



SUMMARY ACTION MINUTES

MERCED COUNTY BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, JULY 09, 2002

Ground Breaking Ceremony – 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

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

8:30 A. M. **GROUNDBREAKING CEREMONY
IRIS GARRETT JUVENILE JUSTICE CORRECTIONAL COMPLEX**

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

10:00 A. M.

PRESENTATION – Graduates of the Core Competencies for Managers Series – Certificates of Recognition

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 #1-20)
APPROVED AS RECOMMENDED AYES: ALL**

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

**ADDED AGENDA ITEM
REVIEW BOARD ORDER – SEE PAGE 7**

THE BOARD FINDS THE NEED TO CONSIDER CONTRACT FOR LAW ENFORCEMENT SERVICES WITH THE SHERIFF DEPARTMENT AND A CHILD WELFARE PARTNERSHIP GRANT APPLICATION BY HUMAN SERVICES AGENCY AROSE AFTER THE POSTING OF THE AGENDA AYES: ALL

10:30 A. M.

PLANNING - PUBLIC HEARING

To consider proposed ordinance known as Animal Confinement Ordinance, Zoning Code and Subdivision Code changes.

PUBLIC HEARING HAS BEEN CONTINUED AND WILL BE RE-ADVERTISED

REPORTS/BOARD DIRECTION

- County Executive Officer
- County Counsel
- County Auditor
- Board of Supervisors Members

LUNCH BREAK

**CONSENT CALENDAR (Items #1-20)
APPROVED AS RECOMMENDED AYES: ALL**

Public Works

1. Authorize Overhire of one Building Inspector (Position #10) for Public Works-Building & Safety Division.

2. Waive restriction on use of amplified music for the Rodriguez/Vasquez Wedding and Reception on July 21, 2002 at Lake Yosemite Rotary Cove II Picnic Shelter.
3. Authorize United Way of Merced County to use Courthouse Park on August 9, 2002 from 11:00 a.m. to 3:00 p.m. to sell tri-tip lunches to kick off Campaign Drive subject to providing the County of Merced with a Certificate of Insurance for Comprehensive General Liability, including Product Liability in the amount required by Risk Management.

Planning

4. Set public hearing for August 20, 2002 at 10:30 a.m. to consider an Application for a \$35,000 Grant from the Community Development Block Grant Program, Planning/Technical Assistance allocation to be utilized for an infrastructure study of the sewer and water facilities for the Delhi County Water District in Delhi.

Mental Health

5. Approve and authorize Chairman to sign Renewal Contract No. 7994 with Community Catalysts of California (formerly Client Development Program) to provide consumers with vocational assistance services.
6. Approve and authorize Chairman to sign Renewal Contract No. 200217 with State Dept. of Health Services for Managed Care Special Mental Health Services.
7. Approve and authorize Chairman to sign Renewal Contract No. 9697 with Madera County for provision of inpatient services to Medi-Cal beneficiaries.
8. Approve and authorize Chairman to sign Renewal Contract No. 9301 with Merced Community College District to provide Penal Code 1000 Deferred Entry of Judgment Program Services to Merced County residents.
9. Approve and authorize Chairman to sign Renewal Contract No. 99077 with Health Department to provide Urine Drug Assay Testing services.
10. 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 Student Assistance Program.
11. Approve and authorize Chairman to sign Renewal Contract No. 5309 with Merced Community College District to provide First Offender Drinking Driver Program services.

Human Services Agency

12. Approve and authorize Chairman to sign Renewal Contract No. 5868 with Calif. Dept. of Aging for Title III/VII to provide multiple services annually to the senior citizens.
ADOPTED RESOLUTION NO. 2002-122
13. Approve and authorize Chairman to sign Renewal Contract No. 1033 with Community Action Agency to provide for home-delivered meals to senior citizens.
14. Approve and authorize Chairman to sign Renewal Contract No. 1034 with Community Action Agency for provision of congregate meals to senior citizens.
15. Approve and authorize Chairman to sign Renewal Contract No. 9792 with Community Action Agency for Brown Bag Program.

District Attorney

16. Adopt Resolution authorizing District Attorney to sign Renewal Contract No. 8868 with Calif. Dept. of Insurance for the investigation and prosecution of fraudulent workers' compensation claims.

ADOPTED RESOLUTION NO. 2002-123

17. Adopt Resolution authorizing District Attorney to sign Renewal Contract No. 8588 with California Dept. of Insurance for investigation and prosecution of fraudulent automobile insurance claims.

ADOPTED RESOLUTION NO. 2002-124

Business-Economic Opportunities

18. Approve and authorize Chairman to sign Amendment to Contract No. 2001241 with Safe-Net Consultants for bilingual (English/Spanish) Business Counselor.

Board of Supervisors

19. Set public hearing for August 20, 2002 at 10:30 a.m. to consider an Appeal filed by Cipriani Brothers to Zone Variance Application No. 02008 and Minor Subdivision Application No. 02012.

Board Recognition

20. Authorize Certificate of Recognition to Corporal Clarence Simpson for 31+ years of service to the City of Los Banos Police Department.

REGULAR CALENDAR

BOARD ACTION

AG. COMMISSION

21. Authorize Ag. Commissioner/Animal Control for the issuance of a Request for Proposal for an independent contractual veterinarian to perform medical services at the County Animal Shelter and return to the Board with the negotiated agreement.

APPROVED AS RECOMMENDED AYES: ALL

ADMINISTRATION

22. Contract with Ross A. Simonet for Contract Public Defender for indigent defense services for the Courts.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2002142 AYES: ALL

23. Child Support Assistant modifications - Establish and adopt Merit System Child Support Assistant I/II classification, Unit 8, Range 50.2/52.2 and delete Child Support Assistant and Extra Help Child Support Assistant I classifications effective July 1, 2002; change 23 filled Child Support Assistant positions, Range 52.2 to Child Support Assistant I/II in BU 20100, delete seven vacant Child Support Assistant positions and add 7 Child Support Assistant I/II positions effective July 1, 2002; establish Extra Help Child Support Assistant I/II, Step 1, \$9.48-\$10.44/hour and add to BU 20100 effective July 1, 2002; authorize Management Services to proceed with any additional classification modifications required to implement

the new Merit Systems classifications and adopt Resolution.

ADOPTED RESOLUTION NO. 2002-125 AS RECOMMENDED AYES: ALL

24. Resolution to consolidate special election for a one-half percent sales tax increase for regional transportation projects and consolidate this election with the State General Election on November 5, 2002.

ADOPTED RESOLUTION NO. 2002-126 AS RECOMMENDED AYES: ALL

25. Resolution to apply the provisions of the Education Code of the State of California to Allow School and Community College Districts within Merced County to Form School Facilities Improvement Districts as requested by Merced College District.

ADOPTED RESOLUTION NO. 2002-127 AS RECOMMENDED AYES: ALL

26. Resolution authorizing the sale of Le Grand Unified High School District General Obligation Bonds in an amount not to exceed \$1,950,000.

ADOPTED RESOLUTION NO. 2002-128 AS RECOMMENDED AYES: ALL

27. Memorandum of Understanding between LAFCo Commission and the County of Merced to support LAFCo operations.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2002143 AYES: ALL

AUDITOR

28. Authorize applying for the California State Voting Modernization Grant Funds (Proposition 41) with a report back to the Board for final approval.

APPROVED AS RECOMMENDED AYES: ALL

29. Approve a maximum loan of \$165,000 to the Communications Internal Service Fund to be repaid over a 5-year period with interest at the treasury rate.

APPROVED AS RECOMMENDED AYES: ALL

PLANNING

30. Reconsider previous action to remove the Bettencourt Family Property from the Agricultural Preserve and rescind that portion of Resolution No. 2001-221 adopted on December 11, 2001 that removed APN 042-140-028, 042-260-014, 042-260-020 from the Agricultural Preserve and adopt Resolution.

ADOPTED RESOLUTION NO. 2002-129 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

31. Authorize release of Request for Proposal (RFP) for a Senior Legal Services Program, solicit and select vendors and negotiate the necessary documents for Board approval and authorize the Chairman to sign Extension of Contract No. 8556 with Human Services Agency-Area Agency on Aging and Counsel pending completion of the RFP process.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

32. Appointment to Franklin-Beachwood Municipal Advisory Council and Pending Expiration Listing for the Month of July, 2002.

REVIEW BOARD ORDER – SEE PAGE 7

COUNSEL

33. Approve adjustment to Proposed Budget FY 2002/03 moving \$21,000 from BU 13000/21810-Prof. & Spec. Serv-Contractual to BU 12500/21834-Prof. & Spec. Serv-Legal

Services.

APPROVED AS RECOMMENDED **AYES: ALL**

PUBLIC WORKS

34. Accept Final Map for Prince William Commons Phases 3 and 4 located in the Atwater area.
PULLED – NO ACTION TAKEN

BOARD INFORMATION & POSSIBLE ACTION

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

35. Business-Economic Opportunities re: Funding Opportunities through Community Development Block Grant Program Enterprise Fund and Over-the-Counter Allocations.
36. MCAG re: Draft MCAG Regional Housing Needs Plan.
37. State Board of Equalization re: Calif. Code of Regulations - Title 18. Public Revenues - Property Tax Rule 139, Restricted Access as Damage Eligible for Reassessment Relief Pursuant to Revenue and Taxation Code Section 170.
38. Governor Gray Davis re: The 2002 Governor's Environmental and Economic Leadership Awards - 2002 Nominations.
39. State Water Resources Agency re: Petition for Temporary Change of Place of Use-Year 2002 Transfer of up to 13,000 Acre-Feet from Kern County Water Agency to Del Puerto Water District and San Luis Water District.
40. The California Wellness Foundation re: Report, Regional Forums - What We Heard and request for completion of response card. (On file with Clerk)

ADOPTED RESOLUTION AND ADJOURNED THE MEETING IN MEMORY OF SUSAN VAN WORTH UNTIL TUESDAY, JULY 23, 2002 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JULY 9, 2002

10:00 A.M. ADDED AGENDA ITEM
2002-07-09 HUMAN SERVICES AGENCY

Upon motion of Supervisor Crookham, seconded by Supervisor Cortez Keene, duly carried, the Board finds the need arose, subsequent to the posting of the agenda, to consider the CalWORKs/Child Welfare Partnership Project Grant Application submitted by the Human Services Agency and places the item on the agenda for consideration.

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

Upon motion of Supervisor Crookham, seconded by Supervisor O'Banion, duly carried, the Board approves and authorizes submission of the Grant Application under the CalWORKs/Child Welfare Partnership Project understanding the Human Services Agency Director will come back to the Board if the Grant is awarded.

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

10:00 A.M. ADDED AGENDA ITEM
2002-07-09 SHERIFF

Upon motion of Supervisor Crookham, seconded by Supervisor Cortez Keene, duly carried, the Board finds the need arose, subsequent to the posting of the agenda, to consider a Contract for law enforcement services at the 2002 Merced County Fair submitted by the Sheriff Department and places the item on the agenda for consideration.

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

Upon motion of Supervisor Crookham, seconded by Supervisor Cortez Keene, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2002144 with the State-35th District Agricultural Association for law enforcement/security services by the Sheriff Department for the 2002 Fair held at the Merced County Fairgrounds from July 15 through 21, 2002.

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

ACTION ITEM NO. 32
2002-07-09 FRANKLIN-BEACHWOOD MUNICIPAL ADVISORY COUNCIL

Upon motion of Supervisor Crookham, seconded by Supervisor Cortez Keene, duly carried, the Board appoints Helen Guth to serve as a member of the Franklin-Beachwood Municipal Advisory Council until April 6, 2005.

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

ACTION ITEM NO. 32

2002-07-09 BOARD APPOINTMENTS

The Board takes no action on the Pending Expiration Listing for the Month of July, 2002 for the Board Commissions, Committees and Boards and places the information on file.

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