



## BOARD OF SUPERVISORS

Rodrigo Espinoza, *District 1*

Lee Lor, *District 2*

Daron McDaniel, *District 3*

Chairman Lloyd Pareira, *District 4*

Scott Silveira, *District 5*

Phone: (209) 385-7366 Fax: (209) 726-7977

## SUMMARY ACTION MINUTES

TUESDAY, MAY 7, 2019

Closed Session – 9:00 a.m.

Regular Meeting – 10:00 a.m.

Merced County Administration Building

2222 M Street

Board Room, Third Floor

Merced CA 95340

[www.countyofmerced.com](http://www.countyofmerced.com)

***The Board of Supervisors welcomes you to its meetings which are regularly held on a scheduled Tuesday and your interest is encouraged and appreciated.***

**PUBLIC COMMENT PERIOD:** 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 (3) minutes per person).

**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 administrative 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.

**CLOSED SESSION:** Is the portion of the meeting conducted in private without the attendance of the public or press to discuss certain confidential matters specifically permitted by the Brown Act. The public will be provided an opportunity to comment on any matter to be considered in closed session prior to the Board adjourning into the closed session.

**ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA:**

Please raise your hand or step to the podium at the time the item is announced by the Board Chairperson. In order that interested parties have an opportunity to speak, any person addressing the Board will be limited to a maximum of three (3) minutes.

**BOARD AGENDA AND MINUTES:** Board agendas, minutes, and copies of items to be considered by the Board of Supervisors are posted on the Internet at least 72 hours preceding a Tuesday meeting at the following website [www.countyofmerced.com/boardagenda/](http://www.countyofmerced.com/boardagenda/)

**AUDIO/VIDEO BROADCAST:** All Board meetings are normally broadcast live and replayed on local cable television. A list of cable channels and broadcast times are available at the following website: [www.countyofmerced.com](http://www.countyofmerced.com)

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

*Spanish and Hmong interpreters are available.*

*Interpretes de espanol y hmong estan disponibles.*

*Peb muaj tug paab txhais lug Mev hab Hmoob.*

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: 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.

**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) Poslof v. County of Merced, et al., Merced Superior Court Case No.: 19CV-01229; 2) Kattan, et al. v. County of Merced, Merced Superior Court Case No.: 16CV-00506.

**THE BOARD RECESSED AT 9:00 A.M. WITH SUPERVISOR ESPINOZA NOT PRESENT 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. INVOCATION led by Pastor Phil Jenkins/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 11**

**APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 35)**

**SCHEDULED ITEM:**

**AGRICULTURAL COMMISSIONER / COMMUNITY AND ECONOMIC DEVELOPMENT - SCHEDULED ITEM**

An urgency Interim Ordinance imposing a temporary moratorium on the cultivation of Industrial Hemp within the unincorporated areas of the County by any person or entity including "Established Agricultural Research Institutions"

**RECOMMENDATION:**

1) Introduce an urgency ordinance entitled "An urgency interim ordinance imposing a temporary moratorium on the cultivation of industrial hemp within the unincorporated areas of Merced County by any person or entity including "Established Agricultural Research Institutions"; 2) Waive further reading of the proposed urgency ordinance; 3) Find the proposed urgency ordinance imposing a temporary moratorium on the cultivation of industrial hemp exempt from the California Environmental Quality Act (CEQA) under CEQA guidelines sections 15061, subdivision (b)(3), 15060, subdivision (c)(2), and 15308; and 4) Adopt the urgency interim ordinance imposing a temporary 45-day moratorium on the cultivation of industrial hemp within the unincorporated areas of Merced County. (4/5 Vote Required)

**REVIEW BOARD ORDER – SEE PAGE 11 AND 12**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-35)

**APPROVED AS RECOMMENDED AYES: ALL**

Public Works

1. Approve Budget Transfer in the amount \$39,000 to cover higher than anticipated costs for Tax Collector/Treasurer Vault Remodel.
2. Approve Budget Transfer in the amount of \$50,000 to replace vehicle #49603 from Sheriff's Office that was involved in an accident and deemed a total loss. (4/5 Vote Required)
3. Approve and authorize the Chairman to sign Amendment Contract No. 2017128 with GPA Consulting for environmental services.
4. Approve and authorize the Chairman to sign Amendment Contract No. 2017156 with Quincy Engineering, Inc. for survey and engineering services.
5. Approve and authorize the Chairman to sign Amendment Contract No. 2017131 with Bardini Consulting, LLC for survey and engineering services.
6. Approve and authorize the Chairman to sign Amendment Contract No. 2017136 with Quad Knopf, Inc. for survey and engineering services.
7. Approve and authorize the Chairman to sign Amendment Contract No. 2017132 with Golden Valley Engineering & Surveying, Inc. for survey and engineering services.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2018047 with California Department of Water Resources for the Franklin/Beachwood Flood Risk Reduction Program Feasibility Study.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2018148 with CH2M Hill for Franklin/Beachwood Flood Risk Reduction Program Feasibility Study.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2017126 with Crawford & Associates for geotechnical engineering services.

11. Approve and authorize the Chairman to sign Amendment Contract No. 2017138 with LSA Associates for environmental services.
12. Approve and authorize the Chairman to sign Amendment Contract No. 2013001 with Congressman Jim Costa for lease of office space located at 2222 "M" Street, Merced, California. (4/5 Vote Required)
13. Set First Reading on May 21, 2019 at 10:00 a.m., to consider proposed Ordinance "User Charge Rates for Zones of Benefit" which would establish County Service Area Number One User Charge Rates for Fiscal Year 2019/2020 (Supersedes Ordinance 1961 and amends County Code Chapter 5.64) and set Second Reading for June 4, 2019 at 10:00 a.m.

#### Health

14. Approve Budget Transfer in the amount of \$40,000 to cover cost of remaining Fiscal Year 2018/2019 substandard home demolition projects. (4/5 Vote Required)
15. Approve and authorize the Chairman to sign Amendment Contract No. 2018018 with Intrepid Ascent for implementation or upgrade to the Public Health Clinic and Emergency Medical Services Department Electronic System.
16. Approve and authorize the Chairman to sign Amendment Contract No. 2010234 (State Contract No. 17-10171) with California Department of Public Health for disaster planning assistance services.

#### Behavioral Health and Recovery Services

17. Proclaim the month of May 2019 as Mental Health Month in Merced County.
18. Proclaim the month of May 2019 as Drug Court Month in Merced County.

#### Community and Economic Development

19. Approve Budget Transfer in the amount of \$430 to cover payment to State Water Resources Control Board for Dairy Loan Program based on actual invoice vs. estimates. (4/5 Vote Required)

#### Administrative Services

20. Approve Budget Transfer in the amount of \$65,000 to cover the cost of countywide travel through the end of Fiscal Year 2018-2019. (4/5 Vote Required)

#### Fire

21. Approve Budget Transfer in the amount of \$5,400 for replacement of prefabricated storage shed for Fire Station 85 McKee.
22. Proclaim the week of May 5-11, 2019 as Wildfire Awareness Week in Merced County.

#### Sheriff

23. Approve Budget Transfer in the amount of \$4,000 to increase the appropriation to purchase and install transponders in the Cessna U206C Plane and the Bell UH1H Helicopter. (4/5 Vote Required)

### Probation

24. Approve and authorize the Chairman to sign Amendment Contract No. 2011013 with CaseloadPRO, L.P. to reflect the name change to Tyler Technologies, Inc. for On-Line Case Management System.

### Executive Office

25. Approve and authorize the Chairman to sign Amendment Contract No. 2016091 with Pegasus Risk Management to provide workers' compensation claims administrative services.
26. Act on Claims for Damages submitted by Marsha Carr, Pedro Lopez, Teresa Lopez, Pedro Lopez, Jr., Laura Sawaya and Ronnie Lee Hawkins as recommended by Risk Management and County Counsel.
27. Approve Travel Requests received from Elections, Public Works, Public Health and Administrative Services as recommended by Executive Office.

### Board of Supervisors

28. Approve Minutes for March 26, 2019, April 9, 2019.

### Board Recognition

29. Authorize Proclamation in Recognition of May 2, 2019 as "National Day of Prayer" in Merced County.
30. Authorize Proclamation in Recognition of Apraxia Awareness Day on May 14, 2019 in Merced County.
31. Authorize Proclamation in Recognition of April 2019 as "Sexual Assault Awareness Month" and April 24, 2019 as "Denim Day" in Merced County.
32. Authorize Certificates of Recognition to Michael Rooney, Ricardo Robles, Xang Her, Cesar Ontiveros, Jose Gastelum and Arturo Renteria for graduation from the Veterans Treatment Court.
33. Authorize Certificate of Recognition to Concerned Men Cook for 25th Year Anniversary.
34. Authorize Certificates of Recognition to the following individuals for receiving Hands on Heroes Awards: Fernando Aguilera-Business Award, Judy Coleman-Volunteer Award, Elisa Kleitman-Educator Award, Gloria J. Morris-Denard Davis Lifetime Community Service Memorial Award, Patricia Pratt-Community Award, and Elan Vang-Babatunde Osungboye emerging Leader Memorial Award.
35. Authorize Certificates of Recognition to the following individuals for Firefighter of the Year: Eldred Pires, Paid Call Firefighter-Gustine Fire Department; Lance Nichols, Paid Call Firefighter-Livingston Fire Department; Ray Echavarria, Paid Call Firefighter-Dos Palos Fire Department; Zach Sawyer, Fire Captain-Los Banos Fire Department; Brandon Hope, Volunteer Firefighter- Los Banos Fire Department; Adam Seward, Fire Apparatus Engineer-Atwater Fire Department; Thomas King, Reserve Firefighter-Atwater Fire Department; Frank Guzman, Paid Call Firefighter- Merced County Fire Department; Paul Rotondaro, Fire Captain-Merced County Fire Department; and Casey Wilson, Fire Captain-Merced Fire Department.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

36. Contract with Department of Transportation (Caltrans) to sign Federal Apportionment Exchange and State Match Program Agreement No. X19-5939(127) with the State of California, Department of Transportation to exchange Federal Funds with Non-Federal State Highway Account Funds; and adopt Resolution.

**AUTHORIZED CONTRACT NO. 2019122 AND ADOPTED RESOLUTION NO. 2019-32 AS RECOMMENDED AYES: ALL**

37. 1) Approve the Plans and Specifications for the Campus Parkway Segment 3 project; 2) Authorize Public Works to advertise the project and conduct a Public Bid Opening; 3) Authorize the Director of Public Works to award a construction contract to the lowest responsible bidder provided said bid is within the established budget; 4) Authorize the Chairman to execute the construction contract upon review of Public Works, County Counsel, and Risk Management; and 5) Direct Public Works to return to the Board with an informational item describing all actions taken.

**AUTHORIZED CONTRACT NO. 2019123 AS RECOMMENDED AYES: ALL**

38. Approve the Plans for the State Highway 99 Planada Roadside Signs project in the Planada area; and direct the Director of Public Works to install the signs at the Plainsburg Road/Sandy Mush Road Interchange.

**APPROVED AS RECOMMENDED AYES: ALL**

AG. COMMISSIONER

39. Contract with the California Department of Food and Agriculture (CDFA) (State Agreement No. 19-0015-000-SA) for fruit and vegetable quality standards inspections.

**AUTHORIZED CONTRACT NO. 2019124 AS RECOMMENDED AYES: ALL**

40. Contract with the California Department of Food and Agriculture (CDFA) (State Agreement No. 19-0105-000-SA) for registration and inspections of organic producers.

**AUTHORIZED CONTRACT NO. 2019125 AS RECOMMENDED AYES: ALL**

41. Contract with the California Department of Food and Agriculture (CDFA) (State Agreement No. 19-0047-000-SA) to provide Certified Farmers Market inspection activities.

**AUTHORIZED CONTRACT NO. 2019126 AS RECOMMENDED AYES: ALL**

42. Memorandum of Understanding with the Cooperative Agricultural Support Services Authority (CASS) to provide agricultural support services in plant pest detection, trapping, quarantine, eradication, and/or other services.

**AUTHORIZED CONTRACT NO. 2019127 AS RECOMMENDED AYES: ALL**

HEALTH

43. Contract with Nineveh Outreach of Bible Christian Church to provide support for a gleaning system for the low income population in Merced County.

**AUTHORIZED CONTRACT NO. 2019128 AS RECOMMENDED AYES: ALL**

44. Approve the Waste Tire Enforcement Grant Agreement (Cycle 26) from the California Department of Resources Recycling and Recovery to support waste tire enforcement activities in the amount of \$100,000; and authorize the Chairman to sign the grant agreement.

**AUTHORIZED CONTRACT NO. 2019129 AS RECOMMENDED AYES: ALL**

45. Contract with Intrepid Ascent for the Emergency Medical Services (EMS) Department electronic system implementation.

**AUTHORIZED CONTRACT NO. 2019130 AS RECOMMENDED AYES: ALL**

46. Contract with First 5 of Merced County for the First 5 Mini-grant funds award.

**AUTHORIZED CONTRACT NO. 2019131 AS RECOMMENDED AYES: ALL**

**REVIEW BOARD ORDER – SEE PAGE 12**

BEHAVIORAL HEALTH AND RECOVERY SERVICES

47. Approve and authorize the Chairman to sign 2018 Continuum of Care Program Grant Agreement No. CA0984L9T201806 with U.S. Department of Housing and Urban Development for Project Hope Westside, for funds in the amount of \$153,562; and return to the Board for any subsequent approval related actions necessary for implementation of grant project.

**AUTHORIZED CONTRACT NO. 2019132 AS RECOMMENDED AYES: ALL**

48. Approve and authorize the Chairman to sign the 2018 Continuum of Care Program Grant Agreement No. CA0780L9T201810 for Project Home Start for a total amount of \$137,311; and return to the Board for any subsequent approval related actions necessary for implementation of the grant project.

**AUTHORIZED CONTRACT NO. 2019133 AS RECOMMENDED AYES: ALL**

49. 1) Terminate Contract No. 2008132 effective May 6, 2019; and 2) Approve Memorandum of Understanding with the Children's System of Care (CSOC) Policy and Planning Council members for the period upon execution until modified or terminated as determined by the participating agencies.

**APPROVED AS RECOMMENDED AYES: ALL**

HUMAN SERVICES AGENCY

50. Contract with Aspiranet to provide psychosocial assessments of resource families.

**AUTHORIZED CONTRACT NO. 2019135 AS RECOMMENDED AYES: ALL**

51. Contract with California Department of Aging (State Contract No. MS-1920-28) for senior case management services; adopt Resolution; and authorize Chairman to sign Contract and forms CCC 04-2017, CDA 1024, and CDA 9026.

**AUTHORIZED CONTRACT NO. 2019136 AND ADOPTED RESOLUTION NO. 2019-33 AS RECOMMENDED AYES: ALL**

52. Interdepartmental Agreement with Workforce Investment to provide subsidized employment services to Welfare-to-Work participants.

**AUTHORIZED CONTRACT NO. 2019140 AS RECOMMENDED AYES: ALL**

53. Contract with California Department of Aging (State Revenue Contract No. AP-1920-31) for senior service programs; adopt Resolution; and authorize the Chairman to sign the contract and forms CDA 1024, CDA 9026, and CCC 04-2017.

**AUTHORIZED CONTRACT NO. 2019141 AND ADOPTED RESOLUTION NO. 2019-34 AS RECOMMENDED AYES: ALL**

#### COMMUNITY AND ECONOMIC DEVELOPMENT

54. Contract with Environmental Planning Partners, Inc. to prepare an Initial Study for the John Toste Dairy Expansion project (CUP19-001), which is generally located at the southeast corner of North Santa Fe Grade and West Brazo Road in the Newman area.

**AUTHORIZED CONTRACT NO. 2019142 AS RECOMMENDED AYES: ALL**

55. Contract with John Toste for the payment of costs charged by Environmental Planning Partners, Inc. for the preparation of an Initial Study for the John Toste Dairy Expansion Project (CUP 19-001), which is generally located at the southeast corner of North Santa Fe Grade and West Brazo Road in the Newman area.

**AUTHORIZED CONTRACT NO. 2019143 AS RECOMMENDED AYES: ALL**

#### SHERIFF

56. Authorize Administrative Services-Purchasing to initiate the Request for Proposal (RFP) process for Veterinary Services at the Animal Shelter; and the Sheriff and Administrative Services Purchasing will evaluate the responses and return to the Board with any recommended action.

**APPROVED AS RECOMMENDED AYES: ALL**

#### ADMINISTRATIVE SERVICES

57. 1) Authorize the Chairman to sign the Statement of Work with NEC Corporation of America to upgrade the telecommunications equipment and software used by the Human Services Agency; 2) Authorize the Director of Administrative Services to negotiate and sign a final Statement of Work and related change orders; and, 3) Approve related Budget Transfers. (4/5 Vote Required)

**AUTHORIZED CONTRACT NO. 2019137 AS RECOMMENDED AYES: ALL**

58. 1) Contract with Siteimprove for Manual Accessibility Testing Subscription for an audit of the County's website; 2) Authorize the Chairman to sign the Software-as-a-Service Subscription Agreement with Siteimprove for automated accessibility testing and access to the Academy Plus Training library; and 3) Approve related Budget Transfer. (4/5 Vote Required)

**AUTHORIZED CONTRACT NOS. 2019138 (MANUAL ACCESSIBILITY) AND 2019139 (SOFTWARE) AS RECOMMENDED AYES: ALL**

59. PULLED



60. Approve and authorize the Chairman to sign the license agreement with Hughes Communication for the installation, operation, and maintenance of County telecommunications equipment on a tower located on Mount Bullion in Mariposa County.

**AUTHORIZED CONTRACT NO. 2019144 AS RECOMMENDED AYES: ALL**

61. Contract with Delta Wireless Inc. to provide services to relocate radio service and install new equipment in support of the County's Public Safety Radio Network.

**AUTHORIZED CONTRACT NO. 2019145 AS RECOMMENDED AYES: ALL**

62. Declare miscellaneous office furniture, assorted office equipment and supplies, miscellaneous electronic items/equipment, assorted library books, and toys (listed on Exhibit A) as surplus property as recommended and authorize its disposal by approved internet public auction.

**APPROVED AS RECOMMENDED AYES: ALL**

63. Approve donation of personal surplus property listed in Exhibit A to the Eco Village Project of Fresno.

**APPROVED AS RECOMMENDED AYES: ALL**

64. Approve donation of personal surplus property listed in Exhibit A to the American Legion Post 83.

**APPROVED AS RECOMMENDED AYES: ALL**

#### DISTRICT ATTORNEY

65. Certify that the appointment of Marlene Glusing is necessary before 180 days has passed; and approve the appointment of Marlene Glusing to return to work for a period of time determined by the County Executive Officer; and adopt the Resolution.

**ADOPTED RESOLUTION NO. 2019-35 AS RECOMMENDED AYES: ALL**

#### FIRE

66. Approve and authorize the Chairman and the Merced County Fire Chief to sign the Automatic Aid Agreement with Madera County.

**AUTHORIZED CONTRACT NO. 2019146 AS RECOMMENDED AYES: ALL**

67. Approve and authorize the Chairman and the Merced County Fire Chief to sign the Automatic Aid Agreement with Mariposa County.

**AUTHORIZED CONTRACT NO. 2019147 AS RECOMMENDED AYES: ALL**

#### EXECUTIVE OFFICE

68. Approve Amendment Contract with Yosemite Physical Therapy for Ergonomic Services; and approve related Budget Transfer.

**AUTHORIZED CONTRACT NO. 2019148 AS RECOMMENDED AYES: ALL**

#### BOARD OF SUPERVISORS

69. Designate the Merced County Arts Council as the local partner in the California State-Local Partnership Program and retroactively authorize the Chairman to sign the letter of support.

**APPROVED AS RECOMMENDED AYES: ALL**

70. Accept 2018 Local Agency Biennial Notice from Charleston Drainage District as submitted, and authorize notification to the agency of action taken.

**APPROVED AS RECOMMENDED AYES: ALL**

**BOARD APPOINTMENTS**

71. Reappoint Tony Weber and James Rabago M.D. to serve as a members of the Santa Cruz-Monterey-Merced Managed Medical Care Committee as the Provider/At-Large Representatives, until April 22, 2023.

**APPROVED AS RECOMMENDED AYES: ALL**

**BOARD INFORMATION & POSSIBLE ACTION**

**ACCEPTED AND PLACED ON FILE AYES: ALL**

72. Community and Economic Development re: Special Event Facility Use Agreement issued to the Central California Model Flyers for the "22nd Annual Castle Giant Scale Fly-In" (a large-scale model aircraft event) May 22-27, 2019 at Castle Airport.
73. United States Department of Interior re: Petition for temporary change - CVP Permits 5626 et al, Central Valley Project California.
74. Department of Fish and Game Commission re: Notice of Receipt of Petition to list San Bernardino kangaroo rat (*Dipodomys merriami parvus*) as endangered under the California Endangered Species Act.
75. Board Travel Summaries for period of March, 2019 through May, 2019 pursuant to Government Code Section 53232.3(d).

**THE BOARD ADJOURNED THE MEETING IN MEMORY OF LLOYD PAREIRA, SR. AT 11:43 A.M. UNTIL TUESDAY, MAY 21, 2019, AT 10:00 A.M.**

## BOARD ORDERS – SUMMARY ACTION MINUTES – MAY 7, 2019

### **10:00 A.M. SCHEDULED ITEM** **2019-05-07 PUBLIC OPPORTUNITY**

John Chavez, Planada resident speaks in support of Item No. 38 on the agenda.

Amelia Johnson, Merced resident speaks in support of the library and requests an increase to the libraries budget.

Present: Pareira, Espinoza, Lor, McDaniel, Silveira

### **10:00 A.M. SCHEDULED ITEM** **2019-05-07 AG COMMISSIONER / COMMUNITY AND ECONOMIC DEVELOPMENT**

The Clerk announces an urgency Interim Ordinance imposing a temporary moratorium on the cultivation of Industrial Hemp within the unincorporated areas of the County by any person or entity including “Established Agricultural Research Institutions” is before the Board for consideration.

Agricultural Commissioner Dave Robinson reviews the power point presentation covering the following: Industrial Hemp Definition, Modern Uses of Industrial Hemp, Industrial Hemp for Cannabidiol (CBD), Industry Projections of Hemp Values, Growing Cannabis, Marijuana Farm in Colorado, Industrial Hemp Farm Producing CBD in Eastern Colorado, Industrial Hemp Grown for Fiber in Kentucky, Federal Farm Bill Background, 2018 Farm Bill Provisions, California Law, SB 1409 Overview, SB 153 Overview, Registration Regulation, Commercial Production vs. Established Research, California Regulations Under Development, Counties that have Enacted Moratoriums, Considerations/Concerns and Recommended Action.

Sheriff Vern Warnke comments on marijuana being grown and disguised as hemp in Merced County and states his concerns with it.

The Board has lengthy discussion on this item.

The Chairman opens the public comment period and asks if there is anyone present wishing to speak. The following speak stating their concerns with the item:

Steven King Jr., Geno Pedretti, III, Richard De Andrade, Chad Corvelli, John Donahoe and Alex McCabe.

The Chairman closes the public comment period.

The Board has lengthy discussion and speaks about the possibility of forming an Ad Hoc committee to work on the ordinance.

County Counsel James Fincher states that if you create a committee it's not Ad Hoc and advises that direction can be given to the County Executive Officer to create the committee.

County Executive Officer Jim Brown states he will work with the Chairman for representation on the committee.

Upon motion of Supervisor McDaniel, seconded by Supervisor Lor, duly carried, the Board waives further reading of the proposed urgency ordinance. Upon motion of Supervisor McDaniel, seconded by Supervisor Lor, duly carried, the Board finds the proposed urgency ordinance imposing a temporary moratorium on the cultivation of industrial hemp exempt from the California Environmental Quality Act (CEQA) under CEQA guidelines sections 15061, subdivision (b)(3), 15060, subdivision (c)(2), and 15308. Upon motion of Supervisor McDaniel, seconded by Supervisor Lor, duly carried, the Board adopts urgency interim Ordinance No. 1969 imposing a temporary 45 day moratorium on the cultivation of industrial hemp within the unincorporated areas of Merced County.

Ayes: Pereira, Lor, McDaniel, Silveira

Noes: Espinoza

**ACTION ITEM NO. 46**

**2019-05-07 HEALTH**

The Clerk announces a contract with First 5 of Merced County for the First 5 Mini-grant funds award is before the Board for consideration.

County Executive Officer Jim Brown clarifies for the record that this item is a result of a grant application that was submitted prior to the First 5 Director's retirement.

Upon motion of Supervisor Silveira, seconded by Supervisor Lor, duly carried, the Board approves Contract No. 2019131 with First 5 of Merced County for the First 5 Mini-grant funds award.

Ayes: Pereira, Espinoza, Lor, McDaniel, Silveira