



# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

### Final Budget Hearings

### TUESDAY, SEPTEMBER 20, 2016

Regular Meeting – 11:00 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](http://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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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**

### **GOVERNMENT CODE SECTION 54954.2 COMPLIANCE (LATE AGENDA ITEMS)**

11:00 A. 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)**

**PRESENTATION:**

**COUNTY EXECUTIVE OFFICER - BUDGET PRESENTATION FISCAL YEAR 2016/2017**

**REVIEW BOARD ORDER**

**PUBLIC HEARINGS:**

#### **AUDITOR - PUBLIC HEARING**

To consider setting the Appropriation Limitation for Fiscal Year 2016/17 established under Article XIII B of the State Constitution.

#### **RECOMMENDATION:**

1) Open 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 2016/17 appropriation limitation; and 3) Adopt the Resolution establishing the Fiscal Year 2016/17 appropriation limitation as \$1,140,335,101.

**REVIEW BOARD ORDER**

**REPORTS/BOARD DIRECTION**

## **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, 10120, 10250, 11000, 11001, 11100, 11200, 11300, 11400, 11500, 12500, 13000, 14000, 14200, 16000, 16100, 16200, 16300, 16400, 16500, 16600, 17000, 17200, 17300, 17500, 17600, 17700, 18100, 18200, 19000, 20000, 20100, 20400, 20600, 22100, 23000, 23100, 23300, 23400,

24000, 25000, 25100, 27000, 27200, 28000, 28200, 28300, 28400, 28500, 28700, 29400, 40000, 40600, 41500, 49500, 50000, 50500, 51000, 54000, 55000, 55200, 55300, 55400, 60000, 61000, 70000, 71400, 72000, 75200, 75500, 75600, 75900.

**APPROVED AS RECOMMENDED** **AYES: ALL**

#### **OUT-OF-STATE TRANSPORTATION AND TRAINING FOR FISCAL YEAR 2016/17**

2. Approve the Schedule of Out-of-State for transportation and/or training for FY 2016/17; 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 2016/17 Budget subject to review by Auditor, County Counsel, and the County Executive Office.

**APPROVED AS RECOMMENDED** **AYES: ALL**

#### **CAPITAL ASSETS - FY 2016/17**

4. Approve the Capital Asset List by budget unit at the sub-object level as appropriated in the FY 2016/17 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. 1) Approve the department name change from Merced County Department of Mental Health to Merced County Behavioral Health and Recovery Services; 2) Approve the job title modifications for the following: Director MH/Pub Guardian-Conserv, Asst. Mental Health Director, Asst. Mental Health Dir-Plan/Dev, Mental Health Coordinator, Mental Health Program Manager and Quality Improvement Coordinator; 3) Approve modifications to the job classification specification of Assistant Behavioral Health and Recovery Services Director to add the duties of Clinical Director of Marie Green Psychiatric Facility (California Code of Regulations, Title 22, Division 5, §77093); 4) Approve the amendments to the Position and Salary Allocation Resolutions 06-120A and 06-120.

**ADOPTED RESOLUTIONS AS RECOMMENDED** **AYES: ALL**

6. 1) 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 23, 2016; 2) Authorize a one-time payment of \$5 million into the PARS 115 irrevocable trust from the closeout of the first phase of the Excess Insurance Authority healthcare plan; and 3) Adopt the rate of 1.5% for contribution to the PARS 115 irrevocable trust for Fiscal Year 2016/17 effective on the payroll of September 23, 2016.

**APPROVED AS RECOMMENDED** **AYES: ALL**

7. Authorize the Department of Administrative Services, in conjunction with Human Resources, to initiate the procurement process for classification and compensation review services, select the most responsive vendor to perform such services and to negotiate an agreement with the provider; and return to the Board with the negotiated agreement for final contract approval and signature.

**APPROVED AS RECOMMENDED** **AYES: ALL**

8. 1) Approve the addition of one (1) Grounds Maintenance Worker I/II position, classification 6112/6113, salary range 58.6/60.6 in budget unit 16500 (70200); and 2) Approve the amendment to the Position Allocation Resolution No. 06-120A; and 3) Approve the Final Budget Adjustments listed in Budget Unit 16500 associated with the addition of the Grounds Maintenance Worker I/II; 4) Establish a new trust fund for the UC Merced Conservation Easement funding and direct staff to return to the Board with countywide parks investment strategies; and 5) Authorize a one-time investment of \$10,000 per Special Recreation area for a total of \$130,000, and approve the Final Budget Adjustments listed in the Budget Unit 16602 through 16616.

**ADOPTED RESOLUTION AS RECOMMENDED** **AYES: ALL**

9. Approve the identified Road Division Work Program for Fiscal Year 2016/2017; and approve the Final Budget Adjustments listed in Budget Unit 30000.

**APPROVED AS RECOMMENDED** **AYES: ALL**

10. 1) Request the Board approve the AB 109 FY 2016/17 budget as recommended by the Community Corrections Partnerships; 2) Approve the addition of one (1) Investigative Assistant (Class 1396, Range 66.9) in Budget Unit 20400 to assist with increased workload that has been impacted by adult realignment; 3) Approve the addition of one (1) Deputy Sheriff I/II (Class 4079/4080, Range 68.7/70.6) in Budget Unit 22100 for assignment to the Merced Area Gang/Narcotic Enforcement Team; 4) Approve the addition of (1) Correctional Officer I/II (Class 2345/2335, Range 65.9/67.9) to assist with Pre-Trial services in Budget Unit 23000; 5) Approve the addition of one (1) Probation Assistant (Class 7470, Range 63.9), one (1) Management Analyst I/II/III (Class 7536/7537/7538, Range 70.0/73.5/77.7), two (2) Deputy Probation Officer I/II/III (Class 4020/4021/4022, Range 66.3/68.3/71.3), one (1) Supervising Probation Officer (Class 4025, Range 75.6) in Budget Unit 23406 to assist with increased workload that has been impacted by adult realignment; 6) Approve the amendment to the Position Allocation Resolution 06-120A.

**ADOPTED RESOLUTION AS RECOMMENDED** **AYES: ALL**

**REVIEW BOARD ORDER**

11. 1) Establish the classification of Criminal Information Analyst and approve the Criminal Information Analyst Specification; 2) Approve the addition of six (6) Criminal Information Analyst positions, classification 7872, salary range 68.9 in Budget Unit 20405; 3) Approve the amendments to the Position Allocation Resolution 06-120/A and the Salary Allocation Resolution 06-120; 4) Approve the creation of the new trust fund related to the Violence Interruption/Prevention Emergency Response (VIPER) Program; and 5) Approve the Final Budget Adjustments listed in Budget Unit 20405.

**ADOPTED RESOLUTIONS AS RECOMMENDED** **AYES: ALL**

**REVIEW BOARD ORDER**

12. Provide direction regarding District Project Funds.

**APPROVED AS RECOMMENDED** **AYES: ALL**

**REVIEW BOARD ORDER**

13. 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 15/16.

**Rule of Necessity:**

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.

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. He states that the Rule of Necessity is invoked anytime there is an action that is required to be taken by the Board, and they are the only body that can take that action. Mr. Fincher further states that this is the only Board that can take the action. 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. Chairman Walsh holds the straws and Supervisor Kelsey selects the short straw. Supervisor Kelsey remains in the Chambers to participate and Supervisors O'Banion and Pedrozo leave the Chambers

**APPROVED AS RECOMMENDED**                      **AYES: ALL**  
**REVIEW BOARD ORDER**

### PERSONNEL ACTIONS

14. (1) Approve the Fiscal Year 16/17 Final Budget Personnel Modifications as follows: 1) County Executive Office – Budget Unit 10100: Re-Establish & Change From: Deputy County Executive-Budget to Deputy County Executive Officer. 2) Auditor - Controller – Budget Unit 11000: Add: 1 Payroll Technician-Confidential; Add: 1 Fiscal Supervisor; Change: 1 Staff Services Analyst I/II (Pos 10) to Fiscal Supervisor. 3) Assessor – Budget Unit 11200: Add: 1 Staff Services Analyst I/II. 4) Treasurer – Budget Unit 11400: Establish: Chief Deputy Treasurer; Change: 1 Fiscal Manager (Pos 11) to Chief Deputy Treasurer. 5) Administrative Services – Budget Units 11500/75600: (B/U 11505) Add: 3 Janitor; (B/U 75601 – Information Systems) Add: 1 Programmer Analyst I/II; Add: 1 Network Systems Support Analyst I/II. 6) Human Resources – Budget Unit 13000: Change: 1 County Office Supervisor (Pos 5) to Staff Services Analyst I/II; Change: 1 Human Resources Manager (Pos 21) (C Level) to Asst Director of Human Resources (B Level). 7) Registrar of Voters – Budget Unit 14000: Establish & Add: 1 Supervising Election Specialist. 8) Department of Public Works – Budget Units 16100(19900)/16300(27300)/30000/75500: (B/U 16100 (19900) – Administration) Add: 1 Management Analyst I/II/III; (B/U 16300 (27300) – Buildings) Re-Establish & Add: 1 Supervising Building Inspector; (B/U 30000 – Roads) Change: 1 Senior Engineering Associate (Pos 64) to Engineering Associate I/II/III; (B/U 75500 – Fleet) Change and Add 1: Fleet Maintenance Supervisor. 9) Risk Management – Budget Unit 19000: Add: 1 Risk Analyst I/II/III. 10) District Attorney – Budget Unit 20400: Change: 1 Office Assistant III (Pos 22) to Support Services Analyst I/II; Add: 2 Deputy District Attorney I/II/III/IV; Add: 1 District Attorney Investigator I/II. 11) Public Defender – Budget Unit 20600: Add: 1 Legal Assistant. 12) Sheriff – Budget Units 22100/23000/28700: (B/U 22100 – Operations) Allocate: EH Office Assistant II; Allocate: EH Office Assistant III; (B/U 23000 – Corrections) Add: 2 Correctional Officer I/II; Add: 1 Correctional Sergeant/Correctional Senior Sergeant; (B/U 28700 – Animal Control) Allocate: EH Office Assistant I; Allocate: EH Office Assistant III. 13) Juvenile Hall – Budget Unit 23300: Change: 1 Juvenile Institutions Officer III (Pos 38) to Juvenile Institutions Officer I/II; Allocate: EH Special Projects Coordinator. 14) Fire – Budget Unit 25000: Change: 1 Office Assistant III (Pos 9) to Office Assistant I/II; (B/U 25005) Add: 1 Fire Prevention Inspector I/II/III. 15) Agriculture Commissioner – Budget Unit 27000: Change 1 From: Office Assistant I/II (Pos 14) Variable Shift to Full-time; Change: 1 Deputy Agricultural Commissioner (Pos 7) to Deputy Agric Commissioner/Sealer. 16) Community & Economic Development – Budget Unit 28500: Change: 1 Business Development Manager (Pos 18) to Development Services Coordinator.

17) Public Health – Budget Unit 40000: (B/U 40007) Delete: 1 Medical Claims Clerk I/II (Pos 256); (B/U 40010) Change: 1 Office Assistant I/II (Pos 172) to Office Assistant III; (B/U 40013) Add: 1 Office Assistant I/II; Add: 1 Community Health Specialist; (B/U 40016) Add: 1 Environmental Health Spec I/II/III; (B/U 40025) Change: 1 Office Assistant I/II (Pos 246) to Office Assistant III. 18) Mental Health – Budget Unit 41500: (B/U 41506) Establish: BHRS Community Enrichment Director; Add: 1 Mental Health Clinician I/II; Change: 1 Vocational Rehabilitation Counselor (Pos 399) B/U 41501 to BHRS Community Enrichment Director B/U 41506. 19) Human Services Agency – Budget Unit 50000: (B/U 50050) Add: 1 Vocational Rehabilitation Counselor; (B/U 50053) Allocate: EH Community Worker; (B/U 50054) Change: 1 Fiscal Supervisor (Pos 858) to Fiscal Services Supervisor. 20) Workforce Investment – Budget Unit 55000: Delete: 1 Assessment Technician I/II (Pos 46); Delete: 2 Employment Training Specialist I/II (Pos 105, 150); Delete: 1 Secretary III (Pos 8); Delete: 1 Supervising Employment & Tng Spec (Pos 39); Delete: 1 Support Services Analyst I/II (Pos 87). 21) Library – Budget Unit 60000: Change: 1 Lead Library Resource Technician (Pos 47) to Library Resource Technician I/II. 22) Retirement – Budget Unit 76600: Establish & Add: 1 CC Interim Retirement Plan Admin (Effective 6/27/16). **(2)** Establish the classifications of Chief Deputy Treasurer classification 7874 at salary range 74.2 in Budget Unit 11400, Supervising Election Specialist classification 7871 at salary range 68.2 in Budget Unit 14000, CC Interim Retirement Plan Admin, classification 0847 at \$100.00/hr. in Budget Unit 76600, BHRS Community Enrichment Director, classification 7873 at salary range 81.6 in Budget Unit 41506. **(3)** Re-Establish and change the classifications of Deputy County Executive-Budget, classification 1139 at salary range 84.2 in Budget Unit 10100, Supervising Building Inspector, classification 1612 at salary range 75.5 in Budget Unit 16300(27300). **(4)** Approve the modifications to the following classification specifications Vocational Rehabilitation Counselor, Welfare Fraud Investigator I, Mental Health Program Manager, Operations Officer-D W I. **(5)** Approve amendments to the Position Allocation Resolution 06-120/A and the Salary Allocation Resolution 06-120. **(6)** Approve amendments to the Merced County Human Resources Rules & Regulations Resolution 2007-22.

**ADOPTED RESOLUTIONS AS RECOMMENDED** **AYES: ALL**  
**REVIEW BOARD ORDER**

#### AUDITOR SCHEDULES

15. Adopt Budget Schedules 1, 2, 3, 4 and other budget schedules including reserves and appropriations for encumbrance carryover for the 2016/17 budget year.

**APPROVED AS RECOMMENDED** **AYES: ALL**

#### FISCAL YEAR 2016/17 FINAL BUDGET ADOPTION

16. 1) Approve Resolution adopting the Fiscal Year 2016/17 Final Budget as reviewed and amended during final budget hearings; and 2) Authorize the Auditor-Controller to make technical adjustments as necessary.

**ADOPTED RESOLUTION AS RECOMMENDED** **AYES: ALL**