



# **SUMMARY ACTION MINUTES**

## **MERCED COUNTY BOARD OF SUPERVISORS**

### **Regular Meeting TUESDAY, MAY 21, 2002**

Closed Session – 8:00 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

GLORIA CORTEZ KEENE.....DISTRICT 1  
KATHLEEN M. CROOKHAM....DISTRICT 2  
CHAIRMAN JOE RIVERO.....DISTRICT 3  
DEIDRE F. KELSEY....DISTRICT 4  
JERRY O'BANION.....DISTRICT 5  
Lydia A. Beiswanger, Chief Clerk

DEMITRIOS O. TATUM  
COUNTY EXECUTIVE 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**

8:00 A. M.

**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 the County of Merced Staff negotiators concerning negotiations with American Federation of State, County and Municipal Employees (AFSCME), Unit 8, Merced County Sheriff Employee Association (MCSEA), Unit 2 and Merced County Law Enforcement Sergeants, Unit P

8:00 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  
**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**

**PRESENTATIONS**

Recognition of the special efforts to enhance and beautify the Planada Bus Shelter

**Artist-** Deborah Barr

**Students-** Vanessa Martinez, Jessica Perez and Erica Cabrera

**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)**

**BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required)** Auditor/Registrar of Voters-\$55,000; District Attorney-\$9,700 and Admin./Risk Management-\$30,000 and \$950,000

**APPROVED AS RECOMMENDED AYES: ALL**

**UC MERCED PROJECT - LIAISON REPORT**

**RECEIVED REPORT FROM UC LIAISON KATHLEEN CROOKHAM**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 25)**

**APPROVED AS RECOMMENDED AYES: ALL**

**GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)**

**ADDED AGENDA ITEM**

**REVIEW BOARD ORDER – SEE PAGE 8**

**THE BOARD FINDS THE NEED TO CONSIDER A RESOLUTION ON THE SAN JOAQUIN RIVER TASK FORCE AROSE AFTER THE POSTING OF THE AGENDA AYES: ALL**

**REPORTS/BOARD DIRECTION**

County Administrator

County Counsel

County Auditor

Board of Supervisors Members

**LUNCH BREAK**

## **CONSENT CALENDAR (Items # 1-25)**

### Public Works

1. Adopt Resolution authorizing the installation of a Stop Sign on Queen Elizabeth Drive at its intersection with Buhach Road in the Atwater area.

#### **ADOPTED RESOLUTION NO. 2002-71**

2. Adopt Resolution annexing the Meadowbrook Estates Units 2 and 3 (Major Subdivision 1021) into the Meadowbrook Storm Drainage Maintenance Zone of Benefit #119 in County Service Area Number One.

#### **ADOPTED RESOLUTION NO. 2002-72**

3. Adopt Resolution annexing the Meadowbrook Estates Units 2 and 3 (Major Subdivision 1021) into the Delhi Street Lighting and Maintenance Zone of Benefit #302 in County Service Area Number One.

#### **ADOPTED RESOLUTION NO. 2002-73**

4. Approve and authorize Chairman to sign Addendum to Contract No. 1062 with Snelling Community Recreation Building Committee for the management and operation of the Snelling Community Recreation Building.
5. Accept Final Maps for Meadowbrook Estates Unit No. 2 and 3 (Subdivision No. 1021) in the Delhi area.
6. Accept Final Map for Harmony Ranch II Unit No. 2 (Subdivision No. 99010) in the Delhi area.
7. Set public hearing for June 18, 2002 at 10:30 a.m. to consider amending the Merced County Nondisposal Facility Element.
8. Adopt Resolution honoring George Rodrigues for 44 years of outstanding service to the County of Merced.
9. Adopt Resolution and Certificate of Appreciation honoring Lincoln Clendenin for 40 years of outstanding service to the County of Merced.

### District Attorney

10. Approve and authorize Chairman to sign Contract No. 99158 with U.S. Dept. of Justice and U.S. Dept. of the Treasury for participation in the Federal Equitable Sharing Program.
11. Approve and authorize Chairman to sign Amendment to Contract No. 2000249 with State Dept. of Child Support Services for the Annual Automation Cooperation Agreement.
12. Approve and authorize Director of Child Support Services to sign Contract No. 200180 and Plan of Cooperation with Merced County Superior Courts.

### Mental Health

13. Approve and authorize Chairman to sign Renewal Contract No. 7449 with Merced Faculty Associates for provision of services to Marie Green Psychiatric Center.

### Health

14. Approve and authorize Chairman to sign Renewal Contract No. 7549 with Probation for health care services to Juvenile Hall.

Human Services Agency

15. Approve and authorize Chairman to sign Renewal Contract No. 2001228 with Merced County Office of Education for Test Training for Jobs.
16. Approve and authorize Chairman to sign Renewal Contract No. 10262 with Calif. Dept. of Aging for Multipurpose Senior Services Program.

**ADOPTED RESOLUTION NO. 2002-74**

17. Approve and authorize Chairman to sign Renewal Contract No. 2000257 with Lao Family Community, Inc. for provision of CalWORKs activities.

Board Recognition

18. Authorize Certificate of Recognition to Merced Honda for their many contributions to the Merced Hispanic Chamber of Commerce and other activities in Merced County.
19. Proclaim the month of May, 2002, as "Teen Pregnancy Prevention Month" in Merced County.
20. Authorize Certificates of Recognition for 2002 Soroptimist International of Los Banos Awards.
21. Authorize Certificates of Recognition to Jobs for California Graduates, Inc. in honor of their Open House and Ribbon Cutting.
22. Authorize Certificate of Recognition to Reno Ferraro in honor of 82 years of residency and countless contributions to the County of Merced.
23. Authorize Certificate of Recognition to Manuel Drumonde for being selected as "Hilmar Distinguished Citizen of the Year 2002".
24. Authorize Certificates of Recognition to Nancy Castleberry, Ron Wiltort, Carolina Castro, Monica Castro, Wanda Davis and Linda Ohlson for services to Winton School District.

Budget Transfers

25. Approve Budget Transfers as submitted by Private Industry Training Department-\$10,900 and \$76,057 and Public Works-\$16,500 and recommended by Administration.

**REGULAR CALENDAR**

**BOARD ACTION**

HEALTH

26. Adopt Resolution to amend membership to the Merced County Coalition for Tobacco Prevention and Cessation Programs and reappointment of expired terms.

**REVIEW BOARD ORDER – SEE PAGE 8**

**APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2002-75**

**AYES: ALL**

PUBLIC WORKS

27. Contract with Merced County Mosquito Abatement District for improvements at the Los Banos Airfield.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200295 AYES: ALL**

28. Reject bid from Young's Air Conditioning and award the Contract to Bob Holl Sheet Metal, Inc. for the HVAC replacement at the Atwater Veterans Memorial Building.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200296 AYES: ALL**

29. PULLED

30. Resolution authorizing the Public Works Director to sign associated materials for Matching Grant Application with the Calif. Dept. of Transportation-Office of Aviation for an Airport Improvement Program Matching Grant.

**ADOPTED RESOLUTION NO. 2002-76 AS RECOMMENDED AYES: ALL**

PUBLIC WORKS-CASTLE

31. Contract No. 200194 with Dobson Cellular Systems, Inc. for Cellular One Building No. 1327.

**APPROVED AS RECOMMENDED AYES: ALL**

HUMAN SERVICES AGENCY

32. Contract with Valley Caregiver Resource Center for provision of services by the National Family Caregiver Program and authorize the Director of the Area Agency on Aging to sign subsequent amendments within the contract budget upon review of Counsel and Auditor.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200297 AYES: ALL**

MENTAL HEALTH

33. Contract No. 9489 with Rite Aid Corporation for pharmacy services and approve the necessary budget transfer-\$15,000.

**APPROVED AS RECOMMENDED AYES: ALL**

34. Resolution authorizing the Alcohol and Drug Program Administrator and/or the Director of Mental Health to sign Applications for certification and licensing of alcohol and other drug treatment services provided by Merced County.

**APPROVED RECOMMENDATION AND ADOPTED RESOLUTION NO. 2002-77  
AYES: ALL**

PRIVATE INDUSTRY TRAINING DEPARTMENT

35. Contract with Merced College-Los Banos Campus for purchase of equipment for Electronics Laboratory.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200298 AYES: ALL**

GENERAL SERVICES

36. Contract with James and Kathleen Mitchell for Mental Health Youth Services Program office space lease.

**PULLED FROM AGENDA**

ADMINISTRATION

- 37. Resolution authorizing the Chairman to sign and approve the admission of the Counties of Marin, Placer and Fresno as members to the California County Tobacco Securitization Agency and authorize officers to do any and all things necessary to execute any documents necessary to carry out the intent of this resolution.

**APPROVED RECOMMENDATION AND ADOPTED REOLUTION NO. 2002-78**

**AYES: ALL**

- 38. Authorize Administration to apply to the Victim Compensation and Government Claims Board in order to utilize allocated funds under SB 551 (counties to receive funding which could be used to address group mental health counseling activities or tolerance education to prevent hate crimes), authorize Administration and EEO Diversity Director Staff to identify and procure training opportunities for County employees and authorize Administration to work with Merced County Office of Education and Merced College to identify venues to providing tolerance education via the school districts and the community.

**APPROVED AS RECOMMENDED AYES: ALL**

- 39. Authorize issuance of Request for Proposal for Workers' Compensation Program Medical Cost Containment Services and return to the Board with a negotiated contract for final approval with concurrence of County Counsel and General Services.

**APPROVED AS RECOMMENDED AYES: ALL**

BOARD OF SUPERVISORS

- 40. Letter of Support to the San Joaquin Valley Regional Association of Calif. Counties to maintain the Rural Crime Grant Program in Central Valley and authorize Merced County to participate in the strategy session being planned in the Central Valley.

**APPROVED AS RECOMMENDED AYES: ALL**

BOARD APPOINTMENTS

- 41. Pending Expirations for the Month of April and May, 2002.

**NO ACTION TAKEN – PLACED ON FILE**

**BOARD INFORMATION & POSSIBLE ACTION**

**ACCEPTED AND PLACED ON FILE AYES: ALL**

- 42. Administration re: Update regarding the performance of Grant Writer contractor.
- 43. Public Works re: Human Services Agency - Phase III Office Remodel Bid results and notification of award of contract to Commercial Construction.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 200294**

- 44. Animal Control re: Animal Control Monthly Report - January, 2002.
- 45. Merced County UC Development Office re: John Vollmar's Final Report on the Wildlife and Rare Plant Ecology of Eastern Merced County's Vernal Pool Grasslands.
- 46. San Joaquin Valley Air Pollution Control District re: Notice of Public Workshop on the Severe Versus Extreme Nonattainment Designation for Federal 1-Hour Ozone Standard.
- 47. Tuolumne County Board of Supervisors re: Letter to YARTS Joint Powers Authority requesting information on the consideration of adoption of a 'general agreement' with the National Park Service.

48. Turlock School Districts re: School Facilities Need Analysis. (On file with Clerk)
49. Calif. Association of Clerks and Election Officials re: California Election Officials - Proclaim Need for Major Election Reform.
50. CALFED Bay-Delta Program re: Bay-Delta Public Advisory Committee Watershed Subcommittee re: Notice of Meeting on May 17, 2002 in Woodland, CA.
51. State Dept. of Motor Vehicles re: Notification effective July, 2002, all DMV offices will initiate new office hours featuring Saturday service once each month and eliminating Thursday evening service.
52. State Wildlife Conservation Board re: Notice of Agenda - May 23, 2002. (On file with Clerk)

**ADJOURNED MEETING UNTIL JUNE 11, 2002 AT 10:00 A.M.**

## BOARD ORDERS – SUMMARY ACTION MINUTES – MAY 21, 2002

### **10:30 A. M. LATE AGENDA ITEM**

#### **2002-05-21 BOARD OF SUPERVISORS**

Upon motion of Supervisor Kelsey, seconded by Supervisor Cortez Keene, duly carried, the Board finds a need arose, subsequent to the posting of the agenda, to consider appointment of members to serve on the San Joaquin River Task Force.

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

Upon motion of Supervisor Cortez Keene, seconded by Supervisor Crookham, duly carried, the Board takes the following action on the San Joaquin River Task Force: Adopts the proposed Mission and Governing Principles and authorizes Supervisor O'Banion to sign as the representative for Merced County, and designates Supervisor O'Banion and Supervisor Kelsey as the Merced County representatives on the San Joaquin River Task Force.

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

### **ACTION ITEM NO. 26**

#### **2002-05-21 HEALTH – Coalition for Tobacco Prevention and Cessation Program**

Upon motion of Supervisor Kelsey, seconded by Supervisor Crookham, duly carried, the Board takes the following action amending Resolution No. 95-181 establishing the Merced County Coalition for Tobacco Prevention and Cessation Program: appoints Richard Rentfrow representing Law Enforcement, Kathy Foster representing American Cancer Society, Lori Robles representing American Heart Association, Jim Blagg representing American Lung Association, Mike Peters representing Media, Kathryn Roberts representing the Chamber of Commerce, Eddie Cotton representing Boys and Girls Club, Sandy Goodwin representing Merced College, Eldon Henderson representing Merced County Office of Education, Kathy Wright representing Merced County Alcohol and Drug Programs, Keith Isozaki representing Environment Health-Merced County, Betty Wetters representing Public Health-Maternal Child Health Programs, Janice Wilkerson representing Mercy Hospital and Health Services, Richard Mahacek representing University of California-Cooperative Extension until May 7, 2005 and adopts Resolution No. 2002-75.

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