



MERCED COUNTY BOARD OF SUPERVISORS

SUMMARY ACTION MINUTES

Regular Meeting
TUESDAY, NOVEMBER 6, 2001
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

10:00 A. M.

PLEDGE OF ALLEGIANCE

John Muir Elementary School Kindergarten Class

INVOCATION – Mr. Mohammed Said

PRESENTATION OF SERVICE PINS

30 Years of Service: Human Services Agency – Glenda Borders
 Human Services Agency - Beverly Baker

25 Years of Service: Human Services Agency – Mary Adams
 Assessor – Barry Peiffer

A reception in Room 310 is held in honor of the presentations

10:00 A. M.

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: Director of Public Health Michael Ford briefly reviews and submits Alleged Anthrax Exposure Response Guidelines and Summary of Potential Bioterrorist Disease Syndromes

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

SUPERVISOR RIVERO – Letter to the Board
REVIEW BOARD ORDER – SEE PAGE 8

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 – 17)
APPROVED AS RECOMMENDED **AYES: 1, 2, 4, 5**
NOT PRESENT: 3

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:30 A. M.

UC MERCED DEVELOPMENT OFFICE - PUBLIC HEARING

Consideration of the Draft University Community Plan

REVIEW BOARD ORDER – SEE PAGE 9 AND 10

RECEIVED REPORTS

REPORTS/BOARD DIRECTION

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

LUNCH BREAK

CONSENT CALENDAR (Items #1 – 17)

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

Public Works

1. Adopt Resolution annexing Rockwood Estates Subdivision No. 00003 into the Winton Street Lighting Maintenance Zone of Benefit No. 202 in County Service Area Number One.
ADOPTED RESOLUTION NO. 2001-207
2. Adopt Resolution annexing Rockwood Estates Landscaping and Storm Drainage Maintenance Zone of Benefit No. 262 in County Service Area Number One.
ADOPTED RESOLUTION NO. 2001-208
3. Adopt Resolution and plaque commending Eugene Bentley for 33+ years of outstanding service to the County Public Works Department.

4. Approve and authorize Chairman to sign Addendum to Contract No. 200153 with Yummy Hot Dogs to operate a Mobile Food Vending Cart in Courthouse Park.

Assessor

5. Authorize Overhire of one Assessment Clerk I/II, Position No 31(A), for a Limited Term position for a period not to exceed six months.

Health

6. Approve and authorize Chairman to sign Amendment to Contract No. 2001197 with Stanislaus County Health Services Agency for Laboratory Consultation Services.
7. Approve and authorize Chairman to sign Amendment to Contract No. 2001124 with Vital Signs Nursing Services, Inc. for extension of contract for temporary nursing staff in the Jail Health Program.

Treasurer

8. Accept Quarterly Investment Report – for the Quarter Ending September 30, 2001.

District Attorney – Family Support

9. Approve and authorize Chairman to sign Addendum to Contract No. 200171 with Print N Mail for client access.

Ag. Commissioner

10. Approve and authorize Chairman to sign Renewal Contract No. 1186 with Calif. Dept. of Food and Agriculture for Nursery Stock Inspection Services.
- 10a. Approve and authorize Chairman to sign Renewal Contract No. 5041 with Calif. Crop Improvement Association for Seed Certification.

Private Industry Training Department

11. Approve and authorize Chairman to sign Amendment to Contract No. 2000151 with Merced College for building trades pre-apprentice skills training for WIA participants.

Human Services Agency

12. Approve and authorize Chairman to sign Renewal Contract No. 2000177 with Moss Beach Homes, Inc. to provide Home Visitor services.
13. Approve and authorize Chairman to sign Renewal Contract No. 10290 with Cox Construction to provide Minor Home Repair and Maintenance Services for Multipurpose Senior Services Program and Linkages Program.

Mental Health

14. Approve and authorize Chairman to sign Renewal Contract No. 99181 with State Dept. of Alcohol and Drug Programs for the Drug Court Partnership Program to support operation of the Drug Court Program.

ADOPTED RESOLUTION NO. 2001-209

Board Recognition

- 15. Authorize Certificates of Recognition to Regent House of Merced for the Grand Opening of the New Assisted Living Residence.
- 16. Authorize presentation of Plaque to Mike and June Bogna in celebration of their 50th Wedding Anniversary.

Community Action Agency

- 17. Approve and authorize CAB Chair to sign Contract with Winton Community Hall Board for the Winton Cherish Site Facility.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

- 18. Adopt Resolution approving the County of Merced to apply for Grant Funds for the Roberti-Z'Berg-Harris Urban Open Space and Recreation Program under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000, encumbering the entire County allocation so that individual projects can be submitted at a later date.
APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2001-210
AYES: 1, 2, 4, 5 NOT PRESENT: 3

- 19. Authorize circulation of Request for Proposal (RFP) to select multiple vendors to provide limited plan check and inspection services on an as-needed basis; authorize issuance of Annual Contracts to provide services as needed for multiple vendors that most closely match the criteria as outlined in the RFP and authorize signing of contracts for an amount not to exceed \$10,000 per year per vendor.
APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3

- 20. Remodel Offices at United States Dept. of Agriculture (USDA) space in Agricultural Center authorizing Public Works to prepare plans and specifications and solicit bids utilizing General Services Department bid procedures and approve the necessary budget transfer. (4/5 Vote Required)
APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3

- 21. Authorize circulation of Request for Proposal to provide Electrical Services to County Facilities with report back to the Board.
APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOT PRESENT: 3

- 22. PULLED

HEALTH

- 23. Renewal Contract No. 200122 with Michelle Pecchenio for Registered Dietician Consultant Services for the Nutrition Program and approve necessary Budget Transfer. (4/5 Vote Required)
WENT ON RECORD OF ITS INTENDED APPROVAL AND CONTINUED THE MATTER TO NOVEMBER 20, 2001 BOARD MEETING IN ORDER TO HAVE A MAJORITY OF THE BOARD PRESENT AYES: 1, 2, 5 NOT PRESENT: 3, 4

SHERIFF

24. Accept Cellular Based Surveillance System (CBSS) technology equipment from the Dept. of Army-Electronic Proving Ground and approve Out-of-State Travel for one officer to Phoenix Arizona for training purposes.

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

25. Authorize Underfill for Correctional Sergeant (Pos. #2), one Overhire for Correctional Officer (Pos. #80) and one Overhire for Security Systems Operator (Pos. #100) in Corrections Division.

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

- 25a. Authorize the Auditor's Office to issue a \$1,000 check to Livingston Police Department for the Safety Upgrading of the Livingston Police Department Shooting Range from the Sheriff Trust Fund 2609-State Forfeitures Narc Cases and approve the necessary budget transfer. (4/5 Vote Required)

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

PRIVATE INDUSTRY TRAINING DEPARTMENT

26. Authorize the Director of Private Industry Training Department to sign a Letter of Support for the Merced County Office of Education Grant Application that will support or enhance specific industry demands and will serve 110 Workforce Investment Act-eligible youth with training, paid internships and year-round support services that will prepare these youth for employment in health care, construction or technology.

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

BUSINESS-ECONOMIC OPPORTUNITIES

27. Approve FOCUS Request for Joint Venture Proposal (RFJVP) No. 5658 Contract Award for Categories A. 1-5 to Prime Services Group, Inc.

REVIEW BOARD ORDER – SEE PAGE 8

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001249

AYES: 1, 2, 5 **NOT PRESENT: 3, 4**

HUMAN SERVICES AGENCY

28. Approve Lease Purchase of one NEAX 2000-IVS Telephone System from NEC for use at Los Banos Human Services Agency Facility and authorize General Services Director to negotiate, execute and sign Lease/Purchase Contract subject to review of Counsel and Auditor. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2001250 **AYES: 1, 2, 5** **NOT PRESENT: 3, 4**

PLANNING

29. Adopt Resolution authorizing submission of Application for \$600,000 Grant to State Dept. of Housing and Community Development (HUD) under the Home Investment Partnerships (HOME) Program per Board Action of October 16, 2001 to apply for \$200,000 to be used for housing rehabilitation in the community of Winton and \$400,000 for First Time Home Buyer Program for existing homes county wide, adopt program guidelines and authorize Planning Director or Deputy Director to sign required documents.

AUTHORIZED CONTRACT NO. 2001251 AND ADOPTED RESOLUTION NO. 2001-211

AYES: 1, 2, 5 NOT PRESENT: 3, 4

MENTAL HEALTH

30. Contract with Dr. F. George Kassebaum for Psychiatrist Services and approve necessary budget transfer.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2001252

AYES: 1, 2, 5 NOT PRESENT: 3, 4

ADMINISTRATION

31. Authorize adjustments to the Salary Range of the Engineering Associate III "D" from Range 67.4 to Range 68.0 effective September 11, 2000 and to Range 68.8 effective November 20, 2000 and to Range 69.8 effective June 4, 2001 and authorize issuance of retroactive from Pay Period 20, 2000 for one employee.

APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2001-212

AYES: 1, 2, 5 NOT PRESENT: 3, 4

BOARD OF SUPERVISORS

32. Authorize Letter of Support for ACA 4, representing substantial, long term and sustainable source of transportation funding for our state's freeway, local street and road and public transit needs to address the transportation future in California and authorize notification to local representatives, Peterson Consulting and MCAG.

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

33. Amend the Board Meeting dates in November, 2001 as follows: Conduct a Board Meeting on November 13 instead of canceling, and cancel the Board Meeting of November 20, 2001.

PULLED – NO ACTION TAKEN

APPOINTMENTS

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

NO ACTION TAKEN

BOARD INFORMATION AND POSSIBLE ACTION

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

35. Information Systems re: Television Broadcast of Board meetings.

36. Public Works re: Notification of Award of Contract for the construction of the Delhi Drainage Project.

AUTHORIZED PUBLIC WORKS DIRECTOR TO SIGN CONTRACT NO. 2001217

37. Public Works re: Notification of Award of Contract for the Asphaltic Emulsion Scrub Seals on Various Roadways in Merced County.

AUTHORIZED PUBLIC WORKS DIRECTOR TO SIGN CONTRACT NO. 2001220

38. The James Irvine Foundation re: *Copy of Shared Prosperity and the California Economy: Implications for California Workforce Investment System.*
39. State Dept. of Health Services re: Fiscal Year 2001-02 State Public Health Subvention Program.
40. State Fish and Game Commission re: Second continuation notice of the proposed regulatory action relative to proposed Sport Fishing Regulations for 2002 and 2003. (On file with Clerk)
41. Santa Clara County LAFCO re: Copy of the Santa Clara County and Cities Map. (On file with Clerk)
42. California State Board of Equalization re: Mono County Assessment Practices Survey. (On file with Clerk)
43. California State Board of Equalization re: Contra Costa County Supplemental Assessment Practices Survey. (On file with Clerk)
44. Business-Economic Opportunities re: Central Valley Infrastructure Grant Program (CVIGP).

ADOPTED RESOLUTIONS AND ADJOURNED MEETING IN MEMORY OF DR. JOHN MEDEFIND AND BARBARA KAHL UNTIL TUESDAY, NOVEMBER 20, 2001 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – NOVEMBER 6, 2001

10:00 A.M. SCHEDULED ITEM
2001-11-06 BOARD OF SUPERVISORS

Chairman Cortez Keene reads a letter into the record dated November 5, 2001 from Supervisor Rivero stating he will not be in attendance at the Board Meeting of November 6, 2001 due to advanced medical follow up of his wife at Stanford Medical Center and states assurance to the public that all public concerns and documents will be reviewed and considered before any formal action is taken on any matter discussed at November 6, 2001 Board Meeting.

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

Not Present: Rivero

10:00 A. M. SCHEDULED ITEM
2001-11-06 SERVICE PINS

The Board presents Service Pins to the following County employees for their years of service:

TWENTY-FIVE YEARS

Mary Adams
Barry Peiffer

Human Services Agency
Assessor

THIRTY YEARS

Glenda Borders
Beverly Baker

Human Services Agency
Human Services Agency

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

Not Present: Rivero

ACTION ITEM NO. 27
2001-11-06 BUSINESS-ECONOMIC OPPORTUNITIES

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board approves the Request for Joint Venture Proposal (RFJVP) No. 5658 and authorizes the Chairman to sign Contract No. 2001249 with Prime Services Group, Inc. for Categories A. 1-5 for E-Government Services with the Finding, based on evidence in the record, that the provision of special services described will not adversely impact the provision of similar services by private sector companies or individuals within the County, authorizes the Chairman to sign FOCUS contract award Announcement Letter and authorizes General Services to utilize such services/products as defined in the Contract when in the best interest of the County, without the necessity for any further bid process.

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

Not Present: Rivero

10:30 A. M. SCHEDULED ITEM
2001-11-06 UC MERCED – PUBLIC HEARING

The time and date previously set for a Public Hearing to receive public comment on the Draft University Community Plan submitted by the UC Merced Development Office.

UC Project Planning Director Robert Smith reviews the staff review and submits an Issues Discussion Agenda regarding East-West Alternative (“No Loss of Prime Farmland”), Hunt Family Alternative, Agricultural Mitigation, The Provision and Financing of Public Schools and other issues.

UC Project Planning Director Bob Smith reviews the Staff Report and Issues Discussion Agenda.

Brian Boxer, Regional Vice President of EIP Associates, reviews the East-West Alternative (No-Loss of Prime Farmland) and the impacts and displays aerial photos of the wetlands.

Mr. Smith briefly comments and reviews the City-County Revenue Sharing Agreement stating any rural residential center area would require re-negotiation of the city-county revenue sharing agreement.

The Board discusses staff preferred alternatives, current county policies, land uses, wetlands and timeline impacts.

Walter Kieser, Principal of Economic and Planning Issues, reviews school financing, current Statutes and current provisions of the community plan.

Woody Tescher, Director of Urban Planning and Design-EIP Associates, reviews the Hunt Family Alternative proposal, Planning Commission recommendation and other issues regarding parks and recreation standards and requirements for regional parkland at the lake.

Mr. Boxer reviews the onsite wastewater treatment and storage.

Discussion is had by Board Members on the treatment center location and the facilities.

Mr. Boxer briefly provides an overview of the ag. mitigation, ag. preservation policies and reviews the regional map of the central/eastern Merced County area.

The Board discusses the Planning Commission’s revised recommendations, comparison to other communities and development, ag. land mitigation and family farmers.

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

Bryant Owens, Merced resident, reads a letter into the record.

Robert Davey, Teacher at Buhach Colony High School, requests the Board expedite plans for UC Merced completion.

Jessica Schwerdfuger, Student at Buhach Colony High School, expresses concerns on environmental issues and states she is in support of UC Merced.

Karen Bandoni, Friends for the Preservation of Property Rights, Landowners in Merced County, supports the Planning Commission recommendation for the Final EIR. She submits a Letter dated November 6, 2001, Review of the Final EIR for the University Community Plan and submits a list of the property owners/landowners of the Friends for the Preservation of Property Rights.

Dr. Lee Boese, Jr., representing Friends of UC Merced, speaks in support of the EIR and the University Community Plan growth and supports the Planning Commission's recommendations.

Ash Padwall, Software Pego Systems, speaks in support of UC Merced.

Lydia Miller, San Joaquin Raptor Rescue Center and Steven Burke for Protect Our Waters, speaks regarding past Board actions and requests the Board make documents available as requested.

George Hines states he is disappointed with the Planning Commission recommendation and the lack of consideration of the economic impacts on the City of Merced.

Clifford Graves, Vice Chancellor of Planning for UC Merced, states it is the intent of the University to work closely with the County on joint infrastructure and joint water management that will cover campus and university.

Sharon Dicker, Hunt Farms Family, speaks in support of the campus and comments on discussion held.

Marshall Krupp, Merced City School District, displays and reviews the Merced City School District- School Facilities Impacts, University Community Plan and University of California at Merced. He states the solution is to form a partnership between the district and the county to insure concurrence of school facilities and financing with development and requests the Board defer approval of the Conditional Use Permit until it can be found that the University Community Plan complies with the General Plan and insures financing of required school facilities.

Diana Westmoreland Pedrozo urges the Board to look at countywide mitigation as supported by Yolo County.

Jennifer Meissonnier speaks in support of countywide mitigation.

Terry Bates, Virginia Smith Trust, states the Trust supports countywide mitigation providing it is Countywide.

Following a lengthy discussion and upon motion of Supervisor Cortez Keene, seconded by Supervisor Crookham, duly carried, the Board continues the Public Hearing until November 20, 2001 at 1:30 p.m.

Ayes: Cortez Keene, Crookham, O'Banion

Not Present: Rivero, Kelsey