

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, FEBRUARY 24, 2009

Closed Session – 8:30 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
HUBERT “HUB” WALSH, JR.....DISTRICT 2
MICHAEL G. NELSON.....DISTRICT 3
CHAIRMAN 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

Any material related to an item on this Agenda submitted to the Clerk after distribution of the Agenda packet is available for public inspection in the Office of the Clerk of the Board

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

8:30 A. M.

THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA – TESTIMONY IS LIMITED TO FIVE MINUTES PER PERSON

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): Two Cases

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION: It is the intention of the Board to meet in Closed Session concerning Initiation of Litigation pursuant to Government Code Section 54956.9(c): Three Cases

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

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 Section 54956.9(a): San Joaquin Raptor Rescue Center et al v. County of Merced, RMP, Real Party in Interest, Merced Superior Court Case No. 150013 and 150014 Cons. and Corser v. County of Merced, et al., United States Eastern District Court Case No. 1:05-CV-00985-OWW-DLB

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 8:30 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND COUNSEL READ A STATEMENT ADVISING OF ACTION TAKEN IN CLOSED SESSION

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 10

PRESENTATION

Certificate of Recognition - Volunteer Fire Company 61

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Health-\$16,313 and Commerce, Aviation and Economic Development-\$10,650 and Planning-\$250,000

APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 14)

APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY - PUBLIC HEARING

To consider Domestic Violence Shelter-Based Program Operations within Merced County pursuant to Welfare and Institutions Code Section 18293(e)

RECOMMENDATION: Release Request for Proposal to qualifying domestic violence shelter-based programs within Merced County and return to the Board with a recommendation

REVIEW BOARD ORDER – SEE PAGE 10

PLANNING - PUBLIC HEARING

To consider an Appeal of the Planning Commission approval of Minor Subdivision Application No. MS08-020 submitted by Marsha A. Burch. Said Application filed by Frank Azevedo to divide 139.7 acres into four parcels and a remainder parcel: Parcel 1=20.0 acres, Parcel 2=23.0 acres, Parcel 3=23.0 acres, Parcel 4=39.6 acres and Remainder Parcel=34.1 acres on property located on the east side of Whitworth Road, 1/2 mile south of Gun Club Road in Gustine

RECOMMENDATION: Make determination that the Application is exempt from CEQA Review under Section 15061(b)(3) - "Common Sense Exemption" of the CEQA Guidelines and Deny the Appeal and uphold the Planning Commission's approval of Minor Subdivision Application No. MS08-020

REVIEW BOARD ORDER – SEE PAGE 11

REPORTS/BOARD DIRECTION

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

CONSENT CALENDAR (Items #1 - 14)

APPROVED RECOMMENDATION

AYES: ALL

Public Works

1. Set public hearing for March 17, 2009 at 10:00 a.m. to consider Amending Refuse Service Fees and Charges for County Solid Waste Franchise Areas (Amends Chapter 5.90 and Ordinance No. 1832).
2. Approve and authorize Chairman to sign Amendment to Contract No. 2007259 with Firebaugh Disposal changing the name of the Franchise to Mid Valley Disposal due to transfer of ownership effective February 1, 2009.
3. Authorize the Winton Spring Festival Committee to use Winton County Park from April 14 through 28, 2009 for their Annual Spring Festival, waive the restriction on Alcohol and authorize the sale of beer to the public, waive the hours of operation until 12:00 a.m. on April 17, April 18, April 24 and April 25, 2009, subject to conditions.

REVIEW BOARD ORDER – SEE PAGE 11

Mental Health

4. Approve and authorize Chairman to sign Amendment to Contract No. 2008215 with Victor Treatment Center and approve budget transfer-\$21,605.

District Attorney

5. Approve and authorize Chairman to sign Renewal Contract No. 2003027 with Joe and Michelle Corvello for office space for the Multi-Disciplinary Interview Center.

Planning

6. Set public hearing for March 3, 2009 at 10:00 a.m. to consider Appeal of Minor Subdivision Application No. MS08-025 filed by San Joaquin Raptor Rescue Center/Protect Our Water; said application submitted by James and Karen Barstow.

Executive Office

7. Approve Budget Transfers submitted by Fire -\$3,200 and Sheriff-\$15,800 as recommended by Executive Office.

Board of Supervisors

8. Accept and approve Amendment to Biennial Notices from the following Special Districts for Conflict of Interest Codes: Hilmar, Los Banos, Merced and Snelling Cemetery Districts; Ballico-Cortez Water and Hilmar County Water Districts; Weaver Union School and Los Banos Unified School Districts and the City of Merced Public Financing Authority.

Board Recognition

9. Authorize Resolution of Appreciation commending Frank Aquitania for service to the County of Merced.
10. Authorize Certificates of Recognition to individuals for their accomplishments in the Merced/Mariposa FFA Project Competition as selected by the Merced/Mariposa Project

Competition Committee.

REVIEW BOARD ORDER – SEE PAGES 11 AND 12

11. Authorize Certificates of Recognition to individuals selected by the Merced Chamber of Commerce for the Year 2008 as follows: Dr. Susan Walsh-Businesswoman of the Year; Doug Fluetsch-Businessman of the Year; Italo-American Lodge-Business of the Year; Peter Fluetsch-Ambassador of Good Will and Dr. Lee Boese, Jr.-Good Business Citizen Award.
12. Authorize Certificates of Recognition for the Atwater Chamber of Commerce Quarter Recognition as follows: Castle Family Health Centers-Business of the Quarter; Robert Flores-Entrepreneur of the Quarter; Glendalyn Smith-Bellevue Elementary School Student of the Quarter; Kayla Marks-Mitchell Senior Elementary School Student of the Quarter and Justin Pearce-Peggy Heller Elementary School Student of the Quarter.
13. Authorize Certificate of Recognition to Alex James Tregembo for his achievement in obtaining the Rank of Eagle Scout, Troop 85.
14. Proclaim January 26 through February 1, 2009 as "Catholic Schools Week" in the County of Merced.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

15. Resolution approving the 2009 Update to the Merced County Department of Public Works Improvement Standards and Specifications.

ADOPTED RESOLUTION NO. 2009-15 AS RECOMMENDED AYES: ALL

16. Fenced Holding Area at the John Latorraca Correctional Center - Authorize design and construction of two fenced enclosures with toilet facilities in the Exercise Yard for a cost not to exceed \$172,200; approve the completed construction documents and authorize advertisement and bid process; authorize Public Works to award to lowest responsible bidder as long as within budget and authorize Chairman to sign contract after review by Counsel and direct Public Works to return to the Board with information on action taken.

REVIEW BOARD ORDER – SEE PAGE 12

17. Authorize development of a Hospital Re-use Study; authorize circulation of Request for Proposal for interested firms to provide services for a comprehensive study of the Merced County Hospital and the development of a re-use plan; authorize Public Works to review and rank proposals, negotiate a contract and return to the Board for approval and approve the necessary budget transfer.

REVIEW BOARD ORDER – SEE PAGE 13

18. County Emergency Operations and Consolidated 911 Dispatch Center (EOC) at Castle Airport, Building 1230 - Authorize Contract with George Miers Architects to determine compliance with the Essential Services Act; authorize negotiation of the Architectural Design Fee for the EOC and return to the Board with study results and request for approval to proceed with Phase 2 and contract recommendation.

AUTHORIZED CONTRACT NO. 2009033 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

19. Authorize submission of Application to First 5 Merced County for grant funding in support of the All Dads Matter Program for up to \$300,000 per year for up to three fiscal years beginning 2009-10 and authorize Human Services Agency Director to return to the Board if awarded for final approval.

PULLED FROM THE AGENDA – NO ACTION TAKEN

20. Contract with University of California, Davis for Parent Child Interaction Therapy Certification Training for select Child Welfare Services staff in the amount of \$13,000.

AUTHORIZED CONTRACT NO. 2009034 AS RECOMMENDED AYES: ALL

21. Authorize Sole Source Contract with Merced Lao Family Community, Inc. for services to Elderly Refugees.

AUTHORIZED CONTRACT NO. 2009035 AS RECOMMENDED AYES: ALL

AG. COMMISSIONER

22. Contract with Dr. Lauren Sampson, DVM, for Limited Independent Veterinarian services for the Animal Shelter and approve the budget transfer-\$30,600.

AUTHORIZED CONTRACT NO. 2009036 AS RECOMMENDED AYES: ALL

LIBRARY

23. Authorize acceptance of Grant Award from California State Library for Calif. Library and Literacy Services (CLLS) for English Acquisition Services Program Grant funds in the amount of \$41,000 for Adult Literacy Program and authorize the Librarian and Auditor to sign and submit the CLLS Form and approve the necessary budget transfer. (4/5 Vote Required)

AUTHORIZED CONTRACT NO. 2009037 AS RECOMMENDED AYES: ALL

FIRE

24. Authorize submission of Grant Application to California Dept. of Forestry and Fire Protection for Volunteer Fire Assistance Program funding and direct the Fire Chief to return to the Board for final award approval and authorize the Fire Chief to sign as Authorized Representative.

APPROVED AS RECOMMENDED AYES: ALL

COOPERATIVE EXTENSION

25. Contract with Madera County for Farm Advisor services to serve Merced County reimbursing mileage rate of \$.54 per mile for vehicle used by Madera County when providing services to Merced County and terminate Contract No. 2005280 approved on October 7, 2008.

**AUTHORIZED CONTRACT NO. 2009040 AS RECOMMENDED AYES: 1, 3, 4, 5
ABSTAIN: 2**

DEPT. OF WORKFORCE INVESTMENT

26. Authorization to open Summer Youth Employment Program related to the President's Economic Stimulus; approve the allocations for Extra Help Youth Counselor (BU 55000) and Extra Help Youth Program Participants (BU 55001) to be added to the Dept. of Workforce Investment Department and adopt Resolutions.

ADOPTED RESOLUTION NOS. 2009-16 (SALARY) AND 2009-16A (POSITION ALLOCATION) AS RECOMMENDED AYES: ALL

SHERIFF

27. Contract with Wavestop Satellite to provide Ethersat Internet Service for the Sheriff's new Command Post Satellite System.

REVIEW BOARD ORDER – SEE PAGE 13

28. Authorize the purchase of canine McGruff for \$1.00 from Deputy Sheriff Doug Aue and authorize Contract.

AUTHORIZED CONTRACT NO. 2009041 AS RECOMMENDED AYES: ALL

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT

29. Resolution authorizing Contract with The State Store, Inc. for FOCUS Program Procurement Vehicle for Technology Expertise, Equipment, Services and Systems and authorize Chairman to sign Award Announcement Letter.

AUTHORIZED CONTRACT NO. 2009042 AND ADOPTED RESOLUTION NO. 2009-17 AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

30. Deferred Compensation Standing Committee – Appointed Lisa Cardella-Presto as Elected Official and Connie Dias as Independent Employees of Merced County Representative, until March 1, 2011.

APPROVED AS RECOMMENDED AYES: ALL

31. Remain with the NACO sponsored Deferred Compensation Program administered by Nationwide Retirement Systems; authorize the addition of the Schwab, Self Directed Brokerage Option to the County's Deferred Compensation Plan and authorize Chair to sign the Schwab Personal Choice Retirement Account (PCRA) Plan Application; approve the Custodial Agreement with Nationwide Trust Company, FSB and authorize Chair to sign Contract and other necessary documents.

AUTHORIZED CONTRACT NO. 2009038 WITH SCHWAB AND NO. 2009039 WITH NATIONWIDE TRUST COMPANY AS RECOMMENDED AYES: ALL

32. Approve Amendment to Merced County's 457 Deferred Compensation Plan Document authorizing "Loans to Participants Amendment to Plan Document" and approve Participant Loan Administrative Procedures and authorize Chair to sign necessary documents in connection with the Deferred Compensation Program with National Association of Counties (NACo).

AUTHORIZED CONTRACT NO. 2009030 FOR PLAN FOR PUBLIC EMPLOYEES LOANS AND NO. 2009031 FOR LOAN PROCEDURES AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

33. Authorize \$1,533 of Special Board Project Funds-District Five to be forwarded to Public Works for reimbursement of cost to purchase and install a new front door at the Carver Center.

PULLED FROM AGENDA – NO ACTION TAKEN

34. Authorize \$2,500 of Special Board Project Funds-District Five to be forwarded to the Merced Assembly Center Commemorative Committee for building a monument.
APPROVED AS RECOMMENDED AYES: ALL

35. Authorize Letter of Support to Federal Energy Regulatory Commission relating to Merced Irrigation District's Relicensing of the Merced River Hydroelectric Project (Project No. 2179).
APPROVED AS RECOMMENDED AYES: ALL

PLANNING

36. Direct Staff to seek a revised Scope of Work to increase services with Mintier Harnish and return to the Board at March 17, 2009 Board Meeting with contract amendment to include: revised scope of work, increased costs and project schedule modifications to extend completion of the General Plan Update Program.

REVIEW BOARD ORDER – SEE PAGE 13

37. Neighborhood Stabilization Program (NSP) eligibility to receive Federal NSP funds through the Federal Dept. of Housing and Urban Development (HUD) - Authorize initiation of a public outreach effort to create a waiting list of pre-qualified applicants for Neighborhood Stabilization Program (NSP), Home, CDBG and related affordable housing program funds; authorize staff to set a public hearing for Board consideration of the NSP application for submittal to the State Dept. of Housing and Community Development meeting the program deadlines and authorize Staff to establish a Trust Account for possible funding of a local housing trust.

APPROVED AS RECOMMENDED AYES: ALL

BOARD APPOINTMENTS

38. Planning Commission – Reappointed Jack Mobley, District Three representative, until October 1, 2012.

APPROVED AS RECOMMENDED AYES: ALL

39. Treasury Oversight Committee – Appointed Lisa Cardella-Presto to serve as the Auditor-Controller Representative.

APPROVED AS RECOMMENDED AYES: ALL

40. Law Library Board of Trustees – Appointed Paul C. Lo, Board of Supervisors Appointee and Chairman and Linda Groth, Board of Supervisors Appointee and Vice-Chairman to serve as Trustees until January 1, 2010.

APPROVED AS RECOMMENDED AYES: ALL

41. Advisory Board on Alcohol and Other Drug Problems – Reappointed Dr. Herb Opalek, District One representative, until June 30, 2012.

APPROVED AS RECOMMENDED AYES: ALL

42. Merced Cemetery District – Appointed Donald Washburn until July 1, 2010.

APPROVED AS RECOMMENDED AYES: ALL

43. Merced County Local Child Care and Development Planning Council – Reappointed Barbara Weaver, Community Representative-Board of Supervisors; Regina Wolf and Helen Torrez, Child Care Provider-Board of Supervisors until June 30, 2010.

APPROVED AS RECOMMENDED AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

44. San Joaquin Valley Air Pollution Control District re: Notification of Citizens Advisory Committee vacant positions.
45. State Fish and Game Commission re: Notice of Proposed Emergency Regulatory Action relating to Incidental Take of California Tiger Salamander.
46. State Fish and Game Commission re: Regulation process to amend language for adoption of various Sections of Title 14, California Code of Regulations and notice that language differed than was provided to the public - exercise of powers to provide changes for public comment period.
47. State Water Resources Control Board re: Petition of Environmental Law Foundation (Waste Discharge Requirements Order No. R5-2007-0036 [NPDES No. CA0079194] and Time Schedule Order No. R5-2007-0037 for City of Tracy) and California Sportfishing Protection Alliance (Waste Discharge Requirements Order No. R5-2007-0036 [NPDES No. CA0079154] and Time Schedule Order No. R5-2007-00376 for City of Tracy), Central Valley Water Board Meeting Notification.
48. California Clean Water State Revolving Fund Program re: Notice the Division of Financial Assistance is seeking comments from interested parties or stakeholders regarding the program's short and long-term goals and measure of success in achieving goals and Notice of 2009 Public Workshops.

ADOPTED RESOLUTIONS IN MEMORY OF WOODY CAMPINI, THERESE WAY, FREDERICK WORDEN AND EDWIN SCORBY AND RECESSED TO SIT AS A REDEVELOPMENT AGENCY AND ADJOURNED UNTIL TUESDAY, MARCH 3, 2008 AT 9:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – FEBRUARY 24, 2009

10:00 A.M. SCHEDULED ITEM

2009-02-24 PUBLIC OPPORTUNITY

Paul Lundberg, Merced, introduces 2008 Merced County Father of the Year Stephen Hammond and advises the 2009 competition began in January and will conclude April 11, 2009.

Commerce, Aviation and Economic Development (CAED) Director Mark Hendrickson advises as part of the economic stimulus package from the President funding is available from FAA and CAED has begun collaborating with Public Works staff on the application to be returned to the Board for approval and acceptance.

Total Self Insight (TSI) Executive Director Valerie Anthony states TSI supports the Presley Funding for the Valley Crisis Center, however, the Center does not handle the supervised visitations and funds are needed and TSI requests a portion of marriage license funding be set aside to offset this cost when parents visit their children.

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

10:00 A.M. SCHEDULED ITEM

2009-02-24 HUMAN SERVICES AGENCY – PUBLIC HEARING

The time and date previously set for a public hearing to consider Domestic Violence Shelter-Based Program Operations within Merced County pursuant to Welfare and Institutions Code Section 18293(e) submitted by Human Services Agency.

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

Valley Mountain Crisis Services Executive Director Dave Goger states he previously submitted a letter to the Board concerning Presley Act Funding and speaks to the requirements and process of distributing the funds to service victims of domestic violence and requests the Board consider a Request for Qualification instead of a Request for Proposal.

Stanislaus New Haven Women's Center Belinda Rolichcheck speaks regarding the training component outlined in the statute and states it would be better to prepare a Request for Qualification as opposed to a Request for Proposal.

Total Self Insight (TSI) Executive Director Valerie Anthony speaks in support of Valley Mountain Crisis Services receiving the Presley Funding.

The Chairman closes the public hearing.

Following discussion and upon motion of Supervisor Pedrozo, seconded by Supervisor Nelson, duly carried, the Board authorizes Administrative Services, in conjunction with the Human Services Agency, to prepare and release a Request for Proposal to qualifying domestic violence shelter-based programs within Merced County and directs staff to return to the Board for selection of a fund recipient and for contract approval to distribute funds.

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

10:00 A.M. SCHEDULED ITEM
2009-02-24 PLANNING – PUBLIC HEARING

The time and date previously set for a public hearing to consider an Appeal of the Planning Commission approval of Minor Subdivision Application No. MS08-020 submitted by Marsha A. Burch. Application filed by Frank Azevedo to proposed to divide 139.7 acres into four parcels and a remainder parcel: Parcel 1=20.0 acres, Parcel 2= 23.0 acres, Parcel 3=23.0 acres, Parcel 4=39.6 acres and Remainder Parcel=34.1 acres on property located on the east side of Whitworth Road, ½ mile south of Gun Club Road in Gustine.

The Clerk announces a Request for Continuance has been received from Robert Braden, Robert Braden Consulting, on behalf of the property owner.

Upon motion of Supervisor Pedrozo, seconded by Supervisor Nelson, duly carried, the Board continues the public hearing.

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

CONSENT ITEM NO. 3
2009-02-24 PUBLIC WORKS

The Clerk announces authorization to use the Winton County Park by the Winton Spring Festival Committee is before the Board for consideration.

Upon motion of Supervisor Nelson, seconded by Supervisor O'Banion, duly carried, the Board authorizes Winton Spring Festival Committee to use Winton County Park from April 14 through April 28, 2009, for their Annual Spring Festival, waives restriction on alcohol and authorizes sale of beer to the public, waives hours of operation until 12:00 a.m. on April 17, 18, 24 and 25, 2009, subject to the following conditions:

1. The Winton Spring Festival Committee to provide the County of Merced with a Certificate of Insurance certifying liability and property damage insurance coverage of a minimum of one million dollars (\$1,000,000.00) combined single limits for all activities to be conducted at the park April 14 through April 28 and for the parade on April 28, 2009. All insurance must be provided to the Parks and Recreation Office by April 3, 2009.
2. The Winton Spring Festival Committee is to provide the County of Merced with a Certificate of Insurance certifying coverage, product liability, including liquor liability insurance or a minimum of one million dollars (\$1,000,000.00) combined single limits to cover the sale of alcohol beverages to the general public. All Certificates of Insurance must include the endorsement, "County of Merced, its agents, assigns, employees and officers are additional insured". All insurance must be provided to Parks and Recreation Office by April 3, 2009.
3. All food vendors are to provide the County of Merced with a Certificate of Insurance certifying liability and product liability coverage of a minimum of one million dollars (\$1,000,00.00) combined single limits for all activities to be conducted at the park by April 3, 2009.

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

CONSENT ITEM NO. 10
2009-02-24 BOARD OF SUPERVISORS

Upon motion of Supervisor Nelson, seconded by Supervisor O'Banion, duly carried, the Board authorizes Certificates of Recognition to the following individuals for their accomplishments in the Merced/Mariposa FFA Project Competition as selected by the Merced/Mariposa Project Competition Committee:

Atwater FFA Gold: Lauren Navarro, Alicia Copeland, Laura Gonzalez, Brian Dennis, Hector Ayala, Amanda Buckley and Brianna Hamamoto; Silver: Nikki Schiber and Kaylyn Schiber

Buhach Colony FFA Gold: Lindsay Olds, Vincent Migliazzo, Eric Migliazzo, Loren Migliazzo, Stacy Agueda, Megen Morales, Montanna Oh and Andrea Machado; Silver: Grant Sardella and Allison Sherman

Dos Palos FFA Gold: David Powers, Tyler Collins, Beatriz Lima and Jessica Vause; Silver: Ashley Borba, Donald Frey, Hannah Coleman and Sean Davis

Golden Valley FFA Gold: Chris Wells, Kristine Nunes and Trevor Coelho; Silver: Stormy Aue, Craig Benson and Josh Bonds

Gustine FFA Gold:Carolynn Gomes, Caitlynn Souza, Kyle Teixeira, Ashley Oliveira, Shane Rose and Laken Leonard

Hilmar FFA Gold: Devin Baptista, James Piersma, Josh M. Medeiros, Kasidy Barcellos and Janell Rocha; Silver: Jonathan Sousa, Josh C. Medeiros and Chad Harris

Le Grand FFA Gold: Jesse Silva; Silver: Chad Gallagher, Anna Farnsworth and Travis Coniff

Livingston FFA Gold: Gavin Abraham and Collin Abraham

Los Banos FFA Gold: Nick Gilardi, Rhonda Janis, Taylor Pires, Flavio Castro and Jonathon Cota; Silver: Gabriel Borba, Antoinette Silva and Erica Mello

Merced High FFA Gold: Ryan Odsishoo, Lauren Elliot, Kery Locken, John Sanchotena and Seth Cramlet; Silver: Amber Long, Rosemarie Borne and Allen Thomas
Ayes: Kelsey, Pedrozo, Walsh, Nelson, O'Banion

ACTION ITEM NO. 16

2009-02-24 PUBLIC WORKS

The Clerk announces authorization to construct a fenced holding area at the John Latorraca Adult Correctional Center is before the Board for consideration as submitted by Public Works.

Public Works Director Paul Fillebrown reviews the cost of \$172,200.00 advising it includes the fence and restroom facilities and states if the area is used as recreation only, a restroom is not required but if the area is to be used as a holding facility it requires a restroom.

County Executive Officer Dee Tatum states the Sheriff indicated he wanted the area fenced without a restroom.

Following discussion, the matter is pulled from the agenda and will come back at a later date.

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

ACTION ITEM NO. 17

2009-02-24 PUBLIC WORKS

The Clerk announces authorization to develop a Hospital Re-Use Study is before the Board for consideration as submitted by Public Works.

Public Works Director Paul Fillebrown reviews the options for re-use of the Merced County Hospital building and the recommendations.

Supervisor Walsh states he would like to be engaged in the re-use process as a member of the Public Facility Committee, along with the Chairman.

Following discussion and upon motion of Supervisor Walsh, seconded by Supervisor Pedrozo, duly carried, the Board authorizes development of a Hospital Re-Use Study, authorizes Public Works to circulate a Request for Proposal for interested firms to provide services for a comprehensive study of the Merced County Hospital and the development of a re-use plan, authorizes Public Works to review and rank the proposals, negotiate a contract and return to the Board of Supervisors for approval and approves the Budget Transfer-\$350,000.

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

ACTION ITEM NO. 27

2009-02-24 SHERIFF

The Clerk announces the contract for Command Post Satellite Service is before the Board for consideration submitted by the Sheriff.

Supervisor O'Banion requests information on the process for this contract and questions the Request for Proposal process.

Commander Tom Saavedra reviews the Staff Report.

The matter is pulled from the Agenda and no further action is taken.

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

ACTION ITEM NO. 36

2009-02-24 PLANNING

The Clerk announces discussion and authorization on the preferred growth alternative for the General Plan Update Program is before the Board for consideration submitted by Planning.

Development Services Director Robert Lewis reviews the increased services and the list that resulted from the fifth Joint Study Session which requires increased services of the consultant Minitier Harnish. He states Staff will then be prepared to return on March 17, 2009 with the revised scope including the different options and a revised new schedule.

Following discussion and upon motion of Supervisor O'Banion, seconded by Supervisor Walsh, duly carried, the Board directs staff to seek a revised Scope of Work to increase services with Mintier Harnish and return to the Board on March 17, 2009, with a contract amendment to include the revised scope of work, increased costs, and project schedule modification to extend completion of the General Plan Update Program.

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