



# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

Regular Meeting  
TUESDAY, JANUARY 09, 2007  
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

CHAIRMAN JOHN PEDROZO.....DISTRICT 1  
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

JAMES N. FINCHER  
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)**

**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**

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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 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): In the Matter of the Appeal of: Merced County Dept. of Public Works-Solid Waste Division; Occupational Safety and Health Appeals Board, Docket Numbers 05-R2D4-1309 and 1310

**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 STATED THERE WAS NOTHING TO REPORT**

**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 – SEE PAGE 8**

**NOMINATION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2007 YEAR**  
**SUPERVISOR PEDROZO IS ELECTED TO SERVE AS 2007 CHAIRMAN AND SUPERVISOR CROOKHAM IS ELECTED TO SERVE AS 2007 VICE-CHAIRMAN**

**2007 INCOMING CHAIRMAN ADDRESS**

**SUPERVISOR PEDROZO PRESENTS A 2007 CHAIRMAN ADDRESS**

10:00 A. M.

**BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES** (4/5 Vote Required) District Attorney-\$12,500; Human Services Agency-\$914; Planning-\$1,600,000, Sheriff-\$10,000 and Public Works-\$151,505

**APPROVED AS RECOMMENDED AYES: ALL**

**APPROVAL OF CONSENT AGENDA CALENDAR** (Items #1 - 13)

**APPROVED AS RECOMMENDED AYES: ALL**

**MENTAL HEALTH - PUBLIC HEARING - PROPOSED ORDINANCE AND POSSIBLE ADOPTION**

To consider An Ordinance changing Fees charged for Mental Health Services (Supercedes Ordinance No. 1768 and amends County Code Chapter 9.4, Section 9.48.030)

**REVIEW BOARD ORDER – SEE PAGE 8**

**PLANNING - PUBLIC HEARING**

To consider General Plan Amendment No. GPA06-005, Zone Change No. ZC06-006 and Major Subdivision No. MAS06-010 submitted by Charles Colston. Said application is to amend the General Plan from Winton SUDP General Commercial to Winton SUDP Low Density Residential, to Single-Family Residential (R-1) on the northern portion of the parcel and create 6 residential lots on the northern and one commercial lot on the southern portion located on the north of Santa Fe Drive, 400 feet north of Walnut Avenue in Winton. **Recommendation - Make intended decision, Cycle scheduled for March 27, 2007**

**REVIEW BOARD ORDER – SEE PAGE 8 AND 9**

**PLANNING - PUBLIC HEARING**

To consider General Plan Amendment No. GPA06-006 and Zone Change No. ZC06-007 submitted by Protestant Episcopal Bishop of San Joaquin. Said application is to amend the General Plan from Los Banos SUDP Agricultural to Los Banos SUDP Commercial with a concurrent rezoning General Agricultural (A-1) to Commercial-Professional (C-P) located east side of Badger Flat Road approximately 3/5 of a mile north of Highway 152 in Los Banos **Recommendation - Make intended decision, Cycle scheduled for March 27, 2007**

**REVIEW BOARD ORDER – SEE PAGE 9 AND 10**

**PLANNING- CONTINUED PUBLIC HEARING (Held on 12/19/2006)**

To consider an Appeal to Planning Commission decision on Minor Subdivision Application No. MS05-021 submitted by Stillman Family Trust. Said application is to divide 157 acres into six parcels; four Parcels A through D being 20 acres in size; Parcel E=40 acres and Parcel F=36.8 acres in size with said project being located on the north side of Childs Avenue east of Burchell Avenue in the Planada area

**REVIEW BOARD ORDER – SEE PAGE 10 AND 11**

**REPORTS/BOARD DIRECTION**

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

CONSENT CALENDAR (Items #1 - 13)

**APPROVED AS RECOMMENDED      AYES: ALL**

Public Works

1. Approve and authorize Chairman to sign Amendment to Contract No. 2003092 with Congressman Dennis Cardoza for lease of Room 305 in the County Administration Building.

Human Services Agency

2. Approve and authorize Chairman to sign Amendment to Contract No. 2004083 with Merced County Office of Education for the Promoting Safe and Stable Families (PSSF) Program.
3. Approve and authorize Chairman to sign Amendment to Contract No. 2004153 with McWilliams Mailliard Technology Group for Adult Protective Services Software.
4. Approve and authorize Chairman to sign Amendment to Contract No. 2002141 with Merced County Office of Education for Family Resource Council (FRC) Program funding.

Ag. Commissioner

5. Approve and authorize Chairman to sign Amendment to Contract No. 2006187 with California Dept. of Food and Agriculture for Bee Colony Inspections for Red Imported Fire Ant.

**ADOPTED RESOLUTION NO. 2007-01**

Dept. of Workforce Investment

6. Set public hearing for January 30, 2007 at 10:00 a.m. to consider proposed Ordinance Establishing a Fee for Assessment Services for Businesses through Dept. of Workforce Investment.

Dept. of Administrative Services

7. Approve and authorize Chairman to sign Amendment to Contract No. 2006200 with Geil Enterprises, Inc. for Contracted Janitorial Services for the County of Merced.
8. Authorize cancellation of Contract No. 2006203 with Varsity Contractor's Inc. for Contracted Janitorial Services in Merced County.

Board Recognition

9. Authorize Certificates of Recognition to Ericka L. Peterson, Alicia Bohike, Noemi Flores and Allyson Barnett for recognition by the Merced/Mariposa County Asthma Coalition.
10. Authorize Certificates of Recognition to individuals selected by the Los Banos Golden Agers Club.

**REVIEW BOARD ORDER – SEE PAGE 11**

11. Authorize Certificate of Recognition to Castle Family Health Centers for the Dedication Ceremony of the Dorothy Bizzini Medical Center.
12. Authorize Certificate of Recognition to Merced Lao Family Community for 2007 Merced Hmong New Year Celebration December 15-18, 2006.
13. Authorize Plaque to Madera County Board of Supervisors in recognition of the new Madera County Government Center.

REGULAR CALENDAR

BOARD ACTION

HEALTH

14. Accept and authorize Chairman to sign Grant Award from California Dept. of Health Services in the total amount of \$36,142 for TB Control Program efforts and adopt Resolution.

**AUTHORIZED CONTRACT NO. 2007001 AND ADOPTED RESOLUTION NO. 2007-08 AS RECOMMENDED AYES: ALL**

15. Contract with California Dept. of Health Services for California Health Care for Indigents Program (CHIP) for Fiscal Year 2006-07.

**AUTHORIZED CONTRACT NO. 2007002 AS RECOMMENDED AYES: ALL**

MENTAL HEALTH

16. Contract No. 2003282 Amendment with Merced County Superior Court for Juvenile Drug Court services and approve the necessary budget transfer-\$285. (4/5 Vote Required)

**APPROVED AS RECOMMENDED AYES: ALL**

17. Authorize Sole Source Contract for treatment of Post Traumatic Stress Disorder with Dr. Andrew M. Leeds for Eye Movement Desensitization and Reprocessing (EMDR) Trainings.

**AUTHORIZED CONTRACT NO. 2007003 AS RECOMMENDED AYES: ALL**

18. Contract with Golden Valley Health Center for placement of clinical staff for Mental Health services.

**AUTHORIZED CONTRACT NO. 2007004 AS RECOMMENDED AYES: ALL**

19. Authorize negotiation of Sole Source Purchase with SSL Industries, Inc. for Specialized Parent Child Interaction Therapy Training Equipment at an estimated cost of \$11,600.

**APPROVED AS RECOMMENDED AYES: ALL**

20. Contract with State Dept. of Mental Health for the Three Year Plan for Mental Health Services Act for community services and support.

**AUTHORIZED CONTRACT NO. 2007005 AS RECOMMENDED AYES: ALL**

HUMAN SERVICES AGENCY

21. Accept Grant Award of Community Based Child Abuse Prevention (CBCAP) Application funding and authorize Chairman to sign Contract and other necessary documents for Fiscal Year 2006/07.

**AUTHORIZED CONTRACT NO. 2007006 AS RECOMMENDED AYES: ALL**

22. Authorize submission of Request for Funds to State Dept. of Social Services for initiation of the Transitional Housing Placement Program-Plus in Merced County.

**APPROVED AS RECOMMENDED AYES: ALL**

23. Authorize termination of Contract No. 2006181 with Office of Systems Integration effective December 30, 2006 for Case Management Information and Payrolling System (CMIPS) Project.

**APPROVED AS RECOMMENDED AYES: ALL**

## SHERIFF

24. Accept and authorize Amendment to Contract for the High Intensity Drug Trafficking Program Funding from the Office of National Drug Control for Sheriff's assistance in the Domestic Highway Interdiction Program in the amount of \$35,000 and approve the budget transfer. (4/5 Vote Required)

**AUTHORIZED CONTRACT NO. 2005067 AS RECOMMENDED AYES: ALL**

## COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT

25. Approve the 2005-2006 Foreign-Trade Zone No. 226 Annual Report and authorize submission to the U.S. Foreign Trade Zones Board.

**APPROVED AS RECOMMENDED AYES: ALL**

26. Resolution approving the withdrawal of 104.70 acres from FTZ 226 Site 1A (Castle Airport), Site 4 (Applegate Business Park) and Site 10A (Fresno Airport Industrial Park); declare the property removed as Surplus Property to the U.S. FTZB and authorize FTZ Administrator to initiate a minor boundary modification application and adopt Resolution.

**ADOPTED RESOLUTION NO. 2007-02 AS RECOMMENDED AYES: ALL**

27. Approve the Foreign Trade Zone No. 226 Tariff Schedule Adjustments and adopt Resolution.

**ADOPTED RESOLUTION NO. 2007-03 AS RECOMMENDED AYES: ALL**

28. Authorize submission of proposal to First 5 Merced County for funding of a Three-Year Business Operations Training Program for Child Care Provider and authorize Chairman to sign Contract-Memorandum of Understanding with Merced County Office of Education and other necessary documents subject to review by Counsel.

**AUTHORIZED CONTRACT NO. 2007007 AS RECOMMENDED AYES: ALL**

## AUDITOR

29. Resolution recommended by Auditor for Commercial Crime and Faithful Performance Bond - Master Public Official Bond implementing adoption of Government Code Section 24156 which allows the County to self-insure for the amount of the deductible of the Master Public Officials Bond.

**ADOPTED RESOLUTION NO. 2007-04 AS RECOMMENDED AYES: ALL**

30. Authorize Request for Proposal for records restoration in the Recorder's Office and to return to the Board with a recommendation and possible contract.

**APPROVED AS RECOMMENDED AYES: ALL**

31. Authorize an increase of Change Fund from \$375 to \$475 in the County Clerk's Office.

**APPROVED AS RECOMMENDED AYES: ALL**

## BOARD OF SUPERVISORS

32. Authorize \$10,000 of Special Board Project Funds-District One to Le Grand Elementary School District for assistance in building a new baseball/softball field and approve the necessary budget transfer.

**APPROVED AS RECOMMENDED AYES: ALL**

33. Resolution designating the intersection of Griffith Avenue and Clausen Road as an All-Way Stop in the County of Merced and authorizing installation and maintenance of the stop signs.

**ADOPTED RESOLUTION NO. 2007-05 AS RECOMMENDED AYES: ALL**

34. Authorize Clerk to sign Certification Statement for the composition of the Merced County Local Child Care and Development Planning Council as required by the California Dept. of Education.

**APPROVED AS RECOMMENDED      AYES: ALL**

**EXECUTIVE OFFICE**

35. Authorization of Reduction Strategies for the Department of Mental Health.

**REVIEW BOARD ORDER – SEE PAGE 11, 12 AND 13**

36. Authorization of Workforce Reduction Strategies for the Department of Mental Health.

**REVIEW BOARD ORDER – SEE PAGE 11, 12 AND 13**

**HUMAN RESOURCES**

37. Authorize retroactive merit increase payments to Position #307 (BU 41505) for pay periods 16, 17, 18 and 19 of 2006 and Position #249 (BU 41510) for pay periods 15, 16, 17, 18 and 19, 2006 in accordance with Human Resources Rules and Regulations.

**APPROVED AS RECOMMENDED      AYES: ALL**

**BOARD APPOINTMENTS**

**BOARD INFORMATION & POSSIBLE ACTION**

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

38. Planada School District re: Fourteen Day Notice of Proposal to Implement Developer Fees and Notice of Public Hearing.
39. Madera County re: Resolution adopting a Regional Approach for a Marijuana Eradication Pilot Program.
40. Tulare County Board of Supervisors re: Regional Approach for a Marijuana Eradication Pilot Program.
41. Alpine County Board of Supervisors re: Resolution acknowledging January as National Glaucoma Awareness Month.
42. CSAC re: Challenge Awards Directory for 2006. (On file with the Clerk)
43. San Joaquin Valley Air Pollution Control District re: Notice of Public Workshop on proposed Rules and Regulations.
44. State Water Resources Control Board re: Notice of January 18, 2006 Board Meeting.

**ADOPTED RESOLUTIONS IN MEMORY OF STEPHEN R. CONTRERAS AND MARINE CORPS CPL. JOSHUA PICKARD AND ADJOURNED MEETING UNTIL JANUARY 23, 2007 AT 10:00 A.M.**

## **BOARD ORDERS – SUMMARY ACTION MINUTES – JANUARY 9, 2007**

### **10:00 A.M. SCHEDULED ITEM** **2007-01-09 PUBLIC OPPORTUNITY**

Fernando Echevarria, Full Time employee of Mental Health, reviews his termination process and requests the Board have the District Attorney investigate an employee who lied under oath.

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

### **10:00 A.M. SCHEDULED ITEM** **2007-01-09 MENTAL HEALTH – PUBLIC HEARING – ORDINANCE NO. 1801**

The time and date previously set for a public hearing to consider Proposed Ordinance changing fees charged for Mental Health Services submitted by the Mental Health Department.

The Clerk reads the Proposed Ordinance by title only: An Ordinance Changing Fees Charged for Mental Health Services (Amends Merced County Code, Chapter 9.48, Section 9.48.030 and Supercedes Ordinance No. 1768).

Upon motion of Supervisor O'Banion, seconded by Supervisor Crookham, duly carried, the Board waives further reading of the proposed ordinance entitled "An Ordinance Changing Fees Charged for Mental Health Services".

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. 1801.

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

### **10:00 A.M. SCHEDULED ITEM** **2007-01-09 PLANNING – PUBLIC HEARING**

The time and date previously set for a public hearing to consider General Plan Amendment No. AC06-006 and Major Subdivision No. MAS06-010 submitted by Charles Colston. Said application is to amend the General Plan from Winton SUDP General Commercial to Winton SUDP Low Density Residential, to Single-Family Residential (R-1) on the northern portion of the parcel and create 6 residential lots on the northern and one commercial lot on the southern portion located on the north of Santa Fe Drive, 400 feet north of Walnut Avenue in Winton.

Planner I Gene Barrera provides the power-point presentation and reviews the staff report and recommendations.



The Chairman opens the public hearing and asks if there is anyone present wishing to speak.

Joe Ovatt, Ovatt Construction and speaking on behalf of the applicant, reviews the history of the project and asks for approval.

The Chairman closes the public hearing.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board makes an Intended Decision to approve General Plan Amendment No. GPA06-005, Zone Change No. ZC06-006 and Major Subdivision No. MAS06-010; approves the Categorical Exemption under Section 15332 of the CEQA Guidelines and continues the matter to the Cycle I General Plan Amendment set for March 27, 2007 at 10:00 a.m.  
Ayes: Pedrozo, Crookham, Nelson, Kelsey, O'Banion

**10:00 A.M. SCHEDULED ITEM**  
**2007-01-09 PLANNING – PUBLIC HEARING**

The time and date previously set for a public hearing to consider General Plan Amendment No. GPA06-006 and Zone Change No. ZC06-007 submitted by Protestant Episcopal Bishop of San Joaquin. Said application is to amend the General Plan from Los Banos SUDP Agricultural to Los Banos SUDP Commercial with a concurrent rezoning General Agricultural (A-1) to Commercial-Professional (C-P) located east side of Badger Flat Road approximately 3/5 of a mile north of Highway 152 in Los Banos.

Planner I Gene Barrera provides the power-point presentation and reviews the staff report and recommendations.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak.

Bob Hart, Stoddard & Associates, reviews the project proposal and asks for approval.

The Chairman closes the public hearing.

Supervisor O'Banion moves, seconded by Supervisor Nelson, to make an Intended Decision to approve General Plan Amendment No. GPA06-006, Zone Change No. ZC06-007 and approves the Categorical Exemption under Section 15061(b)(3) of the CEQA Guidelines.

County Counsel James Fincher states the Board needs to first consider the determination under Section 15061 (b) (3) of the CEQA Guidelines and approve the Categorical Exemption.

Following further discussion based on Counsel's recommendation and upon motion of Supervisor O'Banion, seconded by Supervisor Nelson, duly carried, the Board approves the Categorical Exemption under Section 15061(b)(3) of the CEQA Guidelines.

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

Upon motion of Supervisor O'Banion, seconded by Supervisor Nelson, duly carried, the Board makes an Intended Decision to approve General Plan Amendment No. GPA06-006 and

Zone Change No. ZC06-007 and continues the matter to Cycle 1 General Plan Amendment consideration set for March 27, 2007 at 10:00 a.m.

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

**10:00 A.M. SCHEDULED ITEM**

**2007-01-09 PLANNING – CONTINUED PUBLIC HEARING**

The time and date previously set for a continued public hearing to consider an Appeal to Planning Commission decision on Minor Subdivision Application No. MS05-021 submitted by Stillman Family Trust; said application is to divide 157 acres into six parcels; four Parcels A through D being 20 acres in size; Parcel E=40 acres and Parcel F=36.8 acres in size with said project being located on the north side of Childs Avenue east of Burchell Avenue in Planada.

Planner III James Holland provides the power-point presentation and reviews the staff report and recommendations.

Supervisor Kelsey states concerns with the housing proposal and questions the number of houses on each parcel and occupant status.

The Chairman opens the public hearing and asks if there is anyone present wishing to speak.

Jean Okui (Livingston resident) states concerns with the current General Plan and the chipping away of agriculture land.

Chris Morga, Ag Valley Consulting, states this area would be better farmed by splitting parcels and reviews the dry land best use.

Mary Furey (Planada resident) reads a letter into the record and submits documents asking denial of the appeal.

Charles Magnuson speaks in opposition.

Rochelle Koch and Stacy Machado read a letter into the record for Maureen McCorry asking denial of the appeal.

Applicant Tom Stillman reviews the project history stating the pond operates on a Conditional Use Permit. Mr. Stillman request Board approval stating he has met all the requirements.

David Hartesveldt, Live Oak Associates, Inc., speaks on the biological findings, reviews the process and advises there are no habitats or species in danger.

Doug Galloway states he lives east of the property and is opposed.

The Chairman closes the public hearing.

Supervisor O'Banion states based on the history of this project before the Board and the requirements completed by Mr. Stillman, he feels the Board should move forward and approve the appeal.

Following discussion, Supervisor O'Banion moves, seconded by Supervisor Nelson, to uphold the appeal, adopt the CEQA Mitigated Negative Declaration and approve Minor Subdivision Application No. MS05-021 subject to Conditions.

Supervisor Kelsey reviews concerns on the overall county vision and parcel splits.

Following further discussion, the Chairman calls for a Vote on the Motion.

Supervisors Pedrozo, Crookham and Kelsey vote "no".

Motion fails.

Ayes: Nelson, O'Banion

Noes: Pedrozo, Crookham, Kelsey

#### **CONSENT ITEM NO. 10**

#### **2007-01-09 BOARD OF SUPERVISORS**

Upon motion of Supervisor Pedrozo, seconded by Supervisor Crookham, duly carried, the Board authorizes Certificates of Recognition to Los Banos Golden Agers Club for 2006: Tom Hammond, Past President; Joe Cox, President; Beverly Brown, Vice President; Rose Mello, Secretary; Cecelia Cardoza, Treasurer; Ella Engman, Historian; Mary Ann Wood, Bette Orlando, Benny Gamino, Manual Cardoza and Violet Brizzee as Director Members.

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

#### **ACTION ITEM NO. 35 AND ACTION ITEM NO. 36**

#### **2007-01-09 EXECUTIVE OFFICE AND HUMAN RESOURCES**

The Clerk announces consideration of:

Action Item No. 35- Authorization of Reduction Strategies for Mental Health and

Action Item No. 36- Authorization of Workforce Reduction Strategies for Mental Health are before the Board for discussion and possible action.

Mental Health Director Troy Fox provides the power-point presentation and reviews the staff report outlining the problems being faced by Mental Health, what has been done to cut back on costs and revenue, what is being done now and the proposed actions before the Board.

The Chairman asks if there is anyone present wishing to speak on these Items.

AFSCME Local 2703 Representative Kristy Waskiewicz states concerns on the recommended actions, questions how the County got to this point and reviews the following additional concerns: the 2006/2007 Budget adoption in August 2006, the status of money owed from the State for over two years, 35 layoffs and how they have been achieved and the budget positions assigned to Mental Health.

Director Fox reviews the current position status stating 25 positions are vacant positions, six positions are management positions and the layoffs to occur will be 31 line staff positions and four management positions.

Following discussion, Supervisor O'Banion moves, seconded by Supervisor Crookham, the Board approve the recommendations for reduction strategies for Mental Health by taking the following action with a stipulation to hold off on the elimination of the personnel for two weeks to allow the local legislators to attempt to assist with the financial process and if necessary bring the matter back at the January 23, 2007 Board Meeting:

Recommendations for authorization of Reduction Strategies for Mental Health (Action Item No. 35):

1. Change the classification title of the Mental Health Compliance Officer to County Compliance Officer and approve the amended Salary Allocation Resolution.
2. Approve the following position transfers, deletion and the amended Position Allocation Resolution effective January 22, 2007. Transfer one County Compliance Officer (Position 289) from Mental Health, BU 41506 to the CEO BU 10100; one Eligibility Worker I/II (Position #232) from Mental Health, BU 41506 and delete one Legal Research and Compliance Specialist (Position #20) BU 13000.
3. Authorize the Chairman to sign Contract No. 2007048, MOU between Human Services Agency and Mental Health for the period January 1, 2007 through June 30, 2007 in the amount of \$348,136 for six (6) clinicians to perform mental health counseling.
4. Authorize Mental Health Director, in conjunction with County Counsel, to submit a State Managed Care Consolidation Plan Amendment for the demobilization of the crisis services and establish a crisis stabilization unit at Marie Green.
5. Authorize the Administrative Services Director, in conjunction with County Counsel, to exercise the provision of cancellation for lease termination of Contract No. 200012 with Tinetti Reality Group for administrative space located at 2926 G Street, Merced CA.
6. Approve the General Fund to absorb the California Forensic Medical Group (CFMG) Contract for Inmate Adult Mental Health Services and Pharmaceutical at a cost of \$352,633 annually pending research on alternative funding for future years.
7. Approve the Budget Transfer.  
and adopt Resolution No. 2007-06 effective January 23, 2007;

Recommendations for Workforce Reduction Strategies for Mental Health (Action Item No. 36):

1. In accordance with the Human Resources Rules & Regulations 92-01, Section 2.W.11.d. authorize the Human Resources Department to issue letters and begin to pursue opportunities for the incumbents in the thirty-five (35) positions identified for possible workforce reduction.
2. Authorize Reduction In Force to the currently identified thirty-five (35) filled positions effective February 19, 2007.

3. Delete the twenty-five (25) vacant positions in the Mental Health Department for FY 2006-07.
4. Approve the amending resolution to the Position Allocation Resolution effective February 20, 2007.  
and adopt Resolution No. 2007-07 effective January 23, 2007.

Following discussion, Supervisor Kelsey states an additional Study should be considered since the Board has the ability to set and determine funding priorities. The Board agrees both Board Representatives Supervisors Kelsey and Crookham who serve on the Mental Health Advisory Board can assist.

Following further discussion, the Chairman calls for a Vote on the Motion.

Motion Carries.

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