



SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, OCTOBER 19, 2004

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

GLORIA CORTEZ KEENE.....DISTRICT 1
KATHLEEN M. CROOKHAM....DISTRICT 2
MICHAEL G. NELSON.....DISTRICT 3
CHAIR 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.
(209) 385-7366*

SCHEDULED ITEMS

8:30 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-Business-Economic Opportunities Director pursuant to Section 54956.8 as follows:

Property: Castle Airport Aviation and Development Center

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 Subdivision (b) of Section 54956.9: Five Cases

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 Subdivision (a) of Section 54956.9: Tinetti v. County of Merced, Case #143247

CLOSED SESSION: It is the intention of the Board to meet in Closed Session pursuant to Subdivision (b) of Government Code Section 54957:
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: Mental Health Director

CLOSED SESSION: It is the intention of the Board to meet in Closed Session pursuant to Subdivision (f) of 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 Merced County Sheriff Employee Association (MCSEA) 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 THE CHAIRMAN ADVISED THERE WERE NO REPORTABLE 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 (See Board Clerk - Testimony limited to five minutes per person)

The following speak: Director of Public Health John Volanti; Dustin Costa from Merced Patient Group (submits document), Charles Igo and Nick Osborn (submits document) from Merced Patient Group; Nara Jordan, Henry Deale, Juana Flores (with interpretator) and Patricia Boyd on behalf of United Domestic Workers and Tom Grave on behalf of Transportation Involves Everyone (TIE)

BUDGET TRANSFERS FROM REVENUE/CONTINGENCIES (4/5 Vote Required) Ag. Commissioner-\$6,198, BEO-\$5,000, Human Services Agency-\$-0-; Planning-\$2,912; Public Works-\$4,000; Sheriff-\$78,175, \$8,000, \$6,200 and Coroner-\$4,300; Child Support Services-\$66,475 and \$34,000; Public Defender-\$48,500 and SCEAP-\$98 and \$925

APPROVED AS RECOMMENDED AYES: ALL

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 21)

APPROVED AS RECOMMENDED AYES: ALL

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:30 A. M.

PLANNING - PUBLIC HEARING

An Appeal to Planning Commission denial of Minor Subdivision Application No. 04007 submitted by Schlies Family Trust. Application is to divide one 153.3 acre parcel into five parcels: Parcel 1-3=30 acres each, Parcel 4=32.05 acres and Parcel 5=31.09 acres on property located on the north side of Childs Avenue, approximately one half mile west of Plainsburg Road in Planada

REVIEW BOARD ORDER – SEE PAGE 9 AND 10

PLANNING - PUBLIC HEARING

Appeal to Planning Commission Denial of Minor Subdivision Application No. 04027 submitted by Maria Cabral. Said application is to divide a 72.3 acre parcel into three parcels. Parcel No. 1=32.3 acres; Parcel 2 & 3=20.0 acres each on property located on the east side of Bert Crane Road and 1,280 feet south of Highway 140 in Atwater

PUBLIC HEARING CONTINUED

PLANNING - CONTINUED FROM AUGUST 31, 2004

Report of Departmental Action on Appeal of Conditional Use Permit Application No. 04002, Garcia Trucking Expansion.

REVIEW BOARD ORDER – SEE PAGE 10 AND 11

PLANNING - PUBLIC HEARING

General Plan Amendment No. 03006 - Michael Gallo/5-G's Corporation. The Application involves a General Plan Amendment that proposes to establish the 655 acre "Yosemite Lakes Estates Specific Urban Development Plan Study Area" on the General Plan Land Use Policy Diagram. This hearing involves the intended approval of the General Plan Amendment application. On April 27, 2004, the Board previously took action to certify the Environmental Impact Report as a legally adequate document under the provisions of the California Environmental Quality Act (CEQA)

REVIEW BOARD ORDER – SEE PAGE 11 AND 12

REPORTS/BOARD DIRECTION

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

LUNCH BREAK

CONSENT CALENDAR (Items #1 - 21)

Public Works

1. Adopt Resolution authorizing installation of an All-Way Stop at the intersection of Beachwood Drive and Lobo Avenue in Franklin-Beachwood area.

ADOPTED RESOLUTION NO. 2004-193A

Risk Management

2. Act on Claims for Damages submitted by Shelly McCuen, Elena Rodriguez, Farmers Insurance Group/Ron Silva, Samuel Oregel and Christopher Crivelli.

Human Resources

3. Authorize the overhire of one Correctional Officer (Position #016) for a Limited Term Appointment in BU 23000.

Sheriff

4. Accept Donation of 1992 Kawasaki Jet Ski and 1992 Trailer Jet Ski Carrier from Reyne Rafter for law enforcement purposes.

Ag. Commissioner

5. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2004324 with Calif. Dept. of Food and Agriculture for Pink Bollworm Cotton Plowdown and Host Free Monitoring Program.

ADOPTED RESOLUTION NO. 2004-194

Health

6. Approve and authorize Chairman to sign Renewal Contract No. 2001161 with State Dept. of Health Services for Death Certificate Registration.
7. Adopt Resolution authorizing Chairman to sign Renewal Contract No. 2004333 with California Integrated Waste Management Board for Used Oil Block Grant.

ADOPTED RESOLUTION NO. 2004-195

8. Approve the Child Health and Disability Prevention Program, the Health Care Program for Children in Foster Care and the California Children's Services Program Plan and Budgets for FY 04/05.

Human Services Agency

9. Approve and authorize Chairman to sign Renewal Contract No. 2002141 with Merced County Office of Education for the operation of the Child Abuse Prevention, Intervention and Treatment (CAPIT) and the Community-Based Family Resource and Services (CBFRS) and grant programs funded through the Children's Trust Fund.
10. Authorize Chairman to sign Renewal Contract No. 2004334 Certificate of Compliance with State Dept. of Veterans Affairs for Program Funds for the Medi-Cal Cost Avoidance Program for FY 2004/2005 funding.
11. Authorize Chairman to sign Renewal Contract No. 2004335 Certificate of Compliance with State Dept. of Veterans Affairs for Program Funds for the Veterans Service Program for FY 2004/2005 funding.

12. Approve and authorize Chairman to sign Renewal Contract No. 200239 with Dos Palos/Oro Loma Joint Unified School District for Child Welfare Social Worker.

Mental Health

13. Approve and authorize Chairman to sign Renewal Contract No. 2004031 with Florence Crittenton of Orange County for Organization provider of Mental Health services.
14. Authorize Travel Request for staff person to transport consumer with family members who are willing to accept responsibility on October 9, 2004 to avoid permanent conservatorship.

Board Recognition

15. Authorize Certificate of Recognition to McCombs Youth Center in celebration of receiving Helen Putnam Award of Excellence.
16. Authorize Certificate of Recognition in celebration of Grand Opening, Ribbon Cutting Ceremony to Fidelity National Title Insurance Company, Allstate Insurance, Eason Insurance Agency, New Freedom Mortgage and Country Wide Home Loans.
17. Authorize Certificate of Recognition to Joe and Cam Foster in celebration of the Reopening of the Atwater Auction Yard.
18. Authorize Certificate of Recognition to A Women's Place of Merced County in honor of Domestic Violence Awareness Month.
19. Authorize Certificates of Recognition and Plaques to Margie Dingeldein-Bronze Medal Winner Women's Water Polo Team and Jamill Kelly-Silver Medal Winner 14.5 Pound Freestyle Wrestling for participation in the 2004 Olympics in Athens, Greece.
20. Authorize Certificate of Recognition to Honorary Chairman Joe Cox, Dorothy Keys, Josephine Jones, Rose McDonald, Mildred Gillian, Alveda Parreira, Frank Parreira, Geri Alves, Alice Parrerira and Rick Dahlgren in recognition of the 20th Annual Salute to Seniors Fair in Los Banos.

Auditor-Controller

21. Approve and authorize Chairman to sign Amendment to Contract No. 2004325 with PFA, Inc. for Indexing, Imaging, and Microfilming of Vital Records and Voter Registration Cards.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

22. Authorize Special Board Project Funds-District Four in the amount of \$2,500 to the City of Gustine to assist with the costs of the Aquatic Safety Camp Program and approve the necessary budget transfer. (#012)

APPROVED AS RECOMMENDED AYES: ALL

23. Authorize Special Board Project Funds-District Four in the amount of \$3,600 to Hilmar Community Hall Board for improvements to the Hilmar Community Hall property and approve the necessary budget transfer. (#013)

APPROVED AS RECOMMENDED AYES: ALL

24. Approve plans and specifications for Re-roof of Planada Community Hall and authorize Public Works to complete Bid Opening process and direct Public Works to return to the Board with recommendations on Award and Contract to the lowest responsive bidder.

REVIEW BOARD ORDER – SEE PAGE 12

25. Contract No. 2004186 with Community Action Board for the management of the Planada Community Recreation Building and Senior Citizens Annex for a term of five years commencing on September 21, 2004. (4/5 Vote Required)

REVIEW BOARD ORDER – SEE PAGE 12 AND 13

SHERIFF

26. Federal Annual Certificate Report for the Federal Forfeiture Program for FY 2004/2005.

APPROVED AS RECOMMENDED AYES: ALL

27. Acceptance of the 2004 Local Law Enforcement Block Grant of \$35,819 and authorize Request for Proposal to all CA DOJ approved criminal Live Scan vendors for the purchase of three criminal Live Scan machines to return to the Board with recommendations and findings for final contract award.

APPROVED AS RECOMMENDED AYES: ALL

28. Contracts for Deceased Removal Services with Ivers and Alcorn Funeral Home, Stratford Evans Merced Funeral Chapel, Evergreen Memorial Park and Wilson Family Funeral Chapel for rotational responsibility support when the Sheriff pickup is not feasible.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2004326 WITH IVERS & ALCORN; CONTRACT NO. 2004327 WITH STRATFORD EVANS; CONTRACT NO. 2004328 WITH EVERYGREEN MEMORIAL PARK and CONTRACT NO. 2004329 WITH WILSON FAMILY FUNERAL CHAPEL AYES: ALL

MENTAL HEALTH

29. Contract No. 2003237 with Merced City School District for Mental Health services at school sites.

APPROVED AS RECOMMENDED AYES: ALL

30. Contract No. 99181 Awarded with State Dept. of Alcohol and Drug Programs for Drug Court Partnership funds.

APPROVED AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

31. 2003/2004 Area Plan Year End Report for the Merced County Area Agency on Aging and authorize Chairman to sign the authorizing Transmittal Letter.

APPROVED AS RECOMMENDED AYES: ALL

AUDITOR

32. Authorize the Sheriff and District Attorney requests for State Citizens Option for Public Safety (COPS) Funds Allocation and authorize the Auditor to apportion the COPS funds as allocated: Jail-\$66,159, District Attorney-\$66,159, Probation-\$640,553, Front Line Enforcement-Sheriff-\$122,747 and Front Line Enforcement-Cities-\$602,485.

APPROVED AS RECOMMENDED AYES: ALL

GENERAL SERVICES

33. Resolution authorizing Merced County to participate in the California State Agency Surplus Property Program.

ADOPTED RESOLUTION NO. 2004-196 AS RECOMMENDED AYES: ALL

LAW LIBRARY

34. Resolution supporting the increase of the Merced County Law Library's portion of the Civil Court Filing Fee.

ADOPTED RESOLUTION NO. 2004-197 AS RECOMMENDED AYES: ALL

CHILD SUPPORT SERVICES

35. Contract with Williams Alliance International for Training Services to develop organizational capabilities and approve the necessary budget transfer in the amount of \$66,475.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2004330 AYES: ALL

EXECUTIVE OFFICE

36. Authorize release of Request for Proposal for Workers' Compensation Claims Administration Services, select the most responsive provider to return to the Board for final contract approval and award.

APPROVED AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

37. Ratify Membership for the Merced County Local Child Care and Development Planning Council and approve the Assessment of Child Care Needs in Merced County dated September 2004 as adopted by the Merced County Local Child Care and Development Planning Council.

APPROVED AS RECOMMENDED AYES: ALL

BUSINESS-ECONOMIC OPPORTUNITIES

38. Contract with Hdl Companies for Business License Software System for maintenance of existing systems.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2004331 AYES: ALL

39. Lease Contract with UC Merced for use of Telecommunications Innerduct at Castle Airport Aviation and Development Center.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2004332 AYES: ALL

FIRE

40. Sublease Contract with Business-Economic Opportunities for lease of Building 340 for equipment storage and maintenance facility use at Castle Airport Aviation and Development Center.

AUTHORIZED CHAIRMAN TO SIGN CONTRACT NO. 2004336 AYES: ALL

BOARD APPOINTMENTS

41. Planning Commission - District Three.

APPOINTED JACK MOBLEY, REPRESENTING DISTRICT THREE, TO SERVE AS A MEMBER OF THE PLANNING COMMISSION UNTIL OCTOBER 1, 2009 AYES: ALL

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

42. Business-Economic Opportunities re: Comcast - Upcoming changes in pricing for equipment that is unreturned, lost or damaged.
43. Workforce Investment Board re: 2003/2004 WIA Subgrant Agreement R485287, Modification 7, with State Dept. of Employment Development Department.
44. Castle Air Museum Foundation, Inc. re: Thank you for Letter of Support to Dept. of Education for pending land transfer from the Dept. of Education to the Castle Air Museum Foundation.
45. McSwain Union Elementary School District re: Special Meeting of McSwain Board of Trustees held on September 28, 2004 voting to form a Mello-Roos District and adoption of Resolution of Intent to Establish a Community Facilities District.
46. San Diego County Supervisor Bill Horn re: Letter to California Secretary of State to support efforts to prevent voter fraud.
47. Governor's Office of Emergency Services re: U.S. Dept. of Agriculture Secretarial disaster designation granted for County of Merced and the contiguous counties of Fresno, Madera, Mariposa, San Benito, Santa Clara, Stanislaus and Tuolumne due to agriculture losses caused by drought that occurred March 1, 2004 through April 30, 2004.
48. State Dept. of Social Services re: California Food Stamp Program (FSP) error rate for Federal Fiscal Year (FFY) 2003 and the county role in reducing the State's error rate.
49. State Water Resources Control Board re: Revised Notice of Public Workshop - Consideration of Potential Amendments or Revisions of the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary commencing October 27, 2004.
50. State Water Resources Control Board re: Staff Report on Period Review of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. (On file with Clerk)
51. State Water Resources Control Board re: Order approving Temporary Urgency Change in Place of Use - authorize to change the place of use to supply water to the La Honda Elementary School.
52. State Dept. of Housing and Community Development Office of the Director re: Thank you for correspondence regarding the status of migrant housing in Merced County and Merced County's concern for keeping the Planada Migrant Center operational.
53. Judicial Council of California re: Announcement of Second Annual Children's Art & Poetry Contest to be displayed in San Jose on December 8 - 10, 2004.

ADOPTED RESOLUTION IN MEMORY OF CAL FARRIS AND ADJOURNED THE MEETING UNTIL OCTOBER 26, 2004 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – OCTOBER 19, 2004

10:30 A.M. SCHEDULED ITEM

2004-10-19 PLANNING AND COMMUNITY DEVELOPMENT – PUBLIC HEARING

The time and date previously set for the public hearing to consider an Appeal to Planning Commission denial of Minor Subdivision Application No. 04007 submitted by Schlies Family Trust. Application is to divide one 153.3 acre parcel into five parcels: Parcel 1-3=30 acres each, Parcel 4=32.05 acres and Parcel 5=31.09 acres on property located on the north side of Childs Avenue, approximately one half mile west of Plainsburg Road in Planada.

Planning and Community Development Director Bill Nicholson advises at the Planning Commission Meeting there were only three Planning Commissioners present and while there was a motion and a second, the motion did not pass for the project.

Planner III James Holland reviews the Staff Report recommending the Board to approve the appeal and overturn the Planning Commissioners decision.

The Chairman asks if there is anyone present who wishes to speak.

Golden Valley Engineering Representative Duane Andrews appears before the Board representing the applicant and states all the Findings were met and questions why the Planning Commission would deny the project.

Merced County Farm Bureau Representative Diana Westmoreland Pedrozo requests the Board uphold the Planning Commission decision and deny the appeal and take another look at the General Plan and update the plan.

Property owner David L. Gonzalves states he is against the subdivision of agricultural land.

Bryant Owens states he would like to see the appeal approved and has family members who own more than 700 acres of almond orchards.

Following discussion, Supervisor Cortez Keene moves, seconded by Supervisor O'Banion, to uphold the appeal and approve Minor Subdivision Application No. 04007 overturning the determination of the Planning Commission, exempts the application from CEQA and approve the Application based on the following Conditions:

1. A parcel map, including all parcels involved, shall be recorded within two (2) years of the Planning Commission approval date, as required by the Subdivision Map Act and Merced County Subdivision Code.
2. The applicants shall comply with all applicable County, State and Federal regulations.
3. The project shall comply with the following requirement of the Department of Public Works Road Division:

- a. The owner shall dedicate to the County of Merced, annotated on the parcel map, 10-foot additional width of right-of-way for road purposes along the entire frontage of Childs Avenue.
4. The property owner shall:
 1. Obtain any necessary licenses for the crossing of MID facilities
 2. Provide adequate access to MID facilities for MID employees
 3. Locate any buildings, improvements, trees, vines or other features outside of existing MID easements
5. The delivery of MID irrigation water shall be ensured to all new parcels by providing an irrigation easement from the existing irrigation source to each parcel if an irrigation delivery is not currently located within that parcel.
6. A Right-To-Farm statement shall be placed on the face of the Parcel Map consistent with Ordinance No. 1213.

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

Supervisor Kelsey votes "no". Motion carries.

Ayes: Cortez Keene, Crookham, Nelson, O'Banion

Noes: Kelsey

10:30 A.M. SCHEDULED ITEM
2004-10-19 PLANNING AND COMMUNITY DEVELOPMENT - CONTINUED PUBLIC
HEARING

The time and date previously set for the Continued Public Hearing to consider a Report of Departmental Action on Appeal of Conditional Use Permit Application No. 04002, Garcia Trucking Expansion in the Merced area.

Planner III James Holland reviews the Staff Report, asks the Board to accept the progress made on resolving the project issues identified at the Hearing of August 31, 2004 and deny the appeal and approve the Application subject to the applicants complying with the screening condition recommended by the Planning Department and the Road Improvements recommended by Public Work.

The Chairman asks if there is anyone present who wishes to speak.

Central California Permit Services Representative Mike Smith is present representing the applicant, states the Garcia Family has agreed to take care of the road but not to widen Ivett Road. An alternate route would take the trucks past more homes on Gerard, the ideal route would be Ivett Road.

Edith Daniels, Ivett Road resident, states the road is half the size of a normal road and she has never had problems with potholes in the road until Mr. Garcia started his truck operation and she has lived in her home for 16 years.

Antonio Garcia, representing the Garcia Brothers, states having up to 25 trucks does not mean operation of 25 trucks. He explains that currently there are 13 trucks and the work is seasonal, so not all 13 trucks are used at the same time. He further states 98% of the trucks are empty when going down the road. He also states there are other loaded trucks using the road and not just their operation.

Supervisor Cortez Keene expresses concern with the increase of traffic stating she would like to see an alternative route and will abstain from voting.

Supervisor Crookham states she has a problem with 25 trucks being approved with this project.

Supervisor O'Banion states the Garcia family work in agriculture and provides a service and even though safety issues have been discussed he has not heard of problems.

Following a lengthy discussion, Supervisor O'Banion moves, seconded by Supervisor Nelson, to deny the appeal and approve the Conditional Use Permit Application No. 04002 subject to the applicants complying with the screening condition recommended by the Planning Department and the Road Improvements recommended by Public Works.

The Chairman calls for the Vote on the Motion.

Supervisor Crookham votes "no".

Supervisor Cortez Keene abstains.

Motion carries.

Ayes: Kelsey, Nelson, O'Banion

Noes: Crookham

Abstain: Cortez Keene

10:30 A.M. SCHEDULED ITEM

2004-10-19 PLANNING AND COMMUNITY DEVELOPMENT – PUBLIC HEARING

The time and date previously set for the public hearing to consider General Plan Amendment No. 03006 - Michael Gallo/5-G's Corporation. The Application involves a General Plan Amendment that proposes to establish the 655 acre "Yosemite Lakes Estates Specific Urban Development Plan Study Area" on the General Plan Land Use Policy Diagram. This hearing involves the intended approval of the General Plan Amendment application. On April 27, 2004, the Board previously took action to certify the Environmental Impact Report as a legally adequate document under the provisions of the California Environmental Quality Act (CEQA).

Planning and Community Development Director Bill Nicholson reviews the Staff Report recommending an Intended Decision to approve General Plan Amendment No. 03006.

The Chairman asks if there is anyone present who wishes to speak.

Frank Borgess, representing Mike Gallo, appears before the Board and expresses concern on the sewer, infrastructure and providing city services for this project. Mr. Gallo would like Board approval of the Intended Decision to move forward and work on the possible answers to these questions.

Based on Findings and upon motion of Supervisor O'Banion, seconded by Supervisor Cortez Keene, duly carried, the Board makes an Intended Decision to approve General Plan Amendment No. 03006 to establish the Yosemite Lake Estates Specific Urban Development Plan Study Area and adopt the Statement of Overriding Considerations (known as Attachment 1 in Planning Staff Report).

Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

ACTION ITEM NO. 24

2004-10-19 PUBLIC WORKS

The Clerk states the matter before the Board for consideration is: Approve plans and specifications for Re-roof of Planada Community Hall and authorize Public Works to complete Bid Opening process and direct Public Works to return to the Board with recommendations on Award and Contract to the lowest responsive bidder.

Supervisor Cortez Keene moves, seconded by Supervisor Nelson, to approve the Plans and Specifications for the Re-roof of the Planada Community Hall and authorizes Public Works to complete the bid opening process with direction to return to the Board with recommendations on the Bid Award and Contract.

David Corser appears and submits complaint of discrimination filed through FEH and requests the Board postpone any action.

Bryant Owens appears before the Board stating the Re-roof of the Planada Community Hall was accomplished because of the Planada Community Development Corporation and requests access to the records.

Public Works Director Paul Fillebrown reviews the history of the Planada Community Hall and the Planada Community Development Corporation.

The Chairman calls for a vote on the Motion on the Floor. Motion carries.

Ayes: Cortez Keene, Crookham, Nelson, Kelsey, O'Banion

ACTION ITEM NO. 25

2004-10-19 PUBLIC WORKS

The Clerk states the matter before the Board for consideration is: Contract No. 2004186 with Community Action Board for the management of the Planada Community Recreation Building and Senior Citizens Annex for a term of five years commencing on September 21, 2004. (4/5 Vote Required)

David Corser appears and submits complaint of discrimination filed through FEH and requests the Board postpone any action on the lease issue.

Upon motion of Supervisor Cortez Keene, seconded by Supervisor Nelson, duly carried, the Board approves and authorizes the Chairman to sign Contract No. 2004186 with Community Action Board for the management of the Planada Community Recreation Building and Senior Citizens Annex for a term of five years commencing on September 21, 2004.

Ayes: Kelsey, Cortez Keene, Crookham, Nelson, O'Banion

AGENDA

MERCED COUNTY IN-HOME SUPPORTIVE SERVICES (IHSS) PUBLIC AUTHORITY

Regular Meeting
TUESDAY, OCTOBER 19, 2004
8:30 A. M.

MERCED COUNTY
ADMINISTRATION BUILDING
2222 "M" STREET
BOARD ROOM, THIRD FLOOR
MERCED, CALIFORNIA 95340
(209) 385-7366

GLORIA CORTEZ KEENE.....DISTRICT 1
KATHLEEN M. CROOKHAM.....DISTRICT 2
MICHAEL G. NELSON.....DISTRICT 3
CHAIR 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.*

SCHEDULED ITEMS

8:30 A. M.

IN-HOME SUPPORTIVE SERVICES (IHSS) PUBLIC AUTHORITY

CLOSED SESSION: It is the intention of the IHSS Public Authority to meet in Closed Session pursuant to Subdivision (f) of Section 54957.6 concerning Conference with County of Merced Staff Negotiators(s) and United Domestic Workers (UDW)

THE BOARD RECESSED AT 8:30 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT AND THE CHAIRMAN ADVISED THERE WERE NO REPORTABLE ITEMS

10:00 A. M.

PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA