

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, AUGUST 07, 2007
Closed Session – 5:00 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

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

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

Persons who require accommodation for any audio, visual or other disability in order to review an agenda, or to participate in a meeting of the Board of Supervisors per the American Disabilities Act (ADA), may obtain assistance by requesting such accommodation in writing addressed to the Clerk of the Board, 2222 M Street, Merced, CA 95340 or telephonically by calling (209) 385-7366. Any such request for accommodation should be made at least 48 hours prior to the scheduled meeting for which assistance is requested

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

5:00 P. 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 54956.9(b): One Case

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

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

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

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)

REVIEW BOARD ORDER – SEE PAGE 6

PRESENTATION – State Highway 165 Bypass Project
REVIEW BOARD ORDER – SEE PAGE 6

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 16)
APPROVED AS RECOMMENDED AYES: ALL

REPORTS/BOARD DIRECTION

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

CONSENT CALENDAR (Items #1 - 16)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Authorize the Valve Burners Car Club of Merced to reserve and rent all facilities and park area East of the Le Grand Canal at Lake Yosemite on September 9, 2007 for Annual Car Show; waive the Vehicle Park Fee for participants and individuals attending the show; authorize the Car Club to charge an Admission Fee of \$3.00 per person, children under 12 Free and authorize Car Club and Vendors to sell products during the Event; authorize Car Club members admittance to the park during designated hours and to park on turf areas, and authorize Chairman to sign contract for exclusive use.

AUTHORIZED CONTRACT NO. 2007204 AS RECOMMENDED AYES: ALL

2. Approve and authorize Public Works Director to sign Amendment (two Change Orders) to Contract No. 2006209 with Papich Construction for Highway 59 Landfill, Phase 6, Cell 1.
3. Adopt Resolution accepting the Grant Deed from Rucker Construction, Inc. in connection with Estancia Major Subdivision No. 04012 in Merced.

ADOPTED RESOLUTION NO. 2007-119

Mental Health

4. Approve and authorize Chairman to sign Renewal to Contract No. 2004091 with Mariposa County Behavioral Health and Recovery for inpatient services at Marie Green Psychiatric Health Facility.
5. Approve and authorize Chairman to sign Amendment to Contract No. 2006191 with Merced Lao Family for Southeast Asian Community Advocacy Program (SEACAP) through the Mental Health Services Act Three Year Plan.

Sheriff

6. Approve and authorize Chairman to sign Amendment to Contract No. 2007111 with Forensic Consultants Medical Group for Autopsy/Forensic Autopsy Service.

Executive Office

7. Approve Travel Requests submitted by Human Services Agency as recommended by Executive Office.

Health

8. Approve and authorize Chairman to sign Renewal Contract No. 2006016 with California Integrated Waste Management Board for Waste Tire Enforcement.

ADOPTED RESOLUTION NO. 2007-120

Board Recognition

9. Authorize Certificate of Recognition to Aldo Sansoni for dedicated service to the Los Banos Cemetery District.
10. Authorize Certificate of Recognition and Plaque to City of Gustine in celebration of the 100th Anniversary of the Founding of the City.

11. Authorize Certificate of Recognition to Mercy Medical Center Merced (Pediatrics) for Ribbon Cutting.
12. Authorize Certificate of Recognition to Consul General of Japan Makoto Yamanaka for Lecture presented at University of California-Merced to the Political Science 5, International Relations Class.
13. Authorize Certificates of Recognition to Karyn Johnson-Ambassador Volunteer of the Quarter and Lupe Dawson-Volunteer of the Quarter by the Greater Merced Chamber of Commerce.
14. Proclaim June 2007 as America500 Birthday in the County of Merced.
15. Authorize Certificates of Recognition to Bert Crane, Jr. and Doug Fleutsch for dedicated service to the Mercy Foundation Board.
16. Authorize Certificate of Recognition to Mt. Olive Baptist Church in recognition of Ribbon Cutting.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

17. Adopt Resolution establishing Speed Zones on various County Roadways in Atwater, Livingston and Franklin-Beachwood area and authorize installation and maintenance.
ADOPTED RESOLUTION NO. 2007-121 AS RECOMMENDED AYES: ALL
18. Authorize issuance of Request for Proposal for a Five Year Contract for the operation of a Food and Paddle Boat Concession at Lake Yosemite from April 8, 2008 through March 31, 2013 with recommendation to come back to the Board.
APPROVED AS RECOMMENDED AYES: ALL
19. Contract with City of Merced for use of Special Board Project Funds-District Two in the amount of \$20,000 for design and installation of three fire hydrants on Forist Lane and approve the necessary budget transfer using Prior Year Encumbered Funds brought to the Board for approval after Final Budget.
AUTHORIZED CONTRACT NO. 2006331 AS RECOMMENDED AYES: ALL

MENTAL HEALTH

20. Contract with Merced Community College District for nursing clinical experience at Department facilities.
AUTHORIZED CONTRACT NO. 2007205 AS RECOMMENDED AYES: ALL

HEALTH

21. Contract with Calif. Dept. of Public Health for AIDS Program Master Agreement for a combined 3-year total of \$323,775 and authorize MOU's for the following programs: HIV/AIDS Surveillance Program, HIV Counseling and Testing Program and HIV Prevention.
AUTHORIZED CONTRACT NO. 2007208-STATE AIDS PROGRAM; 2007209-MOU HIV PREVENTION; 2007210-MOU HIV/AIDS SURVEILLANCE AND 2007211-MOU HIV COUNSELING AS RECOMMENDED AYES: ALL

SHERIFF

THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA

22. Contract with Dos Palos Oro Loma Unified School District for Canine Patrol Services.
AUTHORIZED CONTRACT NO. 2007206 AS RECOMMENDED AYES: ALL
23. Accept the donation in the amount of \$1,000 from Merced County Farm Bureau to assist in preventing agriculture crimes.
APPROVED AS RECOMMENDED AYES: ALL

DEPT. OF WORKFORCE INVESTMENT

24. Contract with Stanislaus County for WorkKeys Pilot Program allowing training and facilitation of assessment using the software.
AUTHORIZED CONTRACT NO. 2007207 AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

25. May Day Fair Board – Reappointed Mark Pazin, Larry Borrelli and Jonathan Andrews until July 1, 2011; appointed Michael Santos until July 1, 2011 and Bret Silva and Larry Bergman until July 1, 2009.
APPROVED AS RECOMMENDED AYES: ALL
26. Workforce Investment Board – Appointed Henry Ildefronzo, Labor Representative, until June 30, 2008.
APPROVED AS RECOMMENDED AYES: ALL

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT

27. Approve the Community Development Block Grant (CDBG) Loan Payment in the amount of \$24,000 from Specialized Services-Contractual Services Account.
APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

28. State of California re: Notice of Public Meeting - Climate Change and Water Resources - Joint meeting with State Water Resources Board and Dept. of Water Resources.
29. Mercy Medical Center Merced re: Mercy Medical Center Community Advisory Committee Minutes. (On file with Clerk)
30. State Wildlife Conservation Board re: Merced River, Expansion 1, Merced County, Project ID 2004081, consideration of acquisition of a conservation easement over 78+ acres of wildlife habitat located in Merced County and identified as a portion of APN 043-070-039 set for August 23, 2007. (On file with Clerk)

ADOPTED RESOLUTION IN MEMORY OF RAYMOND MARINO AND ADJOURNED MEETING UNTIL AUGUST 21, 2007 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – AUGUST 7, 2007

6:00 P.M. SCHEDULED ITEM **2007-08-07 PUBLIC OPPORTUNITY**

Director of Public Health John Volanti introduces new senior management staff at the Health Department.

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

6:00 P.M. SCHEDULED ITEM **2007-08-07 PRESENTATION – State Highway 165 Bypass Project**

Development Services Director Robert Lewis states numerous county staff attended a citizen's advisory committee meeting concerning the Highway 165 Bypass and reviews future steps in the process.

Public Works Director Paul Fillebrown reviews a map depicting the project site and states the consultants are considering a single growth scenario in the communities of Hilmar and Delhi. He states staff believes it is important to look at a model that would consider the impacts if all of the area projects were ultimately approved, along with the growth contemplated in Delhi and Hilmar.

Supervisor Kelsey states the policy committee adopted two scenarios: the first one includes all known growth inside the Specific Urban Development Plans as expanded over the next 25 years and the second scenario is the amount in the first scenario plus three percent.

Merced County Association of Governments Executive Director Jesse Brown states this is a very complex process and is typically done in a single county but this project goes across county lines dealing with five different agencies, two different councils of government which will require more time to complete.

Supervisor Kelsey states this presentation will be provided in the Delhi, Hilmar and Stevinson areas and other presentation(s) will be provided as the project progresses.

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