

# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

Regular Meeting  
TUESDAY, APRIL 26, 2016  
Closed Session – 9:00 a.m.  
Regular Meeting – 10:00 a.m.

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

JOHN PEDROZO.....DISTRICT 1  
CHAIRMAN 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](http://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

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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

**9:00 A. M. THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA-  
TESTIMONY IS LIMITED TO THREE MINUTES PER PERSON**

**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: United Public Employees (UPE), Unit 3; Merced County Attorney Association (MCAA), Unit 7; Merced County Deputy Sheriff Association (DSA), Unit 10; Merced County Public Safety Services Unit (MCPSSU), Unit 14; Agency Negotiator: Marci Barrera

**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 GIVEN DIRECTION**

**GOVERNMENT CODE SECTION 54954.2 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 THREE MINUTES PER PERSON)**

**REVIEW BOARD ORDER – SEE PAGE 10**

**PRESENTATION:**

**1) VOLUNTEER RECOGNITION – 2016 VOLUNTEERS NOMINATED BY THE COMMUNITY:**

District One: Dennis Moniz and Alicia Rodriguez

District Two: Lanie Gladwin and Mike Malone

District Three: Rev. Don Ramsey and Richard Hawthorne

District Four: New Beginnings and The Pitchford Family

District Five: Lara Olson and Tim Shaw

**Certificates of Recognition were awarded, and a reception was held in Room 310. The Chairman acknowledged and thanked the Volunteer Recognition Screening Committee consisting of Kim Cruz Marks, Frances Thengvall, Beverly Baker, Charlene Borrelli and Ann McCauley**

**2) PUBLIC SAFETY UPDATE**

**REVIEW BOARD ORDER – SEE PAGE 10**

**APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 31)**

**PUBLIC HEARINGS:**

**COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING - PROPOSED ORDINANCE**

To consider the proposed ordinance entitled “An Ordinance Adopting an Agricultural Mitigation Program” (Adding Chapter 9.30 to the Merced County Code)

**RECOMMENDATION:**

1) Waive further reading of the ordinance; 2) Open Public Hearing and receive public comments; 3) Close the Public Hearing; 4) Find the Ordinance exempt from CEQA Guidelines under Section 15183; and, 5) Adopt the Ordinance adding Chapter 9.30 to the Merced County Code.

**REVIEW BOARD ORDER – SEE PAGE 11**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, Board of Supervisors Members

**CONSENT CALENDAR (Items # 1-31)**

**APPROVED AS RECOMMENDED**

**AYES: 1, 2, 3, 5 NOT PRESENT: 4**

**Public Works**

1. Set a Public Hearing for May 24, 2016 at 10:00 A.M. to consider amending Chapter 5.64 of the Merced County Code, superseding Ordinance No. 1932 entitled “User Charge Rates for Zones of Benefit” which would establish County Service Area Number One User Rates for the 2016/2017 fiscal year.
2. Adopt the Resolution designating the intersection of Sultana Drive and Sunset Drive as an All-Way STOP Intersection, near the City of Livingston; and authorize the Director of Public Works to install STOP signs on the Sunset Drive approaches to the intersection.

**ADOPTED RESOLUTION NO. 2016-30**

3. Adopt the Resolution designating the intersection of Dickenson Ferry Road and Gurr Road as an All-Way STOP Intersection, near the City of Merced; and authorize the Director of Public Works to install STOP signs on the Gurr Road approaches to the intersection.

**ADOPTED RESOLUTION NO. 2016-31**

**Aq. Commissioner**

4. Approve and authorize the Chairman to sign Renewal Contract No. 2004158 for the fiscal year 2016/2017 Annual Work Plan (Agreement No. 16-73-06-0262-RA) with USDA-APHIS-Wildlife Services for predatory Animal Control in Merced County.

**Health**

5. Approve the Proclamation in Recognition of National Public Health Week for April 4 – 10, 2016.

6. Approve and authorize the Chairman to sign Amendment Contract No. 2015057 with Merced Community College District for activities in promoting healthier food and beverages and a smoke free campus environment for the Partnerships to Improve Community Health Grant.

#### Mental Health

7. Approve and authorize the Chairman to sign Amendment Contract No. 2011113 with Crestwood Behavioral Health, Inc., for client placement services; and approve the related budget transfer.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2015002 with Merced Behavioral Center for client placement services; and approve the related budget transfer.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2012103 with BHC Heritage Oaks Hospital, Inc., dba Heritage Oaks Hospital, for inpatient services for Non-Medi-Cal clients.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2011204 with BHC Sierra Vista Hospital, Inc., dba Sierra Vista Hospital, for inpatient services for Non-Medi-Cal clients.
11. Approve and authorize the Chairman to sign Amendment Contract No. 2014130 with Joseph Melton, LMFT, for services as a Certification Review Hearing Officer.
12. Approve and authorize the Chairman to sign Amendment Contract No. 2014007 with Fresno County Dept. of Behavioral Health for the provision of inpatient services at the Marie Green Psychiatric Health Facility.
13. Approve and authorize the Chairman to sign Renewal Contract No. 2013213 with California State University, Stanislaus to implement the Mental Health Services Act, Workforce, Education and Training Stipend Program for Master of Social Work students.

#### Human Services Agency

14. Approve and authorize the Chairman to sign Amendment Contract No. 2011071 with Merced County Office of Education (MCOE) to provide childcare services.
15. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2013100 with Workforce Investment for the Los Banos Plato Lab services for Welfare to Work and Cal Learn clients.
16. Approve and authorize the Chairman to sign Renewal Contract No. 2011071 with Merced County Office of Education (MCOE) to provide Stage One child care services.
17. Request the Board proclaim the month of May, 2016 as "Older Americans Month".

#### Community and Economic Dev.

18. Approve Budget Transfer in the about of \$32,498 to meet annual Dairy Loan payment. (4/5 Vote Required)
19. Approve Budget Transfer in the amount of \$4,995 to utilize a recent donation from Pacific Gas and Electric Company for the express purpose of acquiring data to include in the multi-jurisdictional economic development marketing materials and lead responses. (4/5 Vote Required)

20. Approve and authorize the Chairman to sign Amendment Contract No. 2015151 with Global Logistics Development (GLD) Partners, LLC for Infrastructure Analysis Scope for Castle Commerce Center; and approve the related budget transfer.

#### Auditor

21. Set a Public Hearing for May 24, 2016 at 10:00 a.m. to consider submitted plans for the District Attorney and Sheriff's Office for the Citizens' Option for Public Safety (COPS) Program pursuant to Government Code 30061(c)(1).

#### Probation

22. Approve and authorize the Chairman to sign Amendment Contract No. 2012172 with Community Social Model Advocates, Inc. for adult rehabilitative services.

#### Child Support Services

23. Approve Budget Transfer in the amount of \$28,050.05 to purchase White Noise System.

#### Executive Office

24. Approve travel request received from Human Services Agency as recommended by Executive Office.

#### Board Recognition

25. Authorize Certificates of Recognition to the following individuals for graduating from the UC Merced Citizen Police Academy Class Spring Session Class 19: Rickee Hill, Nicholas Taylor, Simon Wu, Anthony Romero, Molly Rye, Delfino Oreo Munoz, Marina Bojorquez, Erica Magana, Jasmine Yslas, Roberto Romero, Sabrina Lauv, Miguel Lopez, Natalie Moreno and Sergej Herbert.
26. Authorize Certificates of Recognition to the following individuals for being selected by the Greater Merced Chamber of Commerce and Junior Leadership Merced Graduation Class 12: Daniela Alvarado, El Capitan High; Denise Bates, Merced High; Jacqueline Guerrero, Buhach Colony, Leticia Lucatero, Atwater High, Vanessa Maldonado, Atwater High; Karen Marquez, Buhach Colony; Ashanti McFarland, Merced High; Flor Mendez, Golden Valley; Ozzy Nava, Atwater High; Neal Patel, Buhach Colony; Emmanuel Perez, Livingston High; Crystal Ruiz, Buhach Colony; Beatriz Solorio, Livingston High; Paige Stapleton, Buhach Colony; Kai Tolliver, Atwater High; Kristen Troxell, Buhach Colony; Katherine Tyler, Golden Valley; George Vang, Golden Valley, and Molly Vang, Golden Valley.
27. Authorize Certificates of Recognition to the following individuals for volunteering as a food server at the Sister to Sister Soul Food Gathering: Andrew Pulliam, D'Andre Peterson, Donte Peterson, Faith Pulliam, Jaden Phillips, Jaleesa Williams, Jaren Phillips, Jelani Carter, Lila Pulliam and Mariah Carter.
28. Authorize Certificates of Recognition to the following individuals for Firefighter of the Year: Mark Frontella, Los Banos City; David Scheurich, Merced County; Bobby Ayuso, Atwater City; Chad Englert, Merced City; Tommy Flynn, Los Banos City; Frank Compton III, Merced County; David Bates, Livingston City and Sean Davis, Dos Palos City and Kacey Garcia, Gustine City.

29. Authorize Certificates of Recognition to Larry Arredondo for being selected by Memorial Hospital of Los Banos as Volunteer of the Year and to Los Banos Memorial Hospital for 2016 National Volunteers Week.
30. Authorize Certificate of Recognition and Plaque to Jim and Carlene Cunningham for receiving Merced College's 2016 President's Medallion Award.
31. Authorize Proclamation in recognition of Sexual Assault Month in Merced County.

## REGULAR CALENDAR

### BOARD ACTION

#### PUBLIC WORKS

32. Approve the Vehicle User Mileage Rates for the 2016-2017 Fiscal Year.  
**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**
33. Contract with Pluim Family Partnership, GP for Storm Drainage License Agreement; approve granting an easement for storm drainage purposes to the City of Merced; and authorize the Chairman to sign the Easement Deed.  
**AUTHORIZED CONTRACT NO. 2016084 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**
34. Approve the Plans and Specifications for the Baxter Road over Deadman Creek Bridge Replacement Project; and direct Public Works to return to the Board with an Informational Item disclosing all actions taken on the project at a subsequent Board Meeting.  
**AUTHORIZED CONTRACT NO. 2016072 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**
35. Approve the agreement for sale of conservation credits for the California Tiger Salamander from the Mountain House Conservation Bank for the Baxter Road at Deadman Creek Bridge Replacement Project; authorize Chairman to execute the agreement; and approve the related budget transfer. (4/5 Vote Required)  
**AUTHORIZED CONTRACT NO. 2016073 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**
36. Approve the Memorandum of Understanding (MOU) with Winton Water and Sanitary District establishing the terms and conditions under which the existing District Owned water and sewer facilities on the Walnut Avenue Active Transportation Program Project will be installed, financed, and maintained; authorize the Chairman to sign the MOU listing the terms and conditions.  
**AUTHORIZED CONTRACT NO. 2016074 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**
37. Approve the Tenant Improvement Plans and Specifications for the Mental Health Facilities Remodel; direct Public Works to advertise said plans and specifications for a Public Bid Opening; direct Public Works to return to the Board for a recommendation of award of a Construction Contract to the lowest responsible bidder; and direct the Mental Health Dept. to finalize funding streams and amounts to complete the project at time of the award of a Construction Contract on June 7, 2016.  
**AUTHORIZED CONTRACT NO. 2016075 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**

38. Contract with VANIR Construction Management for construction management services for the Mental Health Facilities Remodel project.  
**AUTHORIZED CONTRACT NO. 2016076 AS RECOMMENDED AYES: 1, 2, 3, 5**  
**NOT PRESENT: 4**

#### HEALTH

39. Contract with Diringer and Associates to provide consulting services for related activities of the Health Care Access Project Grant.  
**AUTHORIZED CONTRACT NO. 2016077 AS RECOMMENDED AYES: 1, 2, 3, 5**  
**NOT PRESENT: 4**
40. Contract with Global Vision Consortium for Hospital Preparedness and Planning Grant Training subcontract for Response to Violent Incidents Training.  
**AUTHORIZED CONTRACT NO. 2016078 AS RECOMMENDED AYES: 1, 2, 3, 5**  
**NOT PRESENT: 4**

#### MENTAL HEALTH

41. Authorize Merced County to participate in the California Mental Health Services Authority (CalMHSA); authorize the Director of Mental Health and his/her alternate to represent the County on the CalMHSA Board of Directors; authorize the Director of Mental Health to sign the membership application and other documents related to membership; approve the Joint Exercise of Powers Agreement of the CalMHSA JPA, and authorize the Director of Mental Health to sign the JPA agreement and future amendments on behalf of the County; and adopt a resolution authorizing the County's participation in the California Mental Health Services Authority (CalMHSA); Direct Mental Health to return to the Board with any future amendments to the agreement.  
**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**
42. Contract with Train for Change, Inc. for staff trainings and development for application focused training on the American Society of Addiction Medicine (ASAM) Criteria.  
**AUTHORIZED CONTRACT NO. 2016080 AS RECOMMENDED AYES: 1, 2, 3, 5**  
**NOT PRESENT: 4**

#### HUMAN SERVICES AGENCY

43. Approve acceptance of a California Office of Emergency Services Child Abuse Treatment (CHAT) XT grant award in the amount of \$333,815; and return to the Board with a negotiated contract.  
**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**
44. Approve the 2016-2020 Area Plan for Senior Services from the Merced County Area Agency on Aging; and authorize the Chairman to sign the Transmittal Letter.  
**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**

#### COMMUNITY AND ECONOMIC DEV.

45. Contract with Nunes Dairy for the consultant, Environmental Planning Partners Inc., to prepare an Initial Study for the Nunes Dairy Expansion Project (CUP16-001).  
**AUTHORIZED CONTRACT NO. 2016081 AS RECOMMENDED AYES: 1, 2, 3, 5**  
**NOT PRESENT: 4**
46. Contract with Environmental Planning Partners, Inc. to prepare an Initial Study for the Nunes Dairy Expansion Project (CUP16-001).

**AUTHORIZED CONTRACT NO. 2016082 AS RECOMMENDED AYES: 1, 2, 3, 5  
NOT PRESENT: 4**

47. Contract with Dimension Data North America, Inc. to provide Technology Expertise, Equipment, Services, and Systems through the FOCUS Program Procurement Vehicle; authorize the Chairman to sign the contract award announcement letter; and adopt the resolution.

**AUTHORIZED CONTRACT NO. 2016071 AND ADOPTED RESOLUTION NO. 2016-33  
AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**

**ELECTIONS**

48. Adopt the resolution to change the Merced County Employees Retirement Association (MCERA) Board seat election and appointment schedule to align with the rotation schedule defined in Government Code.

**ADOPTED RESOLUTION NO. 2016-34 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT  
PRESENT: 4**

**LIBRARY**

49. Authorize the Library to accept the two Advanced Workstations in Education Early Literacy Stations from the California State Library for the Dos Palos and Livingston libraries.

**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**

50. Authorize the Library to accept the five WiFi Hotspots through the Technology and Testing Grant from the Southern California Library Cooperative, for the Hilmar, Santa Nella, Snelling, Winton, and Merced libraries.

**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**

**PROBATION**

51. Approve and authorize the Chairman to accept the three vehicles and trailer purchased by the Merced Multi-Agency Gang Task Force for sole use by the Merced County Probation Department, Sheriff's Office and District Attorney's Office; and accept the vehicles and trailer into the County's fleet and subsequent departmental budget units.

**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**

**HUMAN RESOURCES**

52. Ratify the Memorandum of Understanding with Teamsters, Local 856 representing Bargaining Unit 2; and authorize employees in Bargaining Units 2 and 12 (Teamsters) to participate in the three health plan options (Traditional Plan, Low Cost Plan, and Account Based Plan with Health Savings Account) beginning in 2017.

**AUTHORIZED CONTRACT NO. 2016083 AS RECOMMENDED AYES: 1, 2, 3, 5  
NOT PRESENT: 4**

**EXECUTIVE OFFICE**

53. Approve the Transportation Expenditure Plan and support placement of the one-half cent sales tax measure on the November 8, 2016, Election Ballot.

**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**

**REVIEW BOAD ORDER – SEE PAGE 11**

**BOARD OF SUPERVISORS**

54. Authorize \$300 of District Two's Special Board Project Funds to be utilized to replace the American and California flags at the Courthouse Museum.



**APPROVED AS RECOMMENDED AYES: 1, 2, 5 NOES: 3 NOT PRESENT: 4**

55. Authorize \$3,000 of District Four's Special Board Project Funds to be forwarded to the Winton Cowboys to assist with the costs of reconditioning football helmets.

**APPROVED AS RECOMMENDED AYES: 1, 2, 5 NOES: 3 NOT PRESENT: 4**

**BOARD APPOINTMENTS**

56. Appoint Dennis Pierre to serve as a member of the Merquin Cemetery District, until June 10, 2019.

**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**

57. Appoint Jacquelin Gonzalez to serve as a member of the Planada Municipal Advisory Council, until March 31, 2017 and appoint Olivia Gomez to serve, until March 31, 2019.

**APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4**

**BOARD INFORMATION & POSSIBLE ACTION**

**ACCEPTED AND PLACED ON FILE AYES: 1, 2, 3, 5 NOT PRESENT: 4**

58. Fish and Game Commission re: Notice of Proposed regulatory action relative to Section 665, Title 14, California Code of Regulations, relating to meeting procedures, which was published in the California Regulatory Notice Register on April 1, 2016.
59. Fish and Game Commission re: 15 Day Notice of California Notice Register 2016, No. 2-Z, Z-2015-1228-03 (Mammal Regulations for the 2016-2017 Seasons).
60. Fish and Game Commission re: 15 Day Notice of California Notice Register 2016, No. 9-Z, Z-2016-0216-12 (Fishing Activity Records and CPFV Logbooks).
61. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer of up to 17,433 acre feet of water from Sutter Extension Water District to state water contractor agencies under License 9063 (Application 10529).
62. State Water Resources Control Board re: Notice of Petition for temporary change involving the transfer/exchange from Department of Water Resources Permit 16479 (Application 14443) and the specified license and permits of the U.S. Bureau of Reclamation.

**THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF JAMES BALL, ALICE HARMAN, CAROL MUMBY AND BERT JOHNSON AND ADJOURNED THE MEETING UNTIL TUESDAY, MAY 3, 2016 AT 10:00 A.M.**

## BOARD ORDERS – SUMMARY ACTION MINUTES – APRIL 26, 2016

### **10:00 A.M. SCHEDULED ITEM** **2016-04-26 PUBLIC OPPORTUNITY**

Chrystal Mendez, Hilmar resident and In Home Supportive Service worker states minimum wage increase is not an increase.

Jamie Pinner, In Home Supportive Service worker states minimum wage increase is not an increase.

James Hodges, Merced resident states concerns about Covered California.  
Present: Walsh, Pedrozo, McDaniel, O'Banion  
Not Present: Kelsey

### **10:00 A.M. SCHEDULED ITEM** **2016-04-26 PRESENTATION – PUBLIC SAFETY**

District Attorney Larry Morse reviews powerpoint presentation covering the following: Gang Violence, Homicide Crimes in California, Homicide Crimes in Merced County, Violent Crime Prosecutions since January 2, 2016, and Task Force Staffing 2015.

Sheriff Vern Warnke reviews powpoint presentation covering: Gang Related Crimes and shows a video of Law Enforcement Encounters.

Chairman Walsh states the Board is committed to public safety and asks staff to compile information summarizing investments the County has made to public safety to bring back to the Board at the next meeting. Chairman Walsh also states he would like to have discussion regarding the concerns and to include the Public Safety Committee to see what else can be done in the future to resolve some of the concerns.

Mr. Morse states that he and the Sheriff were unaware of a Public Safety Committee and states the City of Merced has contributed more to safety than the County.

Sheriff Warnke states they have some of the best equipment in the department but they need people.

The Board has lengthy discussion on staffing in the District Attorney and Sheriff's office and the loss of staff due to inadequate pay.

Andy Krotic, Merced Realtor states public safety should be the number one priority. Mr. Krotic also states crime issues in the county are embarrassing and does not feel the Board thinks it is an emergency.

Carol McCoy, Realtor states it is getting scary out there and need more boots on the ground. Ms. McCoy also states she has spoke to officers who have left because of low pay.  
Present: Walsh, Pedrozo, McDaniel, O'Banion  
Not Present: Kelsey

**10:00 A.M. SCHEDULED ITEM**

**2016-04-26 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING-ORDINANCE NO.**

The time and date previously set for a public hearing to consider proposed ordinance entitled “An Ordinance Adopting an Agricultural Mitigation Program” (Adding Chapter 9.30 to the Merced County Code).

The Chairman states a Supplemental Document #1 has been received and is available for the public.

Director of Community and Economic Development Mark Hendrickson reviews the staff report.

Supervisor McDaniel asks if Los Banos is the only one to give comments.

Mr. Hendrickson states Los Banos and Merced have commented but nothing filed.

Upon motion of Supervisor McDaniel, seconded by Supervisor O’Banion, duly carried, the Board waives further reading of the ordinance.

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

Supervisor Pedrozo asks for clarification on the mitigation.

Mr. Hendrickson reviews the history of the mitigation plan and process.

Following brief discussion on the Environmental Review and upon motion of Supervisor O’Banion, seconded by Supervisor McDaniel, duly carried, the Board finds the Ordinance exempt from CEQA Guidelines under Section 15183; and, adopts Ordinance No. 1943 adding Chapter 9.30 to the Merced County Code.

Ayes: Walsh, Pedrozo, McDaniel, O’Banion

Not Present: Kelsey

**ACTION ITEM #53**

**2016-04-26 EXECUTIVE OFFICE**

The Clerk announces approval of Transportation Expenditure Plan and support of placement of a one-half cent sales tax measure for the November 8, 2016 election ballot is before the Board for consideration.

Marjie Kirn, Executive Director of MCAG gives an update on the item and provides a handout containing background on the one-half cent sales Tax Transportation Expenditure Plan.

Upon motion of Supervisor McDaniel, seconded by Supervisor O’Banion, duly carried, the Board approves the Transportation Expenditure Plan and gives support for placement of the one-half cent sales tax measure on the November 8, 2016 election Ballot.

Ayes: Walsh, Pedrozo, McDaniel, O’Banion

Not Present: Kelsey