



# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

Regular Meeting  
TUESDAY, SEPTEMBER 16, 2008  
Final Budget Hearings – 1:30 p.m.

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

JOHN PEDROZO.....DISTRICT 1  
CHAIRMAN KATHLEEN M. CROOKHAM....DISTRICT 2  
MICHAEL G. NELSON.....DISTRICT 3  
DEIDRE F. KELSEY....DISTRICT 4  
JERRY O'BANION.....DISTRICT 5  
Lydia A. Beiswanger, Chief Clerk

DEMITRIOS O. TATUM  
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.*

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SCHEDULED ITEMS

1:30 P. M.

**COUNTY EXECUTIVE OFFICER'S COMMENTS (SUMMARY COMMENTS)**  
**REVIEW BOARD ORDER – SEE PAGE 5**

**AUDITOR'S COMMENTS**  
**REVIEW BOARD ORDER – SEE PAGE 5**

**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 five minutes per person)**

**AUDITOR - PUBLIC HEARING**

To consider revising the Appropriation Limit for 2008/09 established under Article XIIB of the Constitution

(1) Open the Public Hearing. (2) Approve using the change in population within the incorporated areas of the County as the population factor, and the change in California per capita personal income as the cost of living factor to establish the Fiscal Year 2008/09 appropriation limit, (3) Adopt the Resolution establishing the Fiscal Year 2008/09 appropriation limit as \$567,149,477.

**REVIEW BOARD ORDER – SEE PAGE 5**

**REPORTS/BOARD DIRECTION**

County Executive Officer, County Counsel, County Auditor, Board of Supervisors Members

CONSENT CALENDAR (Item #1)

1. Approve Final Budget Adjustments based on more current information to various budget units within the General Fund and Other Funds as presented: 10000, 10100, 11000, 11500, 12500, 16000, 16900, 17000, 17100, 17200, 17300, 17400, 17700, 17900, 19000, 19700, 19900, 20100, 20200, 20400, 22000, 22100, 23000, 23300, 23400, 25000, 26000, 27000, 28100, 28300, 28400, 40000, 40600, 41500, 45600, 45700, 45800, 45900, 49500, 50000, 50500, 55000, 55100, 55200, 55300, 55600, 59000, 60000, 61000, 70200, 7100, 75100, 75200, 75300, 75500, 75900.

**APPROVED AS RECOMMENDED AYES: ALL**

REGULAR CALENDAR

BOARD ACTION - POLICY ISSUES (Items #2 - 11)

OUT OF STATE TRANSPORTATION AND TRAINING FOR FISCAL YEAR 2008/09

2. Approve the Schedule of Out-of-State for Transportation and/or Training for FY 2008/09 and direct that no Out-of-County-Overnight or Out-of-State Travel take place unless authorized by the County Executive Officer or his designee.

**APPROVED AS RECOMMENDED AYES: ALL**

CAPITAL ASSETS - FY 2008/09

3. Approve the Capital Asset List by budget unit at the sub-object level as appropriated in the FY 2008/09 Final Budget and direct that no capital assets be procured unless authorized by the County Executive Officer or his designee.

**APPROVED AS RECOMMENDED AYES: ALL**

LEASE PURCHASE AGREEMENTS

4. Authorize the Director of Administrative Services to negotiate, execute and sign Lease Purchase Agreements for equipment appropriated in the FY 2008/09 Budget subject to review by Auditor, County Counsel and the County Executive Officer.

**APPROVED AS RECOMMENDED AYES: ALL**

RETIREMENT SYSTEM EMPLOYER CONTRIBUTION RATES FOR FISCAL YEAR 2008/09

5. Adopt the requested Employer Rate increase of 1.25% for Miscellaneous/Safety Tier 1 and 2 and have it applied to Merced County's portion of the UAAL effective on the payroll of October 3, 2008.

**APPROVED AS RECOMMENDED AYES: ALL**

PUBLIC WORKS

6. Approve the Vehicle User Mileage Rates as recommended by the Vehicle User Committee for the 2008-2009 Fiscal Year.

**APPROVED AS RECOMMENDED AYES: ALL**

7. Approve the identified Road Division Work Program for Fiscal Year 2008/09.

**APPROVED AS RECOMMENDED AYES: ALL**

STATE BUDGET IMPACT

8. Impact of delayed State of California Fiscal Year 2008/2009 Budget - Pending the outcome of the State Budget, direct Staff to return to the Board of Supervisors with recommendations to bring costs inline with Federal and State funding as a result of the State's Final Budget.

**APPROVED AS RECOMMENDED AYES: ALL**

AGRICULTURAL CRIME RELATED STAR TEAM

9. Sheriff's Tactical and Reconnaissance Team

(1) Consider and discuss the formation of AG STAR Team as presented in:

Option A. Utilize existing Deputies and Add One Sheriff Sergeant.

Option B. Add 3 Deputies and One Sheriff Sergeant and backfill 3 existing Deputies.

Option C. No AG STAR Team but backfill 3 existing Deputies.

(2) Direct County Executive Officer/Auditor-Controller to reduce contingency fund, if needed, based on outcome of Board of Supervisors decision,

(3) Approve the amending Resolutions, if needed, to the Salary and Position Allocation Resolutions based on the option approved.

**REVIEW BOARD ORDER – SEE PAGES 6 AND 7**

AUDITOR'S SCHEDULES

10. Approve Auditor's Schedules 1, 2, 3 and Other Budget Schedules including Reserves and Appropriation for Encumbrance Carryover for the Fiscal Year 2008/09 budget year.

**APPROVED AS RECOMMENDED AYES: ALL**

FISCAL YEAR 2008/09 FINAL BUDGET ADOPTION

11. Resolution adopting the Fiscal Year 2008/09 Final Budget: (1) Approve Resolution adopting the Fiscal Year 2008/09 Final Budget as reviewed and amended during Final Budget Hearings. (2) Authorize the Auditor-Controller to make the technical adjustments as necessary.

**ADOPTED RESOLUTION NO. 2008-182 BGT AS RECOMMENDED AYES: ALL**

**ADOPTED RESOLUTIONS IN MEMORY OF ANNA FUENTAS, ROSE PASSADORI, BILL TEIXEIRA, MURIEL KAHL AND TED MCVEY AND ADJOURNED MEETING UNTIL TUESDAY, OCTOBER 7, 2008 AT 10:00 A.M.**

**BOARD ORDERS – SUMMARY ACTION MINUTES**  
**SEPTEMBER 16, 2008 – BUDGET HEARING SESSION**

**1:30 P.M. SCHEDULED ITEM**  
**2008-09-16 COUNTY EXECUTIVE OFFICE**

County Executive Officer Dee Tatum makes preliminary comments regarding the 2008/09 Final Budget stating there is no shortfall in the budget as presented; however, the State has not yet adopted its budget and staff is anticipating reductions that will require adjustments in the future.

Deputy County Executive Officer-Budget Scott DeMoss and Assistant County Executive Officer Jim Brown review the Fiscal Year 2008-09 Final Budget powerpoint presentation.  
Present: Crookham, Pedrozo, Nelson, Kelsey, O'Banion

**1:30 P.M. SCHEDULED ITEM**  
**2008-09-16 AUDITOR**

Auditor-Controller Stephen Jones reviews General Fund Reserves, Trust Fund, Revenue, Debt Service and Capital Projects.  
Present: Crookham, Pedrozo, Nelson, Kelsey, O'Banion

**1:30 P.M. SCHEDULED ITEM**  
**2008-09-16 AUDITOR**

The time and date previously set for a public hearing to consider a Resolution setting the Appropriation Limit for 2008/2009 established under Article XIIB of the Constitution as submitted by the Auditor.

The Chairman asks if there is anyone present wishing to speak. No one speaks.

The Chairman closes the public hearing.

The Board discusses the population base used for the appropriation limit.

Upon motion of Supervisor O'Banion, seconded by Supervisor Pedrozo, duly carried, the Board approves using the change in population within the incorporated areas of the County as the population factor, and the change in California per capita personal income as the cost of living factor to establish the Fiscal Year 2008-09 Appropriation Limit as \$567,149,477 and adopts Resolution No. 2008-181.

Ayes: Crookham, Pedrozo, Nelson, Kelsey, O'Banion

**ACTION ITEM NO. 9**  
**2008-09-16 SHERIFF**

County Executive Officer Dee Tatum reviews the staff report regarding formation of an Agriculture Sheriff's Tactical and Reconnaissance (STAR) Team and advises the Sheriff has provided statistics on the current STAR Team and warrants served and statistics for 2007 and 2008 reported stolen property and arrests.

Assistant County Administrator Jim Brown reviews the Ag STAR options proposals and staffing costs.

The Board discusses the options and the need to provide safety to the citizens of Merced County.

Supervisor Kelsey moves, seconded by Supervisor Pedrozo, the Board authorize forming an Agriculture STAR Team and as provided in Option A - backfill three Deputy Sheriff positions that were previously funded from grants or other revenue and add one Sheriff Sergeant for a total cost of \$442,974 with the matter to return to the Board at Mid-Year for further consideration.

The Board further discusses the outlined options provided in the staff report and the funding of the Agriculture STAR Team.

Supervisor O'Banion states he cannot support the motion and questions the Sheriff's Ag Crime Team utilization is solely for agricultural crime.

CEO Tatum suggests the Sheriff provide statistics to the Board every six months to insure the positions are used for ag crimes only.

Following further discussion, Supervisors Kelsey and Pedrozo agree it is appropriate to take the \$130,648 for the Sergeant position out of the Contingency Fund in order to provide public safety services throughout the County.

Supervisor O'Banion states concern with the next year funding for the positions and feels the Board should have more information before taking action.

Following discussion Supervisor Kelsey moves, seconded by Supervisor Pedrozo, to Amend the Motion on the Floor, to direct the Sheriff to provide a Statistical Report every six months.

Sheriff Mark Pazin responds to Board Members' questions and states a report back will be provided to the Board.

Supervisor O'Banion suggests if the Board selects Option A, have an agreement to start with a base which will indicate whether or not the Ag STAR Team is truly a success and suggests this language be added to the amended motion.

Supervisors Kelsey and Pedrozo agree and Amends the Motion, to reflect the Board authorize forming an Agriculture STAR Team and as provided in Option A - backfill three Deputy Sheriff positions that were previously funded from grants or other revenue and add one Sheriff

Sergeant for a total cost of \$442,974 to begin with a base in place to help determine the success of the Ag STAR Team and direct the Sheriff provide a statistical report every six months.

The Chairman calls for a vote on the Amended Motion. Motion carries.

Ayes: Crookham, Pedrozo, Nelson, Kelsey, O'Banion