



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, MARCH 21, 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.*

The Agenda is available online at www.co.merced.ca.us

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

Members of the public are advised that all pagers, cellular telephones and any other communication devices are to be turned off upon entering the Board Chambers

SCHEDULED ITEMS

9:00 A. M.

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 of Section 54956.9(a):

Corser v. County, et al, Federal District Court Case No. 05-CV-00985-OWW-DLB

Turnbaugh v. County, et al, Merced County Superior Court No. 147905

THE BOARD RECESSED AT 9:00 A.M. WITH SUPERVISOR

CROOKHAM NOT PRESENT AND RECONVENED AT 10:00 A.M. WITH SUPERVISOR CROOKHAM NOT PRESENT 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)

REVIEW BOARD ORDER

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Health-\$10,000 and \$7,000

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

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 23)

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

REPORTS/BOARD DIRECTION

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

LUNCH BREAK

CONSENT CALENDAR (Items #1 - 23)

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

Mental Health

1. Approve and authorize Chairman to sign Renewal Contract No. 2004103 with Human Services Agency for transport of incoming and outgoing mail between Merced County Courts, Los Banos, Administration and Mental Health.
2. Approve and authorize Chairman to sign Renewal Contract No. 2003108 with Human Services Agency for money management services for consumers on SSI/SSP.
3. Approve and authorize Chairman to sign Renewal Contract No. 2004051 with Auditor-Controller for courier services to and from sites in the Los Banos area.
4. Approve and authorize Chairman to sign Amendment to Contract No. 2004347 with Victor Treatment Center for residential treatment facility that provides specialty mental health services for youth.

Human Services Agency

5. Approve and authorize Chairman to sign Renewal Contract No. 2005234 with Caton Properties for lease and modification of property at 1577 West Main Street, Merced.
6. Approve and authorize Chairman to sign Renewal Contract No. 2003103 with Merced County Association of Governments for the Continuum of Care Homeless Project.

County Executive Office

7. Act on Claim for Damages submitted by Tracy J. Pieper as recommended by Executive Office.
8. Approve Travel Requests for Sheriff and Human Resources as recommended by Executive Office.

Public Works

9. Approve Budget Transfer in the amount of \$2,648 received from Public Works-Transit.
10. Adopt Resolution for the Summary Vacation of portions of Links Avenue and public utility easement in Merced RRC #1.

ADOPTED RESOLUTION NO. 2006-42

11. Adopt Resolution accepting the Easement Deed from Beth Westfall Flansburg, Trustee for the Beth Westfall Flansburg Trust Agreement dated January 25, 1993 for public utility purposes along Links Avenue and Estancia Drive in connection with Property Line Adjustment No. 05050 in Merced RRC #1.

ADOPTED RESOLUTION NO. 2006-43

12. Adopt Resolution accepting an Easement Deed from Wade L. Williams and Sharon Williams, Trustees of the Williams Family Trust Agreement dated March 3, 2005 for public utility easement purposes along Links Avenue and Estancia Drive in connection with Property Line Adjustment No. 05050 in Merced RRC #1.

ADOPTED RESOLUTION NO. 2006-44

13. Accept the Final Map for Estancia Subdivision in Merced RRC #1.
14. Adopt Resolution annexing the Estancia Subdivision into the Hillcrest Street Lighting Drainage and Sewage Zone of Benefit Number 318 in County Service Area Number One.

ADOPTED RESOLUTION NO. 2006-45

Fire

15. Approve Budget Transfers from Office of Emergency Services in the amount of \$17,204 and \$38,600 as recommended by Executive Office.

Board Recognition

16. Authorize Certificate of Recognition to Pastor Paul Lundberg upon his installation as the new Minister of the Atwater Baptist Church.
17. Authorize Certificate of Recognition to Vince Adenotti for dedication while serving as the Interim Police Chief and to Don Huchins for his dedication while serving as Interim City Manager for the City of Gustine.
18. Authorize Certificate of Recognition to Orchard Supply Hardware in celebration of their 75th Anniversary.

19. Authorize Certificate of Recognition to Carniceria Vallarta for 2006 Small Business of the Year, Arvin Sango, Inc. for 2006 Midsize Business of the Year and Merced Mall for 2006 Large Business of the Year as selected by the City of Merced.
20. Authorize Certificate of Recognition to Japanese American Community in observance of the Day of Remembrance on February 18.
21. Authorize Certificate of Recognition to Gloria Escallier for her dedication to Soroptimist International of Los Banos, Past President, 2005 Soroptimist of the Year and unwavering service to our Overseas Military Men and Women.
22. Authorize Certificate of Recognition to Ed Banks for being selected as Fire Chief for the Atwater Fire Department.

Auditor

23. Approve Budget Transfer for Auditor in the amount of \$13,000 as recommended by Executive Office.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

24. Resolution authorizing funds from the New Courts Building to be expended for work within the adjacent City of Merced alley to relocate a portion of the existing water main and authorize Contract be negotiated not to exceed \$25,000.

ADOPTED RESOLUTION NO. 2006-46 AS RECOMMENDED AYES: 1, 3, 4, 5 NOT PRESENT: 2

25. Authorize Special Board Project Funds-District Four to Winton Recreation to support youth baseball and softball program in the amount of \$1,500 and to the Sheriff's Department for security at the Winton Spring Festival in the amount of \$3,000 and approve the necessary budget transfer.

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

26. Contract with Calif. Dept. of Fish and Game for Stream Alteration Agreement for bridge maintenance and replacement activities.

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

MENTAL HEALTH

27. Amendment to Contract No. 200170 with State Dept. of Alcohol and Drug Programs for Comprehensive Drug Court Implementation Grant Award supporting the operation of the Adult Drug Treatment Court Program and the planning and implementation process for the Dependency Drug Treatment Court Program.

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

28. Resolution authorizing Contract with State Dept. of Alcohol and Drug Programs for new Dependency Drug Treatment Court Notice of Grant Award.

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

29. Addendum Contract with Rutan and Tucker, LLP for outside Special Counsel for two adolescent clients who are wards of Merced County.

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

HEALTH

30. Contract Amendment with Mercy Medical Center Merced (MMCM) which will allow Community Action Agency to utilize grant funds to build a year-round Homeless Shelter at the corner of D and 15th Streets in the City of Merced.

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

HUMAN SERVICES AGENCY

31. Amendment to Contract to modify Work Statement with Total Self Insight, Inc amendment. for funding of Transitional Planning Conference Specialist and to send two foster youths and one foster parent to the 2006 Family Group Decision Making Conference.

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

32. Authorize the abandonment of Request for Proposal #6049 as recommended for a comprehensive classification study and authorize a revised Scope of Work and reissuance at a later date.

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

SHERIFF

33. Contract with Los Banos Unified School District for canine drug patrol services on school campuses.

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

LIBRARY

34. Authorize procurement of the SIRSI Automated Library System Upgrade for maintaining the library database and automated system currently accessed by Merced County and Merced College Library Consortium and authorize issuance of Purchase Order to SIRSI Corporation and approve the necessary budget transfer. (4/5 Vote Required)

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

BOARD OF SUPERVISORS

35. Letter of Support of SB 1056 (Florez), regulates seed sold in California to ensure that seed purchased by the consumer-buyer is properly identified and of the quality represented on the bag or label.

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

BOARD APPOINTMENTS

36. Winton Municipal Advisory Council - Appointments.

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

37. Delhi Municipal Advisory Council - Appointment.

APPROVED 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

38. Assemblywoman Nicole M. Parra re: Invitation to participate in an interactive discussion regarding the legislation to create the Southern San Joaquin Valley Metropolitan Planning Organization Advisory Council.

REVIEW BOARD ORDER

39. Weaver Union School District re: Resolution of the Board of Trustees of the Weaver Union School District ordering an election to authorize the issuance of school bonds, establishing specifications of the election order, and requesting consolidation with other elections occurring on June 6, 2006.
40. State Water Resources Control Board re: Order changing the effective date of long-term instream flow requirements.
41. State Water Resources Control Board re: Petition of Water Replenishment District of Southern California, Wateruse Association and County Sanitation Districts of Los Angeles County (Waste Discharge and Water Recycling Requirements for Alamitos Barrier Recycled Water Project, Order No. R4-2005-0061), Los Angeles Water Board: Rescheduling of Board Meeting and Extension of Deadline for Comments.
42. State Water Resources Control Board re: Notice of cancellation of public hearing to determine whether to revoke permit 16764 (Application 23418) of Rancho Murieta Community Services District Unnamed Stream Tributary of the Cosumnes River in Sacramento County set for April 18, 2006.
43. California State Lands Commission re: Notification of request from United States Bureau of Prisons to grant a cession of concurrent criminal jurisdiction for five years over the United States Penitentiary, Atwater per Government Code Section 126.

ADOPTED RESOLUTION AND ADJOURNED MEETING IN MEMORY OF GEORGE STEITZ AND JOSE GARCIA UNTIL TUESDAY, APRIL 4, 2006 AT 10:00 A.M.