

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, JULY 24, 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

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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INQUIRE WITHIN THE BOARD OF SUPERVISORS OFFICE

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The Agenda is divided into three sections:

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

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

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

SCHEDULED ITEMS

9:00 A. M.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION: It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Government Code Section 54956(b): One Case

THE BOARD RECESSED AT 9:00 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED STAFF 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 6

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 13)
APPROVED AS RECOMMENDED REMOVING ITEM #12 FROM THE AGENDA AYES: ALL

PLANNING - PUBLIC HEARING

To receive comments on the Annual Grantee Performance Report for the County's 2005/2006/2007 Community Development Block Grant (CDBG) General Allocations for Homebuyer Assistance and Housing Rehabilitation Programs (05-STBG-1409) including Revolving Loan Account (RLA) Program Income for Business Assistance, Housing Rehabilitation and Housing Acquisition and future funding activities

REVIEW BOARD ORDER – SEE PAGE 6

REPORTS/BOARD DIRECTION

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

CONSENT CALENDAR (Items #1 - 13)

APPROVED AS RECOMMENDED REMOVING CONSENT ITEM #12 FROM AGENDA

AYES: ALL

Public Works

1. Adopt Resolution designating the intersection of Neves Drive and Swan Road in Atwater, (Green Acres Subdivision No. 03009) as a Stop Intersection and authorize installation on Neves Drive approach.

ADOPTED RESOLUTION NO. 2007-111

2. Adopt Resolution designating the intersection of Estancia Drive and Hillcrest Road in Merced (Estancia Subdivision No. 04012) as a Stop Intersection and authorize installation on the Estancia Drive approach.

ADOPTED RESOLUTION NO. 2007-112

3. Set a public hearing for August 28, 2007 at 10:00 a.m. to consider Amending Ordinance No. 1783 entitled User Charge Rates for Zones of Benefit which would establish County Service Area Number One User Rates for the 2007/2008 Fiscal Year.
4. Approve and authorize Public Works Director to sign Amendment to Contract No. 2007080 (Change Order No. 1) with Amerine Systems, Inc. in an amount not to exceed \$44,195.00 for the Lake Yosemite Park Upgrade of the Domestic Water System – Phase 1, Bicentennial Grove Well Replacement.

Mental Health

5. Approve and authorize Chairman to sign Renewal Contract No. 2002184 with Merced City School District for Educational Program services.
6. Approve and authorize Chairman to sign Renewal Contract No. 2004170 with Health Department to provide alcohol and drug HIV services.

Health

7. Approve and authorize Chairman to sign Renewal Contract No. 2006099 with Health Plan of San Joaquin for Memorandum of Understanding for the medical case management of the California Children Services clients.

Human Services Agency

8. Approve and authorize Chairman to sign Amendment to Contract No. 2006110 with Merced Lao Family Community, Inc. for Refugee Employment and Social Services Program.
9. Approve and authorize Chairman to sign Renewal Contract No. 2004188 with Community Action Board for Home Delivered Meals Program.
10. Approve and authorize Chairman to sign Renewal Contract No. 2004189 with Community Action Board for Congregate Meals Program.
11. Approve and authorize Chairman to sign Renewal Contract No. 2002169 with Merced County In-Home Supportive Services Public Authority for In-Home Supportive Services.

Executive Office

12. Approve and authorize Chairman to sign Renewal Contract with David Donn Consulting for Workers Comp Medical Cost Management.

REMOVED FROM THE AGENDA – NO ACTION TAKEN

13. Approve Travel Request submitted by Castle, Mental Health and Human Services Agency as recommended by Executive Office.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

14. Resolution authorizing Public Works Director to sign Regional Surface Transportation Program Exchange Fund Apportionments Claim for FY 2006/2007.

ADOPTED RESOLUTION NO. 2007-113 AS RECOMMENDED AYES: ALL

HEALTH

15. Approve California Healthcare for Indigents Program (CHIPS) Application for FY 2007/08 with State Dept. of Health Services as required to comply with prior to the distribution of the fiscal year allocations.

AUTHORIZED CONTRACT NO. 2007191 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

16. Authorize HSA to apply for the Daddy Pack Grant with National Fatherhood Initiative and to return to the Board for final approval if awarded.

APPROVED AS RECOMMENDED AYES: ALL

17. Authorize participation in the Homeless Management Information System (HMIS) and authorize Chairman to sign Memorandum of Understanding with Community Action Agency.

AUTHORIZED CONTRACT NO. 2007192 AS RECOMMENDED AYES: ALL

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT

18. Use Fee Agreement for use of Designated Parking Ramp for American School of Aviation at Castle Airport.

AUTHORIZED CONTRACT NO. 2007193 AS RECOMMENDED AYES: ALL

19. Contract with Employment Training Panel (ETP) for Small Business Training.

AUTHORIZED CONTRACT NO. 2007194 AS RECOMMENDED AYES: ALL

20. Contract with Board of Supervisors for Records Storage lease.

AUTHORIZED CONTRACT NO. 2007195 AS RECOMMENDED AYES: ALL

PLANNING

21. Authorize submission of Application to the State Dept. of Housing and Community Development for funding under the Home Investment Partnerships Program for a First-Time Homebuyer Program and/or Owner-Occupied Housing Rehabilitation to very-low and low-income families within the unincorporated areas of Merced County; authorize preparation and release of RFP to qualifying consultants for implementation and administration of the 2007 HOME Grant and if funded, return to the Board for final approval and adopt Resolution authorizing submittal of the Grant Application.

ADOPTED RESOLUTION NO. 2007-114 AS RECOMMENDED AYES: ALL

DEPT. OF ADMIN. SERVICES

22. Contract with Leon Bartlett for the furnishing and delivery of Vehicle Fuels.

AUTHORIZED CONTRACT NO. 2007196 AS RECOMMENDED AYES: ALL

LIBRARY

23. Authorize the Merced County Main Library to close August 6th, 7th, 8th to move the Library Collection.

REVIEW BOARD ORDER – SEE PAGE 7

EXECUTIVE OFFICE

24. Approve Addendum One to the 2006/2007 Grand Jury Letter of Response to the Presiding Judge of the Superior Court and authorize Chairman to sign Letter.

APPROVED AS RECOMMENDED AYES: ALL

25. Contract Amendment with Merced Defense Associates for Indigent Defense Services increasing coverage and extending term for additional two years.

AUTHORIZED CONTRACT NO. 2003093 AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

26. Le Grand Municipal Advisory Council – Reappointed Maria Giampaoli, Jeannette Pacheco and John Cardoza until December 7, 2010 and reappointed George Dickensen until December 7, 2009.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

27. Auditor re: Los Banos Auditor-Controller, Recorder, Clerk's Office.

28. State Dept. of Corrections and Rehabilitation re: Notice of Regulations filed with Secretary of State on June 26, 2007 to become effective July 26, 2007 - Title 15, California Code of Regulations, Division 4, Chapter 1, Article 3, Use of Force Policy.

RECESSED AS A BOARD OF SUPERVISORS AND RECONVENED AS AN IHSS PUBLIC AUTHORITY.

ADOPTED RESOLUTIONS IN MEMORY OF TOM FLANAGAN, JANET GONZALEZ AND TED WESTMORELAND AND ADJOURNED MEETING UNTIL JULY 31, 2007 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JULY 24, 2007

10:00 A.M. SCHEDULED ITEM
2007-07-24 PUBLIC OPPORTUNITY

Joe Pruzzo, Castle Air Museum Executive Director, submits a poster and invites the Board to attend “Plane Crazy Too!” a community event scheduled for August 11, 2007, at the Atwater Community Center.

Grant Wilson (Merced resident) speaks on behalf of Samuel Matthews, stating concern with the operation of the medical marijuana program in Merced County.

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

10:00 A.M. SCHEDULED ITEM
2007-07-24 PLANNING/COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT -
PUBLIC HEARING

The time and date previously set for a public hearing to receive comments on the Annual Grantee Performance Report for the 2005/2006/2007 Community Development Block Grant (CDBG) General Allocations for Home Buyer Assistance and Housing Rehabilitation Programs (05-STBG-1409) including Revolving Loan Account (RLA) Program Income for Business Assistance, Housing Rehabilitation and Housing Acquisition and future funding activities submitted by the Planning Department and Commerce, Aviation and Economic Development.

Development Services Director Robert Lewis reviews the Staff Report.

Self-Help Enterprises Program Manager-Housing Rehabilitation Denise Fletcher reviews the powerpoint presentation and Administrative Analyst Sheri Rawlins provides an update on Community Development Block Grant expenditures, loans approved and other activities.

Commerce, Aviation and Economic Development Executive Director John Fowler provides loan information on the economic development portion.

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

The public hearing is closed.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Crookham, duly carried, the Board accepts the Community Development Block Grant (CDBG) Annual Grantee Performance Reports and the 2005/2006/2007 CDBG General Allocation and Economic Development Programs, Business Revolving Loan Administration Program Income, Housing Rehabilitation and Housing Acquisition Reports and future funding activities and authorizes the Development Services Director and Commerce, Aviation and Economic Development Director to sign the Annual Grantee Performance Report.

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

ACTION ITEM NO. 23
2007-07-24 LIBRARY

The Clerk announces the request to close the Main Library to move the Library Collection is before the Board for consideration.

County Librarian Jacque Meriam advises the request is to close the Main Library on August 6, 7, and 8, 2007, to move the Library Collection assuring there will be a notice advertised in the newspaper, bulletins will be posted in the library and the closure information will be posted on the website.

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board authorizes the Merced County Main Library close August 6, 7, and 8, 2007, to move the Library Collection.

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