



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, JUNE 13, 2006
Closed Session – 4:00 p.m.
Regular Meeting – 6:00 p.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

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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

4:00 P. M. **PUBLIC OPPORTUNITY TO SPEAK RELATIVE TO CLOSED SESSION ITEMS** (Testimony limited to five minutes per person)

CLOSED SESSION - CONFERENCE WITH REAL PROPERTY

NEGOTIATOR: It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator(s) John Fowler, Director-Commerce, Aviation and Economic Development pursuant to Government Code Section 54956.8 as follows: Castle Property

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):

San Joaquin Raptor Rescue Center, et al. v. County of Merced, et al., Merced Superior Court No. 148344;

Aue v. County of Merced, Merced County Superior Court No. 148183;

Souza v. Merced County, Merced County Superior Court Case No. 149421

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 4:00 P.M. AND RECONVENED AT 6:00 P.M. WITH SUPERVISOR KELSEY NOT PRESENT AND THE CHAIRMAN ADVISED THERE IS NOTHING TO REPORT

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

REVIEW BOARD ORDER - SEE PAGE 14

6:00 P. 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)

PRESENTATIONS

Mercy Medical Center Merced Update - To be rescheduled
Mosquito Abatement District - West Nile Virus

REVIEW BOARD ORDER – SEE PAGE 14

CDF Firefighters Local 2881

REVIEW BOARD ORDER – SEE PAGE 14

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Ag. Comm. \$37,000; Fire \$4,435; Health \$150 and \$234; Mental Health \$264,416; Public Works \$600; Commerce, Aviation and Economic Development \$9,900 and \$9,000 and Spring Fair \$24,000 and \$39,000

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

PRESENT: 4

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 66)

APPROVED AS RECOMMENDED EXCEPT ITEM #5 WHICH WAS REMOVED FROM THE AGENDA AYES: 1, 2, 3, 5 NOT PRESENT: 4

PLANNING - PUBLIC HEARING - PROPOSED ORDINANCE, POSSIBLE ADOPTION

2006 Cycle I - General Plan Amendment No. 05001, Parallel Zone Change Application No. 06005 and Agricultural Preserve Amendment Application No. 06002 - Delhi Community Plan Update.

Recommendation: Adopt Resolution concerning adoption of General Plan Amendments for Cycle 1, 2006 and Proposed Ordinance changing the boundaries of and the classification of property uses within zones established by Merced County Code Title 18 titled "Zoning"

REVIEW BOARD ORDER – SEE PAGE 15

REPORTS/BOARD DIRECTION

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

CONSENT CALENDAR (Items #1 - 66)

**APPROVED AS RECOMMENDED EXCEPT ITEM #5 PULLED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

Public Works

1. Adopt Resolution designating the intersection of Lea Court and Gertrude Avenue, as part of Rolfe Estates Subdivision as a Stop Intersection and authorize installation of signs.
ADOPTED RESOLUTION NO. 2006-88
2. Adopt Resolution designating the intersection of Gamble Road and Princeton Road, as an All-Way Stop Intersection and authorize installation of signs.
ADOPTED RESOLUTION NO. 2006-89
3. Adopt Resolution designating the intersection of Tyler Road and Gerard Avenue as an All-Way Stop Intersection and authorize installation of signs.
ADOPTED RESOLUTION NO. 2006-90
4. Adopt Resolution designating the intersection of North Butte Drive and Golf Road as part of West Hills Estates Subdivision as a Stop Intersection and authorize installation of signs.
ADOPTED RESOLUTION NO. 2006-91
5. Adopt Resolution restricting parking on a portion of El Capitan Way in Delhi and authorize installation of signs.
NO ACTION TAKEN – PULLED FROM CONSIDERATION
6. Adopt Resolution annexing Minor Subdivision No. 04024 into the Los Olivos Street Lighting Maintenance Zone of Benefit Number 334 in County Service Area Number One.
ADOPTED RESOLUTION NO. 2006-92
7. Set public hearing for July 11, 2006 at 10:00 a.m. to consider An Ordinance entitled User Charge Rates for Zone of Benefits establishing County Service Area Number One User Rates for 2006/2007 Fiscal Year (Amends Ordinance No. 1752 and Chapter 5.64 of the County Code).
8. Adopt Resolution modifying Resolution No. 2006-50 clarifying times and dates of performance of work for the Underground Utility District No. 10 along Walnut Avenue in Winton.
ADOPTED RESOLUTION NO. 2006-93
9. Adopt Resolution authorizing the Public Works Director to sign Regional Surface Transportation Program (RSTP) Exchange Fund Apportionments Claim for FY 2005/2006 and submit said claim to MCAG for processing.
ADOPTED RESOLUTION NO. 2006-94
10. Approve and authorize Chairman to sign Amendment to Contract No. 2003091 with Tower Asset Sub, Inc. to sublease premise to Metro PCS to co-locate its telecommunications equipment on the leased premises.
11. Approve and authorize Chairman to sign Amendment to Contract No. 2005131 with Construction Testing & Engineering, Inc. for Special Inspection and Material Testing for the New Courts Building.
12. Approve Budget Transfer in the amount of \$20,000 as recommended by Executive Office.

Mental Health

13. Approve and authorize Chairman to sign Renewal Contract No. 200240 with Sylmar Health and Rehabilitation Center for State Licensed Mental Health Rehabilitation Center.
14. Approve and authorize Chairman to sign Renewal Contract No. 2001183 with Dr. Elmer Ignacio for Psychiatric Services for Saturday Meds Clinic.
15. Approve and authorize Chairman to sign Renewal Contract No. 2005027 with Challenged Family Resource Center for Family Advocacy Services.
16. Approve and authorize Chairman to sign Renewal Contract No. 2002218 with Sierra Vista Child and Family Services for Specialty Mental Health Services.
17. Approve and authorize Chairman to sign Renewal Contract No. 2004006 with Davis Guest Home for Specialized Residential Placement for clients in need of assisted living arrangements.
18. Approve and authorize Chairman to sign Renewal Contract No. 2004231 with Merced County Office of Education for educational Psychologist services for the County's Children's System of Care.
19. Approve and authorize Chairman to sign Renewal Contract No. 2004205 with Evans Private Security for Security Services at the Inpatient Unit and other facilities.
20. Approve and authorize Chairman to sign Amendment to Contract No. 2006065 with Mosaic of Friends for Bed-hold for Client for one additional month.
21. Approve and authorize Chairman to sign Amendment to Contract No. 2006018 with Healthy House Within A Match Coalition for Interpreter Services for Clinical Services.
22. Approve and authorize Chairman to sign Renewal Contract No. 2000207 with Merced Drug for Pharmacy Services.
23. Approve and authorize Chairman to sign Renewal Contract No. 2004059 with Los Banos Drug for Pharmacy Services for Mental Health Clients who are served in the Los Banos area.
24. Approve and authorize Chairman to sign Renewal Interdepartmental Contract No. 2004230 with Probation for On-Site Probation Services for Youth.
25. Approve and authorize Chairman to sign Renewal Interdepartmental Contract No. 2004170 with Health Department for Alcohol and Drug HIV Services.
26. Approve and authorize Chairman to sign Renewal Interdepartmental Contract No. 200227 with Probation for Substance Abuse and Crime Prevention Act of 2000 (SACPA) Assessment and Supervision Services.
27. Approve and authorize Chairman to sign Renewal Contract No. 2000150 with Residential Care Homes of Merced for Residential Care for Consumers 65 years of age and older.

Sheriff

28. Approve and authorize Chairman to sign Amendment to Contract No. 2004359 with Le Grand High School District for a Contractual Deputy Sheriff.
29. Approve and authorize Chairman to sign Amendment to Contract No. 2004236 with Jose and Salvador Walle for Office Space at Winton Community Law Enforcement Office (CLEO).

30. Approve and authorize Chairman to sign Amendment to Contract No. 2004326 with Ivers and Alcorn Funeral Home for rotational deceased removal services.
31. Approve Budget Transfer in the amount of \$23,000 as recommended by Executive Office.

Health

32. Approve and authorize Chairman to sign Renewal Interdepartmental Contract No. 2000224 with Human Services Agency for Social Worker III services in conjunction with the "First Steps" Project.
33. Approve and authorize Chairman to sign Amendment to Contract No. 2004008 with Teris, LLC dba MSE Environmental for Household Hazardous Waste Disposal increase.

ADOPTED RESOLUTION NO. 2006-95

34. Approve and authorize Chairman to sign Renewal Contract No. 2002223 with Valley Auto Wreckers for removal and disposal of abandoned vehicles.

ADOPTED RESOLUTION NO. 2006-96

35. Approve Budget Transfer in the amount of \$26,879 and \$268 as recommended by Executive Office.

Ag. Commissioner

36. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2002112 with Calif. Dept. of Food & Ag. for Imported Red Fire Ant Survey.

ADOPTED RESOLUTION NO. 2006-97

37. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2004107 with Calif. Cantaloupe Advisory Board for Anti-Theft Inspection Services during the 2006 harvest season.

ADOPTED RESOLUTION NO. 2006-98

38. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2004082 with Dept. of Food and Agriculture for Organic Producer Registration and Inspection.

ADOPTED RESOLUTION NO. 2006-99

39. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2001105 with Calif. Dept. Food and Ag. for Fruit & Vegetable Standardization Inspection services.

ADOPTED RESOLUTION NO. 2006-100

40. Approve and authorize Chairman to sign Amendment to Contract No. 2004158 with USDA-APHIS Wildlife Services for Predatory Animal Control in Merced County for FY 2006-2007 Annual Work Plan.

Human Services Agency

41. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2004211 with California Dept. of Aging for Multipurpose Senior Services Program.

ADOPTED RESOLUTION NO. 2006-102

42. Approve and authorize Chairman to sign Renewal Contract No. 2004396 with Challenged Family Resource Center for services to adoptive/foster parents.
43. Approve and authorize Chairman to sign Amendment to Contract No. 2004253 with A Woman's Place for Domestic Violence Services.
44. Approve Budget Transfer in the amount of \$8,100 as recommended by Executive Office.

Commerce, Aviation and Economic Development

45. Approve and authorize Chairman to sign Renewal Contract No. 2004183 with IMS Worldwide, Inc. for Foreign Trade Zone No. 226 Consulting Services.
46. Approve and authorize Chairman to sign Extension to Contract No. 2006031 with Hesketh Construction, Inc. for construction and installation of Aviation Fuel Tank due to weather and permitting issues changing the expiration from May 31 to July 31, 2006.

Board of Supervisors

47. Approve Minutes of April 4 and 11, 2006 as submitted.

Board Recognition

48. Authorize Certificates of Recognition for dedicated service to Sharon Azevedo for 21 years to Merced County Office of Education-Dos Palos High School and Delores Senior for 15 years to Merced County Office of Education-Hilmar High School.
49. Authorize Certificates of Recognition for completing the "Partners in Healing" orientation classes on Western Medicines through Healthy House to: Kong Cha, Fai Pha Chang, Xai Xue Chang, Khou Her, Vang Chue Her, Neng Yee Lee, Doua Moua, Toua Moua, Chao Tong Thao, Sa Cha Thao, Yer Thao, Chai Yang Vang, Mai See Vang, Mai Vang, Mai Vue Vang, Ka Yeng Vue, Lee Xeng Yang, Mai Vang Yang, and Wa Yang Xion.
50. Authorize Certificates of Recognition to Genoveva and Andres Castaneda for being selected as Grand Marshals for the 2006 Planada Community Day Parade.
51. Authorize Certificate of Recognition to Merced Scholars Charter School Student Body in recognition of "Celebration of Learning".
52. Authorize Plaque in Recognition of Grand Opening of the Rafael L. Silva Farmworker Housing Center in Los Banos.
53. Authorize plaque to Gather & Pat Haynes in recognition of their 70th Wedding Anniversary.
54. Authorize Certificates of Recognition selected by the Soroptimist International of Los Banos to: Nydia Rosa/Women of Distinction Award, Leeann Croker/Making a Difference for Women Award, Kristi Kinsey/Women's Opportunity Award, Kmart Los Banos/Advancing the Status of Women Award, and Lara McPherson/Soroptimist of the Year Award.
55. Authorize Certificates of Recognition in celebration of "Immigrant Recognition Day" selected by Merced Lao Family Community to: Chao Tou Vang, Noah Pou Lor, Koua Yang, Wa Her Lor, Saly Xiong, Vang Moua and Chang Geu Xiong.
56. Authorize Certificate of Recognition to Robert Storm for 30 years of dedicated service to the Merced City School District.
57. Authorize Certificates of Recognition to the following 2006 Senior Club Awards: Frank Lima and JoAnn Baker-Dos Palos; Faye Friesen and Leroy Bailey-Atwater; Doris Krikorian-Atwater AARP; Margaret MacPherson Lawrance and Kenneth A. Riggs-Merced; Michael Samberg and Bernice Sousa-Merced AARP; Cecelia Cardoza and Manual Cardoza-Los Banos; Al Mesa and Fay McCabe-Delhi; Elsie Avila and Rosemary Avilla-Winton; Beatrice Coe and Janet Demaree-Merced Social and Lois Parker-Merced/Mariposa Calif. Retired Teachers Assoc.
58. Authorize Certificates of Recognition for Dispatcher of the Year: Tina McKnight/Atwater Police; Tina Brazil/CHP; Alicia Moore/CDF; Nora Ramirez/Los Banos Police; Nakia

Garrett/Riggs Ambulance; Kerin Roberts, Reannon Rodriguez, Paul Lyon and Susan White/U.C. Merced, and Kathy Mathis/Merced Sheriff's.

59. Authorize Certificate of Recognition to Ambassador Phanthong Phommahaxay as a welcome to Atwater, Merced County.

60. Authorize Certificates of Recognition to individuals honored by the Atwater Chamber of Commerce for Teacher of the Year, Volunteer of the Year and Business of the Year.

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61. Authorize Certificates of Recognition to individuals selected by Central Valley Opportunity Center for their efforts to provide educational and training services to residents of Madera, Merced and Stanislaus Counties.

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Executive Office

62. Act on Claims for Damages submitted by Daniel Rodriguez (2006-39), Chay Barkley (2006-41), Guadalupe M. Pantoja (2006-43) and Norman Morrison (2006-45).

Dept. of Admin. Services

63. Approve Budget Transfer in the amount of \$9,000 as recommended by Executive Office.

District Attorney

64. Approve Budget Transfer in the amount of \$9,001 as recommended by Executive Office.

Fire

65. Approve Budget Transfer in the amount of \$3,000 as recommended by Executive Office.

County Clerk-Elections

66. Approve Budget Transfer in the amount of \$8,500 as recommended by Executive Office.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

67. Accept donation of \$600 from the Officer Down Memorial Page, Inc. for the Law Enforcement Memorial and approve the necessary budget transfer-\$600. (4/5 Vote Required)

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

68. Approve plans and specifications for Landscaping and Automatic Irrigation System at Highway 59 Landfill; authorize Public Works to advertise and set bid opening to return to the Board with the lowest responsive bidder within the previously established budget and approve the necessary budget transfer-\$65,440. (4/5 Vote Required)

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

69. Resolution authorizing Contract No. 2006143 with Merced City School District covering improvements on Dan Ward Road and Rancho Lane associated with the New Elementary School.

ADOPTED RESOLUTION NO. 2006-103 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

70. Resolution accepting the Public Utility Easement along "M" Street from 22nd Street North to the Alley between 22nd and 23rd Streets to be conveyed to the County of Merced from the City of Merced for the Merced County New Courts Building. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2006-104 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

71. Contract No. 2006144 with City of Merced for Maintenance for Pettinotti Road, La Cava Road and a portion of Cardella Road in connection with the Barnell Annexation.

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

72. Acknowledge withdrawal of USDA Grant Application for El Nido Community Recreation Building Re-roof Project; approve revised project budget of \$100,000; authorize commitment of revised amount of \$70,000 from Proposition 12 Roberti Z'Berg-Harris Grant Funds, \$18,000 in El Nido Special Recreation Funds and \$12,000 committed by the Society of St. Jorge; direct submission to the State for project funds for the re-roof and anchor building project application and return to the Board when the State approves the funding with plans and specifications for approval and bidding purposes and acknowledge the commitment of \$12,000 from the Society of St. Jorge.

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

73. Approve disposal of the relocatable Mental Health Building No. 3, authorize issuance of Request for Proposal to interested Licensed Contractors to demolish the building and clean the debris from the site or at the bidders option to remove the building in exchange for the building itself at no cost to Merced County and approve the necessary budget transfer-\$20,000. (4/5 Vote Required)

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

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT

74. Contract No. 2006148 with Federal Merced Associates, LLC for Castle Airport Sublease for Lot 76B, approximately 1.625 acres, to construct a Medical Equipment Assembly Facility at Castle Airport, Aviation and Development Center.

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

75. Contract with Federal Merced Associates, LLC for sublease of Building 427, (approximately 16,992 square feet) for the purpose of temporary workforce housing for Builder's Exchange operating in Buildings 175 and 1360.

NO ACTION TAKEN – PULLED FROM THE AGENDA

76. Accept the Federal Aviation Administration Grant Contract No. 2006149 Offer for Project No. 3-06-0364-07 to conduct the Castle Airport Master Plan Update Process; authorize signing of Cal Trans Matching Grant Application and Resolution authorizing submission of required documents to Division of Aeronautics with Calif. Dept. of Transportation and approve the necessary budget transfer-\$290,789.

ADOPTED RESOLUTION NO. 2006-105 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

MENTAL HEALTH

77. Contract No. 2006150 (Memorandum Of Understanding) with The Health Plan of San Joaquin for Merced County Healthy Families Program.

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

SHERIFF

78. Authorize Sheriff to accept the donation from the Yosemite Kennel Club to assist in offsetting the cost of the Canine Program specialty equipment and approve the necessary budget transfer-\$400. (4/5 Vote Required)

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

79. Authorize removal of Canine "Scout" from the Sheriff Canine Unit due to health reasons, authorize the Sheriff to sell Scout for \$1.00 to a canine officer lessening the liability to the public; authorize purchase of Taz (Castro) from Evolution Dog Training to be purchased by the Sheriff Trust and Canine donations and approve the necessary budget transfer-\$5,500. (4/5 Vote Required)

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

CHILD SUPPORT SERVICES

80. Authorize the preparation and release of a Request for Proposal for Paternity Testing Services, select the most responsive provider and return to the Board for final contract award.

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

81. Contract No. 2006151 with Electronic Document Processing dba EDP Legal Services for Service of Process services for Child Support.

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

DEPT. OF ADMINISTRATIVE SERVICES

82. Contract No. 2006152 with Ameripride Uniform Services for laundry services for the County of Merced.

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

83. Contract No. 2006153 with Sentry, Inc. dba Cross Cut Shredding on behalf of participating county departments for paper shredding services in the County of Merced.

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

DEPT. OF WORKFORCE INVESTMENT

84. Authorize funding request to California Employment Development Department for additional Dislocated Workers Funds of \$174,853 to provide expansion of Quebecor World and return to the Board if awarded.

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

85. Contract No. 2006146 with Merced College to provide Registered Nurse Training.

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

86. Contract No. 2006147 with Kaljian & Escallier for Lease of Office Space in Los Banos for One-Stop Center and for Welfare to Work services.

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

87. Appoint Wendy Lomeli to the Workforce Investment Board Youth Council.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
88. Appoint Nancy Silva to the Workforce Investment Board Youth Council.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
89. Appoint Deloris Sharp to the Workforce Investment Board Youth Council.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
90. Appoint Sheena Murry to the Workforce Investment Board Youth Council.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
91. Appoint Nancy Vega-Mendoza to the Workforce Investment Board Youth Council.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

HEALTH

92. Approve merger of Mercy Hospital and Health Services (Mercy Hospital) into its parent company Catholic Healthcare West (CHW) and authorize the signing of the necessary documents.

NO ACTION TAKEN – PULLED FROM THE AGENDA

COUNSEL

93. Resolution authorizing the sale of Merced Community College District General Obligation Bonds in an amount not to exceed \$25,000,000 for the School Facilities Improvement District No. 1 (Merced Campus Area); Accept Bond Purchase Contract; Authorize distribution of an official statement for said Bonds and authorize the execution of necessary certification of said Bonds.
ADOPTED RESOLUTION NO. 2006-106 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
94. Contract No. 2006154 with Weintraub, Genshlea, Chediak Law Corporation to provide legal services related to the negotiations for a Master Developer at Castle.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

AG. COMMISSIONER

95. Contract No. 2006155 with D & D Disposal for animal carcass disposal for FY 2005-2010.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

RETIREMENT OFFICE

96. Adopt Recommended Retirement contribution and Interest Rates effective the July 14, 2006 Payroll as follows: General Member: Tier I – 8.93%, Tier 2 – 7.44% and Safety Member: Tier I – 10.69% and Tier 2 – 7.29%
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

EXECUTIVE OFFICE

97. Authorize the joining of the Californians Against Higher Insurance Rates Coalition supporting AB 2840 and opposing unfair auto rating systems and authorize the signing of the Coalition Sign-Up Form.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
98. Accept and authorize the Chairman to sign the Economic Development Initiative Grant Award Contract No. 2006156 from the U.S. Dept. of Housing and Urban Development for

the South Dos Palos Carver Community Center Project in the amount of \$148,500.

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

99. Adopt Resolution approving the CSAC Challenge Award Applications for Human Services Agency and Human Resources.

ADOPTED RESOLUTION NO. 2006-107 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

HUMAN RESOURCES

100. Contract No. 2006157 with Hanson, Bridgett, Marcus, Vlahos & Rudy LLP to provide specialized legal services in the area of employee compensation/benefits and revenue tax code compliance.

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

BOARD OF SUPERVISORS

101. Adopt Resolution designating the Merced County Arts Council as the local partner in the California Arts Council State-Local Partnership Program.

ADOPTED RESOLUTION NO. 2006-108 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

102. Authorize Special Board Project Funds-District Two in the amount of \$292 to The University Committee and approve the necessary budget transfer.

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

103. Authorize Special Board Project Funds-District Four in the amount of \$1,200 to Winton Community Law Enforcement Office (CLEO).

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

104. Authorize Special Board Project Funds-District Five in the amount of \$400 to Ewing & Associates for property appraisal fees.

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

BOARD APPOINTMENTS

105. Winton Municipal Advisory Council – Appoint Gladys Flores to serve as a member of the Winton Municipal Advisory Council until March 31, 2009.

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

106. Ballico Recreation Committee – Appoint Bill McGinnis and Amber Barstow to serve as members of the Ballico Recreation Committee until November 11, 2007.

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

107. Los Banos Cemetery District – Appoint Michael Villalta to serve as a member of the Los Banos Cemetery District filling an unexpired term until June 7, 2007.

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

BOARD INFORMATION & POSSIBLE ACTION

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

108. Commerce, Aviation and Economic Development re: Comcast notification of upcoming pricing adjustments effective on or after June 1, 2006.

109. Dept. of Workforce Investment re: 2006/2007 WIA Subgrant Contract with State Employment Development Department (R760332).
110. Office of the Governor re: Letter of thanks regarding Infrastructure Improvement Proposal and Highway 99.
111. California Dept. of Transportation re: Notice of Availability of Draft Environmental Document, Intent to Adopt a Negative Declaration and Opportunity to Request a Public Hearing for the Oakdale Road Intersection Improvement Project.
112. Federal Emergency Management Agency re: Letter of Map Revision based on Fill Determination Document Removal for Harley Crossings Subdivision, Merced County.
113. State Water Resources Control Board re: \$2 million in Proposition 40 Small Community Groundwater Grant Program funds to pay for the arsenic removal portion of the 18-million-gallon-per-day water treatment project.
114. State Water Resources Control Board re: Notice of Opportunity for Proposed State Fiscal Year 2006/07 State Revolving Fund Loan Program Priority List.
115. State Water Resources Control Board re: Notice of Public Hearing - Draft Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for Discharges from Utility Vaults and Underground Structures to surface waters (Utility Vault Permit) for July 5, 2006.
116. State Water Resources Control Board re: Presentation of check for Phase Two of the Inland Empire Utilities Agency Regional Recycled Water Distribution System.

ADOPTED RESOLUTIONS AND ADJOURNED MEETING IN MEMORY OF A. V. BETTENCOURT, RITA LORENZO, LLOYD LORENZO, WALTER WEIMER, AGOSTINO DAL PORTO, JESSE ROTH, CARMEL MC NAMARA COLLINS AND SUZANNE BURROWS UNTIL TUESDAY, JUNE 20, 2006 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 13, 2006

6:00 P.M. ADDED AGEND ITEM **2006-06-13 HUMAN SERVICES AGENCY**

The Clerk advises subsequent to the posting of the Agenda for the Board of Supervisors Meeting of June 13, 2006, the need for action arose regarding County Property to Merced Community Action Board.

Upon motion of Supervisor O'Banion, seconded by Supervisor Pedrozo, duly carried, the Board finds the need to take action arose subsequent to posting of the June 13, 2006 Agenda and places the item on the agenda for consideration.

Ayes: Nelson, Pedrozo, Crookham, O'Banion

Not Present: Kelsey

Upon motion of Supervisor Pedrozo, seconded by Supervisor Crookham, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2006142 with Merced Community Action Board for property at the corner of 15th and "D" Street in Merced for construction of homeless shelter beginning on the date of occupancy and ending 20 years later with one dollar annual lease payments.

Ayes: Nelson, Pedrozo, Crookham, O'Banion

Not Present: Kelsey

6:00 P.M. SCHEDULED ITEM **2006-06-13 PRESENTATION – MOSQUITO ABATEMENT DISTRICT**

Executive Director of the Mosquito Abatement District Allen Inman provides a power point presentation on local efforts to control the levels of mosquitoes and minimize the impact of the West Nile Virus on the County.

Present: Nelson, Pedrozo, Crookham, O'Banion

Not Present: Kelsey

6:00 P.M. SCHEDULED ITEM **2006-06-13 PRESENTATION – CALIF. DEPT. OF FORESTRY AND FIRE PROTECTION**

California Department of Forestry and Fire Protection (CDF) Firefighters, Local 2881 present the Board members with Plaques in appreciation and recognition of their dedication to the Merced County Fire Department and CDF Firefighters.

Present: Nelson, Pedrozo, Crookham, O'Banion

Not Present: Kelsey

6:00 P.M. SCHEDULED ITEM
2006-06-13 PLANNING - PUBLIC HEARING

The time and date previously set for a public hearing to consider the 2006 Cycle I General Plan Amendment Resolution and related Zone Change Ordinance as submitted by Planning.

The Clerk reads the Ordinance by title only: An Ordinance Changing the Boundaries of and the Classification of Property uses within Zones Established by Merced County Code Title 18 Titled "Zoning".

Upon motion of Supervisor O'Banion, seconded by Supervisor Pedrozo, duly carried, the Board waives further reading of the Proposed Ordinance.

Development Services Director Robert Lewis reviews the 2006 Cycle I proposal and recommendation as follows:

General Plan Amendment No. 05001, Parallel Zone Change Application No. 06005 and Agricultural Preserve Amendment Application No. 06002 - Delhi Community Plan Update. Recommendation before Board: Adopt Resolution for Cycle I General Plan Amendments and Proposed Ordinance.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak. No one speaks.

The Chairman closes the Public Hearing.

Upon motion of Supervisor O'Banion, seconded by Supervisor Pedrozo, duly carried, the Board adopts 2006 Cycle I Plan Amendment and adopts Resolution No. 2006-109, approves the related Zone Change and adopts Ordinance No. 1782, An Ordinance Changing the Boundaries of and the Classification of Property uses within Zones Established by Merced County Code Title 18 Titled "Zoning".

Ayes: Nelson, Pedrozo, Crookham, O'Banion

Not Present: Kelsey

CONSENT ITEM NO. 60
2006-06-13 BOARD OF SUPERVISORS

Upon motion of Supervisor Pedrozo, seconded by Supervisor Crookham, duly carried, the Board authorizes Certificates of Recognition to the following Honorees by the Atwater Chamber of Commerce for 2006 Teacher of the Year: Roddy Svendsen-Atwater High; Rene Contreras-Bellevue School; Brian Wise-Buhach Colony; Mary Jo Knudsen-Elmer Wood; Leslie Murphy-McSwain; Pat Davis-Mitchell K-6; Sheryl Garman-Mitchell Senior; Patty Beach-Peggy Heller; Carol Jueneman-Shaffer School; Susan Broadwater-Thomas Oleata; Volunteer of the Year Robert Rodarte, Jr.-Citibank; and Business of the Year Atwater Pro Glass-Roy Browning.

Ayes: Nelson, Pedrozo, Crookham, O'Banion

Not Present: Kelsey

CONSENT ITEM NO. 61

2006-06-13 BOARD OF SUPERVISORS

Upon motion of Supervisor Pedrozo, seconded by Supervisor Crookham, duly carried, the Board authorizes Certificates of Recognition recognized by the Central Valley Opportunity Center as follows:

2006 CVOC Scholarship Recipients: Josefina Valencia-Mountain Vista High; Charles Haddad-Duane E. Furman High; Janette Lomeli-Madera High; Martha Martinez-Madera High; Patricia Byers-Yosemite High; Alicia Valladao-Atwater High; Christina Coutu-Golden Valley High; Brenda Lucatero-Livingston High; Martin Sanchez-Le Grand High; Xee Thao-Golden Valley High; Johnny Alvarez-Oakdale High; Carlos Palafox-Turlock High; Patricia Regalado-Grace M. Davis High; Elizabeth Munguia-Waterford High; Judy T. Vo-Grace M. Davis High;

Outstanding Community Service Award: Blue Cross State Sponsored Programs;

Outstanding Business Partner Award: PG & E;

Outstanding Employee Awards to: Outstanding Manager Award-Jorge DeNava and Outstanding Employee Award-Yolanda Meza;

Outstanding CVOC Alumni: Violeta Rios-Central Valley Opportunity Center;

Outstanding Employer Award: Adesa Golden Gate;

Outstanding Board Member: Ernest R. Richardson-CVOC Chairman of the Board and Delores Huerta Lifetime Achievement Award: Raul Meyreles-La Cooperativa.

Ayes: Nelson, Pedrozo, Crookham, O'Banion

Not Present: Kelsey