



SUMMARY ACTION MINUTES BOARD OF SUPERVISORS

Final Budget Hearings
TUESDAY, SEPTEMBER 11, 2018
Regular Meeting – 10:00 a.m.

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

RODRIGO ESPINOZA....DISTRICT 1
LEE LOR....DISTRICT 2
DARON McDANIEL....DISTRICT 3
LLOYD PAREIRA....DISTRICT 4
CHAIRMAN 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

**10:00 A. M. THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA-
TESTIMONY IS LIMITED TO THREE MINUTES PER PERSON**
**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)**

PRESENTATION:

County Executive Officer - Budget Presentation Fiscal Year 2018/2019
REVIEW BOARD ORDER – SEE PAGE 7

PUBLIC HEARING:

AUDITOR - PUBLIC HEARING

To consider setting the Appropriation Limitation for Fiscal Year 2018/2019 established under Article XIII B of the State Constitution.

RECOMMENDATION:

1) Open the Public Hearing; 2) Approve using the change in County population combined with 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 2018/2019 appropriation limitation; and 3) Adopt the Resolution establishing the Fiscal Year 2018/2019 appropriation limitation as \$1,450,524,887.

REVIEW BOARD ORDER – SEE PAGE 7

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, 11200, 11300, 11400, 11500, 12500, 13000, 14000, 16000, 17000, 18200, 19000, 20000, 20400, 20600, 22100, 23000, 23300, 23400, 26200, 27000, 28000, 28300, 28500, 28700, 28800, 29100, 29400, 40000, 41500, 50000, 50500, 51000, 55000, 54000, 60000, 16600, 16500, 17200, 17300, 17600, 17900, 18100, 20100, 25000, 25100, 25200, 28200, 28300, 28400,

40600, 49500, 55100, 55200, 55300, 71600, 75200, 75100 75500, 75600.

APPROVED AS RECOMMENDED AYES: ALL

OUT-OF-STATE TRANSPORTATION AND TRAINING FOR FISCAL YEAR 2018/2019

2. Approve the Schedule of Out-of-State transportation and/or training for FY 2018/19; 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 Purchase Agreements for equipment appropriated in the FY 2018/19 Budget subject to review by Auditor, County Counsel, and the County Executive Office.

APPROVED AS RECOMMENDED AYES: ALL

CAPITAL ASSETS - FY 2018/2019

4. Approve the Capital Asset List by budget unit at the sub-object level as appropriated in the FY 2018/19 Final Budget; and direct that no capital assets be procured unless authorized by the County Executive Officer, or designee.

APPROVED AS RECOMMENDED AYES: ALL

POLICY ACTION

5. Adopt the requested employer rate increase of 1.0% for Miscellaneous/Safety Tier 1, 2, 3 and 4, and have it applied to Merced County's portion of the unfunded liability effective on the payroll of September 21, 2018.

APPROVED AS RECOMMENDED AYES: ALL

6. Approve payments to the San Joaquin Valley Water Infrastructure Authority for the Fiscal Year 2018-2019 membership dues of \$50,000 from Merced County as a member of the Authority, to be paid in quarterly installments of \$12,500 each.

APPROVED AS RECOMMENDED AYES: ALL

7. 1) Approve the AB 109 FY 2018/19 implementation plan as recommended by the Community Corrections Partnership; 2) Approve the addition of one (1) Mental Health Clinician I/II (Class 5731/5732, Range 73.4/77.4) in Budget Unit 41501 to specifically work with the AB 109 population in the County jail; 3) Approve the addition of two (2) Probation Assistant positions (Class 7470, Range 64.9) in Budget Unit 23406 to provide pre-trial support; 4) Approve the amendment to the Position Allocation Resolution 06-120A; and 5) Approve Final Budget Policy Adjustments listed in Budget Unit.

ADOPTED RESOLUTION NO. 2018-100 BGT AS RECOMMENDED AYES:

ALL

8. 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 17/18.

Rule of Necessity:

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

County Counsel James Fincher states three members of the Board have declared a conflict under Government Code 1090, Government Code 87100, and/or common law, and

this invokes the Rule of Necessity. The Rule of Necessity is invoked which is established in the California Code of Regulations.

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 Counsel Fincher holds the straws and Supervisor Espinoza selects the short straw. Supervisor Espinoza remains in the Chambers to participate and Supervisors O'Banion and Pareira leave the Chambers.

APPROVED AS RECOMMENDED **AYES: 1, 2, 3** **RECUSAL: 4, 5**

9. Approve the identified Road Division Work Program for Fiscal Year 2018/2019; approve the project budgets in Budget Units 30001 and 30002, respectively, as listed in Attachment A and Attachment B for the identified roads projects; and approve the Final Budget Adjustments listed in Budget Unit 30000.

APPROVED AS RECOMMENDED **AYES: ALL**

10. Approve the proposed open hours change at Delhi, Le Grand, Santa Nella, Snelling and Winton libraries.

APPROVED AS RECOMMENDED **AYES: ALL**

11. Direct staff to develop a countywide park investment strategy and return to the Board for consideration by November 2018.

APPROVED AS RECOMMENDED **AYES: ALL**

12. Authorize County matching funds of up to \$1,000,000 in Budget Unit 17000, Capital Improvement Program, to be used towards future grant opportunities and/or donations for the refurbishment of the Merced Courthouse Museum.

APPROVED AS RECOMMENDED **AYES: ALL**

13. Provide direction to staff concerning Community and Veterans' Hall projects to either: a) Prioritize community and veterans' hall projects and return to the Board with a proposed project phasing plan by November 20, 2018; or b) Identify specific community and veterans' hall project(s) in advance of the project phasing plan and approve necessary budget adjustments to the \$1,500,000 set aside in order to initiate the project(s).

MODIFIED RECOMMENDATION **AYES: ALL**

REVIEW BOARD ORDER – SEE PAGES 7 AND 8

14. Authorize AB443 Enhancing Law Enforcement and Rural County Sheriff Fund to be used consistent with past practice which has been used historically on the Sheriff's Aviation Unit and one-time expenses and projects.

APPROVED AS RECOMMENDED **AYES: ALL**

ORGANIZATION

15. 1) Approve the following departmental personnel actions: Assessor - Budget Unit 11200: Add: 1 Chief Auditor Appraiser. Registrar of Voters – Budget Unit 14000: Establish & Allocate: EH Elections Specialist II. Elections – Budget Unit 14200: Allocate: EH Elections Specialist II. DPW Building Services Division – Budget Unit 16000: Add: 1 HVAC Tech I/II. DPW Public Works Administration – Budget Unit 16100: Establish & Add: 1 Construction Project Manager. DPW – Building Division – Budget Unit 16300: Change: 1 Building Permit Technician (Pos 1) To: Building Permit Assistant I/II. Risk Management – Budget Unit 19000: Add: 1 Risk

Management Analyst I/II/III. Child Support Services – Budget Unit 20100: Delete: 1 Child Support Specialist I/II (Pos 136). Sheriff – Budget Unit 22100: Change: 1 Sheriff Sergeant/Sheriff Senior Sergeant (Pos 57) To: (BU 24000); Change: 1 Account Clerk I/II (Pos 175) To: Accounting Technician, B/U 22110 – Dispatch: Add: 1 Sheriff Dispatcher I/II, B/U 22109 – Court: Delete: 3 Deputy Sheriff/Coroner I/II (Pos 24, 118,137); Delete: 1 Sheriff Sergeant/Sheriff Senior Sergeant (Pos 145); Delete: 2 Correctional Officer I/II (Pos 8,184); Allocate: EH Corrections Officer I; Allocate: EH Correctional Officer II. Probation – Budget Unit 23406: Change: 1 Consumer Assistance Worker (Pos 133) To: (Title Only) Peer Support Specialist. Agricultural Commissioner – Budget Unit 27000: Add: 1 Deputy Agric Commissioner/Sealer. Behavioral Health and Recovery Services – Budget Unit 41507: Change: 1 Consumer Assistance Worker (Pos 309) To: (Title Only) Peer Support Specialist, B/U 41508: Change: 1 Consumer Assistance Worker (Pos 474) To: (Title Only) Peer Support Specialist; Add: 1 Mental Health Clinician I/II; Add: 1 Mental Health Worker I/II, B/U 41511: Add: 1 Mental Health Worker I/II, B/U 41513: Change: 1 Crisis Intervention Specialist (Pos 35) To: Licensed Mental Health Worker/ Psychiatric Staff Nurse I/II, B/U 41514: Change: 1 Consumer Assistance Worker (Pos 308) To: (Title Only) Peer Support Specialist. B/U 41531: Add: 1 Licensed Mental Health Worker/ Psychiatric Staff Nurse I/II, B/U 41532: Change: 1 Consumer Assistance Worker (Pos 439) To: (Title Only) Peer Support Specialist. B/U 41534: Change: 1 Consumer Assistance Worker (Pos 467) To: (Title Only) Peer Support Specialist. Human Services Agency – Budget Unit 50000: Change: 1 Support Services Assistant-Conf (Pos 18) To: Personnel Assistant – Confidential, B/U 50050: Add: 1 Family Services Supervisor; Add: 1 Office Assistant I/II, B/U 50054: Establish & Allocate: EH Facility Assistant, B/U 50055: Change: 2 Consumer Assistance Worker (Pos 888, 889) To: (Title Only) Peer Support Specialist; Change: 3 Social Worker Aide (Pos 220, 697, 698) To: Social Svcs Program Worker; Allocate: EH Social Worker I; Establish & Allocate: EH Social Svcs Program Worker; Re-Establish & Allocate: EH Social Worker II; Establish & Allocate: EH Peer Support Specialist; Add: 1 Office Assistant III; Add: 1 Administrative Supervisor. Area Agency On Aging – Budget Unit 54010: Add: 1 Office Assistant III. Dept of Workforce Investment– Budget Unit 55000: Change: 1 Support Services Analyst I/II (Pos 11) To: Staff Services Analyst I/II, Delete: 1 Office Assistant III (Pos 149). Cooperative Extension– Budget Unit 61000: Change: 1 Office Assistant I/II V/S (Pos 7) To: Office Assistant I/II. 2) Establish the job classification specification of Construction Project Manager. 3) Approve the modifications to the following existing job classification specifications; Weights And Measures Inspector I/II/III, Supervising Social Worker, Deputy Probation Officer I/II/III, Juvenile Institutions Officer I/II/III, Identification Technician I/II, EH Sheriff Security Attendant, Medical Claims Clerk I/II, Chief Deputy Recorder. 4) Approve modifications to all job classification specifications that require a valid Class C California driver’s license to read: Possess a valid California driver’s license at time of appointment and maintain. 5) Approve the amendments to the Salary Allocation Resolution 06-120 and the Position Allocation Resolution 06-120/A.

ADOPTED RESOLUTION NOS. 2018-101 BGT (POSITION) AND 2018-102 BGT (SALARY) AS RECOMMENDED AYES: ALL

16. Approve adjustments for unrepresented classifications as listed on the amending Position Allocation Resolution 06-120/A and the Salary Allocation Resolution 06-120; and approve modifications to the job specifications for the Director of Admin Services and Legal Office Manager.

ADOPTED RESOLUTION NOS. 2018-103 BGT (POSITION) AND 2018-104 (SALARY) AS RECOMMENDED AYES: ALL

17. 1) Approve the following departmental personnel actions: BU 40001: Change: 1 Assistant Director of Public Health (pos 197) to Assistant Public Health Director; Change: 1 County Office Supervisor (pos 50) to Staff Services Analyst I/II; Change: 1 Office Assistant III (pos 257) to Vital Statistics Clerk. BU 40002: Change: 1 Public Health Program Manager (pos 224) to Public Health Division Manager. BU 40005: Change: 1 Supervising Health Educator (pos 247) to (title only) Public Health Program Coordinator. BU 40007: Change: 1 Public Health Program Manager (pos 254) to Public Health Division Manager. BU 40013: Change: 1 Community Health Nurse/Public Health Nurse I/II (pos 44) to Assistant Public Health Director; Delete: 1 Community Health Nurse/Public Health Nurse I/II (pos 141). BU 40016: Change: 1 Director of Environmental Health (pos 36) to Director of Environmental Health. BU 40025: Change: 1 Public Health Program Manager (pos 255) to Public Health Division Manager; Change: 4 Supervising Health Educator (pos 217, 242, 244, 261) to (title only) Public Health Program Coordinator. BU 40031: Establish: 1 Supervising Epidemiologist; Change: 1 Community Health Nurse/Public Health Nurse I/II (pos 191) to Supervising Epidemiologist; Change: 1 Public Health Lab Microbiologist I/II (pos 262) to Staff Services Analyst I/II; Change: 2 Supervising Health Educator (pos 90, 251) to (title only) Public Health Program Coordinator; Change: 1 Community Health Specialist (pos 178) to Staff Services Analyst I/II. 2) Establish the job classification specification of Supervising Epidemiologist. 3) Approve the modifications to the following existing job classification specifications; Assistant Public Health Director, Public Health Division Manager and Public Health Program Coordinator. 4) Approve the amendments to the Salary Allocation Resolution 06-120 and the Position Allocation Resolution 06-120/A.

ADOPTED RESOLUTION NOS. 2018-105 BGT (SALARY) AND 2018-106 BGT (POSITION) AS RECOMMENDED AYES: ALL

AUDITOR SCHEDULES

18. Adopt budget schedules 1, 2, 3, 4 and other budget schedules including reserves and appropriations for encumbrance carryover for the 2018-2019 budget year.

APPROVED AS RECOMMENDED AYES: ALL

FISCAL YEAR 2018/2019 FINAL BUDGET ADOPTION

19. Approve resolution adopting the Fiscal Year 2018/2019 Final Budget as reviewed and amended during final budget hearings; and authorize the Auditor-Controller to make technical adjustments as necessary.

ADOPTED RESOLUTION NO. 2018-107 BGT AS RECOMMENDED AYES: ALL

THE BOARD ADJOURNED THE MEETING AT 11:58 A.M.

BOARD ORDERS – SUMMARY ACTION MINUTES – SEPTEMBER 11, 2018 – BUDGET

10:00 A.M. SCHEDULED ITEM
2018-09-11 CEO BUDGET PRESENTATION

County Executive Officer James Brown provides summary comments on the 2018/2019 Final Budget.

Deputy County Executive Officer Mary Rose Rutikanga reviews a powerpoint presentation covering the following: Revenues v. Expenditures (General Fund), Cash Flow (General Fund) – June Year End, Available Fund Balance – After Reserves, Budgeted Local Revenue, Budgeted Local Resources, Budgeted Local Requirements, Total Reserves (General Fund), General Fund Contingency, Countywide Positions, Final Budget Adjustments – Net County Cost, Budget Overview, Budget Overview - % Net County Cost, and Net County Costs.

County Executive Officer James Brown reviews powerpoint presentation covering Policy Considerations.

Present: O'Banion, Espinoza, Lor, McDaniel, Pareira

10:00 A.M. SCHEDULED ITEM
2018-09-11 AUDITOR – PUBLIC HEARING

The time and date previously scheduled to consider setting the Appropriation Limitation for Fiscal Year 2018/19 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 McDaniel, seconded by Supervisor Espinoza, 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 2018/2019 appropriation limitation; and adopts Resolution No. 2018-99 BGT establishing the Fiscal Year 2018/2019 appropriation limitation as \$1,450,524,887.

Ayes: O'Banion, Espinoza, Lor, McDaniel, Pareira

FINAL BUDGET ITEM #13
2018-09-11 POLICY ACTION

The Clerk announces the item to provide direction to staff concerning Community and Veterans' Hall projects to either: a) Prioritize community and veterans' hall projects and return to the Board with a proposed project phasing plan by November 20, 2018; or b) Identify specific community and veterans' hall project(s) in advance of the project phasing plan and approve necessary budget adjustments to the \$1,500,000 set aside in order to initiate the projects(s) is before the Board for consideration.

County Executive Officer James Brown clarifies the recommendation regarding the \$1.5 million set aside pertains to recommendation a) or b).

Supervisor Espinoza states he is in support of action b).

Supervisor McDaniel questions how long it will take to have a project phasing plan. He states we are very behind on our halls and need to keep the VFW organizations involved in this process as well.

Director of Public Works Dana Hertfelder responds that they have already started working on a phasing plan. He further states they are looking into a HVAC – Phase 2 energy retrofit.

Supervisor McDaniel questions if we will be using the \$1.5 million on the HVAC project.

County Executive Officer James Brown states that we are still evaluating that and that there is a separate financing possibility if we do the energy retrofit.

Chairman O'Banion questions if the study is being done currently.

Mr. Hertfelder responds that a study with the energy upgrades is currently being done.

Supervisor McDaniel thanks staff for their work on this and states he would like to make our dollars go as far we can.

Supervisor Pareira states that the Merced Legion Hall is a priority and we will know more in a couple of months once we have the project phasing plan complete.

Supervisor Lor thanks her colleagues for their support and recognizing the needs of the Merced Veterans Hall and supports action a).

Chairman O'Banion asks if there is anyone present wishing to speak on this item. The following speak in support of repairs to the Merced VFW hall:

Karla Seijas, Chair of the Merced VFW; Connie Snook, member of the American Legion; Vincent Cole, current Commander of Post 83; Gene Hamill, District Commander and Sandy Tolfson, Junior Past President of Unit 83 Auxiliary.

Monica K. Villa thanks the American Legion for their support in opening their doors at Thanksgiving and Christmas for the homeless community.

The Chairman closes the public opportunity to speak on this item.

Supervisor Pareira makes a motion for option a) and modifies it to include the energy retrofit, seconded by Supervisor Lor, duly carried the Board approves modified recommendation action a) Prioritize community and veterans' hall projects and return to the Board with a proposed project phasing plan by November 20, 2018, to include the energy retrofit, and approves necessary budget adjustments to the \$1,500,000 set aside in order to initiate the project(s).

Ayes: O'Banion, Espinoza, Lor, McDaniel, O'Banion