



# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

Regular Meeting  
TUESDAY, FEBRUARY 28, 2006  
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

JOHN PEDROZO.....DISTRICT 1  
KATHLEEN M. CROOKHAM....DISTRICT 2  
CHAIRMAN 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.  
(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 Government Code Section 54956.9(b): One Case

**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 Government Code Section 54956.9(a): Administrative Hearing - Arthur Hernandez vs. County of Merced

**CLOSED SESSION:** It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957: PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS: County Librarian and County Counsel

**CLOSED SESSION:** It is the intention of the Board to meet in Closed Session pursuant to Government Code Section 54957.6 concerning a Conference with County of Merced Staff Negotiators concerning negotiations 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; Deputy Sheriff Association, Unit 10 and Non-Safety Corrections, Unit 12

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

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

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 (Testimony limited to five minutes per person)**

**BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Ag. Commissioner-\$10,000**

**APPROVED AS RECOMMENDED AYES: ALL**

**APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 32)**

**APPROVED AS RECOMMENDED AYES: ALL**

10:30 A. M.

**COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT - PROPOSED ORDINANCE - SECOND READING AND POSSIBLE ADOPTION**

An Ordinance of the County of Merced Approving and Adopting the Redevelopment Plan for the Castle Airport Aviation and Development Center Redevelopment Project

**REVIEW BOARD ORDER – SEE PAGE 11**

**PUBLIC WORKS - PUBLIC HEARING - PROPOSED ORDINANCE - SECOND READING AND POSSIBLE ADOPTION**

An Ordinance granting Petrogulf Corporation a Franchise to install, operate and maintain gas pipelines in County Road Right of Ways

**REVIEW BOARD ORDER – SEE PAGE 11**

**PROBATION - PUBLIC HEARING - PROPOSED ORDINANCE - SECOND READING AND POSSIBLE ADOPTION**

An Ordinance to provide for Education for Juveniles placed in the Juvenile Camps (Amends Ordinance No. 717 and Chapter 2.76 of the Merced County Code)

**REVIEW BOARD ORDER – SEE PAGE 12**

**COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT - PUBLIC HEARING - PROPOSED ORDINANCE - SECOND READING AND POSSIBLE ADOPTION**

An Ordinance to provide for Appeal of the Business License Requirement, change department name and name of Business License Appeals Board (Amends Ordinance No. 1705 and Chapter 6.02 of the Merced County Code)

**REVIEW BOARD ORDER – SEE PAGE 12**

**SHERIFF - PUBLIC HEARING - PROPOSED ORDINANCE - POSSIBLE ADOPTION**

Proposed ordinance setting the Bail Schedule of Parking Penalties for Parking Citations in Merced County

**REVIEW BOARD ORDER – SEE PAGE 13**

**SHERIFF - PUBLIC HEARING**

2006 Edward Bryne Memorial Justice Assistance Grant Application from the U.S. Dept. of Justice

**REVIEW BOARD ORDER – SEE PAGE 13**

**COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT - PUBLIC HEARING**

To discuss and receive comments on the 2006 Community Development Block Grant (CDBG) Program, General and Native American Allocation and Economic Development Allocation

**REVIEW BOARD ORDER – SEE PAGE 13 AND 14**

**PLANNING - PUBLIC HEARING**

To consider completion of a Community Development Block Grant (CDBG) Housing Rehabilitation Activity in the Westside of Merced County

**REVIEW BOARD ORDER – SEE PAGE 14**

**REPORTS/BOARD DIRECTION**

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

**LUNCH BREAK**

CONSENT CALENDAR (Items #1 - 32)

**APPROVED AS RECOMMENDED AYES: ALL**

Public Works

1. Adopt Resolution designating the installation of an All-Way Stop at the intersection of Tyler Road and Vassar Avenue in Merced and authorize the installation of stop signs on the Tyler Road approaches to the intersection.

**ADOPTED RESOLUTION NO. 2006-25**

2. Approve plans and specifications for construction of Curb and Gutter on Sutter Street and Chapman Street in Planada and Le Grand, respectively with report back to the Board of contract results.
3. Adopt Resolution of Intent to create the Underground Utility District No. 10 along Walnut Avenue between California Street and Santa Fe Drive, set public hearing for March 28, 2006 at 10:30 a.m. and authorize notification and postings to affected property owners with Certified Resolution of Intent to be posted.

**ADOPTED RESOLUTION NO. 2006-26**

4. Approve Budget Transfer in the amount of \$3,930 as recommended by Executive Office.

Ag. Commissioner

5. Adopt Resolution authorizing Chairman to sign Amendment to Contract No. 2005263 with California Dept. of Food and Agriculture for Red Imported Fire Ant Inspections on incoming beehives.

**ADOPTED RESOLUTION NO. 2006-27**

6. Adopt Resolution authorizing Chairman to sign Amendment to Contract No. 2004047 with California Dept. of Boating and Waterways for Water Hyacinth Control on Merced County Waterways.

**ADOPTED RESOLUTION NO. 2006-28**

Human Services Agency

7. Approve and authorize Chairman to sign Amendment to Contract No. 2004143 with Merced Union High School District for Adult Education and Training Services.
8. Approve and authorize Chairman to sign Amendment to Contract No. 2000229 with Central Valley Opportunity Center for Adult Education and Training Services.
9. Approve and authorize Chairman to sign Amendment to Contract No. 2006032 with State Dept. of Rehabilitation for establishment of a vending facility for employees and visitors at H.S.A.
10. Approve and authorize Chairman to sign Amendment to Contract No. 2005016 with Child Advocates of Merced County for Family Mentoring.

Child Support Services

11. Approve and authorize Chairman to sign Amendment to Contract No. 2006033 with Moonlight Investments for Office Space at 780 Loughborough Drive.
12. Approve and authorize Chairman to sign Amendment to Contract No. 2006034 with Moonlight Investments for Office Space at 750 Loughborough Drive.

### Mental Health

13. Approve and authorize Chairman to sign Renewal Contract No. 2003083 with State Dept. of Mental Health for Hospital Bed Usage Standard Agreement.

### Probation

14. Authorize participation in a Statewide Grant Application to Office of Traffic Safety coordinated by San Diego County to target offenders on felony probation.

### Sheriff

15. Authorize application for additional funding under the Officer Down Memorial Page, Inc. Memorial Grant Program in support of the Merced County Law Enforcement Memorial.

### Health

16. Adopt Resolution authorizing submission of Solid Waste Local Enforcement Agency Grant Application Contract No. 2006035 with the California Integrated Waste Management Board for 2006-2007 to support local solid waste landfill permit and inspection programs.

### **ADOPTED RESOLUTION NO. 2006-29**

### Administrative Services

17. Proclaim month of March, 2006 as "National Purchasing Month" in the County of Merced.

### Executive Office

18. Approve and authorize Chairman to sign Renewal Contract No. 2004069 with Terry Roberts dba Ashgrove Risk Management Services for risk management services and as Interim Risk Manager.
19. Approve Travel Requests for Public Works, Executive Office, Human Services Agency and Sheriff as recommended by Executive Office.
20. Approve and authorize Chairman to sign Amendment Contract No. 2006036 for Joint Powers Agreement with CSAC Excess Insurance Authority to allow for membership by public entities other than counties with limited voting rights.
21. Approve and authorize Chairman to sign Renewal Contract No. 2002211 with Fair Issac Corporation, successor to Diversified Health Care Services, Inc. for Workers' Comp Medical Billing Review.
22. Recognize April 23-29, 2006 as Volunteer Week in order to coincide with National Volunteer Week and endorse the National Theme "Inspire by Example", set May 9, 2006 as the date for awarding the Volunteer Recognition and Service Program certificates and direct staff to coordinate applications and nominations and set March 31, 2006 as the deadline to receive nomination applications.

### Treasurer/Tax Collector

23. Approve Budget Transfer in the amount of \$936 for Tax Collector as recommended by Executive Office.
24. Accept Quarterly Investment Report for the Quarter Ending December 31, 2005 pursuant to Government Code Section 53646.

25. Accept the 2006 Annual Statement of Investment Policy pursuant to Government Code Section 53646.

Commerce, Aviation and Economic Development

26. Set Public Hearing for March 14, 2006 at 5:30 p.m. to consider an Application requesting \$1,180,000 from the California Dept. of Housing and Community Development, Community Development Block Grant Program for Rehabilitation of Castle Airport Flight Operations Infrastructure.

Board of Supervisors

27. Approve Minutes of December 6, 2005 as submitted.

Board Recognition

28. Proclaim the week of January 29 through February 4, 2006 as "Catholic Schools Week" in the County of Merced.
29. Proclaim February, 2006 as "American Heart Month" and support the "Go Red for Women Campaign" by proclaiming February 3, 2006 as "Wear Red for Women Day" in the County of Merced.
30. Authorize Certificate of Recognition to Brian Fuentes for outstanding success in Major League Baseball on behalf of the County of Merced.
31. Authorize Certificates of Recognition to the Merced/Mariposa FFA Project Competition Committee members in recognition of outstanding entrepreneurship and work experience projects.

**REVIEW BOARD ORDER – SEE PAGE 14 AND 15**

32. Authorize Certificates of Recognition to Merced County Chamber of Commerce 2005 Awards: Peter Fluetsch-2005 Business of the Year; Kathy Andrade-2005 Businesswoman of the Year; Scenic Airlines-2005 Business of the Year; Connie and George Corvelo-2005 Ambassador of Goodwill and recognitions of Past Presidents.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

33. Consider designation of the intersection of Tyler Road and Mission Avenue as an All-Way Stop in the Merced area and adopt Resolution if approved.

**ADOPTED RESOLUTION NO. 2006-30 AS RECOMMENDED      AYES: ALL**

34. Contract No. 2006028 with Stephen and Joan Tinetti for reimbursement for pipelining the Merced Irrigation Canal between the easterly boundary on the West Hills Estates Subdivision.

**APPROVED AS RECOMMENDED      AYES: ALL**

35. Authorize purchase of a used 1993 Gradall G660E Excavator from the Merced Irrigation District and authorize Administrative Services to issuance a Purchase Order for the purchase and approve the necessary budget transfer-\$56,472.

**APPROVED AS RECOMMENDED      AYES: ALL**

36. Authorize Funding Extension Request for Arboleda Drive at Duck Slough Bridge Replacement Project, Traffic Signals for Bloss Avenue at State Route 165 and the Highway 140 Beautification Project in Planada and authorize the Chairman to sign the Contract No. 2006029 with State Dept. of Transportation (Caltrans) for extension of budget authority for road projects with lapsing unspent federal or state funds.

**APPROVED AS RECOMMENDED AYES: ALL**

**HEALTH**

37. Contract No. 2006037 with Marin County as the Host County for the Medi-Cal Administrative Activities/Targeted Case Management Program for FY 2005/06.

**APPROVED AS RECOMMENDED AYES: ALL**

38. Contract No. 2006038 with State Water Resources Control Board for the development and field testing of a Model Comprehensive Nutrient Management Plan (CNMP) for animal facility operations, authorize Environmental Health Director to sign payment requests and adopt Resolution No. 2006-31.

**APPROVED AS RECOMMENDED AYES: ALL**

**MENTAL HEALTH**

39. Contract No. 2006039 with Santa Clara County for placement of a Youth in the S.T.A.R.L.I.G.H.T. Program.

**APPROVED AS RECOMMENDED AYES: ALL**

**HUMAN SERVICES AGENCY**

40. Contract No. 2006040 with Pamela Marques, Ph.D., LCSW for Solution-Focused Domestic Violence Group Study 12-week Program designed to focus on domestic violence offenders behavior patterns.

**APPROVED AS RECOMMENDED AYES: ALL**

41. Contract No. 2006041 with Total Self Insight for Transitional Planning Conference meetings that provide young adults (15.5 and 19 years) an opportunity to create a plan for independent future goals.

**APPROVED AS RECOMMENDED AYES: ALL**

42. Contract No. 2006042 with Total Self Insight, Inc. for Family Group Decision Making Conferences providing family decision making process training.

**APPROVED AS RECOMMENDED AYES: ALL**

43. Authorize release of combined RFP for the Multipurpose Senior Services Program (MSSP) and Linkages Program vendor contracts; authorize preparation, solicitation and qualifying of vendors and negotiate contracts; authorize Administrative Services to prepare the necessary contracts with qualifying firms at a not-to-exceed total of \$25,000 per contracted firm upon review of Counsel, Area Agency on Aging and Human Services Agency and for those contracts that exceed \$25,000 or the authority of Administrative Services, to come back to the Board for final approval.

**APPROVED AS RECOMMENDED AYES: ALL**

AG. COMMISSION

44. Authorize release of Request for Proposal for Animal Control comprehensive shelter operations software upgrade, select the most responsive provider and negotiate contract to be returned to the Board for final contract approval.

**APPROVED AS RECOMMENDED AYES: ALL**

DEPT. OF WORKFORCE INVESTMENT

45. Contract No. 2006043 with Kings View Work Experience for the MELCO Embroidery System lease and approve the necessary budget transfer-\$3,000. (4/5 Vote Required)

**APPROVED AS RECOMMENDED AYES: ALL**

46. Contract No. 2006030 with Merced County Office of Education for Workforce Investment Act In-School Youth Program and approve the necessary budget transfer-\$35,715. (4/5 Vote Required)

**APPROVED AS RECOMMENDED AYES: ALL**

FIRE-OFFICE OF EMERGENCY SERVICES

47. Designate the Merced County Health Department Auditorium as the Merced Operational Area Emergency Operations Center.

**APPROVED AS RECOMMENDED AYES: ALL**

CHILD SUPPORT SERVICES

48. Approve request to cancel/reject current Request for Proposal approved on November 22, 2005 by the Board of Supervisors and authorize DAS to revise, prepare and release a new Request for Proposal for Process Serving Services; select the most responsive provider and negotiate contract to be returned to the Board for final approval.

**APPROVED AS RECOMMENDED AYES: ALL**

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT

49. Contract No. 2006031 with Hesketh Construction, Inc. for construction and installation of Aviation Fuel Tank.

**APPROVED AS RECOMMENDED AYES: ALL**

50. Contract No. 2006044 with Mark Carter as Subtenant of Brad Parra for approximately 1,200 square feet of land located on a parking ramp at Castle Airport Aviation and Development Center to place a privately owned portable t-hanger.

**APPROVED AS RECOMMENDED AYES: ALL**

HUMAN RESOURCES

51. Allocate one additional Variable Shift Spring Fair Groundskeeper position to BU 18100 and adopt Resolution No. 2006-32.

**APPROVED AS RECOMMENDED AYES: ALL**

52. Approve the change of the District Attorney Investigator I/II from Unrepresented Management (Unit 20) to Unit P (Unit 30) effective March 6, 2006.

**APPROVED AS RECOMMENDED AYES: ALL**



COUNTY COUNSEL

53. Contract No. 2006045 with Law Firm of Porter, Scott, Weiberg & Delehant for specialized legal counsel services.

**APPROVED AS RECOMMENDED      AYES: ALL**

BOARD OF SUPERVISORS

54. Authorize Special Board Project Funds-District One transfer of funds in the amount of \$2,500 to Special Board Project Funds-District Four for previously borrowed funds to re-roof Livingston Theater and for costs of Livingston Middle School Students to attend National Competition in Washington, D.C. and approve necessary budget transfer.

**APPROVED AS RECOMMENDED      AYES: ALL**

55. Authorize Special Board Project Funds-District One expenditure in the amount of \$3,000 to be forwarded to Le Grand Municipal Advisory Council for tools, equipment for community beautification and junior football equipment and approve the necessary budget transfer.

**APPROVED AS RECOMMENDED      AYES: ALL**

56. Authorize Special Board Project Funds-District One expenditure in the amount of \$1,500 to be forwarded to Planada Municipal Advisory Council for tools and equipment for community beautification and approve the necessary budget transfer.

**APPROVED AS RECOMMENDED      AYES: ALL**

57. Letter to Peter Stravrianoudakis relative to the Hilmar Municipal Advisory Council.

**APPROVED AS RECOMMENDED      AYES: ALL**

58. Authorizing appointment of Merced County Chamber of Commerce as the official representative of Merced County to be responsible for the County's exhibit at the California State Fair.

**APPROVED AS RECOMMENDED      AYES: ALL**

59. Authorize expenditure of Special Board Project Funds-District Four to D & D Associates in the amount of \$2,500 to cover consultant services for Town Hall strategic planning meetings in the community of Stevinson.

**APPROVED AS RECOMMENDED      AYES: ALL**

BOARD APPOINTMENTS

60. Hilmar Municipal Advisory Council – Appoint Vance Ahlem to serve as a member until May 3, 2010. Delhi Municipal Advisory Council – Reappoint Richard Jantz until January 3, 2007, reappoint Walter Aghassi until January 3, 2008 and Randy Beard until January 3, 2010 and appoint Robert Nolte until January 3, 2008.

**APPROVED AS RECOMMENDED      AYES: ALL**

61. Winton Municipal Advisory Council – Appoint William Riggs to serve as a member until March 31, 2009

**APPROVED AS RECOMMENDED      AYES: ALL**

62. Planada Municipal Advisory Council – Appoint Fabiola Alvarez to serve as a member until March 31, 2011.

**APPROVED AS RECOMMENDED      AYES: ALL**

63. Stevinson Water District – Reappoint Gary Mall, Suzy Solvin and Chuck Lyons to serve as members until December 5, 2009.

**APPROVED AS RECOMMENDED      AYES: ALL**

64. Continuum of Care Advisory Council - Formalize Committee and appoint Mae Pierini, Ryan Sakson, and Terry Tatum until their respective terms of office expire.

**APPROVED AS RECOMMENDED      AYES: ALL**

**RETIREMENT**

65. Approve the amended Bylaws of the Merced County Employees Retirement Association Board.

**APPROVED AS RECOMMENDED      AYES: ALL**

**BOARD INFORMATION & POSSIBLE ACTION**

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

66. Dept. of Workforce Investment re: 2005/2006 Workforce Investment Act Subgrant Agreement R692484, Modification 5, with the State of California Employment Development Department.
67. Dept. of Workforce Investment re: Update Application to Employment Development Department's (EDD) Solicitation for proposal concerning industries with a Statewide Need - Nurses and other health related industries.
68. Le Grand Union Elementary School District re: Fourteen Day Notice of Proposal to Implement Developer Fees.
69. San Luis Obispo County Board of Supervisors re: Letter supporting the California Energy Commission's recommendation to "evaluate the long-term implications associated with the continuing accumulation of spent fuel at California's operating nuclear power plants".
70. Mariposa County Board of Supervisors re: Notification of Supervisor Janet Bibby selection to continue to serve as a representative of the Foreign Trade Advisory Board.
71. State Water Resources Control Board re: Historic Joint Meeting of two CAL/EPA Boards focuses on Air Pollutants that are transferred to Water.
72. State Dept. of Conservation re: Public Agency Acquisition of Land Enrolled in Williamson Act Contract, Wastewater Treatment Plant Expansion, City of Los Banos, Merced County.
73. Nextel Communications, Inc. re: New Build of wireless telecommunication service in Le Grand, CA.

**ADOPTED RESOLUTIONS IN MEMORY OF ERIN HARRIS AND CLARENCE OLIVER  
AND ADJOURNED MEETING UNTIL TUESDAY, MARCH 14, 2006 AT 5:00 P.M.**

**BOARD ORDERS – SUMMARY ACTION MINUTES – FEBRUARY 28, 2006**

**10:30 A.M. SCHEDULED ITEM**

**2006-02-28 COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT – PUBLIC HEARING – ORDINANCE NO. 1776 ADOPTED**

The time and date previously set for a public hearing and second reading of an Ordinance approving and adopting the Redevelopment Plan for Castle Airport Aviation and Development Center Redevelopment Project submitted by Commerce, Aviation and Economic Development Department.

Upon motion of Supervisor O'Banion, seconded by Supervisor Pedrozo, duly carried, the Board waives further reading of the proposed ordinance entitled "An Ordinance Approving and Adopting the Redevelopment Plan for Castle Airport Aviation and Development Center Redevelopment Project".

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O'Banion

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

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board adopts Ordinance No. 1776.

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O'Banion

**10:30 A.M. SCHEDULED ITEM**

**2006-02-28 PUBLIC WORKS – PUBLIC HEARING – ORDINANCE NO. 1777 ADOPTED**

The time and date previously set for a public hearing and second reading of an Ordinance granting Petrogulf Corporation a Franchise to install, operate and maintain gas pipelines in County Road Right of Ways submitted by Public Works Department.

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried, the Board waives further reading of the proposed ordinance entitled "An Ordinance Granting Petrogulf Corporation a Franchise to Install, Operate and Maintain Gas Pipelines in County Road Right of Ways.

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O'Banion

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

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board adopts Ordinance No. 1777 and directs that all fees collected from this franchise be deposited in the Public Works-Road Division Fund.

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O'Banion

**10:30 A.M. SCHEDULED ITEM**

**2006-02-28 PROBATION – PUBLIC HEARING – ORDINANCE NO. 1778 ADOPTED**

The time and date previously set for a public hearing and second reading of an Ordinance to provide for Education for Juveniles placed in the Juvenile Camps (Amends Ordinance No. 717 and Chapter 2.76 of the Merced County Code) submitted by Probation Department.

Upon motion of Supervisor Crookham, seconded by Supervisor Pedrozo, duly carried the Board waives further reading of the proposed ordinance entitled “An Ordinance to Provide for Education of Juveniles placed in the Juvenile Camps (Amends Ordinance No. 717 and Chapter 2.76 of the Merced County Code).

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O’Banion

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

Upon motion of Supervisor O’Banion, seconded by Supervisor Pedrozo, duly carried, the Board adopts Ordinance No. 1778.

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O’Banion

**10:30 A.M. SCHEDULED ITEM**

**2006-02-28 COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT – PUBLIC HEARING – ORDINANCE NO. 1779 ADOPTED**

The time and date previously set for a public hearing and second reading of an Ordinance to provide for Appeal of the Business License Requirement, change department name and name of the Business License Appeals Board (Amends Ordinance No. 1705 and Chapter 6.02 of the Merced County Code) submitted by Commerce, Aviation and Economic Development Department.

Upon motion of Supervisor O’Banion, seconded by Supervisor Pedrozo, duly carried, the Board waives further reading of the proposed ordinance entitled “An Ordinance to Provide for Appeal of the Business License Requirement, change Department Name and Name of the Business License Appeals Board (Amends Ordinance No. 1705 and Chapter 6.02 of the Merced County Code).

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O’Banion

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

Upon motion of Supervisor O’Banion, seconded by Supervisor Kelsey, duly carried, the Board adopts Ordinance No. 1779

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O’Banion.

**10:30 A.M. SCHEDULED ITEM**

**2006-02-28 SHERIFF – PUBLIC HEARING – ORDINANCE NO. 1780 ADOPTED**

The time and date previously set for a public hearing to consider Proposed Ordinance setting the Bail Schedule of Parking Penalties for Parking Citations in Merced County submitted by the Sheriff's Department.

Upon motion of Supervisor Pedrozo, seconded by Supervisor Crookham, duly carried, the Board waives further reading of the proposed ordinance entitled "An Ordinance Setting the Bail Schedule of Parking Penalties for Parking Citations in Merced County".

Ayes: Nelson, Pedrozo, Crookham Kelsey, O'Banion

The Chairman asks if there is anyone wishing to speak. No one speaks.

Upon motion of Supervisor Pedrozo, seconded by Supervisor O'Banion, duly carried, the Board adopts Ordinance No. 1780.

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O'Banion

**10:30 A.M. SCHEDULED ITEM**

**2006-02-28 SHERIFF – PUBLIC HEARING**

The time and date previously set for a public hearing to consider and review the 2006 Edward Byrne Memorial Justice Assistance Grant (JAG) application with the U.S. Department of Justice as submitted by the Sheriff's Department.

The Chairman asks if there is anyone wishing to speak. No one speaks.

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board approves the INTERNET application from Merced County for the 2006 Edward Bryne Memorial Justice Assistance Grant Application with the U.S. Department of Justice and approves the Merced County Sheriff's Department, Sheriff/Coroner to act as proxy for the 2006 Edward Byrne Memorial Justice Assistance Grant Award INTERNET application.

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O'Banion

**10:30 A.M. SCHEDULED ITEM**

**2006-02-28 COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT – PUBLIC HEARING**

The time and date previously set for a public hearing to consider and review the funding availability and the County's intent to apply for the 2006 Community Development Block Grant (CDBG) Program, General and Native American Allocation and Economic Development Allocation submitted by Commerce, Aviation and Economic Development (CAED).

Commerce, Aviation and Economic Development Director John Fowler provides a power point presentation on the CDBG Program on General and Native American Allocation and Economic Development Allocation.

The Chairman asks if there is anyone wishing to speak. No one speaks.

Merced County Farm Bureau Director Diana Westmorland Pedrozo states she has asked the County to participate in a water study and questions if this grant would offer this opportunity.

Assistant Planning Director Bill Nicholson states the grant funds are locked in for two more years so at this time funding could not be offered for a water study from this grant.

Upon motion of Supervisor Crookham, seconded by Supervisor O'Banion, duly carried, the Board determines the funding of \$400,000 to General Allocation (affordable housing and related infrastructure) and \$400,000 for Economic Development Allocation activities as recommended by CAED and authorizes CAED to develop an application to submit to HCD for Economic Development Activity and return to the Board for approval prior to submission of application.

Ayes: Nelson, Pedrozo, Crookham, Kelsey, O'Banion

**10:30 A.M. SCHEDULED ITEM**  
**2006-02-28 PLANNING – PUBLIC HEARING**

The time and date previously set for a public hearing to consider completion of a Community Development Block Grant (CDBG) Housing Rehabilitation Activity in the Westside of Merced County as submitted by Planning and Community Development Department.

Assistant Planning Director Bill Nicholson request to continue the public hearing to March 14, 2006.

The Board continues the matter until March 14, 2006 at 5:30 p.m.

Present: Nelson, Pedrozo, Crookham, Kelsey, O'Banion

**CONSENT ITEM NO. 31**  
**2006-02-28 BOARD OF SUPERVISORS**

The Clerk announces the item before the Board is to authorize Certificates of Recognition to the Merced/Mariposa FFA Project Competition Committee members in recognition of outstanding entrepreneurship and work experience projects as follows:

Los Banos FFA – Andree Izoco, Michael Gomes, Chris Lopes, Sarah Marques, Amanda Hendrickson, Tiffany Hendrickson, Nisa Gallichio, Adriane Machado

Livingston FFA – Rebekah Griffith, Jose Arroyo, Alexxis Mires

Merced/Golden Valley FFA – Nicole Nance, Jesus Magallon, Gage Terra, Kyle Harrison, Ryan Lima, Kristine Nunes, Allison Nunes, Michael Kleiber, Kristin Kleiber, Ashley Boyles

Hilmar FFA – Dirk Piersma, Daniel Nascimento, Sal Costilla, Joseph Coleman, Lindsey Mendes, Brenton Wickstrom, Kari Kronberg, Robert Dias, David Jones

Mariposa FFA – Craig Allison, Jacob Gisler, Alex Gisler, Ben Mecchi, Layne Simon, Jaret Fipps, Courtney Forsythe, Jessica Guenthart, Bridget Carpenter

Dos Palos FFA – Sean Lemos, Jaimie Mancebo, Zachary Monk, Cassandra Rivera, Zachary Severns, Katesin Weathers

Buhach Colony FFA – Michael Fagundes, Brittney Machado, Kristen Fortin, Erica Voris, Jennifer Ray, Sara Friesen, Loren Scoto, Louis Silveira, Cody Day  
Gustine FFA – Eric Cozzitorto, Rick Filippini, Breanne Filippini, Nathaniel Minton, Claudia Vasquez, Colton Rocha, Michael Borrelli  
Le Grand FFA – Cody Jacobsen, Jesse Silva, Hillary Knapp, Dominic Giampaoli, Sam Silva, David Fishman, Devin Parker, Jacob Heppner, Kim Falk  
Atwater FFA – Randall Sorensen, Denee Choquette, Kylie Lax, Ryan Pimental, Anne Pimental, Danielle Battisti, Alicia Copeland, Cece Villasenor  
Present: Nelson, Pedrozo, Crookham, Kelsey, O'Banion