



SUMMARY ACTION MINUTES

MERCED COUNTY BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, OCTOBER 15, 2002

Closed Session –9:00 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

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 significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9: One Case
THE BOARD RECESSED INTO CLOSED SESSION AT 9:00 A.M. AND RECONVENED AT 10:10 A.M. WITH SUPERVISOR CROOKHAM NOT PRESENT AND THE CHAIRMAN ADVISED DIRECTION WAS GIVEN TO STAFF

10:00 A. M.

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATION – Mercednet, Leading Edge Telecommunications in Merced County

RECEIVED REPORT

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

NO REPORT

APPROVAL OF CONSENT AGENDA CALENDAR (Items # 1 - 9)

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

PRESENT: 2

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:30 A. M.

PUBLIC WORKS - PUBLIC HEARING

To consider termination of maintenance of portions of Fields Road and Hayward Road to the Mariposa County Line located northeast of the community of Snelling

REVIEW BOARD ORDER – SEE PAGE 6

REPORTS/BOARD DIRECTION

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

LUNCH BREAK

CONSENT CALENDAR (Items #1 -9)

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

Public Works

1. Adopt Resolution annexing the Hilmar Covenant Church (APN 015-010-036) into the Hilmar Irwin Street Lighting Maintenance Zone of Benefit #100 in County Service Area Number One.

ADOPTED RESOLUTION NO. 2002-201

2. Waive the restriction on the use of amplified sound equipment by the CMA Church on Sunday, December 1, 2002 at Lake Yosemite Fish and Game Building.
3. Authorize the California Indian Education Association/Central Valley Chapter, in conjunction with U.C. Merced, to use Lake Yosemite facilities on November 2, 2002 and waive the restriction on amplified sound equipment for their First Annual Benefit Pow Wow to raise student scholarship funds.

Health

4. Approve and authorize Chairman to sign Amendment to Contract No. 10393 with Linda Kodman for evaluation consultation services in conjunction with the Childhood Obesity Project for a total contract maximum of \$14,000 for FY 02-03.

Mental Health

5. Approve and authorize Chairman to sign Amendment to Contract No. 5438 with William V. Stenberg for improvements and renovations of office space at the Los Banos Mental Health Alcohol and Drug Adult Facility.
6. Proclaim week of October 23-31, 2002 as Red Ribbon Celebration Week in Merced County.

Human Services Agency

7. Approve and authorize Chairman to sign Amendment to Contract No. 99255 with Atwater Elementary School District to provide for a Social Worker in conjunction with the Healthy Start Program at Bellevue Elementary School.

Board Recognition

8. Authorize Certificate of Recognition to Hilltop Ranches in recognition of their new location and expanded facility.
9. Proclaim the month of October 2002 as "California Falun Dafa Month" in the County of Merced.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

10. Authorize the expenditure of \$683 from Special Board Project Funds-District Three to install new locks and door hardware at the Atwater Veteran's Hall and approve the necessary budget transfer.

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

11. Authorize expenditure of \$20,000 to the City of Atwater for the installation of sidewalk along Juniper Avenue; authorize the Public Works Director to sign Contract with City of Atwater for construction of the sidewalk and approve the necessary budget transfer.

AUTHORIZED PUBLIC WORKS DIRECTOR TO SIGN CONTRACT NO. 2002260 WITH CITY OF ATWATER AYES: 1, 3, 4, 5 NOT PRESENT: 2

PUBLIC WORKS-CASTLE

12. Castle Airport Sublease No. 02-17 with Sierra Group, LLC for a portion of Building 1340 used for central administrative office use only.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2002200 AYES: 1, 3, 4, 5
NOT PRESENT: 2

13. Castle Airport Sublease No. 02-15 with R.J. Lanthier Co. Inc. for a portion of Building No. 1340 used for central administration office use only.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2002201 AYES: 1, 3, 4, 5
NOT PRESENT: 2

PROBATION

14. Approve the Juvenile Justice Crime Prevention Act Progress Report.

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

AUDITOR

15. Contract with P.F.A., Inc. to index, image and microfilm the vital records in both Recorder and County Clerk's Offices and the voter registration cards in Elections, and authorizes General Services to negotiate and sign the Contract on behalf of the Board.

AUTHORIZED GENERAL SERVICES TO SIGN CONTRACT NO. 2002196
AYES: 1, 3, 4, 5 NOT PRESENT: 2

GENERAL SERVICES

16. Approve County Public Auction to be held on October 26, 2002 and declare Exhibit A as Surplus Property and authorize its disposal.

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

17. Approve and authorize Chairman to sign Contract with John-Pierra Mendoza for office space for the Detective/Major Crime/Investigative Unit and approve the necessary budget transfer-\$26,994.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2002198 AYES: 1, 3, 4, 5
NOT PRESENT: 2

HUMAN SERVICES AGENCY

18. Authorize negotiation with Castle Vista for a 4-Bedroom Duplex to be used for Office Space, Counseling Room and a Visitation Room for the Tranquility Village Drug Rehabilitation Program.

AUTHORIZED GENERAL SERVICES TO SIGN CONTRACT NO. 2002197
AYES: 1, 3, 4, 5 NOT PRESENT: 2

EXECUTIVE OFFICE

19. Adopt Resolution pursuant to Section 15140(b) of the Calif. Education Code to authorize school districts in Merced County to directly issue and sell voter approved school bonds.

ADOPTED RESOLUTION NO. 2002-202 AS RECOMMENDED AYES: 1, 3, 4, 5
NOT PRESENT: 2

BOARD OF SUPERVISORS

20. Adopt Resolution opposing Proposition 50 (Water Quality, Supply and Safe Drinking Water Projects. Coastal Wetlands Purchase and Protection. Bonds. Initiative Statute.)

**ADOPTED RESOLUTION NO. 2002-203 AS RECOMMENDED AYES: 1, 3, 4, 5
NOT PRESENT: 2**

BOARD INFORMATION & POSSIBLE ACTION

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

21. Mental Health re: Mental Health Advisory Board Annual Report. (On file with Clerk)
REVIEW BOARD ORDER – SEE PAGE 6
22. Dept. of Workforce Investment re: Report for September/October, 2002.
23. Human Services Agency re: Report of Persons Receiving Public Assistance for August, 2002.
24. Merced College Associated Students re: Letter requesting assistance/donations for Annual Project Christmas Program.
25. Veterans of Foreign Wars of the U.S.-Atwater Post re: Invitation to Atwater Veterans Memorial Service on Monday, November 11, 2002.
26. CSAC re: Local Government Airfare Program.
27. Calif. State University, Sacramento and the Calif. Judicial Council re: Notice to sponsor the Annual Judicial Administrative Fellowship Program. (On file with Clerk)
28. Calif. High Speed Rail Authority re: Public Meeting to be held on October 16, 2002.
29. Oroville-Wyandotte Irrigation District re: Notice pursuant to Section 1726 of the State Water Code of applications of proposal to transfer 10,000 acre-feet from storage in reservoirs located in Butte, Plumas, and Yuba counties to the Environmental Water Account via Lake Oroville for use in the State Water Project and Central Valley Project service areas and wildlife refuges. (On file with Clerk)
30. Federal Emergency Management Agency re: Preliminary copies of the revised Flood Insurance Study (FIS) Report and Flood Insurance Rate Map (FIRM) for the community - review period to provide technical and scientific data to support modifications. (On file with Clerk)

ADJOURNED MEETING UNTIL TUESDAY, OCTOBER 22, 2002 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – OCTOBER 15, 2002

10:30 A.M. SCHEDULED ITEM

2002-10-15 PUBLIC WORKS – PUBLIC HEARING

The time and date previously set for a public hearing to consider termination of maintenance of portions of Fields Road that lies north of Hayward Road to the Stanislaus County Line and Hayward Road from Fields Road to the Mariposa County Line, located northeast of the community of Snelling as submitted by Public Works.

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

Upon motion of Supervisor Kelsey, seconded by Supervisor Cortez Keene, duly carried, the Board makes a Finding that these road segments are unnecessary for the public convenience because of the traffic on these roads is intermittent and of low volume; Terminates maintenance on that portion of Fields Road that lies north of Hayward Road, to the Stanislaus County Line, and Hayward Road from Fields Road to the Mariposa County Line, located northeast of the Community of Snelling; authorizes the installation of gates on said roadways by adjoining property owners, at their own expense; directs the Public Works Director to regulate the installation of said gates, to regulate the distribution of keys for said gates and post signs at the terminal points of said roadway segments giving public notice that said road segments are no longer maintained by Merced County and adopts Resolution No. 2002-204.

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

Not Present: Crookham

INFORMATION ITEM NO. 21

2002-10-15 MENTAL HEALTH – Mental Health Advisory Board

Mental Health Advisory Board Member Helen Mayo appears on behalf of the Mental Health Advisory Board on the Annual Report for Fiscal Year 2001-2002 submitted to the Board of Supervisors per Section 5604.2(a) of the Welfare and Institution Code on the needs and performance of the mental health system in the County of Merced. Ms. Mayo requests board assistance in achieving full board membership for the Mental Health Advisory Board.

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

Not Present: Crookham