

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, JULY 07, 2015
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

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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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; Teamsters (Corrections), Unit 2; Merced County Deputy Sheriff Association (DSA), Unit 10; Teamsters (Non-Safety Corrections), Unit 12; and 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 SUPERVISOR KELSEY NOT PRESENT, AND THE CHAIRMAN ADVISED STAFF WAS GIVEN DIRECTION

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

10:00 A. M.

PLEDGE OF ALLEGIANCE

PUBLIC OPPORTUNITY TO SPEAK ON ANY MATTER OF PUBLIC INTEREST WITHIN THE BOARD'S JURISDICTION INCLUDING ITEMS ON THE BOARD'S AGENDA, EXCEPT FOR THOSE ITEMS SPECIFICALLY SCHEDULED AS PUBLIC HEARINGS (Testimony limited to three minutes per person)

REVIEW BOARD ORDER – SEE PAGE 11

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 34)

PUBLIC HEARING:

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING

To consider revisions to the Merced County Rules and Procedures to Implement the California Land Conservation Act of 1965 are exempt from CEQA under Section 15183.

RECOMMENDATION: 1) Open Public Hearing; 2) Close Public Hearing; 3) The Board finds the revisions to the Merced County Rules and Procedures to Implement the California Land Conservation Act of 1965 are exempt from CEQA under Section 15183, Projects Consistent with a Community Plan or

Zoning based on the findings listed in the Board Agenda Item; and, 4) Adopt the Resolution to amend the Merced County Rules and Procedures to Implement the California Land Conservation Act of 1965.

REVIEW BOARD ORDER – SEE PAGE 11

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-34)

APPROVED AS RECOMMENDED

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

Public Works

1. Adopt Resolution for the Summary Vacation of excess right-of-way along the Third Street frontage of APN 078-227-002 located in the Community of Volta.

ADOPTED RESOLUTION NO. 2015-58

Ag. Commissioner

2. Approve and authorize the Chairman to sign Renewal Contract No. 2004082 with California Dept. of Food and Ag. for registration and inspections of organic producers.
3. Approve and authorize the Chairman to sign Renewal Contract No. 2014013 with California Dept. of Food and Ag. for conducting Weighmaster Enforcement inspections.
4. Approve and authorize the Chairman to sign Renewal Contract No. 2007214 with California Dept. of Food and Ag. for providing nematode control program enforcement activities at nursery locations.
5. Approve and authorize the Chairman to sign Renewal Contract No. 2006109 with the California Dept. of Food and Ag. for conducting Petroleum Products Labeling and Advertising inspections.

Health

6. Set First Reading for July 21, 2015 at 10:00 a.m. to consider amending ordinance entitled "Health Department Fees" to include Emergency Medical Services Breach Events and County Ambulance Response Time Penalties pursuant to County Code 9.44, establishing penalties assessed by the Merced County Department of Public Health (Amends Ord. Nos. 1863, 1847); and set Second Reading and possible adoption of ordinance for August 4, 2015.
7. Approve and authorize the Chairman to sign Renewal Contract No. 2008191 with Merced County Office of Education to purchase Physical and Occupational Therapy Services.

Mental Health

8. Approve and authorize the Chairman to sign Renewal Contract No. 2013187 with Merced County Association of Governments for coordination of the Continuum of Care Homeless Project.

Human Services Agency

9. Approve and authorize the Chairman to sign Renewal Contract No. 2011067 with the University of California, Davis for Human Services Agency training.

10. Approve and authorize the Chairman to sign Renewal Contract No. 2009164 with the University of California, Davis for Staff Training and Development for Child Welfare Services.
11. Approve and authorize the Chairman to sign Renewal Contract No. 2008164 with Merced County In-Home Supportive Services Public Authority for administration of IHSS and PA services.
12. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2009099 with Mental Health Dept. to provide mental health and substance abuse services.
13. Approve and authorize the Chairman to sign Renewal Contract No. 2014031 with LTG Associates, Inc. to provide program evaluation.
14. Approve and authorize the Chairman to sign Renewal Contract No. 2004211 with California Department of Aging for Senior Case Management Services; and adopt Resolution.
15. Approve and authorize the Chairman to sign Renewal Contract No. 2014097 with California Dept. of Aging for Senior Service Programs; and adopt the resolution.

ADOPTED RESOLUTION NO. 2015-59

15. Approve and authorize the Chairman to sign Renewal Contract No. 2014097 with California Dept. of Aging for Senior Service Programs; and adopt the resolution.

ADOPTED RESOLUTION NO. 2015-60

Auditor

16. Set a First Reading for Tuesday, July 21, 2015 at 10:00 a.m. to consider a Proposed Ordinance entitled "Merced County Auditor-Controller's Fees in the 2015-16 Fiscal Year and Thereafter (Amends Ordinance No. 1758 and adds Merced County Code Chapter 5.37 to Title 5 Revenue and Finance); and set a second reading and possible adoption of the proposed ordinance on August 4, 2015, at 10 a.m.

Library

17. Authorize the Board to accept the \$1,400 donation from North Merced Rotary to purchase high school equivalency exam vouchers for Merced County Library Read and Succeed Adult Literacy Program.

Fire

18. Approve the continuation of the Proclamation of Existence of a Local Emergency Due to Drought.

Probation

19. Proclaim the week of July 12-18, 2015 as Probation Services Week in Merced County.

Executive Office

20. Act on Claims for Damages received from Jessica Arragon, Alfredo Torres, Angelica Rosales, Kenneth Musson, Barbara Bryant, Lucy Atayde, K.R.K., LLC as recommended by Risk Management and County Counsel.
21. Approve travel request received from Sheriff's Department and from Public Health as recommended by Executive Office.

Board Recognition

22. Authorize Certificate of Recognition to Le Grand High School for being selected by U.S. News & World Report as 128th Best High School in California & 664th Best High School in the Nation
23. Authorize Plaque to Dario and Josephine Giampaoli in recognition of Years of Service to the Community of Le Grand.
24. Authorize Certificate of Recognition to Stevinson Pentecost Association in support of their 2015 Annual Religious parade.
25. Authorize Certificates of Recognition to Mike James Sparks for 39 Years of Service at Dos Palos High School and Stephen George Gill for 38 Years of Service at Dos Palos High School.
26. Authorize Certificates of Recognition to the following individuals selected by California State Summer School for the Arts Foundation for 2015 California State Summer School for the Arts Program: Angela Matthews (El Capitan High), Yasmin Curiel-Ruth (Merced High), Lauren Miller (El Capitan High), Katherine Padilla (Los Banos High), Johanna Mayer (Buhach Colony High), Isabel Mendoza (Merced High), Daniel Murillo (Le Grand High), and Cassandra Marler (Golden Valley High).
27. Authorize Certificate of Recognition to Tom Musser for 40+ years in Fair Management.
28. Authorize Certificate of Recognition to Pastor Paul Lundberg, for 15 years of dedication and commitment to the Father of the Year Program.
29. Authorize Certificate of Recognition to Nelson Ortiz, for being selected as the 2015 Father of the Year.
30. Authorize Certificates of Recognition to various individuals selected by the Father of the Year Committee for the 2015 Essay Contest Awards.
31. Authorize Certificates of Recognition to various individuals who completed the Environmental Science Academy.
32. Authorize Certificate of Recognition to Stan Mollart for 16 years as Superintendent with McSwain Union Elementary School District.
33. Authorize Certificate of Recognition to Stefani School- MCOE for the Special Education Building Ribbon Cutting.
34. Authorize Certificate of Recognition to Dr. Scott Scambray for 8 years of service with Merced Union High School District.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

35. Authorize the Director of Public Works or his designee to sign Regional Surface Transportation program (RSTP) Exchange Fund Apportionments Claim for Fiscal Year 14/15 in the amount of \$785,537; submit said Claim to the Merced County Association of Governments (MCAG) for processing; and adopt the resolution.

**ADOPTED RESOLUTION NO. 2015-61 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

36. Consider the proposed Mitigated Negative Declaration for the Lake Road Shoulder Widening Project and comments received during the public review process, and find that there is no substantial evidence that the project will have a significant effect on the environment; and adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for the Lake Road Shoulder Widening Project.

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

37. Approve the Controls Replacement Project at the Iris Garrett Juvenile Justice Center; authorize the Public Works Dept. to proceed with preparation of design documents and a cost estimate for the Project utilizing retained architect Teter, LLP; and return to the Board upon completion of the documents.

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

38. Approve the Plans and Specifications for the Countywide Pedestrian Sidewalk In-Fill Projects in Planada and South Dos Palos; and direct Public Works to return to the Board with an Informational Item disclosing all actions taken on the project.

AUTHORIZED CONTRACT NO. 2015103 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

39. Authorize Public Works to issue a Project Supplement Contract No. 2013160 to Teter, LLP for \$21,660 to prepare the Needs Assessment, conceptual design and Opinion of Probable Construction Costs for the Los Banos Courthouse project.

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

40. Approve the agreement for sale of conservation credits for the California Tiger Salamander from Dutchman Creek Conservation Bank managed by Westervelt for the Santa Fe Avenue @ Deadman Creek Bridge Replacement Project.

AUTHORIZED CONTRACT NO. 2015104 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

41. 1) Approve the Plans and Specifications for the Lake Yosemite Park Fish & Game Building Re-Roof and HVAC Replacement; 2) Authorize Public Works to 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 and County Counsel and; 5) Direct Public Works to return to the Board with an Information Item describing all actions taken.

AUTHORIZED CONTRACT NO. 2015105 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

42. Ratify the modified Contract No. 2015013 with CH2M Hill to prepare the Black Rascal Flood Control Project environmental documentation and preliminary design for a fee not-to-exceed \$950,000; and Cancel Contract No. 2015019 with CH2M Hill for the Urban Flood Risk Reduction Program grant application.

AUTHORIZED CONTRACT NO. 2015013 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

HEALTH

43. Approve submission of a Safety Net Integration 2015 Grant Proposal to The Blue Shield of California Foundation to address gaps and lack of integration between mental health, substance abuse and primary care service; and return to the Board for contract approval if

awarded.

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

44. Interdepartmental Agreement for a joint funding partnership with First 5 Merced County to augment the breastfeeding policy component of the Centers for Disease Control and Prevention Partnership to Improve Community Health grant.

AUTHORIZED CONTRACT NO. 2015106 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

45. Contract with Fresno County Dept. of Public Health to allow for temporary reciprocal Health Officer Coverage at no cost for the period of July 14, 2015 through July 13, 2016.

AUTHORIZED CONTRACT NO. 2015107 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

46. Contract with Calif. Dept. of Public Health, Maternal Child and Adolescent Health Division, California Home Visiting Program for Maternal and Child Health in-home services.

AUTHORIZED CONTRACT NO. 2015102 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

47. Approve No-Cost Memorandum of Understanding with Central California Alliance for Health for coordination of care for California Children's Services Program Medi-Cal enrollees under the age of 21 for a two year term; and return to the Board with an Information Item prior to renewal.

PULLED – NO ACTION TAKEN

MENTAL HEALTH

48. Approve the submission of the Mental Health Services Act program Update to the FY 14/15 through FY 16/17 Three Year Plan, including all comments and any updates from the May 27, 2015 Mental Health Board Public Hearing to the Mental Health Services Oversight and Accountability Commission; authorize the Auditor-Controller to sign the necessary document in this Program Update certifying fiscal accountability of the Mental Health Services Act Programs; authorize the Mental Health Director to sign all necessary documents for submission of the Program Update to the FY 14/15 through 16/17 Three Year Plan; and adopt the resolution.

ADOPTED RESOLUTION NO. 2015-62 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

49. Approve and authorize the Chairman to sign Renewal Contract No. 2010170 with Community Social Model Advocates for alcohol and drug residential recovery services; authorize the Dept. of Administrative Services, on behalf of the Mental Health Dept. to develop and release a Request for Proposal to secure a qualified provider of Alcohol and Drug Residential Recovery Services, to select the most responsive bidder, to negotiate an agreement; and return to the Board for final agreement execution.

AUTHORIZED CONTRACT NO. 2010170 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

HUMAN SERVICES AGENCY

50. Contract with Valley Caregiver Resource Center for care giving support networks.

AUTHORIZED CONTRACT NO. 2015108 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

COMMUNITY AND ECONOMIC DEV.

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

PULLED – NO ACTION TAKEN

52. Authorize that the affected property may be sold subject to Section 25536.9 of the California Government Code; direct Community and Economic Development staff to post the required Notice of Sale of Real Property in compliance with section 6062(a) of the California Government Code with the Office of the County Clerk and in the newspaper; direct the Community and Economic Development Director to prepare the necessary documents for the sale and transfer of 1.66 acres of land to Uncle Buck's Blazin BBQ & Catering, LLC; adopt resolution; and return to the Board to consider acceptance and execution of final sale. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2015-63 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

53. Authorize that the affected property may be sold subject to Section 25536.9 of the California Government Code; direct Community and Economic staff to post the required Notice of Sale of Real Property in compliance with section 6062(a) of the California Government Code with the Office of the County Clerk and in the newspaper; direct Community and Economic Development Director to prepare the necessary documents for the sale and transfer of 2.05 acres of land to Art Lawrence; adopt resolution; and return to the Board to consider acceptance and execution of final sale. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2015-64 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

54. Authorize that the affected property may be sold subject to Section 25536.9 of the California Government Code; direct Community and Economic staff to post the required Notice of Sale of Real Property in compliance with section 6062(a) of the California Government Code with the Office of the County Clerk and in the newspaper; direct Community and Economic Development Director to prepare the necessary documents for the sale and transfer of 0.50 acres of land to Adam Reed; adopt resolution; and return to the Board to consider acceptance and execution of final sale. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2015-65 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

55. Contract with AMS.NET Inc. to provide Technology Expertise, Equipment, Services, and Systems through the Focus Program; authorize Chairman to sign contract and award announcement letter; and adopt the resolution authorizing the contract.

AUTHORIZED CONTRACT NO. 2015109 AND ADOPTED RESOLUTION NO. 2015-66 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

56. Approve Memorandum of Understanding with Merced Local Agency Formation Commission (LAFCO) for support services from the County's Community & Economic Development Dept. for the 2015/16 Fiscal Year.

AUTHORIZED CONTRACT NO. 2015110 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

CHILD SUPPORT SERVICES

57. Approve the relief of liability for Fixed Asset No. 54978 (Surveillance Cameras) by allowing the Auditor's Office to remove the items from the department's inventory.

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

DEPT. ADMINISTRATIVE SERVICES

58. Contract with Delta Wireless for Public Safety Radio Equipment Annual Maintenance.

AUTHORIZED CONTRACT NO. 2015111 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

PROBATION

59. Appoint Yvonnia Brown, Mental Health Director, to the Executive Committee of the Community Corrections Partnership, hereby replacing the Human Services Agency Director.

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

ELECTIONS

60. Adopt Resolution accepting the results for the election held on June 23, 2015 for the Merced County Employee's Retirement Association Board and declare the elected candidate to fill the member seat, as specified for a new term commencing July 1, 2015.

ADOPTED RESOLUTION NO. 2015067 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

FIRE

61. Adopt Emergency Water Distribution Program; and direct staff to return to the Board with an agreement for Emergency Water Distribution services with a Private Non-Profit Organization.

APPROVED AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4
REVIEW BOARD ORDER – SEE PAGE 12

HUMAN RESOURCES

62. Approve and adopt the amending resolutions to the Merced County Human Resources Rules and Regulations Resolution No. 2007-22; amending resolution to the Merced County Salary Allocation Resolution No. 06-120; amending resolution to the Merced County Recruitment and Selection Resolution No. 2013-92; and amending resolution to the Merced County Unrepresented Management Resolution No. 2012-92.

ADOPTED RESOLUTION NOS. 2015-68/RULES/REGS, 2015-69/SALARY, 2015-70/RECRUITMENT, AND 2015-71/UNREP MGMT. AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

EXECUTIVE OFFICE

63. Authorize the Clerk of the Board to sign the Local Planning Council Priorities Reports (State Preschool Child Care and Development Programs and General Child Care and Development Programs) as required by the California Department of Education, Child Development Division.

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

64. Contract with Shaw/Yoder/Antwih, Inc. for state legislative advocacy services; and Cancel Contract No. 2006206 with Peterson Consulting, Inc.
AUTHORIZED CONTRACT NO. 2015112 AS RECOMMENDED AYES: 1, 2, 3, 5 NOT PRESENT: 4

65. Provide staff direction on the At-Large Standing Committee.
PULLED – NO ACTION TAKEN

BOARD OF SUPERVISORS

66. Authorize \$500 of District One's Special Board Project Funds to be forwarded to the Sociedad Guadalupana for the 3rd Annual Community Resource Fair.

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

67. PULLED

68. Authorize up to \$750 of District Four's Special Board Project Funds to be paid to A & A Portables for rental of an ADA accessible porta potty at Winton Park through Labor Day.

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

69. Provide direction regarding the possible use of a District Project Request Form.

PULLED – NO ACTION TAKEN

BOARD APPOINTMENTS

70. Approve the reappointments of Michael Altomare, Steve Newvine, Greg Vincelet, Mark Bowden, and Brenda Callahan-Johnson, to serve on the Workforce Investment Board, until June 30, 2018.

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

71. Reappoint Eva de Long to serve as a member of the First 5 Commission, representing District 4 until March 23, 2018.

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

72. Reappoint Jennifer Sanchez to serve as a member of the Franklin/Beachwood Municipal Advisory Council, until April 6, 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

73. Public Health Department re: Madera County is exercising their option to renew the Physical and Occupational Therapy Services MOU with the Merced County Public Health per Exhibit A of the current Contract No. 2014126.

74. Merced County Mosquito Abatement District re: Manager's Report for May 2015.

75. Fish and Game Commission re: Notice of Proposed Emergency Action measures for Fisheries at Risk Due to Drought Conditions.

76. El Dorado Irrigation District re: Notice of Intent to Adopt a Negative Declaration.

THE BOARD RECESSED TO MEET AS AN IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY AND RECONVENED TO MEET AS A BOARD OF SUPERVISORS THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF MARY LUCICH AND CHARLIE BUENDIA AND ADJOURNED THE MEETING UNTIL TUESDAY, JULY 21, 2015 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JULY 7, 2015

10:00 A.M. SCHEDULED ITEM **2015-07-07 PUBLIC OPPORTUNITY**

Sohan Sahota comments regarding an easement on his property causing arguments between neighbors and submits a map of the easement.

Yolanda Garcia comments on an entry form submitted for access to Mr. Sahota's property and the status of the form.

James Hodges comments on water issues and almond farms using the majority of the water, and also comments on global warming.

Division Fire Chief Mark Lawson gives an update on the Fireworks Ordinance.
Present: Pedrozo, Walsh, McDaniel, O'Banion

10:00 A.M. SCHEDULED ITEM **2015-07-07 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING**

The time and date previously scheduled for a public hearing to consider revision of the Williamson Act Rules of Procedure.

The Clerk announces there is a typo on both the Resolution and the Rules and Procedures documents.

Supervisor O'Banion asks for County Counsel's opinion if there is a conflict for those who have property in the Williamson Act and voting on this item.

County Counsel James Fincher states the action today is just technical changes and not the type of action where anyone needs to recuse themselves.

Supervisor O'Banion and Supervisor Pedrozo both state they have property in the Williamson Act.

Deputy Director of Community and Economic Development Oksana Newman reviews the staff report and states the correction mentioned on the Rules Exhibit A is in Section C-7, a minor numerical error.

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 Walsh, seconded by Supervisor McDaniel, duly carried, the Board finds the revisions to the Merced County Rules and Procedures to Implement the California Land Conservation Act of 1965 are exempt from CEQA under Section 15183, Projects Consistent with a Community Plan or Zoning based on the Findings listed on the Board Agenda Item; and adopts Resolution No. 2015-57 to amend the Merced County Rules and Procedures to Implement the California Land Conservation Act of 1965.

Ayes: Pedrozo, Walsh, McDaniel, O'Banion

Not Present: Kelsey

ACTION ITEM NO. 61

2015-07-07 FIRE

The Clerk announces adoption of an Emergency Water Distribution Program and direction staff to return to the Board with an agreement for Emergency Water Distribution services with a Private Non-Profit Organization is before the Board for consideration.

Deputy Director of Office of Emergency Services Jeremy Rahn submits and reviews a powerpoint presentation on the Emergency Water Distribution Plan covering; Current Drought Conditions, Executive Order B-26-14, CDAA Requirements, Plan Administration, Temporary Water Delivery, and Implementation process.

The Board discusses the permit process and proximity to water sources, and how information on services will be distributed.

County Executive Officer Jim Brown states staff has put out an RFQ and has had one respondent. If the Board approves the item today staff will get a packet back to the Board as soon as possible.

Upon motion of Supervisor McDaniel, seconded by Supervisor O'Banion, duly carried, the Board adopts the Emergency Water Distribution Program and directs staff to return to the Board with an agreement for Emergency Water Distribution Services with a Private Non-Profit Organization.

Ayes: Pedrozo, Walsh, McDaniel, O'Banion

Not Present: Kelsey