



SUMMARY ACTION MINUTES BOARD OF SUPERVISORS

Regular Meeting
TUESDAY, AUGUST 23, 2011
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
LINN DAVIS.....DISTRICT 3
DEIDRE F. KELSEY.....DISTRICT 4
JERRY O’BANION.....DISTRICT 5
Lydia A. Beiswanger, Chief Clerk

LARRY T. COMBS
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 Board will meet in Final Budget Hearings until completed.
Time Schedules are estimates and may vary
according to durations of individual policy discussions**

SCHEDULED ITEMS

1:30 P. M.

**THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA-
TESTIMONY IS LIMITED TO FIVE MINUTES PER PERSON
REVIEW BOARD ORDER – SEE PAGE 6**

COUNTY EXECUTIVE OFFICER - BUDGET PRESENTATION
Fiscal Year 2011/12 Budget Presentation
REVIEW BOARD ORDER – SEE PAGE 6 AND 7

AUDITOR - PUBLIC HEARING

To consider setting the Appropriation Limit for FY 2011-2012 established under Article XIIB of the 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 populations factor, and the change in California per capita personal income as the cost of living factor to establish the fiscal year 2011/2012 Appropriation Limitation; and, (3) Adopt the Resolution establishing the Fiscal Year 2011/2012 Appropriation Limitation as \$578,999,639

REVIEW BOARD ORDER – SEE PAGE 7

GOVERNMENT CODE SECTION 54950 COMPLIANCE (LATE AGENDA ITEMS)

BUDGET CONSENT CALENDAR (Items #1 - 6)

APPROVED AS RECOMMENDED AYES: ALL

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: 10100, 11000, 13000, 14000, 17000, 17100, 17200, 17600, 17700, 18100, 18200, 20100, 20400, 22100, 23000, 23100, 23400, 28300, 28400, 28500, 29400, 40000, 41500, 40600, 49500, 50000, 50500, 51000, 55000, 55100, 55200, 55300, 57400, 57600, 57700, 57800, 57900, 59000, 61000, 70200, 75100, 75200.

REVIEW BOARD ORDER – SEE PAGE 7

OUT OF STATE TRANSPORTATION AND TRAINING FOR FISCAL YEAR 2011/12

2. Approve the Schedule of Out-of-State for Transportation and/or Training for FY 2011/12 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 2011/12

3. Approve the Capital Asset List by Budget Unit at the Sub-Object Level as appropriated in the FY 2011/12 Final Budget; and, Direct that no capital assets be procured unless authorized by the County Executive Officer, or his designee.

REVIEW BOARD ORDER – SEE PAGE 8

LEASE PURCHASE AGREEMENTS

4. Authorize the Director of Administrative Services to negotiate, execute, and sign Lease Purchase Agreements for equipment appropriated in the FY 2011/12 Budget subject to review by Auditor, County Counsel and the County Executive Officer.

APPROVED AS RECOMMENDED AYES: ALL

FIRE

5. Approve the Final Budget Adjustments which includes Fire Facility, Cal Fire Staffing and Capital Asset/Improvements in Fire, BU 25000 and 25100.

APPROVED AS RECOMMENDED AYES: ALL

PUBLIC WORKS

6. (1) Approve the identified Road Division Work Program for Fiscal Year 2011/12 which includes four projects that will be funded from the Proposition 1B Transportation Bond which include: Shanks Avenue at Letteau Avenue Signal and Intersection Improvements, Buhach Road/Ashby Road Intersection Improvements, Husman Road Reconstruction and Sandy Mush Road Rehabilitation and Chip Seal to various County Roads; and (2) Approve the Final Budget Adjustments in BU 30000.

APPROVED AS RECOMMENDED AYES: ALL

REGULAR CALENDAR

BOARD ACTION

HUMAN RESOURCES

7. Personnel Technical Clean-up: Recent actions taken by the Board require modifications to the Salary Resolution and it is recommended the Board delete existing job classifications that have been deleted by prior Board actions and the system will accurately reflect only active County classifications; and modify existing language in the Salary Resolution to reflect prior actions and agreements approved by the Board, and adopt Salary Resolution.

ADOPTED RESOLUTION NO. 2011-152 AS RECOMMENDED AYES: ALL

8. Centralization of County Information Systems: Authorize the change of two Automation Systems Analyst I/II to Staff Services Analyst I/II classifications effective August 29, 2011, and approve the amendments to the Position Allocation Resolution.

PULLED FROM THE AGENDA – NO ACTION TAKEN

PUBLIC WORKS

9. (1) Authorize the change of one vacant Fleet Maintenance Supervisor (Position 3) in BU 75500 to an Assistant Shop Supervisor, (2) Approve the modifications to the Assistant Shop Supervisor classification specification, and (3) Approve the amendments to the Position

Allocation and Salary Resolutions.

**ADOPTED RESOLUTION NOS. 2011-153 (POSITION) AND 2011-154 (SALARY)
AS RECOMMENDED AYES: ALL**

MENTAL HEALTH

10. Mental Health Managed Care and Early & Periodic Screening, Diagnosis & Treatment (EPSDT): (1) Effective October 10, 2011, add Two FTE Mental Health Clinicians I/II, Two FTE Mental Health Workers I/II, One FTE Office Assistant III and Two FTE Program Assistants to BU 41501; Six FTE Mental Health Clinicians I/II, One FTE Mental Health Worker I/II, One FTE Office Assistant III and One FTE Program Assistant to BU 41502; One FTE Staff Services Analyst I/II to BU 41503; One FTE Accounting Technician and Two FTE Office Assistants III to BU 41506; One FTE Dual Diagnosis Specialist to BU 41509; One FTE Licensed Mental Health Worker to BU 41513; and One FTE Mental Health Clinician I/II and One FTE Program Assistant to BU 41531. (2) Approve the amended Position Allocation Resolution 06-120/A.

ADOPTED RESOLUTION NO. 2011-155 AS RECOMMENDED AYES: ALL

LIBRARY

11. Adopt the proposed hours of operation for the Merced County Library System, and authorize Final Budget Adjustments for the Library in BU 60000.

REVIEW BOARD ORDER – SEE PAGE 8

AG. COMMISSIONER-Animal Control

12. (1) Add one Animal Control Officer I/II (Variable Shift) in BU 28700; (2) Approve the amendments to the Position Allocation Resolution, and authorize Final Budget Adjustments in Animal Control BU 28700.

ADOPTED RESOLUTION NO. 2011-156 AS RECOMMENDED AYES: ALL

PUBLIC DEFENDER

13. (1) Authorize Final Budget Adjustments to restore funding for two EH Deputy Public Defender I/II/III/IV positions and one EH Legal Clerk I; (2) Ratify the Side Letter with Merced County Attorney Association (MCAA) waiving, on a one-time basis, the provisions of the MOU/Rules and Regulations Section 2.W.5 and Section 2.W.5.9 pertaining to the hiring of Extra Help; (3) Approve the hours for the Merced Public Defender's Office to be open to public from 9:00 a.m. to 4:00 p.m., Monday through Friday at the Merced Office, and for the Los Banos Public Defender Office from 8:00 a.m. to 1:00 p.m., Monday, Wednesday, Thursday and Friday.

REVIEW BOARD ORDER – SEE PAGE 8 AND 9

AUDITOR – SCHEDULES

14. Approve Budget Schedules 1, 2, 3, and 4, and Other Budget Schedules including Reserves and Appropriations for Encumbrance Carryover for the 2011/12 Budget Year.

APPROVED AS RECOMMENDED AYES: ALL

FISCAL YEAR 2011/12 FINAL BUDGET ADOPTION

15. Resolution adopting the Fiscal Year 2011/12 Final Budget: (1) Approve Resolution adopting the Fiscal Year 2011/12 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. 2011-157 AS RECOMMENDED AYES: ALL

ADJOURNED MEETING UNTIL TUESDAY, SEPTEMBER 13, 2011 AT 10:00 A.M.

**BOARD ORDERS – SUMMARY ACTION MINUTES – AUGUST 23, 2011
FINAL BUDGET HEARINGS**

1:30 P.M. SCHEDULED ITEM
2011-08-23 PUBLIC OPPORTUNITY

Shawnesti Machado, Vice President of IEMC, voices concerns on Action Item No. 13 requesting funding to be restored for an extra help legal clerk in the public defender office. We ask if funding available for clerical staff to consider reinstating a reduction in force employee instead of hiring extra help.

Robert Mitchell, Hilmar resident, states concerns about library budget in the Hilmar area and reviews the use and cost of their library and the entire library system in Merced County and submits 2010-11 Chart of Expenses and Usage by Branch
Present: Pedrozo, Walsh, Davis, Kelsey, O'Banion

1:30 P.M. SCHEDULED ITEM
2011-08-23 EXECUTIVE OFFICE - BUDGET

County Executive Officer Larry Combs states this budget is submitted to the Board and includes many changes from the proposed budget.

Deputy County Executive Officer-Budget Scott DeMoss reviews the 2011/2012 Final Budget PowerPoint highlighting the Expenditure/Revenue for period of 2004/05 through 2010/11 and the reflection of one-time adjustments to increase the Fund Balance, the Approved FY 10/11 Budget and Proposed FY 11/12 Budget with Final FY 11/12 and changes made and Net County Cost; FY 08/09, 09/10 and 10/11 Approved Budgets with FY 11/12 Proposed and FY 11/12 Final Budget for the Total Budget and reviews the General Fund proposal with Economic Uncertainty, Payroll/Benefit, Long Term Facilities and Litigation.

Assistant County Executive Officer Jim Brown reviews the ongoing and one-time net county costs and resources and the shortfall. He briefly reviews the prior board direction taken and the policies set for the Library, Animal Control and Public Defender, and Non policy adoptions and other adjustments.

Deputy County Executive Officer-Budget DeMoss reviews FY 2009/10, FY 10/11 Approved and FY 11/12 Proposed and FY 11/12 Final Budget with Local Public Safety, Justice System, Health & Human Services, Municipal/County-wide services, support services and capital projects and he reviews the positions vacant in these areas.

Assistant County Executive Officer Brown states the Budget is balanced at this time with one-time funding, however, it does not close the deficit and during this year our expenses will exceed the revenues. He states the other challenges are the State budget and realignment with the public safety and social services. He reviews the FY 10/11, FY 11/12 and FY 12/13 General Fund Net County costs, Local Resources, Balance/shortfall and Local Revenue and available Fund

Balance. He states the County needs to project for the future and there are so many uncertainties, we need to position ourselves as best as we can.

Auditor-Controller Lisa Cardella-Presto submits a Letter dated August 23, 2011 and reads into the record the Final Budget Comments for the 2011/12 Budget.

1:30 P.M. SCHEDULED ITEM
2011-08-23 AUDITOR - PUBLIC HEARING

The time and date previously scheduled for a public hearing to consider setting the Appropriation Limit for FY 2011-2012 established under Article XIIB of the Constitution submitted by the Auditor.

The Chairman opens the public hearing and asks if there is anyone present that wishes to speak. No one speaks. The Chairman closes the public hearing.

Upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board approves using the change in County population combined with the change in all counties having contiguous borders as the populations factor, and the change in California per capita personal income as the cost of living factor to establish the fiscal year 2011/2012 Appropriation Limitation; and, establishes the Fiscal Year 2011/2012 Appropriation Limitation as \$578,999,639 and adopts Resolution No. 2011-151

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

BUDGET CONSENT ITEM NO. 1
2011-08-23 FINAL BUDGET ADJUSTMENTS

The Clerk announces the Final Budget Adjustments are before the Board for consideration and a revised Departmental Adjustment reflects a transfer of \$30,000 in appropriation from Contingency to Capital Appropriations in Budget Unit 17200 due to the intercom system at Iris Garret Correctional Facility required replacement and there is no change to the Recommended Action (Supplemental No. 3).

Upon motion of Supervisor O'Banion, seconded by Supervisor Davis, duly carried, the Board approves the Final Budget Adjustments based on more current information to various budget units within the General Fund and Other Funds as presented: 10100, 11000, 13000, 14000, 17000, 17100, 17200, 17600, 17700, 18100, 18200, 20100, 20400, 22100, 23000, 23100, 23400, 28300, 28400, 28500, 29400, 40000, 41500, 40600, 49500, 50000, 50500, 51000, 55000, 55100, 55200, 55300, 57400, 57600, 57700, 57800, 57900, 59000, 61000, 70200, 75100, 75200.

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

BUDGET CONSENT ITEM NO. 3

2011-08-23 CAPITAL ASSETS

The Clerk announces the FY 2011/12 Capital Assets are before the Board for consideration and a revised Departmental Adjustment reflects an additional Capital Asset Number 82044 for \$30,000 due to the Intercom system at Iris Garret Correctional Facility required replacement and there is no change to the Recommended Action (Supplemental No. 4).

Upon motion of Supervisor O'Banion, seconded by Supervisor Davis, duly carried, the Board approves the Capital Asset List by Budget Unit at the Sub-Object Level as appropriated in the FY 2011/12 Final Budget; and, Direct that no capital assets be procured unless authorized by the County Executive Officer, or his designee.

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

ACTION ITEM NO. 11

2011-08-23 LIBRARY BUDGET

The Clerk announces the proposed hours for the Merced County Library are before the Board for consideration.

Discussion is had on the hours of operation, volunteers' responsibilities, funding and salaries of the branch libraries and requests for additional information.

County Librarian Jacque Meriam reviews additional activities that have occurred since July 12, 2011 Board Meeting.

Following further discussion and upon motion of Supervisor Kelsey, seconded by Supervisor O'Banion, duly carried, the Board adopts the proposed hours of operation for the Merced County Libraries: George Branch, Livingston Branch, Le Grand Branch (Contract with Le Grand High School), Atwater-Regional Library Branch, Merced Main Library, Cressey Branch, Gustine-Regional Library, Hilmar Branch, Snelling Branch, Stevinson Branch, Winton Branch, Dos Palos Branch, Los Banos-Regional Library, South Dos Palos Branch and Santa Nella Branch; and, authorize the Final Budget Adjustments for the Library in BU 60000.

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

ACTION ITEM NO. 13

2011-08-23 PUBLIC DEFENDER BUDGET

The Clerk announces the Public Defender Budget is before the Board for consideration.

Supervisor Kelsey recuses herself because of potential conflict and leaves the Chambers.

Supervisor O'Banion moves, seconded by Supervisor Walsh, the Board (1) Authorize Final Budget Adjustments to restore funding for two EH Deputy Public Defender I/II/III/IV positions and one EH Legal Clerk I; (2) Ratify the Side Letter of Agreement, Contract No. 2011223, with Merced County Attorney Association (MCAA) and Public Defender's Office waiving, on a one-time basis, the provisions of the MOU/Rules and Regulations Section 2.W.5 and Section 2.W.5.9 pertaining to

the hiring of Extra Help; and, (3) Approve the hours for the Merced Public Defender's Office to be open to public from 9:00 a.m. to 4:00 p.m., Monday through Friday at the Merced Office, and for the Los Banos Public Defender Office from 8:00 a.m. to 1:00 p.m., Monday, Wednesday, Thursday and Friday.

Following discussion on the extra help legal clerk, Assistant Executive Officer Jim Brown responds stating this particular extra help is a different classification and does not fall within the permanent position that was RIF (reduction in force), this is a classification that exists within the department and would not be impacted by a side letter and would not be necessary.

The Chairman calls for a Vote on the Motion. Motion carries.

Ayes: Pedrozo, Walsh, Davis, O'Banion

Not Present: Kelsey