

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, SEPTEMBER 15, 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

HEARING ASSISTANCE DEVICES ARE AVAILABLE FOR PUBLIC USE
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

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: Teamsters (Corrections), Unit 2; Merced County Deputy Sheriff Association (DSA), Unit 10; Teamsters (Non-Safety Corrections), Unit 12; 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 10

APPROVAL OF CONSENT AGENDA CALENDAR (Items #1 - 16)

PUBLIC HEARINGS:

MENTAL HEALTH - PUBLIC HEARING - PROPOSED ORDINANCE

To consider a Proposed Ordinance entitled: Mental Health Fee Schedule for Mental Health Services (Supersedes Ordinance No. 1924 and Amends Chapter 9.48 Section 9.48.030 of the Merced County Code.)

RECOMMENDATION: 1) Open Public Hearing and receive public comments; 2) Waive further reading of the ordinance; 3) Close public hearing and adopt ordinance amending Mental Health Fee Schedule for Mental Health Services (Supersedes Ordinance No. 1924 and Amends Chapter 9.48 Section 9.48.030 of the Merced County Code.)

REVIEW BOARD ORDER – SEE PAGES 10 AND 11

COMMUNITY AND ECONOMIC DEVELOPMENT - PUBLIC HEARING - PROPOSED RESOLUTION

To consider a Resolution to amend the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.

RECOMMENDATION: 1) Open the public hearing and receive public comments; 2) Close the public hearing; 3) Find the removal of the land from the Agricultural Preserve pertaining to: a) PLA15-008, located north of Shaw Avenue, 0.5 miles east of Shaffer Road in the Winton area; and, b) PLA15-009, located 0.5 miles northeast of the corner of Terceira Road and Phillips Road in the Los Banos area are exempt from CEQA under Section 15061(b)(3), General Rule based on the findings listed in the BAI; and, 4) Adopt the Resolution to amend the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.

REVIEW BOARD ORDER – SEE PAGE 11

PUBLIC WORKS - PUBLIC HEARING - SECOND READING OF PROPOSED ORDINANCE

Second reading to consider Proposed Ordinance entitled: Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area, and Maintenance of all buildings or structures in the County of Merced; and providing for the issuance of Building Permits and Collection of Fees therefore (Amends Ordinance Nos. 1912 and 1856 and Merced County Code Chapter 16.12).

RECOMMENDATION: 1) Introduce and conduct second reading of an ordinance amending Chapter 16.12 of the Merced County Code (Amends Ordinance Nos. 1912 and 1856) establishing a streamlined permit process for small residential rooftop solar energy systems; 2) Waive second reading of proposed ordinance; 3) Open public hearing and receive comments; 4) Close public hearing; 5) Adopt proposed ordinance.

REVIEW BOARD ORDER – SEE PAGES 11 AND 12

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-16)

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

Public Works

1. Adopt Resolution prohibiting the parking, stopping, or standing of vehicles, except the stopping of school buses as a bus loading zone, on the south side of Topeka Avenue from Benicia Court to Plainsburg Road in the Community of Planada; and authorize painting of curb and posting of signs to inform motorists of the restriction.

ADOPTED RESOLUTION NO. 2015-122

Mental Health

2. Authorize Mental Health to retroactively accept the increased funding to the Community Mental Health Services Block Grant (MHBG) funding for a revised total amount of \$998,291 for FY 2014-2015, to enhance youth and adult services.
3. Approve and authorize the Chairman to sign Renewal Contract No. 2013010 (State Agreement No. 15-92169) and all related contract documents with State Dept. of Health Care Services (DHCS) for the Strategic Prevention Framework State Incentive Grant; and adopt resolution.

ADOPTED RESOLUTION NO. 2015-123

Human Services Agency

4. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2007048 with Mental Health to provide Child Abuse Treatment program (CHAT) counseling services.
5. Approve the acceptance of additional California Health Advocates funds Amendment Contract No. 2015033, in the amount of \$500 to provide volunteer liaison support for the Senior Medicare Patrol program for Federal Fiscal year ending September 30, 2015; and approve the related budget transfer. (4/5 Vote Required)

Community and Economic Development

6. Set a public hearing for October 20, 2015 at 10:00 a.m. to recommend amendment of the agricultural preserve with reference to eleven parcels (resulting from five Property Line Adjustment) located at: 1) South side of Bradbury Road, 0.5 miles east of Cortez Avenue, in the Delhi area; 2) South side of E. South Bear Creek, 0.27 miles east of Piedmont Drive in the Merced area; 3) South side of W Rose Avenue, 670 feet east of N Sultana Drive in the Atwater area; 4) South side of W Magnolia Avenue, 0.25 miles west of Robin Avenue in the Livingston area; and 5) East side of S Hunt Road, 725 feet south of W Preston Road in the Newman area, as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.
7. Approve and authorize the Chairman to sign Amendment Contract No. 2014002 for lease of Building 1319, changing the Lessee/Tenant from Sierra Air Center Development, LLC to KS Aviation, Inc. dba Sierra Academy of Aeronautics at Castle Commerce Center.
8. Approve and authorize the Chairman to sign Amendment Contract No. 2014020 for the lease of Building 1015, changing the Lessee/Tenant from Sierra Air Center Development, LLC to KS Aviation, Inc. dba Sierra Academy of Aeronautics at Castle Commerce Center.

Fire

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

Executive Office

10. Approve travel request received from Public Works as recommended by Executive Office.
11. Act on Claims for Damages received from David Franklin and Rachel Sanchez as recommended by Risk Management and County Counsel.

Board Recognition

- 12. Proclaim the month of September 2015 as "National Recovery Month" in Merced County.
- 13. Proclaim Saturday, September 19, 2015 as Boys & Girls Clubs Day for Kids in Merced County.
- 14. Authorize Certificate of Recognition and Plaque to Maria Giampaoli for receiving the Catholic Charities of Merced, Harvest of Hope Award.
- 15. Authorize Certificate of Recognition to Maria Giampaoli for many years of dedicated service to the Le Grand Municipal Advisory Council.
- 16. Authorize Certificate of Recognition to Merced Soccer Academy (Atlas Academy) for their Grand Opening & Ribbon Cutting.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

- 17. Contract with Stantec Consulting Services, Inc for continued and on-going groundwater cleanup activities for the Los Banos Spring Fair Site; and approve related budget transfer.
AUTHORIZED CONTRACT NO. 2015163 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4
- 18. Contract with Stantec Consulting Services, Inc. for continued and on-going groundwater cleanup activities for the Gustine Corporation Yard Site; and approve related budget transfer.
AUTHORIZED CONTRACT NO. 2015164 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4
- 19. Approve the firm of, and the contract with, Vanir Construction Management, Inc. to provide Independent Licensed Architect (ILA) and associated professional services for the Americans with Disabilities Act (ADA) Settlement Agreement for Phase 1; 2) Authorize Public Works, County Counsel and Risk Management to negotiate the final terms and conditions of the contract; and authorize the Chairman to execute agreement after review by County Executive Officer and County Counsel.
AUTHORIZED CONTRACT NO. 2015165 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4
- 20. 1) Approve the Castle Airport Tower Re-Roof of Building 1340 Project with a total conceptual cost estimate of \$250,000; 2) Authorize the Director of Public Works to approve the plans and specifications; 3) Authorize Public Works to conduct a public bid opening; 4) Authorize the Director of Public Works to award the construction contract to the lowest responsible bidder provided said bid is within the established budget; 5) Authorize the Chairman to execute the construction contract upon review of Public Works and County Counsel and; 6) Direct Public Works to return to the Board with an Information Item describing all actions taken; 7) Approve related budget transfer (4/5's vote required).
AUTHORIZED CONTRACT NO. 2015166 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4
- 21. 1) Approve the HSA Tenant Improvements Project at 1920 Customer Care Way at Castle Commerce Center; 2) Approve the Plans and Specifications; 3) Authorize Public Works to

advertise said Plans and Specifications for a Public Bid Opening; 4) Authorize the Director of Public Works to award a Construction Contract provided the lowest responsible bid is within the available budget; 5) Authorize the Chairman to execute said Construction Contract upon review of Public Works and County Counsel; 6) Direct Public Works to return to the Board with an Information Item describing all actions taken; and 7) Approve related budget transfer.

AUTHORIZED CONTRACT NO. 2015167 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

MENTAL HEALTH

22. Retroactively approve and authorize Mental Health to submit Projects for Assistance in Transition from Homelessness (PATH) Grant Application documents for 2015-2016 to the State Department of Health Care Services (DHCS) for approval for the amount of \$94,546, with a required non-federal match amount of \$31,515; authorize Director of Mental Health to sign all PATH documents necessary for submittal; and return to the Board upon receipt of approval by DHCS of PATH grant documents.

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

23. Retroactively approve and authorize Mental Health to submit Mental Health Block Grant (MHBG) application documents for 2015-2016 to the State Department of Health Care Services (DHCS) for approval for the amount of \$1,010,529; authorize the Director of Mental Health to sign all MHBG documents necessary for submittal; and return to the Board upon receipt of approval by DHCS of MHBG application documents.

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

24. Approve and authorize the Chairman to sign the 2014 Continuum of Care Program Grant Agreement No. CA0780L9T201406 for Project Home Start, which is effective from June 1, 2015 through May 31, 2016 for a total amount of \$133,885; and return to the Board for any subsequent approval related actions necessary for implementation of the grant project.

AUTHORIZED CONTRACT NO. 2015160 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

25. Approve and authorize the Chairman to sign 2014 Continuum of Care Program Grant Agreement No. CA0984L9T201402 with U.S. Department of Housing and Urban Development for Project Hope Westside for funds in amount of \$149,097, effective May 1, 2015 through April 30, 2016; return to the Board for any subsequent approval related actions necessary for implementation of the grant project.

AUTHORIZED CONTRACT NO. 2015161 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

26. Contract with Merced Lao Family Community, Inc. for the implementation of the Southeast Asian Community Advocacy Program.

AUTHORIZED CONTRACT NO. 2015168 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4

27. PULLED

HUMAN SERVICES AGENCY

28. Contract with California Dept. of Veterans Affairs for CalVet for Veterans Mental Health Outreach Services (State Revenue Contract No. 15XS0008).

**AUTHORIZED CONTRACT NO. 2015169 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

29. 1) Approve County of Merced's Sponsorship of the 2015 Veterans Day Parade to be held on November 11, 2015. 2) Authorize Risk Management to secure Special Event Insurance naming the City of Merced as additional insured for this event. 3) Authorize the Chairman to sign the Street Closure Application; and 4) Approve the submission of the Street Closure Application.

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

COMMUNITY AND ECONOMIC DEVELOPMENT

30. Adopt resolution approving the new Revolving Loan Fund Administration Plan as required by the U.S. Department of Commerce, Economic Development Administration.

**ADOPTED RESOLUTION NO. 2015-124 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

31. Approve Construction Permit for CVIN, LLC to install Fiber Optic infrastructure within the confines of Castle Commerce Center to connect unwired broadband to their network; authorize the Director of Community and Economic Development to sign the Construction Permit to perform the installation of the fiber optic infrastructure; and return to the Board with an Easement Agreement.

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

32. Approve the release of Requests for Proposal for a realtor and real estate appraiser to handle the real estate transactional issues associated with Neighborhood Stabilization Program 3.

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

WORKFORCE INVESTMENT

33. Accept Modification One (1) to Subgrant K698371 incorporating First Round Workforce Innovation and Opportunity Act (WIOA) Formula funding under grant codes 201, 292, 501, and 540 for Program Year 2015-16 in the amount of \$331,410 to provide employment-related services to adults and dislocated workers in Merced County.

**AUTHORIZED CONTRACT NO. 2015170 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

CHILD SUPPORT SERVICES

34. Authorize Chairman to sign the Plan of Cooperation between Merced County Department of Child Support and Calif. Department of Child Support Services; and authorize Director of Child Support Services to sign the Plan of Cooperation.

**AUTHORIZED CONTRACT NO. 2015162 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

TREASURER/TAX COLLECTOR

35. Authorize the Auditor to remove the 2009/2010 transaction record for APN 056-250-036-000 from the default roll and authorize the change to a new sub number in order to correct the transaction.

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

EXECUTIVE OFFICE

36. Authorize Chairman to sign contract with Benefitfocus.com, Inc. for implementation of benefit education and enrollment software; and approve related budget transfer.

**AUTHORIZED CONTRACT NO. 2015171 AS RECOMMENDED AYES: 1, 2, 3, 5
NOT PRESENT: 4**

37. Authorize staff to distribute ADA notice to all agency heads; publish said notice in the Merced Sun Star and post the notice pursuant to the terms of the Settlement Agreement.

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

38. Approve the designation change of the alternate representative for the CSAC EIA Board of Directors from Brad Smith, Risk Management Director, to Scott De Moss, Assistant County Executive Officer.

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

39. Approve similar salary adjustments as adopted by the Board on June 16, 2015 for other unrepresented management (Unit 20) for Class 2470 (County Counsel) to be effective Pay Period 19, 2015.

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

BOARD OF SUPERVISORS

40. Authorize \$2,000 of District Four's Special Board Project Funds to be forwarded to Zeke Nelson for Love Delhi.

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

BOARD APPOINTMENTS

41. Reappoint Ginny Farmer to serve as a member of the Library Advisory Commission, representing District Five until August 31, 2019.

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

42. Appoint Roger Fife, M.D. to serve as Provider-At-Large on the Santa Cruz-Monterey-Merced Managed Medical Care Committee until April 22, 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, 4 NOT PRESENT: 4

43. Board of Supervisors re: To provide the Board with the Special Board Project Funds request form submitted by Dan Ramos (September 1, 2015 Board Agenda Item), and to clarify to the Board that the Special Board Project Funds request is from the Hilmar Community Hall Dan Ramos Center for the purchase of freezers.

44. Public Works re: Lake Yosemite Park Main Beach and Concession Area Improvement Project as envisioned was cancelled (Contract No. 2010064). The Proposition 40 funding was used to design and build the new Snelling Community Building at Henderson Park and CIP Funds were used to demolish the old concession building and repair and reconstruct the Main Beach Walking Pier.

45. Public Works re: Contract No. 2015064 awarded to RNR Construction, Sacramento, CA in the amount of \$1,044,777.77, for the Santa Fe Avenue over Deadman Creek Bridge Replacement Project.
46. Human Resources re: Revised Operation Directives (#15-106, 15-107, 15-108, 15-109, 15-110, 15-111, 15-112, 15-114, 15-115, 15-116, 15-117, 15-118, 15-119 and 15-120).
47. Community and Economic Development re: Lease Agreement issued to Sierra Air Center Development, LLC on May 13, 2014; and Lease Agreement No. 1 issued to KS Aviation, Inc. dba Sierra Academy of Aeronautics on September 1, 2015 for Building 1110 (approximately 9,360 sq. ft.) located at Castle Commerce Center.

CONTRACT NO. 2015172

48. Community and Economic Development re: Lease Agreement issued to Self-Help Enterprises for Building 1327 (approximately 1,200 sq. ft.) and 1.00 acre of land located at Castle Commerce Center.

CONTRACT NO. 2015173

49. State Water Resources Control Board re: Notice of Petitions for Temporary Change involving the transfer of up to 10,000 acre-feet of water from South Feather Water & Power Agency to participating agencies of the State Water Contractors, Inc. under permits 1267 and 2492 (Applications 1651 and 2778).
50. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to Section 632, Title 14, California Code of Regulations, relating to marine protected areas, which was published in the California Regulatory Notice Register on August 28, 2015.
51. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to Sections 1.92 and 703, Title 14, California Code of Regulations, relating to Transgenic Definition; Application and Fee Regulations, which was published in the California Regulatory Notice Register on August 21, 2015.
52. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to amend Sections/ (subsections) 1.05, 1.53, 1.86, 2.00, 5.60, 5.80, 5.81, 7.00, 7.50(b)(156.5) and (b)(180.6), 27.00, and 230; and Add Sections 1.57 and 5.41, Title 14, California Code of Regulations, relating to Freshwater Sport Fishing Regulations, which was published in the California Regulatory Notice Register on August 21, 2015.
53. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to Section 180.6, Title 14, California Code of Regulations, relating to commercial hagfish traps, which was published in the California Regulatory Notice Register on August 21, 2015.
54. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to amend Sections 29.80 and 29.85, Title 14, California Code of Regulations, relating to recreational Dungeness crab and crab trap regulations, which was published in the California Regulatory Notice Register on August 21, 2015.
55. Fish and Game Commission re: Notice of Proposed Regulatory Action relative to amend Sections 163 and 164, Title 14, California Code of Regulations, relating to commercial herring fishery regulations, which was published in the California Regulatory Notice Register on August 21, 2015.

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF RUTH OSORIO, JUDY NORTH, JOSEPH SILVA, AND DENARD DAVIS AND ADJOURNED THE MEETING UNTIL TUESDAY, OCTOBER 6, 2015, AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – SEPTEMBER 15, 2015

10:00 A.M. SCHEDULED ITEM

2015-09-15 PUBLIC OPPORTUNITY

John Balisterie reads a letter from 2013 regarding his retirement and loyalty bonuses and states he did not receive his loyalty bonus with his pension.

The following state concerns with the short staffing, low pay at the Sheriff's office, and concerns with losing deputies to higher paying jobs; Sergeant Kevin Blake, Deputy Mark Taylor, Deputy Sam Beccera, and Mark Cabero.

Nancy Young Bergman comments on CASA Foster Youth needs and upcoming Sweet Potato Festival, and submits flier.

Division Fire Chief Mark Lawson gives a brief update on the Water Emergency Program.

Salvador Wallie, Winton MAC comments on the proposal for a Charter School in Winton and would like the Board's support.

James Hodges comments on police protection at Lake Yosemite, Air Quality, UC Student Housing parking area, and the use of bicycles.

Public Works Mechanic David Garcia comments on the negotiations for The Bus and MCAG hiring outside consultants to fire the Public Transit Director.

Susan Saldana, Merced resident comments on her disabled son being assaulted on Merced Transit bus and wants to know why the driver is not looking out for individuals riding the transit.
Present: Pedrozo, Walsh, McDaniel, O'Banion
Not Present: Kelsey

10:00 A.M. SCHEDULED ITEM

2015-09-15 MENTAL HEALTH – PUBLIC HEARING – ADOPTED ORDINANCE NO. 1935

The time and date previously scheduled for a public hearing to consider Proposed Ordinance entitled: Mental Health Fee Schedule for Mental Health Services (Supersedes Ordinance No. 1924 and Amends Chapter 9.48 Section 9.48.030 of the Merced County Code).

Mental Health Director Yvonnia Brown reviews the staff report.

Upon motion of Supervisor O'Banion, seconded by Supervisor Walsh, duly carried, the Board waives further reading of the ordinance.
Ayes: Pedrozo, Walsh, McDaniel, O'Banion
Not Present: Kelsey

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 O'Banion, duly carried, the Board adopts Ordinance No. 1935 entitled; Mental Health Fee Schedule for Mental Health Services (Supersedes Ordinance No. 1924 and Amends Chapter 9.48 Section 9.48.030 of the Merced County Code).

Ayes: Pedrozo, Walsh, McDaniel, O'Banion

Not Present: Kelsey

10:00 A.M. SCHEDULED ITEM

2015-09-15 COMMUNITY AND ECONOMIC DEVELOPMENT – PUBLIC HEARING

The time and date previously scheduled for a public hearing to consider a Resolution to amend the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.

Deputy Director of Community and Economic Development Oksana Newmen reviews the staff report.

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.

Supervisor O'Banion asks if there have been any comments from the State Dept. of Conservation.

Ms. Newmen states there have been no comments.

Upon motion of Supervisor O'Banion, seconded by Supervisor McDaniel, duly carried, the Board finds the removal of the land from the Agricultural Preserve pertaining to: a) PLA15-008, located north of Shaw Avenue, 0.5 miles east of Shaffer Road in the Winton area; and, b) PLA15-009, located 0.5 miles northeast of the corner of Terceira Road and Phillips Road in the Los Banos area are exempt from CEQA under Section 15061(b)(3), General Rule based on the findings listed in the BAI; and, adopts Resolution No. 2015-121 amending the Agricultural Preserve as per the requirements of the Land Conservation Act of 1965 (Williamson Act) Section 51200 et seq. of the California Government Code.

Ayes: Pedrozo, Walsh, McDaniel, O'Banion

Not Present: Kelsey

10:00 A.M. SCHEDULED ITEM

2015-09-15 PUBLIC WORKS – PUBLIC HEARING – ADOPTED ORDINANCE NO. 1936

The time and date previously scheduled for a public hearing to consider second reading of Proposed Ordinance entitled: Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area, and Maintenance of all buildings or structures in the County of Merced; and providing for the issuance of Building Permits and Collection of Fees therefore (Amends Ordinance Nos. 1912 and 1856 and Merced County Code Chapter 16.12).

Director of Public Works Dana Hertfelder reviews the staff report and states this ordinance codifies for roof top solar projects.

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

Ayes: Pedrozo, Walsh, McDaniel, O'Banion

Not Present: Kelsey

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 Walsh, duly carried, the Board adopts Ordinance No. 1936 entitled; Regulating the Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area, and Maintenance of all buildings or structures in the County of Merced; and providing for the issuance of Building Permits and Collection of Fees therefore (Amends Ordinance Nos. 1912 and 1856 and Merced County Code Chapter 16.12).

Ayes: Pedrozo, Walsh, McDaniel, O'Banion

Not Present: Kelsey