issuance of purchase order for training fees and approve the necessary budget transfer (#015).

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001231 AYES: ALL

PUBLIC WORKS-CASTLE

31. Adopt the Castle Airport 5-Year Airport Capital Improvement Plan Projects listing and authorize preparation of new Airport Layout Plan and FAA Airport Improvement Project grant package for submittal to the FAA for possible grant award.

APPROVED AS RECOMMENDED AYES: ALL

AG. COMMISSION

32. Contract with California Dept. of Food and Agriculture for Glassy-Winged Sharpshooter and approve Budget Transfer reducing revenue and appropriations in the amount of \$22,544. (4/5 Vote Required)

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2000138 AYES: ALL

PLANNING

33. Board authorization to apply for Home Investing Partnerships (HOME) Program Grant in the amount of \$600,000 of funding from the California Dept. of Housing and Community Development and direct the Department return to the Board to sign the Application.

REVIEW BOARD ORDER – SEE PAGE 12

APPROVED STAFF RECOMMENDATION FOR GRANT FUNDING AYES: ALL

HUMAN SERVICES AGENCY

34. Contract for Training Program with the Merced County Office of Education to pilot a new method of recruiting individuals through successful test taking for Merit System classifications and authorize H.S.A. Director to sign subsequent amendments within the contract budgeted amount.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001228 AYES: ALL

MERCED COUNTY SPRING FAIR-LOS BANOS

35. Authorize Request for Proposal for Carnival Operations for 2002 through 2006.

APPROVED AS RECOMMENDED AYES: ALL

BUSINESS-ECONOMIC OPPORTUNITIES

36. Request for Joint Venture Proposal FOCUS Program Contract Award for Categories A. 1-5 to Resources Connection, Inc.; finds, based on evidence in the record, that the provision of special services in the proposed contracts will not adversely impact the provision of similar services by private sector companies or individuals within the county; authorize the Chairman to sign the Announcement Letter and authorize General Services to utilize such services and products as defined under this contract, or any other County FOCUS contract offering similar services and products when in the best interest of the County, without the necessity for any further bid process.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001229 AYES: ALL

ADMINISTRATION

37. Authorize any employee who is a member of the Calif. National Guard of United States Military Research Organization and is called into active duty as a result of the "Enduring Freedom" campaign receive his/her regular base pay offset by the military pay received for such duty, for a period not to exceed 150 days, beyond the recognized 30 calendar day period and direct Staff to develop and implement procedures to offset the difference (if any) between actual compensation received and the employees regular base pay.

REVIEW BOARD ORDER – SEE PAGE 12

APPROVED AS RECOMMENDED AYES: ALL

- 37a. Authorize the release and circulation of the Request for Proposal for an Independent Contract Grant Writer to provide Grant Writing Services for the Board of Supervisors and Administration Department with a negotiated contract to be signed by the Chairman with concurrence of Counsel and Auditor.

APPROVED AS RECOMMENDED AYES: ALL

HEALTH

38. Approve recommendation of Evaluation Committee to award the Jail Health Care Services bid (RFP #5722) to California Forensic Medical Group, authorize Staff to proceed with contract negotiations and return to the Board with proposed contract for Board action and authorize Management Services to proceed with Meet and Confer discussions with AFSCME and IEMC and implement Reduction in Force procedures for existing Jail Health Staff.

REVIEW BOARD ORDER – SEE PAGE 13

APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3

39. Adopt Resolution adding one Account Clerk II and one Support Services Analyst I/II to BU 40600-Children & Families Program, approve the Budget Transfer establishing appropriations for the Salaries and Benefits of the additional staff, the necessary equipment, furniture and lease costs for office space with costs being 100% subvented with Proposition 10 dollars and authorize identification of suitable office space and return to the Board with a proposal. (4/5 Vote Required)

**APPROVED AND ADOPTED RESOLUTION NO. 2001-198 AYES: 1, 2, 4, 5
NOT PRESENT: 3**

40. Contract with Fresno Center for Non Violence/The Lighthouse for Housing Opportunities for People with AIDS (HOPWA) Project.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001230 AYES: 1, 2, 4, 5
NOT PRESENT: 3**

APPOINTMENTS

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

**THE BOARD APPOINTED JAMES LAWSON TO SERVE AS A MEMBER OF THE
SNELLING CEMETERY DISTRICT UNTIL 7/1/2002 AYES: 1, 2, 4, 5 NOT
PRESENT: 3**

Emergency Medical Care Committee

**THE BOARD APPOINTED THE FOLLOWING TO SERVE AS MEMBERS OF THE
EMERGENCY MEDICAL CARE COMMITTEE: PAULA GOLDEN, NON-BASE HOSPITAL
NURSE REPRESENTATIVE, UNTIL 6/30/2003; PHILLIP BROWN, BASE HOSPITAL NURSE
REPRESENTATIVE, UNTIL 6/30/2005; REAPPOINTED FRED BUCKINGHAM, DISTRICT 3
REPRESENTATIVE, UNTIL 6/30/2005 AND WALT PARTON, EMT-P FIELD
REPRESENTATIVE, UNTIL 6/30/2005 AYES: 1, 2, 4, 5 NOT PRESENT: 3**

BOARD INFORMATION AND POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: 1, 2, 4, 5 NOT PRESENT: 3

42. Board of Supervisors re: Supervisor Cortez Keene appointed to National Steering Committee – NACo Community and Economic Development Steering Committee.
43. Administration re: County Administrator Demitrios Tatum nominated to serve on the NACo Labor and Employment Benefit Committee.
44. Public Works re: Notification of Contract Award to W. Jaxon Baker, Inc. for Asphalt Concrete Overlay on Santa Fe Drive, Winton Way, Atwater Blvd., Childs Avenue and Hereford Road.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001212 AYES: ALL

45. California State Assn. Of Counties re: Selection of CSAC Board of Directors Members for 2002.

46. Napa County Board of Supervisors re: Letter urging Board to consider a monetary contribution showing commitment and support to providing a strong America with security and freedom for all of its citizens in this time of tragedy committed on September 11, 2001 to New York.
47. Kings County Board of Supervisors re: SJVUAPCD – Regulation VIII Amendments, Resolution adopted reflecting opposition and urging the District Board not to adopt the proposed amendments.
48. San Joaquin Valley Unified Air Pollution Control District re: Notice of Public Hearing on Proposed Amendments to Rules and Regulations set for October 31, 2001.
49. San Joaquin Valley Unified Air Pollution Control District re: Public Notice of availability, Proposed Negative Declaration – Amendment of Regulation VIII (Fugitive PM 10 Prohibitions).
50. Governor's Office of Planning and Research re: Invitation to attend meeting set for October 23, 2001 in Room 301-County Administration Building at 10:30 a.m. for Round Table Discussion on the challenges facing local governments in siting new and approving expansions of dairies in California.
51. Pacific-Sierra Publishing, Inc. re: Letter of support to the University of California, Merced Project.
52. Calif. Regional Water Quality Control Board re: Notice of Availability of Draft Staff Report on recommended changes to California's Clean Water Act Section 303(D) List and Request for Comments.
53. State Fish and Game Commission re: Notice of Proposed Regulatory Action relative to proposed Sport Fishing Regulations for 2002 and 2003. (On file with Clerk)
54. State Dept. of Health Services re: Revised Fiscal Year 2001-02 County Allocation.
55. State Dept. of Health Services re: Emergency Medical Services Appropriation (EMSA) Fiscal Year 2001-02.
56. Calif. State Board of Equalization re: Del Norte County Assessment Practices Survey.
57. Fight Crime-Invest in KIDS California re: New Report from FIGHT CRIME: INVEST IN KIDS CALIFORNIA called "California's After School Choice: Juvenile Crime or Safe Learning Time." (On file with Clerk)
58. Central Valley Regional Water Quality Control Board re: Public Meeting Notice – October 19, 2001.
59. Child Advocates of Merced County re: Event set for January 19, 2002 – "Adoption Day Awareness Event".

60. Franklin-Beachwood Municipal Advisory Council re: Petition requesting further consideration of the Fire Station proposal on Franklin Road.

REVIEW BOARD ORDER – SEE PAGE 13

REFERRED TO FIRE DEPARTMENT FOR REPORT BACK TO THE BOARD AT A LATER DATE

ADJOURNED MEETING UNTIL TUESDAY, OCTOBER 30, 2001 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – OCTOBER 16, 2001

10:30 A. M. SCHEDULED ITEM

2001-10-16 PLANNING/BUSINESS-ECONOMIC OPPORTUNITIES – PUBLIC HEARING

The time and date previously set for a Public Hearing to consider County of Merced's Community Development Block Grant (CDBG) program activities and past performance submitted by the Planning and Business-Economic Opportunities Departments for the following projects: Housing Rehabilitation Loan Fund activities funded by Program Income from CDBG grant funds and Business Revolving Loan Fund activities funded by Program Income from CDBG grant funds through the period of July 1, 2000 to June 30, 2001.

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

Upon motion of Supervisor O'Banion, seconded by Supervisor Rivero, duly carried, the Board authorizes the County Administrator to sign the Community Development Block Grant Annual Grantee Performance Report for submission to the State Department of Housing and Community Development.

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

ACTION ITEM NO. 26

2001-10-16 PUBLIC WORKS

Supervisor O'Banion moves, seconded by Supervisor Rivero, the Board authorize the County of Merced to apply for Grant Funds for the Per Capita Grant Program under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000, encumbering the entire allocation so that individual projects can be submitted at a later date.

Supervisor Kelsey expresses concern with the recreation commission(s) involvement and/or lack of and requests recreation commissions or municipal advisory council representatives be contacted that represent the Merced River area. She states her concerns are based on quieter communities that need community participation for projects to be identified.

Public Works Director Paul Fillebrown states a presentation will be scheduled before the Municipal Advisory Councils and the Board will be making the final determination.

Supervisor Kelsey states she feels the Board needs to further refine the projects before they go out and let the participation begin.

Supervisor Rivero states Franklin Beachwood area has unmet needs.

Supervisor O'Banion states he feels the Board needs to move forward with this Resolution in order to receive the money and further identify what are the needs with current facilities rather than looking at new projects so that we are improving what the County currently has.

Supervisor Crookham speaks in support of approving the Resolution as submitted with recommendations to come back to the Board.

Supervisor Kelsey amends the Motion on the Floor to include the opportunity to develop the category of existing facilities, that we forward this to Public Works and bring it back before it goes out to the Recreation Committees.

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

ACTION ITEM NO. 33
2001-10-16 PLANNING

Supervisor Rivero moves, seconded by Supervisor O'Banion, the Board authorizes the Planning Department to prepare an Application for \$600,000 of funding from the California Dept. of Housing and Community Development (HCD) under the Home Investing Partnerships (HOME) Program with the recommended Staff option and directs the Department to return to the Board to authorize the Chairman to sign the application.

Planning Director Bill Nicholson advises Planning Staff recommends consideration of a combined Rehabilitation and First Time Homebuyers application. Since the County received a \$500,000 housing rehabilitation grant in 1995 for the community of Winton which was not implemented, and the present CDBG Grant for Winton and Cressey is only for \$300,000, \$200,000 of the HOME Grant could be used for Housing Rehabilitation in Winton with the remaining \$400,000 used for First Time Homebuyers countywide to help reduce the large waiting list for families.

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

ACTION ITEM NO. 37
2001-10-16 ADMINISTRATION

Upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board authorizes any employee who is a member of the California National Guard or United States Military Reserve Organization and is called into active duty as a result of the "Enduring Freedom" campaign receive his/her regular base pay offset by the military pay received for such duty, for a period not to exceed 150 days, beyond the recognized 30 calendar day period; directs Management Services and the Auditor-Controller to develop and implement procedures to verify individual's compensation received while on Active Duty and to offset the difference (if any) between actual compensation received and the employees regular base pay.

Kristy Waskiewicz, AFSCME Representative, appears before the Board stating further discussion needs to take place with the unions and suggests proposed language be changed that they would keep seniority.

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

ACTION ITEM NO. 38
2001-10-16 HEALTH

Supervisor O'Banion moves, seconded by Supervisor Crookham, the Board approves the recommendation of the Evaluation Committee to award the bid for Jail Health Care Services in response to Request for Proposal (RFP) #5722 to California Forensic Medical Group; authorizes Staff to proceed with contract negotiations and return to the Board for approval and authorize Management Services to proceed with Meet and Confer discussions with AFSCME and IEMC and implement Reduction in Force procedures for existing Jail Health Staff.

Supervisor Rivero states he cannot support the action before the Board and cannot understand why the County wants to bring more nurses in from outside the County when an increase in pay for the nurses within the County would keep the nurses here.

Director of Public Health Mike Ford reviews the past history of providing jail health care.

Several Board members express concern and discuss the nurse shortage, recruiting capabilities, oversight of staff and existing staff placement.

Kristy Waskiewicz, AFSCME Representative, appears before the Board and expresses concern with the existing employee protection rights and concerns.

Supervisor Rivero leaves the Chambers at 11:50 a.m.

Dr. Tim Johnston appears before the Board and reviews the history and service of the jail services contract provided by Merced Faculty Associates and comments further on contracting with an outside entity, costs that will be associated with outside entities and risks and accreditation costs and oversight.

Following further discussion, the Chairman calls for a Vote on the Motion. Motion carries.
Ayes: Cortez Keene, Crookham, Kelsey, O'Banion
Not Present: Rivero

ACTION ITEM NO. 60
2001-10-16 BOARD OF SUPERVISORS

Upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board refers the Franklin-Beachwood Municipal Advisory Council Petition requesting consideration of the Fire Station proposal on Franklin Road to the Fire Department and report back to the Board at a later date.

Ayes: Cortez Keene, Crookham, Kelsey, O'Banion
Not Present: Rivero