

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, MARCH 17, 2015
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

CHAIRMAN JOHN PEDROZO.....DISTRICT 1
HUBERT “HUB” WALSH, JR.....DISTRICT 2
DARON McDANIEL.....DISTRICT 3
DEIDRE F. KELSEY.....DISTRICT 4
JERRY O’BANION.....DISTRICT 5

JAMES L. BROWN
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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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 action and usually are approved by a single 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 THREE MINUTES PER PERSON

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) Mark Hendrickson, Director-Community and Economic Development pursuant to Government Code Section 54956.8 as follows:

Property: Building 1360 at Castle Commerce Center

Agency Negotiator: Mark Hendrickson, Director Community and Economic Development

Negotiation Parties: Mackey & Sons and Merced County

Under Negotiation: To request authority to negotiate proposed acquisition of facility and value.

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(d)(1): 1) Verizon California, Inc. v. California State Board of Equalization, et al., Sacramento Superior Court Case No. 34-2014-00171512; 2) Verizon California, Inc. v. California State Board of Equalization, et al., Sacramento Superior Court Case No. 34-2015-00175609; 3) Verizon California, Inc. v. California State Board of Equalization, et al., Sacramento Superior Court Case No. 34-2015-00175621; 4) Verizon California, Inc. v. California State Board of Equalization, et al., Sacramento Superior Court Case No. 34-2015-00175627; 5) Verizon California, Inc. v. California State Board of Equalization, et al., Sacramento Superior Court Case No. 34-2015-00175631.

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; United Public Employees (UPE), Unit 3; Merced County Attorney Association (MCAA), Unit 7; Teamsters (Corrections), Unit 2; Merced County Law Enforcement Sergeants, Unit 30; Merced County Deputy Sheriff Association (DSA), Unit 10; Teamsters (Non-Safety Corrections), Unit 12; Merced County Public Safety Services Unit (MCPSSU), Unit 14; and Probation Supervising Employees, Unit 11. Agency Negotiator: Marci Barrera.

THE BOARD RECESSED AT 8:30 A.M. AND RECONVENED AT 10:00 A.M. WITH ALL MEMBERS PRESENT, AND THE CHAIRMAN ADVISED STAFF WAS GIVEN DIRECTION

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

ACTION WHICH AROSE SUBSEQUENT TO THE POSTING OF THE AGENDA (1) Find the need to meet in Closed Session to discuss with Counsel Significant Exposure to Litigation; (2) Find the matter arose after posting the agenda; and (3) Place the Item on the Agenda of March 17, 2015, at 8:30 a.m., for Board consideration. (4/5 Vote Required)

REVIEW BOARD ORDER – SEE PAGE 9

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 three minutes per person)

REVIEW BOARD ORDER – SEE PAGE 9

PRESENTATION:

Library Bookmobile Update

REVIEW BOARD ORDER – SEE PAGE 9

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

PUBLIC HEARINGS:

ASSESSOR/CLERK/RECORDER/ROV - PUBLIC HEARING - PROPOSED ORDINANCE AND POSSIBLE ADOPTION

To consider proposed ordinance entitled "Recorder's Real Property Transfer Tax."

RECOMMENDATION: 1) Open Public Hearing, waive further reading and receive testimony on proposed ordinance to Amend and Supersede Ordinance Nos. 994, 857, 570, 566 and Amends Merced County Code Chapter 5.20; 2) Close public hearing and; 3) Adopt proposed Ordinance.

REVIEW BOARD ORDER – SEE PAGE 10

AUDITOR/CONTROLLER - PUBLIC HEARING

To consider The Citizens' Option for Public Safety (COPS) Program Funding and requests for funding.

RECOMMENDATION: 1) Open Public Hearing, receive comments, and close hearing; 2) Approve the submitted requests from the District Attorney and the Sheriff's Office for the Citizens' Option for Public Safety (COPS) program; and 3) Authorize the Auditor's Office to distribute COPS funding based on approved submitted requests.

REVIEW BOARD ORDER – SEE PAGE 10

COUNTY EXECUTIVE OFFICE - PUBLIC HEARING - SECOND READING OF PROPOSED ORDINANCE AND POSSIBLE ADOPTION

To consider proposed ordinance entitled "An Ordinance to Prevent the Mining and export of Groundwater within the Unincorporated Areas of Merced County.

RECOMMENDATION: 1) Introduce and Conduct Second Reading of the proposed ordinance entitled "An Ordinance to Prevent the Mining and Export of Groundwater Within the Unincorporated Areas of Merced County; " 2) Waive further reading of the proposed ordinance; 3) Open Public Hearing; receive testimony and Close Public Hearing; 4) Find that the adoption of the proposed ordinance is exempt from review under the California Environmental Quality Act (CEQA) under the following three exemptions listed in the CEQA Guidelines: (1) Section 15061(b)(3), "General Rule," (2) Section 15307 "Actions by Regulatory Agencies for Protection of Natural Resources, " and (3) Section 15308 "Actions by Regulatory Agencies for Protection of the Environment" and make findings one through ten as outlined on page four of the staff report; and 5) Adopt proposed ordinance.

REVIEW BOARD ORDER – SEE PAGES 10 AND 11

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-21)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Authorize Public Works to issue a Termination of Lease Agreement Notice to the Transit Joint Powers Authority for a ground lease (Contract No. 2011201) effective June 30, 2015.

Health

2. Approve Budget Transfer in the amount of \$10,646 to replace one color copier machine which is beyond repair, in the Division of Environmental Health. (4/5 Vote Required)
3. Approve Budget Transfer in the amount of \$1,755 for a two day National Swimming Pool Foundation (NSPF) Certified Pool Operator Course at Public Health in April 2015. (4/5 Vote Required)
4. Approve no-cost extension to Contract No. 2014060 with the Department of Health Care Services for Medi-Cal Outreach and Enrollment activities.

Mental Health

5. Approve and authorize the Chairman to sign Amendment to Contract No. 2013223 with Dr. John M. Yarbough, M.D., M.B.A for psychiatric services and increasing the number of service hours; return to the Board for further action once the vacant Staff Psychiatrist position is filled; and approve the related budget transfer.
6. Approve and authorize the Chairman to sign Amendment to Contract No. 2013227 with Staff Care, Inc. for the placement of licensed psychiatrists on a limited basis; and return to the Board for further action once the vacant Staff Psychiatrist positions are filled.

7. Approve and authorize the Chairman to sign Amendment Contract No. 2013219 with Locum Tenens.com, LLC for the placement of licensed psychiatrists on a limited basis; return to the Board for further action once the vacant Staff Psychiatrist positions are filled; and approve the related budget transfer.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2013226 with Jackson & Coker Locum Tenens, LLC for the placement of a licensed psychiatrists on a limited basis; return to the Board for further action once the vacant Staff Psychiatrist positions are filled; and approve the related budget transfer.

Workforce Investment

9. Approve and authorize the Chairman to sign Amendment Contract No. 2014083 with Merced County Office of Education to reduce the amount of In-School youth participants from 200 to 174 and to reduce various budget items.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2014084 with Merced County Office of Education to increase various budget items for Out-of-School Youth Program.
11. Accept Modification One to Subgrant K597235 (Contract No. 2015025) from the State Employment Development Department adding project exhibits to the Wagner-Peyser Disability Employment Initiative project under grant code 1017 to provide employment-related services to people with disabilities and disability-focused training to local employers.

Sheriff

12. Approve Budget Transfer in the amount of \$85,000 to purchase two replacement 4x4 pick-up trucks to replace two 2005 Ford F-150 trucks with extremely high mileage. (4/5 Vote Required)

Fire

13. Continue the proclamation of existence of a local emergency due to drought.

Community and Economic Development

14. Set a public hearing for April 21, 2015 at 10:00 a.m. to recommend amendment of the agricultural preserve with reference to six parcels (resulting from six Property Line Adjustments) located at: 1) Southeast side of the southern terminus of Crown Road, in the Merced area; 2) East side of N. Central Avenue, 800 feet south of W. Almond Avenue in the Winton area; 3) South side of Harding Road, 0.5 miles east of N. Vincent Road in the Turlock area; 4) South side of W. Arroya Road, 0.5 miles west of S. San Juan Road in the Dos Palos area; 5) Northeast corner of Cunningham Road and Hainline Road in the Le Grand area; and, 6) South of State Highway 59 0.5 miles west of Snelling Road in the Snelling area, as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.
15. Approve Budget Transfer in the amount of \$110,000 to increase appropriations necessary to fund an approved Revolving Loan Board business loan for a local business to retain 15 jobs in the community. (4/5 Vote Required)

REVIEW BOARD ORDER – SEE PAGE 12

Executive Office

- 16. Act on Claims for Damages received from Lisa Ann Cox, Jeanette Tingley, James Barton and Ryan N. Kersthold as recommended by Risk Management and County Counsel.
- 17. Approve travel request received from the Library Department as recommended by Executive Office.

Board Recognition

- 18. Authorize Proclamation in recognition of Arbor Day on March 6, 2015 in Merced County and the City of Los Banos.
- 19. Authorize Certificates of Recognition to various individuals for their accomplishments in the Merced/Mariposa FFA Project Competition.
- 20. Authorize Certificates of Recognition to various individuals for graduating from the Parent Leadership Training Institute.
- 21. Authorize Certificates of Recognition to the following individuals for being selected by the Merced County Historical Society for Volunteer Awards; Rocco Bowman-2014 Letus Wallace Award, Aaron Lan-2015 Letus Wallace Award, Mary Jo Stavros-2014 Docent of the Year Award, Roger Wood-2014 Heacox Pioneer History Award, Javier Laguna/Merced High School-2014 Museum Youth Volunteer Award, Harmony Valley Chorus-2015 Estep-Burchell Community Grant, Milliken Museum Society-2015 Rossotti Capital Improvement Grant and Charlie Galatro-2014 Past-President

REGULAR CALENDAR

BOARD ACTION

HEALTH

- 22. Approve submission of a proposal to the Department of Health Care Services for a Medi-Cal Renewal Assistance Grant; and return to the Board for acceptance and approval if awarded.
APPROVED AS RECOMMENDED AYES: ALL
- 23. Approve the acceptance of a Health Care Access Grant with The California Endowment for health coverage outreach, collaboration and health equity in the amount of \$85,000; authorize Director Kathleen Grassi to sign all applicable copies of the contract; and approve the related budget transfer. (4/5 Vote Required)
AUTHORIZED CONTRACT NO. 2015030 AS RECOMMENDED AYES: ALL

MENTAL HEALTH

- 24. Contract with Hilmar Unified School District for placement of County clinical staff at school sites to provide mental health services, outreach and education.
AUTHORIZED CONTRACT NO. 2015031 AS RECOMMENDED AYES: ALL

HUMAN SERVICES AGENCY

- 25. Contract with California State University, Fresno Foundation to provide Peer Quality Case Review services.
AUTHORIZED CONTRACT NO. 2015032 AS RECOMMENDED AYES: ALL

26. Contract with California Health Advocates of California for Senior Medicare Patrol Volunteer Liaison for Medicare fraud and prevention services; and approve the acceptance of a CHA award in the amount of \$1,000 to provide volunteer liaison support for the Senior Medicare Patrol Program for FY 14/15.

AUTHORIZED CONTRACT NO. 2015033 AS RECOMMENDED AYES: ALL

27. Approve the release of the Request for Proposal for a National Family Caregiver Support Program; authorize Human Services Agency in conjunction with Admin/Support Services to prepare the RFP, solicit and select potential vendors, negotiate the preparation of the necessary agreements, and return to the Board for approval and signature.

APPROVED AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

28. Certify that the appointment of an employee is necessary before 180 days has passed to fill a critically needed position; and, approve the appointment of Mr. Waymon Ward Jr. to return to work for a period of time as determined by the Director of Workforce Investment beginning March 18, 2015.

APPROVED AS RECOMMENDED AYES: ALL

SHERIFF

29. Approve and authorize Inter-Departmental Agreement with Merced County Spring Fair to provide police protection services for the 2015 Spring Fair from April 29, 2015 through May 3, 2015; and for services to the Spring Fair not to exceed \$35,750.

AUTHORIZED CONTRACT NO. 2015034 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

30. Request the Board approve the sale of Building 1015 and 7.43 acres at Castle Commerce Center to Daniel Bong Yoon for \$750,000 and authorize the Board Chairman to execute all necessary documents.

AUTHORIZED CONTRACT NO. 2015035 AS RECOMMENDED AYES: ALL

BOARD OF SUPERVISORS

31. Authorize \$500 of District One's Special Board Project Funds to be forwarded to the Merced County Sheriff Activity League to support the "Benefit for Boxing" event to support the opening of a boxing gym in Planada/Le Grand.

APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOES: 3

32. Authorize \$800 of District One's Special Board Project Funds to be forwarded to the McNamara Community Youth Center for Comcast internet service to implement their tutorial program.

APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOES: 3

33. Authorize \$500 of District One's Special Board Project Funds to be forwarded to the Livingston Knights of Columbus 9363 to support their Annual Kite Festival.

APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOES: 3

34. Authorize \$2,500 of District Four's Special Board Project Funds to be forwarded to the Winton Cowboys to assist with the costs of reconditioning football equipment.

APPROVED AS RECOMMENDED AYES: 1, 2, 4, 5 NOES: 3

BOARD APPOINTMENTS

35. Appoint Sarah Souza to serve as a member of the May Day Fair Board, filling an unexpired term to July 1, 2016.

APPROVED AS RECOMMENDED AYES: ALL

36. Appoint Michael Pitassi to the Emergency Medical Care Committee as the Ambulance Company representative, to fill an unexpired term to June 30, 2016.

APPROVED AS RECOMMENDED AYES: ALL

37. Appoint Ron Taylor to the Workforce Investment Board as a Local Education representative.

APPROVED AS RECOMMENDED AYES: ALL

38. 1) Appoint one at-large member of the MCERA Board (position #6) to fill the currently expired term for a three year term ending June 30, 2017; 2) Appoint one at-large member of the MCERA Board (position #9) to fill the currently expired term for a three year term ending December 31, 2017; and, 3) Should no candidate be selected, direct the Clerk of the Board to continue to receive applications for the position that remains.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 4 ABSTAIN: 5

REVIEW BOARD ORDER - SEE PAGE 12

BOARD INFORMATION & POSSIBLE ACTION

ACCEPTED AND PLACED ON FILE AYES: ALL

39. Merced County Mosquito Abatement District re: Manager's Report for January 2015.

40. Fish and Game Commission re: 15 Day Notice of California Notice Register 2015, No. 1-Z, Z2014-1223-01, regarding Mammal Hunting Regulations for 2015/2016.

THE BOARD ADOPTED A RESOLUTION IN MEMORY OF ANTHONY JOSPEPH FORTE AND ADJOURNED THE MEETING UNTIL TUESDAY, APRIL 7, 2015, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – MARCH 17, 2015

8:30 A.M. SCHEDULED ITEM - CLOSED SESSION **2015-03-17 EXECUTIVE OFFICE – LATE AGENDA ITEM**

The Clerk announces the need arose, after the posting of the agenda, to meet in Closed Session to discuss with County Counsel Significant Exposure to Litigation; and place Closed Session for Significant Exposure on the Agenda for March 17, 2015 at 8:30 a.m.

Upon motion of Supervisor Walsh, seconded by Supervisor O'Banion, duly carried, the Board finds the need arose, after posting of the agenda, to place a Closed Session item on the Agenda concerning Significant Exposure to Litigation.

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

10:00 A.M. SCHEDULED ITEM **2015-03-17 PUBLIC OPPORTUNITY**

Alan Spencer comments on Officers parking at the Main County Library and advises he is making a documentary to place on YouTube regarding corruption in the County. He also states Officers should be held financially responsible like everyone else and are not above the law. Mr. Spencer also states he is not getting the answers he has requested and should be reimbursed for lost time to attend Board meetings.

County Counsel James Fincher responds stating Mr. Spencer was sent a letter on February 3, 2015 regarding this issue and his office has met with Mr. Spencer to explain the situation. It is a private parking lot and they are allowed to park there.

Jake Robins of Merced comments on the proposed water ordinance and states there is over pumping going on and has concerns with water being sent out of county.

James Hodges comments on police parking.

David Garcia of Merced comments on Merced Transit.

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

10:00 A.M. SCHEDULED ITEM **2015-03-17 LIBRARY PRESENTATION – BOOKMOBILE**

The Clerk announces a presentation by the Library regarding the Bookmobile is before the Board.

County Librarian Amy Taylor reviews powerpoint presentation on the Bookmobile regarding: Bookmobile Routes, Schedule, and Donations by Soroptimist International of Merced.

The Board thanks Ms. Taylor for getting the Bookmobile up and running.

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

10:00 A.M. SCHEDULED ITEM

2015-03-17 ASSESSOR/CLERK/RECORDER/ROV – PUBLIC HEARING

The time and date previously scheduled for a public hearing to consider adoption of a proposed ordinance Amending Recorder's Real Property Transfer Tax (Supersedes Ordinance Nos. 994, 857, 570 and 566 and Amends County Code Chapter 5.20).

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

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board waives further reading of the ordinance and adopts Ordinance No. 1929.

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

10:00 A.M. SCHEDULED ITEM

2015-03-17 AUDITOR/CONTROLLER – PUBLIC HEARING

The time and date previously scheduled for a public hearing to consider approval of the submitted request from the District Attorney and the Sheriff's Office for the Citizens' Option for Public Safety (COPS) program; and authorize the Auditor's Office to distribute COPS funding based on approved submitted requests.

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

Upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board approves the submitted request and authorizes the Auditor to distribute COPS funding.

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

10:00 A.M. SCHEDULED ITEM

2015-03-17 COUNTY EXECUTIVE OFFICE – PUBLIC HEARING

The time and date previously scheduled for a public hearing to consider proposed ordinance entitled "An Ordinance to Prevent the Mining and export of Groundwater within the Unincorporated Areas of Merced County".

County Executive Officer Jim Brown reviews the staff report and clarifies #5 of the recommendation with the understanding that Section 9.27.040 A is intended to be applied to permits issued after the effective date of the ordinance and not to the existing legally permitted wells.

Upon motion of Supervisor Walsh, seconded by Supervisor Kelsey, duly carried, the Board waives further reading of the ordinance.

The Clerk announces that three Supplemental items have been received after the distribution of the agenda and are available to the public.

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

Mary Hoffman, President the League of Women Voters, states she is in support of the ordinance, County needs to protect the water. Ms. Hoffman also states the League has questions regarding permits at the discretion of Environmental Health and concerns for adequate staffing. Ms. Hoffman submits her comments for the record.

Tom Stillman, County Farmer, comments on water issues and states the motion should include existing wells. Mr. Stillman submits comments for the record.

John Mitchell, Livingston Farmer, states concerns regarding the ordinance pertaining only to new wells and not existing wells, existing wells are the issue. Mr. Mitchell also states concerns about the water left in California and farmers being pitted against each other over the water issues.

Amanda Priest, Executive Director Farm Bureau, states they are in support of the ordinance and Mr. Stillman's concern should be considered. Ms. Priest also states concerns with implementation and amendments to the ordinance down the road.

Joe Mitchell states if anyone thinks this ordinance will change anything they are delusional and it will not change anything. Mr. Mitchell also states we need to cut back Agriculture to stop depleting water use so recharge can happen, and submits items for the record.

Bob Weimer, Livingston resident, reads comments he submitted prior and states he is in support of the ordinance.

Cole Upton, Farmer, states the ordinance is needed but it is not perfect and urges the Board to be more aggressive towards the State taking our water. Mr. Upton also states there should be a law suit against the Water Bureau for allowing water mining to happen.

Peggy Amaral, Atwater resident, states she is in support of the ordinance and states this was necessary years ago. Ms. Amaral states should not have restriction on the average person.

James Hodges states concerns on water being sold out of County and 80 percent of water being used in Agriculture, need to have control on farming.

The Chairman closes the public hearing.

Following further discussion and upon motion of Supervisor Walsh, seconded by Supervisor McDaniel, duly carried, the Board finds that the adoption of the ordinance is exempt from review under the California Environmental Quality Act (CEQA) under the following three exemptions listed in the CEQA Guidelines: (1) Section 15061(b)(3), "General Rule," (2) Section 15307 "Actions by Regulatory Agencies for Protection of Natural Resources", and (3) Section 15308 "Actions by Regulatory Agencies for Protection of the Environment" and makes the findings one through ten as outlined on page four of the staff report; adds the language to the recommendation that Section 9.27.040 A is intended to be applied to permits issued after the effective date of the ordinance and not to the existing legally permitted wells; and, adopts Ordinance No. 1930.

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

CONSENT ITEM #15

2015-03-17 COMMUNITY AND ECONOMIC DEVELOPMENT

The Clerk announces approval of a Budget Transfer in the amount of \$110,000 to increase appropriations necessary to fund an approved Revolving Loan Board business loan for a local business to retain 15 jobs in the community is before the Board for consideration. The Clerk states there is a correction on the agenda language, the item will require a 4/5 Vote.

Upon motion of Supervisor Kelsey, second by Supervisor McDaniel, duly carried, the Board approves the budget transfer in the amount of \$110,000.

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

ACTION ITEM #38

2015-03-17 BOARD APPOINTMENTS

The Clerk announces appointment of one At-Large member of the MCERA Board (position #6) to fill an expired term ending June 30, 2017; appoint one At-Large member to the MCERA Board (position #9) to fill an expired term for a term ending December 31, 2017; and direct the Clerk of the Board to continue to receive applications for the position that remains should no candidate be selected is before the Board for consideration.

Upon motion of Supervisor Kelsey, seconded by Supervisor Walsh, the Board appoints Ryan Paskin to serve in (position #6) with a term ending June 30, 2017 and appoints Alfonse Peterson to serve in (position #9) with a term ending December 31, 2017.

Ayes: Pedrozo, Walsh, McDaniel, Kelsey

Abstain: O'Banion