

# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

### Regular Meeting - Revised TUESDAY, JULY 15, 2003

Closed Session – 9:00 a.m.

Regular Meeting – 10:00 a.m.

Joint Meeting – 5:00 p.m.

MERCED COUNTY  
ADMINISTRATION BUILDING  
2222 "M" STREET  
BOARD ROOM, THIRD FLOOR  
MERCED, CALIFORNIA 95340  
(209) 385-7366

GLORIA CORTEZ KEENE.....DISTRICT 1  
CHAIR KATHLEEN M. CROOKHAM....DISTRICT 2  
MICHAEL G. NELSON.....DISTRICT 3  
DEIDRE F. KELSEY....DISTRICT 4  
JERRY O'BANION.....DISTRICT 5  
Lydia A. Beiswanger, Chief Clerk

DEMITRIOS O. TATUM  
COUNTY EXECUTIVE OFFICER

RUBEN E. CASTILLO  
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.*

The Agenda is available online at [www.co.merced.ca.us](http://www.co.merced.ca.us)

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE  
INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE

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The Agenda is divided into three sections:

**CONSENT CALENDAR** – These matters include routine financial and administrative actions and are approved by a single majority vote.

**SCHEDULED ITEMS** – These items are noticed hearings, work sessions and public hearings.

**REGULAR CALENDAR** – These items include significant policy and administration actions. Immediately after approval of the CONSENT CALENDAR, if the time of the hearing of SCHEDULED ITEMS has not arrived, the REGULAR CALENDAR will be considered.

**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: Two Cases

**CLOSED SESSION:** It is the intention of the Board to meet in Closed Session pursuant to Subdivision (f) of Section 54957.6 concerning Conference with County of Merced Staff Negotiators(s) concerning health care plan with American, Federation of State, County and Municipal Employees (AFSCME), Units 4, 5, 6 and 8; Independent Employees of Merced County (IEMC), Unit 3; Merced County Lawyers Association, Unit 7; Merced County Sheriff Employee Association (MCSEA), Unit 2; Merced County Law Enforcement Sergeants, Unit P and Deputy Sheriff Association, Unit 10.

**THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED STAFF WAS GIVEN DIRECTION**

10:00 A. M.

**PLEDGE OF ALLEGIANCE**

**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: Jay Callahan and Ivy Fey**

**UC MERCED PROJECT - LIAISON REPORT  
NO REPORT**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 – 57)  
APPROVED AS RECOMMENDED DELETING ITEMS NO. 13, 15 AND 20 FROM THE CONSENT CALENDAR AYES: ALL**

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

**ADDED AGENDA ITEM:  
REVIEW BOARD ORDER – SEE PAGE 10**

**THE BOARD FINDS THE NEED TO CONSIDER A CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL AND PLACES THE MATTER ON THE AGENDA FOR CONSIDERATION AYES: ALL**

**REPORTS/BOARD DIRECTION**

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

**LUNCH BREAK**

5:00 P.M.

**JOINT MEETING WITH MERCY MEDICAL CENTER MERCED BOARD OF DIRECTORS**

*SEE SEPARATE AGENDA*

**CONSENT CALENDAR (Items #1 - 57)**

**APPROVED AS RECOMMENDED DELETING ITEMS NO. 13, 15 AND 20 FROM THE AGENDA AYES: ALL**

Public Works

1. Adopt Resolution authorizing the installation of Stop Signs at the following intersections located in Atwater: Brighton Court approach to Station Avenue, White Crane Road approach to Station Avenue, Essex Drive approach to Station Avenue, Michelle Court approach to Station Avenue, Sherwood Court approach to Station Avenue and Winchester Court approach to Station Avenue.

**ADOPTED RESOLUTION NO. 2003-119**

2. Waive restriction of amplified sound equipment by the Alfaro Family on July 26, 2003 at Hagaman Park (Mahoney Shelter).

Ag. Commissioner

3. Adopt Resolution authorizing Chairman to sign Contract No. 2001105 with Calif. Dept. of Food and Ag. for inspection services in the Fruit and Vegetable Standardization Program.

**ADOPTED RESOLUTION NO. 2003-120**

4. Approve and authorize Chairman to sign Renewal Contract No. 9589 with Calif. Dept. of Food and Ag. for enforcement of the Calif. Organic Foods Act.

**ADOPTED RESOLUTION NO. 2003-121**

5. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2000138 with Calif. Dept. of Food and Ag. for Glassy-Winged Sharpshooter Control Program.

**ADOPTED RESOLUTION NO. 2003-122**

6. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 9191 with Calif. Dept. of Food and Ag. for Nursery Stock Nematode Control Program.

**ADOPTED RESOLUTION NO. 2003-123**

Health

7. Approve and authorize Chairman to sign Renewal Contract No. 2000225 with Mental Health for Alcohol and Drug Counselor services in conjunction with the First Steps Project.

8. Approve and authorize Chairman to sign Renewal Contract No. 10025 with Dr. Thomas Cole for Professional Services in the Tuberculosis Control Program.

9. Approve and authorize Chairman to sign Renewal Contract No. 2000224 with Human Services Agency for Social Worker Services in conjunction with First Steps Project.

10. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 9116 with Teris, LLC dba MSE Environmental for Household Hazardous Waste Disposal.

**ADOPTED RESOLUTION NO. 2003-124**

11. Approve and authorize Chairman to sign Renewal Contract No. 2002179 with Jennifer Hobbs for the Childhood Obesity Project.

#### District Attorney

12. Adopt Resolution and authorize Chairman to sign Renewal Contract No. 8868 with Calif. Dept. of Insurance for Fraud Program participation for the investigation and prosecution of fraudulent worker's compensation claims.

#### **ADOPTED RESOLUTION NO. 2003-125**

#### Probation

13. Approve and authorize Chairman to sign Renewal Contract with Dos Palos/Oro Loma Unified School District to station a deputy probation officer at Dos Palos High School.

#### **NO ACTION TAKEN – PULLED FROM THE AGENDA**

14. Approve and authorize Chairman to sign Renewal Contract No. 2001208 with Child Advocates of Merced to provide a Mentor Coordinator.

15. Approve and authorize Chairman to sign Renewal Contract with Merced County Jail Ministry to provide educational, counseling and religious services to minors confined at Juvenile Hall.

#### **NO ACTION TAKEN – PULLED FROM THE AGENDA**

16. Approve and authorize Chairman to sign Amendment to Contract No. 9763 with Fouts Springs Ranch to reduce the seven bed minimum guarantee to two bed minimum guarantee.

#### Mental Health

17. Approve and authorize Chairman to sign Amendment to Contract No. 2002220 with Tulare County Superintendent of Schools for Calif. Friday Night Live Partnership Mentoring Grant.

18. Approve and authorize Chairman to sign Amendment to Contract No. 200240 with Sylmar Health and Rehabilitation Center to pay outstanding invoices during the period of May 2003 and June 2003.

19. Approve and authorize Chairman to sign Renewal Contract No. 200240 with Sylmar Health and Rehabilitation Center for FY 2003/2004.

- ~~20. Approve and authorize Chairman to sign Renewal Contract No. 8051 with Merced Manor for services provided to clients.~~

21. Approve and authorize Chairman to sign Renewal Contract No. 8953 with Merced County Office of Education for provision of services of an Educational Psychologist.

22. Approve and authorize Chairman to sign Renewal Contract No. 2000159 with Unilab Corporation for lab testing for consumers.

23. Approve and authorize Chairman to sign Renewal Contract No. 9929 with Kings View Counseling Services (Kings County) for provision of Inpatient Psychiatric Services for clients.

24. Approve and authorize Chairman to sign Renewal Contract No. 99019 with J. Stanley Bunce, Ph.D. & Associates for the Sexual Offenders Program.

25. Approve and authorize Chairman to sign Renewal Contract No. 9341 with Los Banos Drug Company for provision of pharmacy services to consumers.

26. Approve and authorize Chairman to sign Renewal Contract No. 2000207 with Merced Drug for provision of pharmacy services to clients.
27. Approve and authorize Chairman to sign Renewal Contract No. 8056 with Crestwood Behavioral Health, Inc.
28. Approve and authorize Chairman to sign Renewal Contract No. 10121 with Challenged Family Resource Center for support services.
29. Approve and authorize Chairman to sign Renewal Contract No. 8548 with Human Services Agency for Mail Service.

Dept. of Workforce Investment

30. Approve and authorize Chairman to sign Amendment to Contract No. 2002236 with Merced College for Basic Education Services.
31. Approve and authorize Chairman to sign Contract No. 2003132 with Merced Adult School for basic education services to Workforce Investment Act participants through PLATO lab services.
32. Approve and authorize Chairman to sign Amendment to Contract No. 9673 with California Employment Development Department to conduct a yearly Labor Market Survey until July 31, 2003.

Human Services Agency

33. Approve and authorize Chairman to sign Contract No. 7640 with Calif. Dept. of Veterans Affairs for Certificate of Compliance for Veterans Services Medi-Cal Cost Avoidance Program Funds to secure Federal financial participation.
34. Approve and authorize Chairman to sign Contract No. 99163 with Calif. Dept. of Veterans Affairs for Certificate of Compliance for the Veterans Services Program funds for FY 2003/2004.
35. Approve and authorize Chairman to sign Contract with Mental Health for Alcohol and Drug Counseling Services by providing an Analyst to work 20 hours weekly at H.S.A.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003133**

36. Approve and authorize Chairman to sign Amendment to Contract No. 2001159 with Children's Services Network, Inc. to add Cal-Learn Stage I Child Care and authorize Human Services Agency Director to sign subsequent amendments to contract within the contract budget.
37. Approve and authorize Chairman to sign Renewal Contract No. 6973 with Brawley Enterprises for office space for the MAGIC Project located at 1112 West 16th Street-Merced.
38. Approve and authorize Chairman to sign Renewal Contract No. 9444 with Public Works to provide a Reduced Cost Transportation Program for senior citizens on behalf of Area Agency on Aging; authorize Chairman to sign Contract No. 2003134 with Public Works to provide a No Cost Transportation Program for senior citizens for FY July 1, 2003 through June 30, 2005 and authorize the Area Agency on Aging Director to sign subsequent amendments to contract within the contract budget.

39. Approve and authorize Chairman to sign Amendment to Contract No. 99080 with Catholic Charities of the Diocese of Fresno to modify funding and decrease funds in the amount of \$16,934 for a new contract amount of \$67,196 for Senior Companion services by Area Agency on Aging and authorize Area Agency on Aging Director to sign subsequent amendments to contract within the contract budget.
40. Grant Human Services Agency Relief from Shortage in the amount of \$10 and allows the restoration of funds.

#### Community Action Agency

41. Approve and authorize CAB Chair to sign Amendment to Contract with Madera County CAA, Inc. for Low-Income Home Energy Assistance Program (LIHEAP) and Weatherization (WX) assistance services provided to Madera.
42. Approve and authorize CAB Chair to sign Contract with Jobs for Calif.-Merced County, Inc. for new office space for the Workforce Development Department.
43. Approve and authorize CAB Chair to sign Contract with Calif. Dept. of Education for Award of one-time only Playground Compliance Funding to be used in the Child Development and State Preschool Programs to improve the quality and safety of the playgrounds.
44. Approve and authorize CAB Chair to sign Head Start Grant Application to the Admin. for Children and Families, Region IX for Program Year 38 for Training and Technical Assistance Funding the amount of \$10,000.
45. Approve and authorize CAB Chair to sign Head Start Grant Application to the Admin. for Children and Families, Region IX for Program Year 38 for one-time Supplemental Grant Funds to be used for Playground Safety and ADA Requirements for Head Start Centers.
46. Approve and authorize CAB Chair to sign Head Start Grant Application to the Admin. for Children and Families, Region IX for Program Year 38 for Grant Fund to be used for a Cost of Living Adjustment and Quality Assurance.
47. Approve and authorize CAB Chair to sign Contract with PG & E for C.A.R.E. Program in Merced County.
48. Accept and place CAA Information, Staff and Committee Reports on file.

#### Executive Office

49. Approve and authorize Chairman to sign Renewal Contracts as follows: No. 6423 with Liebert, Cassidy and Whitmore for Labor Relations Services; No. 200291 with Liebert, Cassidy and Whitmore for Training Consortium Services and No. 200017 with Marilyn Anhalt for Training.

#### Sheriff

50. Authorize Relief of Accountability in the amount of \$830 of the Imprest/Change/Petty Cash Fund which was established prior to 1988 as reflected in the Auditor's records.

#### Child Support Services

51. Authorize compensation for a total of 4 hours to retro holiday pay for Variable Shift position #88 for Pay Period 2, 3 and 5 in Child Support Services.

## Board of Supervisors

52. Set public hearing for August 12, 2003 at 10:30 a.m. to consider an Appeal to Planning Commission decision on Modification No. 03006 to Major Subdivision No. 97006, Modification No. 03005, to Conditional Use Permit No. 3324 and Property Line Adjustment No. 03011 submitted by Fox Hills Management Group, LLC.
53. Adopt Resolutions and adjourn meeting in memory of the following: Mary Frances Rowe, Adolphine Kucius, Ollie May Chapin, Elmo Martin Giampaoli and John J. Brandi.

## Board Recognition

54. Authorize Certificates of Recognition to the following individuals selected by the Greater Chamber of Commerce and Leadership Merced for Graduation Class 18: Carol Ahlem, Shawn Dwyer, Matthew Fell, Scott Gabraith, Michelle George, Patti Istars, Michael Kelley, Donald King, Rebecca Lincoln, Kathleen Lynn, Rick Mendonca, Timothy Nelson, Donna Ornelas, Ana Pagan, Edik Panjaitan, Rosemary Parga-Duran, Garth Pecchenino, Marla Pettygrove, Elaine Post, Deneen Proctor, Amy Rose and Mary Sieren.
55. Authorize Certificate of Recognition to Michelle Hooper for service to Castle Airport.
56. Authorize Certificate of Recognition to Merced County Arts Council in celebration of 25 years of Incorporation.
57. Authorize Certificate of Recognition in remembrance and celebration of the 100th Birthday of Virginia Smith.

## **REGULAR CALENDAR**

### **BOARD ACTION**

#### PUBLIC WORKS

58. Authorize Public Works to initiate an appeal of certain modifications to the current Base Flood Elevations and Flood Insurance Rate Map for Merced as proposed by the Federal Emergency Management Agency (FEMA) based on appeal received by Larry Bowers relative to the possible change in Planada's Plainsburg Road overall elevation change during construction of the community storm drainage system and, therefore, possibly lowering the Base Flood Elevation.

**APPROVED AS RECOMMENDED      AYES: ALL**

59. Contract with Commercial Construction for the Kitchen Repair at Area Agency on Aging. (HELD OVER)

**REVIEW BOARD ORDER – SEE PAGE 10**

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003135      AYES: ALL**

#### HUMAN SERVICES AGENCY

60. Contract with T. Kaljian Real Estate for Office Space for CalWORKs in Los Banos.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003136      AYES: ALL**

## GENERAL SERVICES

61. County Surplus Public Sale - Declare items listed in Exhibit A as Surplus Property and authorize disposal; approve County Public Sale to be held on August 1 and 2, 2003 and authorize establishment of temporary change fund in the amount of \$600 to be deposited back after the sale.

**APPROVED AS RECOMMENDED AYES: ALL**

## BUSINESS-ECONOMIC OPPORTUNITIES

62. Funding Opportunities through Community Development Block Grant Program Enterprise Fund and Over-the-Counter Allocations and set public hearing for September 9, 2003 at 10:30 a.m.

**NO ACTION TAKEN – PULLED FROM THE AGENDA**

63. Adopt Resolution approving the Foreign Trade Zone No. 226 Tariff Schedule Adjustments.

**ADOPTED RESOLUTION NO. 2003-126 AYES: ALL**

## HEALTH

64. Contract with State EMS Authority for the funding of the purchase and establishment of a Hospital Internet-Based Communications and Surveillance System Development.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003137 AYES: ALL**

65. Contract with Riggs Ambulance Service to provide an Emergency Medical Technician-One (EMT-1) Training Program.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003138 AYES: ALL**

## DEPT. OF WORKFORCE INVESTMENT

66. Amendment to Contract No. 2003039 with Merced Union High School District increasing the amount of the contract and requiring the Variable Shift Typist Clerk III to be 80% Bilingual English/Spanish and authorize Workforce Investment Director to sign amendments within contract budget.

**APPROVED AS RECOMMENDED AYES: ALL**

67. Contract with Merced County Office of Education to provide a Project Development Manager for 10 percent of the Work Year.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003139 AYES: ALL**

## BOARD OF SUPERVISORS

68. PULLED.

## AG. COMMISSIONER

69. Contract with U.S. Dept. of Agriculture for Surveillance against the spread of Exotic Newcastle Disease and authorize Ag. Commissioner to sign necessary documents.

**AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2003140 AYES: ALL**

## EXECUTIVE OFFICE

70. Approve Extension of the Reduction In Force (RIF) effective date of positions in Child Support Services to July 27, 2003 (through Pay Period 16)

**REVIEW BOARD ORDER – SEE PAGE 11**

71. PULLED



BOARD APPOINTMENTS

72. Workforce Investment Board – Reappointments

**REVIEW BOARD ORDER – SEE PAGE 11**

**BOARD INFORMATION & POSSIBLE ACTION**

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

- 73. Human Services Agency re: Report of Persons Receiving Assistance for Period of March, 2003.
- 74. Sheriff re: COPS Homeland Security Overtime Program Grant Proposal with Office of Criminal Justice.
- 75. Dept. of Workforce Investment re: 2002/2003 Workforce Investment Act (WIA) Subgrant Agreement.
- 76. State Board of Corrections re: Approval of the Juvenile Justice Crime Prevention Act (JJCPA) Application for Continuation Funding and Plan Modification for FY 2003/2004.
- 77. Calif. Dept. of Parks and Recreation re: 2002 Resources Bond Act (Proposition 40) Grant Programs Update Letter #3.
- 78. CSAC and the Judicial Council re: Probation Services Task Force Final Report - June 2003. (On file with Clerk)
- 79. California Oak Foundation re: Request for support of SB 711 and request for local jurisdictions to work with counties and cities to develop and approve oak woodland stewardship and management plans.
- 80. Governor's Office of Emergency Services re: Request for designation of Merced County as a Disaster area due to hail, which occurred on April 21, 2003.
- 81. Planning re: Notification from State Dept. of Housing and Community Development that the Code Enforcement Grant submitted was not awarded. (Board Action of April 1, 2003)

**ADOPTED RESOLUTIONS AND ADJOURNED MEETING IN MEMORY OF MARY FRANCES ROWE, ADOLPHINE KUCIUS, OLLIE MAY CHAPIN, ELMO MARTIN GIAMPAOLI AND JOHN BRANDI UNTIL JULY 22, 2003 AT 10:00 A.M.**

## **BOARD ORDERS – SUMMARY ACTION MINUTES – JULY 15, 2003**

### **9:00 A. M. ADDED AGENDA ITEM**

#### **2003-07-15 CLOSED SESSION**

County Counsel Ruben Castillo advises a matter has arisen that requires Board consideration relative to an additional Closed Session to meet with Counsel concerning existing litigation.

Upon motion of Supervisor O'Banion, seconded by Supervisor Nelson, duly carried, the Board finds a need arose, subsequent to the posting of the agenda to consider the following matter:

Closed Session – Conference with Legal Counsel – Existing Litigation: It is the intention of the Board to meet in Closed Session concerning existing litigation pursuant to subdivision (b) of Section 54956.9, Protect Our Waters, et al v. County of Merced (Calaveras Mining, Inc.) Court of Appeal No. F039254.

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

### **ACTION ITEM NO. 59**

#### **2003-07-15 PUBLIC WORKS**

The Chairman states consideration of the Cherish Kitchen Repair at the Area Agency on Aging Office located at 851 West 23<sup>rd</sup> Street in Merced is before the Board as submitted by Public Works.

Supervisor Kelsey references the minutes of the Executive Council of the Community Action Board and states she wants to see a subcommittee of board members to review the situation.

Following discussion, Supervisor Cortez Keene states the maintenance of the county building is what is before the Board for consideration and has nothing to do with the meals that are provided by Community Action Agency for the Cherish Program.

Following further discussion and upon motion of Supervisor Cortez Keene, seconded by Supervisor Kelsey, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2003135 with Commercial Construction for the Kitchen Repair at the Area Agency on Aging Building located at 851 West 23<sup>rd</sup> Street in Merced.

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

**ACTION ITEM NO. 70**

**2003-07-15 EXECUTIVE OFFICE**

The Clerk advises Extension of Reduction in Force for Child Support Services Department submitted by Executive Office is before the Board for consideration.

County Executive Officer Demitrios Tatum states in order to insure the required notice time is provided to the affected employees of the Child Support Services Department, a recommendation is made to extend the effective date of the layoff until the end of Pay Period 16, July 27, 2003 rather than the effective date of July 16, 2003.

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board approves the extension of the Reduction in Force (RIF) effective date for the positions in Child Support Services to July 27, 2003 (through Pay Period 16).

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

**ACTION ITEM NO. 72**

**2003-07-15 DEPARTMENT OF WORKFORCE INVESTMENT – Workforce Investment Board**

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board reappoints the following to serve as members of the Workforce Investment Board:

Public Sector: Ernie Flores, Lee Andersen, Brian Griffin and Nellie McGarry until June 30, 2007;

Business Sector: Peter Fluetsch, Albert Montejano, Steve Tinetti, John Headding, Alfonse Peterson and Al Romero until June 30, 2007 and Rick Osorio until June 30, 2006;

One-Stop Partners: Bob Bittner until June 30, 2007.

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



# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS JOINT MEETING MERCY MEDICAL CENTER MERCED BOARD OF DIRECTORS

**Continued Meeting - Revised**  
**TUESDAY, JULY 15, 2003**  
**5:00 P.M.**

MERCED COUNTY  
ADMINISTRATION BUILDING  
2222 "M" STREET  
BOARD ROOM, THIRD FLOOR  
MERCED, CALIFORNIA 95340  
(209) 385-7366

DEMITRIOS O. TATUM  
COUNTY EXECUTIVE OFFICER

GLORIA CORTEZ KEENE.....DISTRICT 1  
CHAIR KATHLEEN M. CROOKHAM....DISTRICT 2  
MICHAEL G. NELSON.....DISTRICT 3  
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5:00 P. M.

**JOINT MEETING WITH MERCY MEDICAL CENTER MERCED BOARD OF DIRECTORS**

- **Welcoming Remarks**
- **County of Merced Report**
- **Catholic Healthcare West (CHW) Report**
  - **Mercy Medical Center Merced Board Chairman Bert Crane**
  - **President John Headding**
- **Board of Supervisors/Board of Directors – Question and Answer Period**
- **Break (10 Minutes)**
- **Public Opportunity to speak on any matter of public interest within the Board’s jurisdiction**
- **Recommendations and Direction**
- **Closing Remarks**  
**REVIEW BOARD ORDER – SEE PAGE 14**

**5:00 P. M. JOINT MEETING**

**2003-07-15 BOARD OF SUPERVISORS AND MERCY MEDICAL CENTER BOARD OF DIRECTORS**

➤ **Welcoming Remarks**

County Executive Officer Demitrios Tatum and Chairman Kathleen Crookham provides a brief introduction stating this forum is an update and outlines the plans for the future.

➤ **County of Merced Report**

Director of Public Health John Volanti distributes and briefly reviews the County of Merced Report as follows: Annual Report, Legal Obligation, Fulfilling 17000 Responsibilities, Leveraging County Funds, County's Commitment, the Oversight of Mercy Medical Center Merced (MMCM), Contract Monitoring Report, Future Expectations, Hospital Issues at a State and National Perspective, Health Care Economics, the New Millennium, Today's Fiscal Trends, Workforce Issues and protecting public health and providing care for indigent.

Mr. Volanti reviews the recommendations for the Consultant and Board Resolution.

➤ **Catholic Healthcare West (CHW) Report**

MMCM Board Chairman Bert Crane advises the Board of Directors and Executive Committee are aware of the issues of concern surrounding the Emergency Department/E.R. and states that patient care is of the utmost importance to the Board and to the community. He states many issues were brought up at the meeting with Congressman Cardoza relative to the hospital concerns and those need to be addressed. Mr. Crane advises the Executive Committee has held meetings with numerous doctors, nurses and hospital departments for possible correction to the concerns in a rapid manner.

Mr. Crane states based on these meetings, it has been determined a consultant will be brought in to evaluate the departments, starting with the Emergency Department. In addition, an agreement has been reached between MMCM Administrator John Heading and the Executive Committee of the Governing Board of Mercy Medical Center, dated July 11, 2003, on the following actions to improve the performance of the emergency department, laboratory and radiology departments in order to maintain the quality of care for Mercy Hospital patients to meet the standards of excellence as described in Mercy Medical Center's mission statement and values:

1. The Administrator will draft a performance management program from his action plan that will include performance standards on how he will reorganize the emergency room with timelines for completion which will include necessary monitoring and resources necessary for completion. If the Administrator is hindered or curtailed in any of his efforts to carry out the completion of the performance management plan by any agency or department, the Administrator will immediately report such interference to the Executive Committee.
2. The goal of this plan will be to eliminate complaints about the Emergency Department, Laboratory Department and X-Ray Department and to bring the operation of each department in compliance with acceptable standards of performance in patient care.
3. The Administrator will design a system for a person who is familiar with Emergency Department procedures and functions to act as a facilitator to record and report the daily activity on each shift with measurable data. This report will start on Friday, July 18<sup>th</sup> and

continue each Friday until August 8<sup>th</sup>. The report will include Wait Time for Treatment, Wait Time to see the Doctor, Wait Time for Lab work and X-Ray and include information of all patient transfers. In addition, the report will include time of patient discharge and time of patient admittance.

4. At the conclusion of the thirty day period, an evaluation will be made by the Executive Committee regarding the progress the Administrator has made to improve the patient care of the emergency room, laboratory and x-ray departments. If the measurable standards do not meet the goals established by the Executive Committee, appropriate action will be implemented by the Executive Committee.

Mercy Medical Center Merced President John Headding submits and reviews the Hospital Lease and Healthcare Operating Agreements Monitoring Reports for monitoring period of April 1, 2002 to June 30, 2003 covering the following areas: General Administration, Capital Improvements/Alterations/Casualty Losses and Core Services/Indigent Health Care.

➤ **Board of Supervisors/Board of Directors – Question and Answer Period**

Discussion is had on: Workers compensation, medi-care and medi-cal patients, revenue, recruitment, monitoring program and orthopedic coverage.

The Board recesses at 6:40 p.m. and reconvenes at 6:50 p.m.

➤ **Public Opportunity to speak on any matter of public interest within the Board's jurisdiction**

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

The following speak: Peggy McDonald, Gloria Sandoval, Mike Prows, Executive Committee Member John Raggio, Director of A Woman's Place Diana Almanza, Dr. George Nevatt, Laboratory Clerk Mary Ann and Office Manager Missy Willey.

➤ **Recommendations and Direction**

Following discussion and upon motion of Supervisor O'Banion, seconded by Supervisor Cortez Keene, duly carried, the Board approves the recommendations as presented by Staff as follows:

Consultant will review County/CHW Contract, Contract Monitoring Tool, Indigent Health Care Program and report back with recommendation in 120 days;

Board will support Disproportionate Share Hospital Funding and will support Medicare Reform packages for rural health relative to pharmaceuticals and durable medical equipment and understanding a report will come back within 45 day period with recommendations and findings as presented by Staff and Mercy Medical Center Merced Governing Board.

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