



SUMMARY ACTION MINUTES BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, AUGUST 18, 2015
Final Budget Hearings – 1:30 p.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

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SCHEDULED ITEMS

1:30 P. M.

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)

COUNTY EXECUTIVE OFFICER - BUDGET PRESENTATION FISCAL YEAR 2015/16 BUDGET PRESENTATION
REVIEW BOARD ORDER – SEE PAGE 6

AUDITOR - PUBLIC HEARING

To consider setting the Appropriation Limitation for 2015/16 established under Article XIII B of the State Constitution.

RECOMMENDATION: (1) Open the Public Hearing; (2) Approve using the change in all counties having contiguous borders as the population factor, and the change in California per capita personal income as the cost of living factor to establish the Fiscal Year 2015/16 appropriation limitation, and (3) Adopt the Resolution establishing the Fiscal Year 2015/16 appropriation limitation as \$963,655,138

REVIEW BOARD ORDER – SEE PAGE 6

REPORTS/BOARD DIRECTION

County Executive Officer, County Counsel, Board of Supervisors Members

BUDGET CALENDAR

FINAL BUDGET ADJUSTMENTS

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, 10260, 11000, 11100, 11200, 11300, 11400, 11500 12500 13000, 14000, 14200, 16000, 16100, 16200, 16300, 16400, 16500, 17000, 17200, 17500, 17600, 17700, 18100, 18200, 19000, 20000, 20100, 20400, 20600, 22100, 23000, 23100, 23300, 23400, 24000, 25000, 25100, 27000, 27100, 27200, 28000, 28300, 28400, 28500, 28700, 28800, 29400, 40000, 40600, 41500, 49500, 50000, 50500, 51000, 54000, 55000, 55100, 55200, 55300, 55400, 60000, 61000, 72000, 75000, 75100, 75200, 75500, 75600

APPROVED AS RECOMMENDED AYES: ALL

OUT-OF-STATE TRANSPORTATION AND TRAINING FOR FISCAL YEAR 2015/16

2. Approve the Schedule of Out-of-State for transportation and/or training for FY 2015/16 and direct that no Out-of-State travel take place unless authorized by the County Executive Officer, or designee.

APPROVED AS RECOMMENDED AYES: ALL

LEASE PURCHASE AGREEMENTS

3. Authorize the Director of Administrative Services to negotiate, execute, and sign Lease Agreements for equipment appropriated in the FY 2015/16 Budget subject to review by

Auditor and County Counsel, and the County Executive Office.

APPROVED AS RECOMMENDED AYES: ALL

CAPITAL ASSETS - FY 2015/16

4. 1) Approve the Capital Asset List by budget unit at the sub-object level as appropriated in the FY 2015/16 Final Budget; and 2) Direct that no capital assets be procured unless authorized by the County Executive Officer, or designee.

APPROVED AS RECOMMENDED AYES: ALL

FLEET USER RATES - FY 2015/16

5. Approve the Vehicle User Mileage Rates for the 2015-2016 Fiscal Year.

APPROVED AS RECOMMENDED AYES: ALL

COMMUNITY CORRECTIONS PARTNERSHIP

6. 1) Request the Board approve the AB 109 FY 2015/16 budget as recommended by the Community Corrections Partnership; 2) Approve the addition of one (1) Deputy District Attorney I/II/III/IV (Class 3061/3063/3080/3081, Range 72.7/77.0/80.9/84.2) in Budget Unit 20400 to assist with increased workload that has been impacted by adult realignment; 3) Approve the addition of one (1) Deputy Public Defender I/II/III/IV (Class 4030/4031/4035/4036, Range 72.7/77.0/80.9/84.2) in Budget Unit 20600 to assist increased workload that has been impacted by adult realignment; 4) Approve the addition of one (1) Correctional Officer I/II (Class 2345/2335, Range 65.1/67.1) in Budget Unit 23000 to assist with the re-entry program located in the John Latorraca Correctional Facility; 5) Approve the addition of four (4) Deputy Probation Officer I/II/III (Class 4020/4021/4022, Range 65.8/67.8/70.8), one (1) Supervising Probation Officer (Class 4025, Range 75.1) in Budget Unit 23406, and one (1) Legal Process Clerk I/II (Class 7434/7435, Range 61.7/63.7) in Budget Unit 23400 to support a new unit within the adult division due to an increased AB 109 population; 6) Approve the amendment to the Position Allocation Resolution 06-120A.

ADOPTED RESOLUTION NO. 2015-107 BGT AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGES 6 AND 7

POLICY ACTION

7. 1) Approve the submission of an application to the California Board of State and Community Corrections for SB 863 Revenue Bond funds for the expansion and remodeling of the John Latorraca Correctional Center located on Sandy Mush Road, and authorize staff to make minor revisions as necessary prior to the deadline submittal; 2) Approve and adopt submitted Resolution; 3) Authorize the Chairman of the Board to sign the proposal application and any related agreements and associated documentation upon review of County Executive Office and County Counsel; and 4) Direct the Department of Public Works to return to the Board with the results of the proposal application for further direction.

ADOPTED RESOLUTION NO. 2015-108 BGT AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGES 7 AND 8

8. 1) Approve the plans and specifications for the One Stop Permit Center Remodel Project; 2) Authorize the Department of 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 of the Board of Supervisors execute the Construction Contract upon review of DPW and County Counsel; 5) Approve the Final Budget Adjustment as identified in BU 17000; and 6) Direct the DPW to

return to the Board with an Information Item describing all actions taken.

AUTHORIZED CONTRACT NO. 2015152 AS RECOMMENDED AYES: ALL

9. Approve the Special Services Agreement with the Gordian Group, Inc. dba The Mellon Group (Gordian), of Greenville, South Carolina, in the not-to-exceed amount of \$500,000, to provide Job Order Contracting (JOC) Program development, implementation, and management services; 2) Authorize the Chairman of the Board to execute the agreement with Gordian after review by County Counsel, for a contract term of three (3) years; and 3) Authorize the Director of Public Works to execute amendments to and/or exercise the option to extend the agreement for two (2) additional one-year terms.

AUTHORIZED CONTRACT NO. 2015141 AS RECOMMENDED AYES: ALL

10. Approve the Final Budget adjustments as listed in Budget Unit 70000 to allow for the transfer of \$100,000 into Fund 02639 - Environmental Health Repair and Demolition Fund.

APPROVED AS RECOMMENDED AYES: ALL

11. 1) Approve the identified Road Division Work Program for Fiscal Year 2015/2016; and 2) Approve the Final Budget Adjustments listed in Budget Unit 30000.

APPROVED AS RECOMMENDED AYES: ALL

12. Adopt the resolution expressing support for identifying a sufficient and stable funding source for local street, road and state highway maintenance and rehabilitation.

ADOPTED RESOLUTION NO. 2015-109 BGT AS RECOMMENDED AYES: ALL

13. 1) Approve Contract with Global Logistics Development (GLD) Partners, LLC for Development Partnership Solicitation scope for Castle Commerce Center for a total of \$280,000 for the period September 1, 2015 through June 30, 2017.

AUTHORIZED CONTRACT NO. 2015151 AS RECOMMENDED AYES: ALL

REVIEW BOARD ORDER – SEE PAGE 8

14. Make the determination, as required by Government Code section 16142(e), that the State provided less than one-half of the actual foregone general fund property tax revenues, related to the Williamson Act program in FY 14/15.

Rule of Necessity:

County Counsel James Fincher states three members of the Board have stated a conflict with the Williamson Act due to their or their family's Williamson Act contracts and may have a direct financial impact on property taxes, or at the very least a remote interest.

Supervisors O'Banion, Kelsey, and Pedrozo declare a conflict of interest due to ownership of land in their districts that is under Williamson Act contracts.

The action before the Board requires a simple majority for the Board to take action. With three Board members declaring a conflict, there is no longer a quorum. Therefore, the County enacts the Rule of Necessity to pick a supervisor to sit for this item. The three Board members will draw straws and whoever gets the short straw will determine the voting member to remain. County Executive Officer James Brown holds the straws and Supervisor Pedrozo selects the short straw. Supervisor Pedrozo remains in the Chambers to participate and Supervisors O'Banion and Kelsey leave the Chambers.

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

REVIEW BOARD ORDER – SEE PAGES 8 AND 9

PERSONNEL ACTIONS

15. (1) Approve the Fiscal Year 15/16 Final Budget Personnel Modifications as follows: 1) Assessor - Budget Unit 11200: Re-establish and Add 1 Chief Appraiser; Change 1 Assistant Title Technician (Pos 32) to Appraiser I/II/III. 2) District Attorney - Budget Unit

20400: Add 1 District Attorney Investigator I/II. 3) Public Defender - Budget Unit 20600: Add 1 Legal Secretary. 4) Sheriff Operations - Budget Unit 22100: Change 1 Deputy Sheriff/Coroner I/II (Pos 178) to Lieutenant. 5) Community Economic Development - Budget Unit 28500: Add 1 Office Assistant III; Change 1 Code Compliance Supervisor (Pos 9) to Planner I/II/III. 6) Animal Control - Budget Unit 28700: Change 1 Animal Control Officer I/II (Pos 27) (V/S) to Animal Control Officer I/II (F/T). 7) Public Health - Budget Unit 40000: (B/U 40001) Delete 1 CC Public Health Director (Pos 208); Change 1 Accounting Technician (Pos 42) to Staff Services Analyst I/II. 8) Mental Health - Budget Unit 41500: (B/U 41501) Delete 1 CC Interim Asst Mental Health Dir (Pos 353); Add 1 Mental Health Clinician I/II; Add 1 Quality Assurance Specialist; (B/U 41505) Change 1 Licensed Mental Health Worker (Pos 174) to Mental Health Worker I/II; (B/U 41506) Delete 1 CC Interim Dir of Mental Health (Pos 336). 9) Medical Assistance Program - Budget Unit 49500: (B/U 49501) Transfer 1 Medical Claims Clerk I/II (Pos 14) to Budget Unit 40007. 10) Human Services Agency - Budget Unit 50000: (B/U 50050) Re-establish and Add 1 County Veterans Service Officer; (B/U 50053) Add 24 Family Services Representative I/II; Add 3 Family Services Representative III; Add 3 Family Services Supervisor; Add 2 Program Manager; (B/U 50054) Re-establish and Add 1 Sup Welfare Fraud Investigator; (B/U 50058) Add 1 Staff Services Analyst I/II; Change 1 Support Services Assistant (Pos 683) to Management Info Systems Tech I/II. 11) Library - Budget Unit 60000: Delete 1 CC Interim County Librarian (Pos 26). (2) Re-establish and modify the following: Chief Appraiser, Sup Welfare Fraud Investigator and County Veterans Service Officer classification specifications. (3) Approve modifications for the following classification specifications: Operations Officer - DWI, Sheriff Senior Sergeant, Registration/Information Assistant, Engineering Associate I/II/III, Program Manager, Program Assistant and Assistant Agric Commissioner/Sealer. (4) Approve the amendments to the Position Allocation Resolution 06-120/A, Salary Resolution 06-120, Salary Allocation Resolution 2015-69 and Merced County Rules and Regulations 2015-68.

ADOPTED RESOLUTION NOS. 2015-110 BGT/POSITION, 2015-111 BGT/SALARY, 2015-112 BGT/SALARY-2, AND 2015-113 BGT/RULES & REGS. AS RECOMMENDED AYES: ALL

AUDITOR SCHEDULES

16. Adopt Budget Schedules 1, 2, 3, and 4, and other budget schedules including reserves and appropriations for encumbrance carryover for the 2015/16 budget year.

APPROVED AS RECOMMENDED AYES: ALL

FISCAL YEAR 2015/16 FINAL BUDGET ADOPTION

17. 1) Approve Resolution adopting the Fiscal Year 2015/16 Final Budget as reviewed and amended during Final Budget Hearings; and 2) authorize the Auditor-Controller to make technical adjustments as necessary.

ADOPTED RESOLUTION NO. 2015-114 BGT AS RECOMMENDED AYES: ALL

BOARD ORDERS – SUMMARY ACTION MINUTES – AUGUST 18, 2015 - BUDGET

1:30 P.M. SCHEDULED ITEM
2015-08-18 CEO BUDGET PRESENTATION

County Executive Officer James Brown provides summary comments on the 2015/2016 Final Budget.

Assistant County Executive Officer Scott DeMoss reviews a powerpoint presentation covering the following: Revenues v. Expenditures/General Fund, Cash Flow/General Fund-June Year End, Available Fund Balance-After Reserves, Local Revenue/Annual Revenue Trend, Local Resources, Local Requirements, Reserves, General Fund Contingency, Budget Overview, Budget Overview-% Net County Cost, Net County Costs, Final Budget Adjustment, Countywide Positions, Final Budget Position Recommendations-All Funds, Public Safety/Justice System-Net County Cost/General Fund, Health & Human Services-Net County Cost/General Fund, Municipal/Co-Wide Services-Net County Costs/General Fund, Support Services/CIP-Net County Costs/General Fund, and Other Funds/ Non-General Fund.

Mr. Brown continues with the powerpoint presentation covering Areas of Interest and Policy Considerations.

The Board discusses accruals, In Home Supportive Services, Capital Projects, use of local vendors, Library Landscaping project, elections costs, Affordable Care Act and the County Spay Neuter program.

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

1:30 P.M. SCHEDULED ITEM
2015-08-18 AUDITOR – PUBLIC HEARING

The time and date previously scheduled to consider setting the Appropriation Limitation for 2015/2016 established under Article XIII B of the State Constitution.

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 Kelsey, seconded by Supervisor McDaniel, duly carried, the Board approves using the change in all counties having contiguous borders as the population factor, and the change in California per capita personal income as the cost of living factor to establish the Fiscal Year 2015/2016 appropriation limitation; and adopts Resolution No. 2015-106 BGT establishing the Fiscal Year 2015/2016 appropriation limitation as \$963,655,138.

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

FINAL BUDGET ITEM #6
2015-08-18 COMMUNITY CORRECTIONS PARTNERSHIP

The Clerk announces approval of the AB 109 FY 2015/16 budget as recommended by the Community Corrections Partnership and various position additions/changes is before the Board for consideration.

Chief Probation Officer Scott Ball reviews the staff report and gives a brief overview of past programs.

Supervisor Walsh questions if the allocation methodology is in flux or is it agreed upon.

County Executive Officer James Brown states the formula is not permanent but in place for three to five years with incentives built in.

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board 1) Approves the AB 109 FY 2015/16 budget as recommended by the Community Corrections Partnership; 2) Approves the addition of one (1) Deputy District Attorney I/II/III/IV (Class 3061/3063/3080/3081, Range 72.7/77.0/80.9/84.2) in Budget Unit 20400 to assist with increased workload that has been impacted by adult realignment; 3) Approves the addition of one (1) Deputy Public Defender I/II/III/IV (Class 4030/4031/4035/4036, Range 72.7/77.0/80.9/84.2) in Budget Unit 20600 to assist increased workload that has been impacted by adult realignment; 4) Approves the addition of one (1) Correctional Officer I/II (Class 2345/2335, Range 65.1/67.1) in Budget Unit 23000 to assist with the re-entry program located in the John Latorraca Correctional Facility; 5) Approves the addition of four (4) Deputy Probation Officer I/II/III (Class 4020/4021/4022, Range 65.8/67.8/70.8), one (1) Supervising Probation Officer (Class 4025, Range 75.1) in Budget Unit 23406, and one (1) Legal Process Clerk I/II (Class 7434/7435, Range 61.7/63.7) in Budget Unit 23400 to support a new unit within the adult division due to an increased AB 109 population; and, 6) Adopts Resolution No. 2015-107 BGT amending Position Allocation Resolution 06-120A.
Ayes: Pedrozo, Walsh, McDaniel, Kelsey, O'Banion

FINAL BUDGET ITEM #7
2015-08-18 POLICY ACTION

The Clerk announces approval of the submission of an application to the California Board of State and Community Corrections for SB 863 Revenue Bond funds for the expansion and remodeling of the John Latorraca Correctional Center located on Sandy Mush Road, and authorization for staff to make minor revisions as necessary prior to the deadline submittal is before the Board for consideration.

Sheriff Vern Warnke reviews the staff report and submits a powerpoint.

Captain Greg Sullivan gives a brief overview of the of the jail facilities and introduces Cameron Glass, CEO of CGL.

Cameron Glass, CEO of CGL gives a powerpoint presentation covering the following: SB 863-Overview, Summary of Needs Assessment & Facility Condition, SB 863-Project Description, Current Site, and SB 863-Proposed Project.

The Board discusses current facility limitations, medical facilities, inmate facilities and where staff is located, size of visitation areas and types of visitations allowed.

Upon motion of Supervisor O'Banion, seconded by Supervisor Walsh, duly carried, the Board 1) Approves the submission of an application to the California Board of State and Community Corrections for SB 863 Revenue Bond funds for the expansion and remodeling of the John Latorraca Correctional Center located on Sandy Mush Road, and authorizes staff to make

minor revisions as necessary prior to the deadline submittal; 2) Authorizes the Chairman of the Board to sign the proposal application and any related agreements and associated documentation upon review of County Executive Office and County Counsel; 3) Directs the Department of Public Works to return to the Board with the results of the proposal application for further direction; and 4) Adopts Resolution No. 2015-108 BGT.

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

FINAL BUDGET ITEM #13
2015-08-18 POLICY ACTION

The Clerk announces a Contract with Global Logistics Development (GLD) Partners, LLC for Development Partnership Solicitation Scope for Castle Commerce Center for a total of \$280,000, for the period September 1, 2015 through June 30, 2017 is before the Board for consideration.

Supervisor McDaniel suggests forming some sort of Ad Hoc Committee to keep moving forward with projects at Castle.

Supervisor O'Banion agrees with the idea of a future committee.

Supervisor Walsh suggest that Board members be appointed to any future committee also.

County Executive Officer James Brown suggests, that if a committee is formed to oversee Castle projects that it be included on the Yearly Board Assignment List, follow the same guidelines with a primary member and alternate, and that the item be brought back at a later date.

Supervisor Pedrozo suggest that District 3 Board representative be the first member.

Upon motion of Supervisor O'Banion, seconded by Supervisor Kelsey, duly carried, the Board Approves Contract No. 2015151 with Global Logistics Development Partners, LLC for Development Partnership Solicitation scope for Castle Commerce Center for a total of \$280,000 for the period September 1, 2015 through June 30, 2017.

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

FINAL BUDGET ITEM #14
2015-08-18 POLICY ACTION

The Clerk announces determination of general fund property tax revenues, related to the Williamson Act Program in FY 14/15 are before the Board for consideration.

Supervisors Pedrozo, Kelsey and O'Banion declare a conflict of interest due to ownership of land in their districts that is under Williamson Act contracts.

Rule of Necessity:

County Counsel James Fincher states three members of the Board have stated a conflict with the Williamson Act due to their or their family's Williamson Act contracts and may have a direct financial impact on property taxes, or at the very least a remote interest.

Supervisors Pedrozo, Kelsey, and O'Banion declare a conflict of interest due to ownership of land in their districts that is under Williamson Act contracts.

The action before the Board requires a simple majority for the Board to take action. With three Board members declaring a conflict, there is no longer a quorum. Therefore, the County enacts the Rule of Necessity to pick a supervisor to sit for this item. The three Board members will

draw straws and whoever gets the short straw will determine the voting member to remain. County Executive Officer James Brown holds the straws and Supervisor Pedrozo selects the short straw. Supervisor Pedrozo remains in the Chambers to participate and Supervisors O'Banion and Kelsey leave the Chambers.

Upon motion of Supervisor Walsh, seconded by Supervisor McDaniel, the Board makes the determination, as required by Government Code Section 16142(e), that the State provided less than one-half of the actual foregone general fund property tax revenues, related to the Williamson Act program, in FY 14/15.

Ayes: Pedrozo, Walsh, McDaniel

Absent: Kelsey, O'Banion