

SUMMARY ACTION MINUTES

BOARD OF SUPERVISORS

Regular Meeting

TUESDAY, JUNE 7, 2016

Closed Session – 8:30 a.m.

Regular Meeting – 10:00 a.m.

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

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

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

8:30 A. M.

**THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA-
TESTIMONY IS LIMITED TO THREE MINUTES PER PERSON**

CLOSED SESSION:

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

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL -
SIGNIFICANT EXPOSURE TO LITIGATION:**

It is the intention of the Board to meet in Closed Session concerning significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One Case

**CLOSED SESSION - CONFERENCE WITH REAL PROPERTY
NEGOTIATOR:**

It is the intention of the Board to meet in Closed Session concerning a Conference with Real Property Negotiator(s) Mark Hendrickson, Director-Community and Economic Development pursuant to Government Code Section 54956.8 as follows:

Property: Building 1248 at Castle Commerce Center

Agency Negotiator: Mark Hendrickson, Director Community and Economic Development

Negotiation Parties: Shane Parson & Chris Vierra, and Dr. Edward Vanek

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

**THE BOARD RECESSED AT 8:30 A.M. AND RECONVENED AT
10:00 A.M. WITH ALL MEMBERS PRESENT, AND THE CHAIRMAN
ADVISED SIGNIFICANT EXPOSURE ITEM WAS PULLED AND 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 14

APPROVAL OF CONSENT AGENDA CALENDAR (ITEMS #1 - 47)

PUBLIC HEARING:

PUBLIC HEALTH - PUBLIC HEARING

To consider the Report of Demolition of the structure located at 490 Highway 33, Gustine, CA (APN# 054-120-006)

RECOMMENDATION:

1) Open Public Hearing and accept public comment; 2) Close public hearing; 3) Authorize the Auditor-Controller and Tax Collector to assess the cost of demolition for a total amount of \$14,123.09, on the FY 16-17 Assessment Roll as a Special Assessment and a lien on the property, pursuant to the Uniform Housing Code Section 1605 OR Obligate the property owner to pay all costs of demolition according to Uniform Housing Code Section 1605.2.

REVIEW BOARD ORDER - SEE PAGE 14

COMMUNITY AND ECONOMIC DEVELOPMENT - CONTINUED FROM MAY 24, 2016

To consider Conditional Use Permit Application No. CUP14-012 - Greenlight Energy Solar Project.

RECOMMENDATION:

1) Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting program prepared for CUP14-012; 2) Remove the project site from the Williamson Act Agricultural Preserve and adopt the resolution; 3) Approve Conditional Use Permit number CUP14-012 for the Greenlight Energy 3MW solar energy facility located on the west side of Ortigalita Road, 1800 feet north of Charleston Road in the Los Banos area subject to conditions of approval included in the staff report OR: Approve Conditional Use Permit number CUP14-012 for the Greenlight Energy 3MW solar energy facility located on the west side of Ortigalita Road, 1800 feet north of Charleston Road in the Los Banos area subject to conditions of approval included in the staff report, and subject to one additional condition of approval as follows: "At the end of the project service life, the property owner shall make a full and complete application to the County for addition of the project site to the County Agricultural Preserve Area."

REVIEW BOARD ORDER - SEE PAGE 15 AND 16

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

CONSENT CALENDAR (Items # 1-47)

APPROVED AS RECOMMENDED AYES: ALL

Public Works

1. Adopt the Resolution designating the intersection of Clausen Road and Golf Link Road in the Hilmar area as an all-way stop intersection; and direct the Director of Public Works to post stop signs on the Golf Link Road approaches to its intersection with Clausen Road.
ADOPTED RESOLUTION NO. 2016-49
2. Adopt the Resolution designating the intersection of Central Avenue and Liberty Avenue in the Atwater area as an all-way stop intersection; and direct the Director of Public Works to post stop signs on the Central Avenue approaches to its intersection with Liberty Avenue.
ADOPTED RESOLUTION NO. 2016-50
3. Approve Budget transfer in the amount of \$13,500 for the fiber optic network connectivity needs of the Coroner expansion project.
4. Approve Budget Transfer in the amount of \$82,000 to purchase new vehicle and Hayworth workstations in FY 2015/2016. (4/5 Vote Required)

Health

5. Approve Budget Transfer in the amount of \$10,663.92 to purchase modular furniture for Public Health Administration room 243 & 245 to replace old non-ergonomic desks.
6. Approve Budget Transfer in the amount of \$18,367.56 for modular furniture for the Public Health Dept. Clinic Room 106, 107 and Exam Room to replace old non-ergonomic desks.
7. Approve and authorize the Chairman to sign Amendment Contract No. 2015102 with California Dept. of Public Health, Maternal Child and Adolescent Health Division, California Home Visiting Program (State Contract No. 15-10164) for Maternal and Child Health in-home services.

Mental Health

8. Approve and authorize the Chairman to sign Amendment Contract No. 2012115 with California Institute for Behavioral Health Solutions for services related to consultation, training and technical assistance on the integration of behavioral health and primary care.
9. Approve and authorize the Chairman to sign Amendment Contract No. 2014106 with Turning Point Community Programs for specialty mental health, employment, housing and Peer Mentor services as part of the Mental Health Services Act, Community Assistance Recovery Enterprise and Wellness Centers Programs.
10. Approve and authorize the Chairman to sign Amendment Contract No. 2015206 with Community Action Agency for property management and operating service activities related to the Project Home Start.
11. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2011177 with Human Services Agency/Area Agency on Aging for implementation of the Older Adult System of Care Program as part of the Mental Health Services Act Community Services and Supports.

12. Approve and authorize the Chairman to sign Renewal Contract No. 2015168 with Merced Lao Family Community, Inc. for the implementation of the Southeast Asian Community Advocacy Program.
13. Approve and authorize the Chairman to sign Renewal Contract No. 2014155 with Merced Lao Family Community, Inc. for continuing services through Integrated Mental Health in Primary Care Settings Program and the Cultural Brokers for Mental Health Services Program as part of the Mental Health Services Act Prevention and Early Intervention.
14. Approve and authorize the Chairman to sign Renewal Contract No. 2014057 with the City of Livingston Police Dept. for Mental Health and Police in Schools Program in Livingston's middle school.

Human Services Agency

15. Approve Budget Transfer in the amount of \$11,648 to increase revenue and appropriations in Professional & Special Services for Multipurpose Senior Services Programs for prior year expenses. (4/5 Vote Required)
16. Approve and authorize the Chairman to sign Interdepartmental Renewal Contract No. 2014193 with Public Health for public health nurse services.
17. Approve and authorize the Chairman to sign Renewal Contract No. 2015134 with Bear Creek Land Company, LP for lease of storage space at 56 W. 15th Street in Merced.
18. Approve and authorize the Chairman to sign Renewal Contract No. 2014055 and certification form CDA1024 (State Revenue Contract #HI-1617-31) with California Dept. of Aging for Health Insurance Counseling Advocacy services; and adopt the resolution.
ADOPTED RESOLUTION NO. 2016-51
19. Approve and authorize the Chairman to sign Renewal Contract No. 2014097 and certification form CDA1024 (State Revenue Contract #AP-1617-31) with California Dept. of Aging for Senior Service Programs; and adopt the resolution.
ADOPTED RESOLUTION NO. 2016-52
20. Approve and authorize the Chairman to sign Renewal Contract No. 2004211 and certification form CDA1024 (State Contract #MS-1617-28) with California Dept. of Aging for Senior Case Management Services; and adopt the resolution.
ADOPTED RESOLUTION NO. 2016-53

Sheriff

21. Approve Budget Transfer in the amount of \$40,000 to increase budget for the transport bus-type vehicle for corrections. (4/5 Vote Required)
22. Approve and authorize the Chairman to sign Amendment Contract No. 2012188 with Global Tel*Link for telephone services for the adult inmates housed in the Sheriff's Correctional Facilities to bring these services into compliance with FCC rulings on Inmate Telephone Service commissions.

Community and Economic Development

23. Set a public hearing for July 12, 2016 at 10:00 a.m. to receive public comment, and to consider adoption of the updated Housing Element and Land Use Element update (GPTA16-001) to the Merced County General Plan, including the SB244 analysis and Negative Declaration.

District Attorney

24. Approve the District Attorney's participation in the Worker's Compensation Insurance Fraud Program and authorize the District Attorney to submit a grant application (Renewal Contract No. 2006233) to the California Department of Insurance in the amount of \$182,912 for FY 16/17; and adopt the resolution authorizing the District Attorney to execute the Grant Award agreement.

ADOPTED RESOLUTION NO. 2016-54

25. Approve the District Attorney's participation in the Unserved/Underserved Victim Advocacy and Outreach Program and authorize the District Attorney to accept the grant award in the amount of \$350,000; adopt resolution; authorize the District Attorney to sign the Grant Award Agreement Renewal Contract No. 2011049; authorize the Chairman to sign the Certificate of Assurance of Compliance; approve the addition of one Victim Witness Advocate position, classification 7196, salary range 62.3 in budget unit 20401; and approve the amendments to the Position Allocation Resolution 06-120/A and adopt resolution.

ADOPTED RESOLUTION NOS. 2016-55 (OES Victim Witness) and 2016-56 (Position Allocation)

Public Defender

26. Approve and authorize the Chairman to sign Renewal Contract No. 2013115 with Big Valley Investigations, Stan Scott Investigator, for investigator services.
27. Approve and authorize the Chairman to sign Renewal Contract No. 2014114 with Cahoone Investigations, Charles Cahoone Investigator, for investigator services.
28. Approve and authorize the Chairman to sign Renewal Contract No. 2005041 with Peter Wann Investigations for investigator services.
29. Approve and authorize the Chairman to sign Renewal Contract No. 2015158 with George R. Pirtle Investigations for investigator services.

Treasurer/Tax Collector

30. Grant the County Treasurer relief for shortages in the amount of \$100; and grant the Treasurer replenishment in the amount of \$100 for a counterfeit bill.

Fire

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

Child Support Services

32. Approve and authorize the Chairman to sign Renewal Contract No. 2015087 with Laboratory Corporation of America (LabCorp) for genetic testing services.

Workforce Investment

33. Approve the Local Workforce Development Board Recertification request for Program Years 2016-2018 to continue providing employment related services to businesses and job seekers under the Workforce Innovation and Opportunity Act in Merced County.

Executive Office

34. Approve Budget Transfer in the amount of \$276,000 to address the higher than anticipated cost and revenue recovery in the sales tax audit and recovery program. (4/5 Vote Required)
35. PULLED

Board Recognition

36. Authorize Certificate of Recognition to Rivera Elementary School for Ribbon Cutting Ceremony.
37. Authorize Certificate of Recognition to Planada Elementary School for Grand Opening of PES Multi-Use Room.
38. Authorize Certificate of Recognition to Friends of Merced County Fair for Big Barn Ribbon Cutting Ceremony.
39. Authorize Certificates of Recognition to the following individuals selected by the Los Banos VFW 2487/American Legion Post 166 as 2016 First Responder: Jesse Ceja-Los Banos Police Dept.; Mark Frontella-Los Banos Fire Dept.; Tommy Flynn-Los Banos, Fire Dept.; Roberto Torres-Merced County Sheriff's Dept.; Efrain Chavarria-Los Banos California CDF; Todd Perreira-California Highway Patrol; and Daniel Mast-Riggs Ambulance.
40. Authorize Certificates of Recognition to the following individuals selected by the American Legion Merced Post 83 for Law Enforcement Officers of the Year: Matthew Vierra-Atwater Police Dept.; Eginardo Mendoza-California Highway Patrol/Atwater; Todd Perreira-California Highway Patrol/Los Banos; Zeus Baldevia-Livingston Police Dept.; Richard Mancera-Los Banos Police Dept.; Sara Rosenthal-Merced County District Attorney; Melinda Jones-Merced County District Attorney; Craig Mckeeman-Merced Police Dept.; Mark Taylor-Merced County Sheriff's Dept.; Brian Rios-Merced County Sheriff's Dept.; and Olaf Lopez-UC Merced Police Dept.
41. Authorize Certificate of Recognition to Mike and Mary Bass for being chosen as Grand Marshals for the Planada Community Day Parade.
42. Authorize Certificates of Recognition to the following individuals for being selected by the Soroptimist International of Los Banos for various awards: Shaelyn Pugliese-June Erreca Award; Kirstin E. Maron-Live Your Dream Award 1st Place; Vanessa M. Pimental-Live Your Dream Award 2nd Place; Deo Brasil Thoreson and Jennifer Barcellos-Ruby Award; Quail and Upland Wildlife Federation-Friends of Soroptimist Award; Alexandra Marques Yanez, Payton Brazil, Nayeli Gonzalez and Michelle Cigolini-Live Your Dream Scholarship and Susan Young-2016 Soroptimist of the Year Award.
43. Authorize Certificate of Recognition to various individuals for being selected as 2016 Outstanding Senior Volunteers as listed on page 2 of the Board Agenda Item.
44. Authorize Certificates of Recognition to various individuals for dedicated leadership to the Merced Lao Family Inc. and the community as listed on page 2 of the Board Agenda Item.
45. Authorize Certificates of Recognition to KAMB Celebration Radio for Ribbon Cutting.
46. Authorize Certificate of Recognition to Pastor Bruce Rivers for 1st Year Anniversary of service to Mt. Moriah Baptist Church.

47. Authorize Certificates of Recognition to Alyssa Leigh-Ann Ayala and Jake Ryan Walejko in honor of being recipients of the Mary Keith Duff Memorial Scholarship.

REGULAR CALENDAR

BOARD ACTION

PUBLIC WORKS

48. Approve submitting an application to Caltrans for the Active Transportation Program Grant by June 15, 2016; adopt the Resolution endorsing the Plainsburg Road Complete Street Upgrade Project in the Planada area; adopt the Resolution endorsing the Delhi Community In-Fill Sidewalk Improvement Project in the Delhi area; and direct Public Works to return to the Board at a later date with an informational item noting all actions taken.
ADOPTED RESOLUTION NOS. 2016-57 (Plainsburg) AND 2016-58 (Delhi) AS RECOMMENDED AYES: ALL
49. 1) Approve the Agreement for Purchase of Real Property between Merced County and Dennis C. Nunes and Diane M. Nunes for acquisition of property and temporary construction easement for the Moraga Road over Outside Canal Bridge Replacement Project; 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; 3) Adopt Resolution accepting the Grant Deed; and, 4) Approve payment to Fidelity National Title Company for the accepted value of property plus escrow and any other transaction fees.
AUTHORIZED CONTRACT NO. 2016115 AND ADOPTED RESOLUTION NO. 2016-59 AS RECOMMENDED AYES: ALL
50. 1) Approve the Agreement for Purchase of Real Property between Merced County and Carlos Orta and Julie Orta for acquisition of property and temporary construction easement for the Moraga Road over Outside Canal Bridge Replacement Project; 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; 3) Adopt Resolution accepting the Grant Deed and; 4) Approve payment to Fidelity National Title Company for the accepted value of property plus escrow and any other transaction fees.
AUTHORIZED CONTRACT NO. 2016116 AND ADOPTED RESOLUTION NO. 2016-60 AS RECOMMENDED AYES: ALL
51. Approve the Agreement for Purchase of Real Property between Merced County and Nicole Griffin for acquisition of property and temporary construction easement for the Moraga Road over Outside Canal Bridge Replacement Project; 2) Authorize the Chairman to sign the agreement listing the terms and conditions of the acquisition; 3) Adopt Resolution accepting the Grant Deed from Nicole Griffin for acquisition of property for the Moraga Road over Outside Canal Bridge Replacement Project; and, 4) Approve payment to Fidelity National Title Company for the accepted value of property plus escrow and any other transaction fees.
AUTHORIZED CONTRACT NO. 2016117 AND ADOPTED RESOLUTION NO. 2016-61 AS RECOMMENDED AYES: ALL
52. Approve three separate retainer agreements between Merced County and Omni-Means; TJKM; and Hatch Mott MacDonald for the preparation of transportation studies and impact fee recommendations; authorize the Chairman to execute the retainer agreements; and authorize the Director of Public Works to negotiate and execute Project Supplement

Agreements and amendments up to \$150,000.

AUTHORIZED CONTRACT NOS. 2016118 (Omni), 2016119 (TJKM), 2016120 (Hatch Mott MacDonald) AS RECOMMENDED AYES: ALL

53. Approve three separate Retainer Agreements with Hatch Mott MacDonald, Omni Means and TRC Engineers, Inc. for Intersection Signalization and Channelization Design Services; authorize the Chairman to execute all three Retainer Agreements; and authorize the Director of Public Works to execute Project Supplement Agreements and Amendments to the Retainer Agreements.

AUTHORIZED CONTRACT NOS. 2016121 (Hatch Mott MacDonald), 2016122 (Omni Means), 2016123 (TRC Engineers) AS RECOMMENDED AYES: ALL

54. Appoint Zachary T. Janz, as County Surveyor, effective May 14, 2016.

APPROVED AS RECOMMENDED AYES: ALL

55. Increase the Mental Health Facilities Remodel Project Budget from \$27,365,000 to \$31,636,400; Award the Base Bid, Additive Alternates "B1" and "S1" and Deductive Alternate "G1" to Harris Construction of Fresno for a total Construction Contract amount of \$23,858,000; and authorize the Chairman to execute said Construction Contract after review by County Counsel.

AWARD CONTRACT NO. 2016075 AS RECOMMENDED AYES: ALL

HEALTH

56. Approve submission of application to the United States Dept. of Agriculture for the Farmers Market Promotion Program to start a Farmers Market in the City of Livingston for a capacity building grant in the amount of \$249,130; and return to the Board for contract approval if awarded.

APPROVED AS RECOMMENDED AYES: ALL

57. Contract with Page, Wolfberg & Wirth, LLC for Emergency Medical Services System Review.

AUTHORIZED CONTRACT NO. 2016124 AS RECOMMENDED AYES: ALL

58. Approve the Intergovernmental Agreement No. 14-90608 regarding transfer of public funds with the California Dept. of Healthcare Services; 2) approve the Intergovernmental Transfer Assessment Fee Contract No. 14-90638; 3) Approve Amendment 11 for County Contract No. 2010280 with the Central California Alliance for Health; and 4) Authorize the Chairman to sign all copies of the three agreements with the authorization to execute conditional upon California Dept. of Health Care Services approval in substantially the form submitted.

AUTHORIZED CONTRACT NO. 2016125 (Trans. Fee) AND 2016126 (Assessment Fee) AS RECOMMENDED AYES: ALL

MENTAL HEALTH

59. Approve submission of Mental Health Block Grant (MHBG) application documents for 2016-2017 to the State Dept. of Health Care Services (DHCS) for approval in the amount of \$1,109,663; authorize the Director of Mental Health to sign all MHBG documents necessary for submittal; and return to the Board upon receipt of grant approval.

APPROVED AS RECOMMENDED AYES: ALL

60. Retroactively approve submission of Projects for Assistance in Transition from Homelessness (PATH) Grant application documents for 2016-2017 to the State Dept. of Health Care Services (DHCS) in the amount of \$93,823 with a required non-federal match

amount of \$31,275; authorize the Director of Mental Health to sign all PATH documents necessary for submittal; and return to the Board upon receipt of grant.

APPROVED AS RECOMMENDED AYES: ALL

61. Contract with Mariposa County Behavioral Health and Recovery for the provision of inpatient services at Marie Green Psychiatric Health Facility.

AUTHORIZED CONTRACT NO. 2016127 AS RECOMMENDED AYES: ALL

62. Accept the California Health Facilities Financing Authority (CHFFA) Investment in Mental Health Wellness Grant Fifth Round grant funds in the amount of \$1,089,000 for the remodel of the existing Wellness Center to a 6-8 bed Crisis Stabilization Unit (CSU) for adults and refurbish the current CSU to a 4-bed CSU for youth ages 12-18; and return to the Board for any subsequent approval related actions necessary for implementation of the grant project.

AUTHORIZED CONTRACT NO. 2016128 AS RECOMMENDED AYES: ALL

COMMUNITY AND ECONOMIC DEVELOPMENT

63. Direct staff to provide advisory support to the Nature Conservancy for the "County-Level Greenhouse Gas (GHG) Accounting Methodology Study and Implementation Guide" project.

APPROVED AS RECOMMENDED AYES: ALL

64. 1) Determine that the affected property at Castle Commerce Center may be sold subject to Section 25536.9 of the California Government Code; 2) Direct 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; and 3) Direct the Community and Economic Development Director to prepare the necessary documents for the sale and transfer of Building 785 along with 1.06 acres of land to Chris Vierra & Shane Parson; 4) adopt resolution; and return to the Board to consider acceptance and execution of final sale. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2016-62 AS RECOMMENDED AYES: ALL

65. 1) Determine that the affected property at Castle Commerce Center may be sold subject to Section 25536.9 of the California Government Code; 2) Direct 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; and 3) Direct the Community and Economic Development Director to prepare the necessary documents for the sale and transfer of Building 1333 along with 1.64 acres of land to Chris Vierra & Shane Parson; 4) adopt resolution; and return to the Board to consider acceptance and execution of final sale. (4/5 Vote Required)

ADOPTED RESOLUTION NO. 2016-63 AS RECOMMENDED AYES: ALL

66. Confirm approval of the tentative cancellation of the Williamson Act contract WA2000-0258 for 3.65 acres for Conditional Use Permit No. CUP07-006, Church of God in Christ Mennonite, located on the east side of Central Avenue and 800 feet north of Walnut Avenue in the Winton Area; and adopt resolution.

ADOPTED RESOLUTION NO. 2016-64 AS RECOMMENDED AYES: ALL

67. Contract with Quad Knopf, Inc. for consultant services involving preparation of a water supply assessment and water and wastewater master plan for the Planada Community Plan Update Environmental Impact Report.

AUTHORIZED CONTRACT NO. 2016129 AS RECOMMENDED AYES: ALL

WORKFORCE INVESTMENT

68. Contract with Merced County Office of Education to provide Workforce Innovation and Opportunity Act youth services.
AUTHORIZED CONTRACT NO. 2016130 AS RECOMMENDED AYES: ALL
69. Approve the Memorandum of Understanding with American Association of Retired Persons for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016131 AS RECOMMENDED AYES: ALL
70. Approve Memorandum of Understanding with California Indian Manpower Consortium, Inc. for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016132 AS RECOMMENDED AYES: ALL
71. Approve Memorandum of Understanding with Central Valley Opportunity Center for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016133 AS RECOMMENDED AYES: ALL
72. Approve Memorandum of Understanding with Housing Authority of Merced County for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016134 AS RECOMMENDED AYES: ALL
73. Approve Memorandum of Understanding with Job Corps for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016135 AS RECOMMENDED AYES: ALL
74. Approve Memorandum of Understanding with Merced County Community Action Agency for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016136 AS RECOMMENDED AYES: ALL
75. Approve Memorandum of Understanding with Merced Adult School for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016137 AS RECOMMENDED AYES: ALL
76. Approve Memorandum of Understanding with Merced College for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016138 AS RECOMMENDED AYES: ALL
77. Approve Memorandum of Understanding with Merced County Office of Education for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016139 AS RECOMMENDED AYES: ALL
78. Approve Memorandum of Understanding with Human Services Agency for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016140 AS RECOMMENDED AYES: ALL
79. Approve Memorandum of Understanding with State Employment Development Department for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016141 AS RECOMMENDED AYES: ALL
80. Approve Memorandum of Understanding with State Department of Rehabilitation for Workforce Innovation and Opportunity Act Partner Services.
AUTHORIZED CONTRACT NO. 2016142 AS RECOMMENDED AYES: ALL

SHERIFF

81. Contract with Trinity Services Group, Inc. for Food Service Management Services for the meals served to the inmates at the adult correctional facilities, juvenile detainees at the Probation Dept. Facility, and the patients at the Marie Green Mental Health Facility.
AUTHORIZED CONTRACT NO. 2016143 AS RECOMMENDED AYES: ALL

HUMAN RESOURCES

82. Approve the amendments to the Salary Allocation Resolution 06-120.
ADOPTED RESOLUTION NO. 2016-65 AS RECOMMENDED AYES: ALL

EXECUTIVE OFFICE

83. Authorize the Clerk of the Board to sign the Local Planning Council (LPC) County Priorities Report Form as required by the California Dept. of Education, Early Education and Support Division (EESD).
APPROVED AS RECOMMENDED AYES: ALL
84. Approve and authorize the Board Chairman to sign the proposed property tax sharing agreement between the City of Los Banos and the County of Merced, allow staff to make any necessary non-substantive changes with the approval of the County Executive Officer and Counsel; and adopt the resolution to share property tax revenue in areas annexed to the City of Los Banos.
AUTHORIZED CONTRACT NO. 2016144 AND ADOPTED RESOLUTION NO. 2016-66 AS RECOMMENDED AYES: ALL
REVIEW BOARD ORDER - SEE PAGE 16
85. Provide staff direction on Revenue Sharing discussions.
REVIEW BOARD ORDER - SEE PAGE 16 AND 17

BOARD OF SUPERVISORS

86. Authorize \$160 of District One, District Two, District Four and District Five Special Board Projects Funds for a total of \$640 to be forwarded to Golden Valley Track and Field for repairs to their timing camera.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 4 NOT PRESENT: 5
87. PULLED

BOARD APPOINTMENTS

88. Reappoint Keng Ger Cha as a member of the Behavioral Health Board, representing District Three until June 30, 2019.
APPROVED AS RECOMMENDED AYES: 1, 2, 3, 4 NOT PRESENT: 5

BOARD INFORMATION & POSSIBLE ACTION

- ACCEPTED AND PLACED ON FILE AYES: ALL**
89. Merced County Library will host a Paleontological Exhibit for the purpose of education of the public during the summer of 2016.
90. Madera County is exercising their option to renew the Physical and Occupational Therapy Services Memorandum of Understanding with Public Health Dept. per Exhibit A of the

current Contract No. 2014126.

CONTRACT NO. 2014126

91. Merced County Mosquito Abatement District re: Manager's Report for April 2016.
92. Fish and Game Commission re: Notice of Proposed regulatory action relative to Amending sections 1.53 and 27.00; and subsection 28.65(a), Title 14, California Code of Regulations, relating to definitions for tidal waters and finfish gear restrictions in San Francisco and San Pablo bays, which was published in the California Regulatory Notice Register on May 20, 2016.
93. State Board of Equalization re: County Assessment Appeals Filing Period for 2016.

THE BOARD ADOPTED RESOLUTIONS IN MEMORY OF JERRY WESTFALL AND GERTRUDE FAGUNDES, AND ADJOURNED THE MEETING UNTIL TUESDAY, JUNE 28, 2016 AT 10:00 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – JUNE 7, 2016

10:00 A.M. SCHEDULED ITEM

2016-06-07 PUBLIC OPPORTUNITY

Jean Okuye, Livingston resident and East Merced Resource Conservation District President, speaks regarding the Integrated Regional Water Management (IRWM) grant received by the Merced Resource Conservation District and the need for a line of credit.

Rich Miller, Merced Citizens Committee member, addresses the Board regarding the Committee's updated proposal to change M Street to Veterans Boulevard. Mr. Miller states that the goal is to add to the street name, not replace the street name, and businesses would not be required to change their addresses.

Marilyn Miliatti, Edward Mitchell Sr. Drilling representative, voices her concerns about well drilling permits submitted and denied.

Bobby Deol, Atwater farmer, expresses his concerns with the denial of his well permit and states he is barely keeping his trees alive. He requests that the permits be approved.

Public Health Director Kathleen Grassi responds to the concerns regarding the well permits and states there will be follow up to this issue.

David Garcia expresses concerns with regard to the use of the bus wash facility for steam cleaning of bus engines. He states that the bus wash facility is designed for dirt and bugs only, not grease and oil.

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

10:00 A.M. SCHEDULED ITEM

2016-06-07 PUBLIC HEALTH – PUBLIC HEARING

The time and date previously set for a public hearing to consider the report of demolition and consider adding costs of demolition to the tax assessment roll or obligating owner.

Environmental Health Director Ron Rowe reviews the staff report.

Upon a motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board authorizes the Auditor-Controller and Tax Collector to assess the cost of demolition for a total amount of \$14,123.09 and obligates the property owner to pay all costs of demolition according to Uniform Housing Code Section 1605.2, obligating the owner due to the value of property being less than demolition costs.

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

10:00 A.M. SCHEDULED ITEM

2016-06-07 COMMUNITY AND ECONOMIC DEVELOPMENT – Continued from May 24, 2016

The Clerk announces this item is continued from May 24, 2016 to consider Conditional Use Application No. CUP14-012 – Greenlight Energy Solar Project – to construct and operate a 3.0 megawatt solar power generation facility on a 21 acre portion of a 25 acre parcel.

Community and Economic Development Director Mark Hendrickson reviews the staff report. Mr. Hendrickson states that at the end of the May 24 Board meeting, the Board requested further information with regard to the following: 1) The status of the ag preserve at the end of the project service life; and 2) Information related to job creation from other solar projects in the area. He further states that with regard to the ag preserve, if approved the project would be removed from the reserve area, and they will be required to mitigate for the loss of farmland at a 1:1 ratio. Mr. Hendrickson states that with regard to job creation totals, 292 jobs were created with the Quinto and Vega projects with approximately 85% of those jobs coming from Merced County residents. Mr. Hendrickson states that the applicant is present and is agreeable to conditions requiring landscaping as an aesthetic buffer, is agreeable to relocation of poles, and is amenable to a financial surety being in place to offset the costs of reclamation should there be a need to remove facilities in the event they vacate the property, or if the project comes to a close, whichever is sooner.

Greenlight Energy Corp. representative Selena Mitchell addresses the Board to confirm that the issues of financial assurance, landscaping, and power pole relocation have been discussed with her and her management, and they are in full agreement. Ms. Mitchell states that the 3 poles will be relocated as far away from Mr. Mevi's property and any other residential properties in the area; they will provide any landscaping needed to provide a visual barrier from the residence on either side; and a performance bond is acceptable along with their decommissioning plan.

Dr. John Mevi states he is in agreement with conditions placed, and asks if the project is decommissioned earlier than the 25 years, will it be immediately taken care of and cleared out. Mr. Mevi states he is concerned with electromagnetic waves affecting humans, cantaloupes, and bees.

Greenlight Energy Corp. representative Selena Mitchell responds to Mr. Mevi's concerns and states that from safety standpoint, her company pays for the local utility company to make inspections.

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting program prepared for CUP14-012.

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

Upon motion of Supervisor O'Banion, seconded by Supervisor McDaniel, duly carried, the Board removes the project site from the Williamson Act Agricultural Preserve and adopts Resolution No. 2016-48.

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

Upon motion of Supervisor O'Banion, seconded by Supervisor McDaniel, duly carried, the Board approves Conditional Use Permit No. CUP14-012 for the Greenlight Energy 3MW solar energy facility located on the west side of Ortigalita Road, 1800 feet north of Charleston Road in the Los Banos area subject to conditions of approval included in the staff report, in addition to the 3 identified stipulations related to landscaping, power pole relocation, and financial assurance; and at the end of the project service life, the property owner shall make a full and complete application to the County for addition of the project site back into the County Agricultural Preserve Area.
Ayes: Walsh, Pedrozo, McDaniel, Kelsey, O'Banion

ACTION ITEM NO. 84

2016-06-07 EXECUTIVE OFFICE

The Clerk announces the proposed property tax sharing agreement between the City of Los Banos and the County of Merced is before the Board for consideration.

County Executive Officer James Brown states that it would be nice to have a master agreement countywide, but it is not possible because each city is unique. He states that it has been a goal to try and stay as close to an equal sharing of 50/50 of all revenues available. Mr. Brown submits for the record, and reviews, a power point outlining the City of Los Banos proposed Agreement and speaks regarding General Fund, Fire Fund, Undeveloped Annexations, and Ag Mitigation. The power point also covers Property Tax Apportionment. Mr. Brown informs the Board that the City of Los Banos approved the agreement at their meeting of June 6, 2016.

Los Banos Interim City Manager Gary Brizee informs the Board that the City of Los Banos approved the agreement on June 6, 2016, and encourages the Board to approve the agreement.

The Board discusses base and increment, sales tax, sunset date, meet and confer, ag land mitigation, and Farmland Trust.

Jean Okuye, Livingston resident, states she is very concerned regarding farmland and states ag land needs to be preserved.

Following lengthy discussion and upon motion of Supervisor O'Banion, seconded by Supervisor Pedrozo, duly carried, the Board authorizes Contract No. 2016144 for Property Tax Sharing Agreement with the City of Los Banos and adopts Resolution No. 2016-66 to share property tax revenue in areas annexed to the City of Los Banos.

Ayes: Walsh, Pedrozo, McDaniel, O'Banion

Noes: Kelsey

ACTION ITEM NO. 85

2016-06-07 EXECUTIVE OFFICE

The Clerk announces staff direction on revenue sharing is before the Board for consideration.

County Executive Officer James Brown informs the Board that staff is looking for specific direction with regard to the City of Merced, and states that for Atwater and Livingston, the key component staff is looking at is a sharing of sales tax. Mr. Brown states that contrary to discussion

out in the community, there have been no meetings or discussions with the City of Atwater over the last few years with regard to revenue sharing and only recently began to meet. Both have gone over the major components of what they would like to achieve. Atwater is interested in doing away with the per capita fee for services, and Merced County is interested in sharing in the sales tax. With regard to the City of Livingston, proposals have been sent a couple of times since 2014 with no response. Recently there was a meeting with staff and elected officials, and on June 2, 2016, the first response was received; however, it was to propose implementing the previous agreement. Mr. Brown states there are components of that agreement that do not fit in the times anymore. He states that, unless given other direction by the Board, staff will be attempting to structure an agreement with similar sharing concepts on both property and sales tax with the City of Livingston.

County Executive Officer James Brown submits for the record, and reviews, a power point outlining the City of Merced proposed concept and speaks regarding Fire Fund, General Fund, County Services Payment, Shared Risk, Changes to ERAF, Ag Mitigation and County Services Payment.

Following lengthy discussion County Executive Officer James Brown confirms direction from the Board is to move forward with revenue sharing agreements similar to the Los Banos agreement to include ag land mitigation, property tax, and ERAF.

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