

# SUMMARY ACTION MINUTES

## BOARD OF SUPERVISORS

### Regular Meeting

**TUESDAY, AUGUST 24, 2010**

**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  
HUBERT “HUB” WALSH, JR.....DISTRICT 2  
MICHAEL G. NELSON.....DISTRICT 3  
DEIDRE F. KELSEY....DISTRICT 4  
CHAIRMAN 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](http://www.co.merced.ca.us)**

Any material related to an item on the 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 actions and are approved by a single majority 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**

1:30 P. M.

**THE PUBLIC IS INVITED TO SPEAK ON ANY ITEM ON THE AGENDA - TESTIMONY IS LIMITED TO FIVE MINUTES PER PERSON**

**AUDITOR - PUBLIC HEARING**

To consider setting the Appropriation Limit for FY 2010-2011

RECOMMENDATION: 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 2010-2011 Appropriation Limit and adopt Resolution establishing the Fiscal Year 2010-2011 Appropriation Limit as \$559,552,940

**REVIEW BOARD ORDER – SEE PAGE 7**

**PRESENTATION**

**County Executive Officer - Budget Presentation**

Current Year Budget Information

Local Funding Projections - Five Year Plan

**REVIEW BOARD ORDER – SEE PAGE 7 AND 8**

**APPROVAL OF BUDGET CONSENT AGENDA CALENDAR (Items #1 - 8)**

**APPROVED AS RECOMMENDED AYES: ALL**

**BUDGET CONSENT CALENDAR (Items #1 - 8)**

**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, 10200, 11000, 11100, 11300, 11400, 12500, 13000, 13100 14000, 14200, 16000, 16900, 17000, 17300, 17400, 17900, 18100, 18200, 19000, 19200, 19700, 19900, 20100, 20200, 20400, 20600, 22100, 23000, 23300, 23400, 27000, 27200, 27300, 27400, 28000, 28200, 28300, 28400, 28600, 28700, 29000, 29400, 40000, 41500, 50000, 50500, 51000, 55000, 55100, 55200, 55300, 55600, 57600, 57700, 57800, 57900, 59000, 70000, 70200, 71000, 71500, 75000, 75100, 75200, 75300, 75400, 75500, 75600, 75900.

**REVIEW BOARD ORDER – SEE PAGE 8**

OUT OF STATE TRANSPORTATION AND TRAINING FOR FISCAL YEAR 2010/11

2. 1) Approve the Schedule of Out-of-State for Transportation and/or Training for FY 2010/11 and 2) Direct that no Out-of-County Overnight or Out-of-State Travel take place unless authorized by the County Executive Officer or his designee.

**REVIEW BOARD ORDER – SEE PAGE 8 AND 9**

CAPITAL ASSETS FOR FY 2010/11

3. 1) Approve the Capital Asset List by Budget Unit at the Sub-Object Level as appropriated in the FY 2010/11 Final Budget; and, 2) 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 2010/11 Budget subject to review by Auditor, County Counsel and the County Executive Officer.

**APPROVED AS RECOMMENDED AYES: ALL**

PUBLIC WORKS

5. (1) Approve the identified Road Division Work Program for Fiscal Year 2010/11 which includes Shanks Avenue at Letteau Avenue Signal and Intersection Improvements, Buhach Road/Ashby Road Intersection Improvements, Husman Road Reconstruction, and Sandy Mush Road Rehabilitation to be funded from Proposition 1B Transportation Bond; Santa Fe Drive Scrub Seal and Avenue Two Realignment and Henry Miller Road Scrub Seal projects to be funded from 2009 American Recovery and Reinvestment Act (ARRA); Campus Parkway Project will continue this year with State Transportation Congestion Relief Program; and, specific surface maintenance projects planned for this fiscal year contingent on State payment of Gas Tax Funding owed to the County of Merced, and (2) Approve the Final Budget Adjustments in BU 30000-(\$2,050,190).

**APPROVED AS RECOMMENDED AYES: ALL**

FIRE

6. Approve the Final Budget Adjustments in Fire, Budget Unit 25000 and 25100.

**REVIEW BOARD ORDER – SEE PAGE 9**

COMMERCE, AVIATION AND ECONOMIC DEVELOPMENT-High Speed Rail

7. (1) Authorize Commerce, Aviation and Economic Development Department to negotiate an \$80,000 contract with the Greater Merced High-Speed Rail Committee, Inc. and upon approval of contract by CEO and Counsel to direct CAED to forward contract to Chairman for signature and (2) authorize Chairman to sign Contract with the Greater Merced High-Speed Rail Committee, Inc.

**REVIEW BOARD ORDER – SEE PAGE 10**

HEALTH-Household Hazardous Waste

8. 1) Provide policy direction to transfer operations of the Household Hazardous Waste Program from the Public Health-Environmental Health Division to the Public Works-Solid

Waste Division, and 2) Direct staff to return to the Board with necessary revisions to contracts and permit forms.

**REVIEW BOARD ORDER – SEE PAGE 10**

## **REGULAR CALENDAR**

### **BOARD ACTION**

#### **PLANNING**

9. (1) Approve the Final Budget Adjustments in Budget Unit 28500; (2) Approve the following departmental personnel actions: Change one Planner I/II/III (Pos 7) to Office Assistant I/II; (3) Authorize the Reduction In Force of the following effective September 26, 2010 and delete the following three filled positions and transfer the following one position: one Office Assistant I/II (Pos 7), one Code Compliance Technician (Pos 33), one Planner I/II/III (Pos 32) and transfer one GIS/Development Services Manager (Pos 26) to BU 75601 - GIS/Development Services Manager for Planning-BU 28500; and (4) Approve the amendments to the Position Allocation Resolution.

**REVIEW BOARD ORDER – SEE PAGE 11**

#### **LIBRARY**

10. (1) Adopt new hours of operation for Merced Main, Atwater, Los Banos, Livingston, Gustine, and Hilmar Branch Libraries effective September 1, 2010; and, (2) Approve the Final Budget Adjustments in Budget Unit 60000.

**REVIEW BOARD ORDER – SEE PAGE 11**

#### **SHERIFF**

11. (1) Notification of actions taken by the Merced County Remote Access Network (RAN) Board on July 1, 2010 which included a review of Fiscal Year 2009/2010 budget expenses, and a recommended Fiscal Year 2010/2011 budget appropriations which included funding to support one Full Time Permanent Identification Technician I/II; (2) Approve the addition of one Identification Technician I/II position, Range 62.8/64.8 in BU 22102; and, (3) Approve the amendments to the Position Allocation.

**ADOPTED RESOLUTION NO. 2010-154 AS RECOMMENDED AYES: ALL**

#### **HUMAN RESOURCES**

12. FY 10/11 Final Budget, Personnel Actions - (1) Authorize the Reduction In Force of the following 17 filled positions and deletion of the following 24 vacant positions effective September 26, 2010: 1) Assessor-BU 11200: delete one Appraiser I/II/III (Pos 7); 2) Tax Collector-BU 11300: delete one Tax Collector Clerk I/II (Pos 3); 3) District Attorney-BU 20400: delete one District Attorney Program Specialist (Pos 32); 4) Probation-BU 23400: delete one Supervising Probation Officer (Pos 109); 5) Dept, of Workforce Investment-BU 55000: delete eight Employment Training Specialist I/II (Pos 118, 119, 122, 141, 144, 145, 146, 147), delete two Assessment Technician I/II (Pos 69,98), delete one Supervising Employment & Tng Spec (Pos 123), delete one Management Info Systems Tech I/II (Pos 22) and delete one Office Assistant I/II (Pos 148); Effective September 26, 2010, delete the following 24 Vacant positions: 1) County Executive Office-BU 10100: delete one Director of Governmental Affairs (Pos 21); 2) Assessor-BU 11200: delete one Assessment

Clerk I/II (Pos 31) and delete one Assistant Title Technician (Pos 35); 3) Administrative Services-BU 11505: delete one Janitor (Pos 16); 4) County Counsel-BU 12500: delete one Deputy County Counsel I/II/III/IV (Pos 8); 5) District Attorney-BU 20400: delete one Paralegal (Pos 107) and delete one Deputy District Attorney I/II/III/IV (Pos 49); 6) Public Defender-BU 20600: delete one Deputy Public Defender I/II/III/IV (Pos 5); 7) Sheriff-BU 22100: delete one Commander-Operations (Pos 7), delete two Deputy Sheriff/Coroner I/II (Pos 16,129), delete one Sheriff Senior Sergeant (Pos 8), and 8) Sheriff-Corrections-BU 23000: delete one Commander-Corrections (Pos 74); 9) Probation-BU 23400: delete one Deputy Probation Officer I/II/III (Pos 36); 10) Public Health-BU 40000: delete one Secretary I/II (Pos 15) and delete one Environmental Health Specialist I/II/III (Pos 105); 11) Dept. of Workforce Investment-BU 55000: delete three Employment Training Specialist I/II (Pos 36,43,52), delete one Supervising Employment & Tng Spec (Pos 114), delete one Staff Services Analyst I/II (Pos 143), delete one Secretary I/II (Pos 116); 12) Library-BU 60000: delete two Library Assistant I/II (Pos 8,31); and (2) Approve the amendment to the Salary Allocation Resolution; and, (3) Approve the amendment to the Position Allocation Resolution.

**REVIEW BOARD ORDER – SEE PAGE 12 AND 13**

13. FY 10/11 Final Budget, Personnel Recommendations - (1) Approve the following departmental personnel actions: 1) Elections-BU 14200: add one Support Services Analyst I/II; 2) Public Works- Administration-BU 19900: transfer one Special Programs Director (Pos 25) to BU 10100, Special Programs Director; 3) Sheriff-BU 22100: add one Administrative Supervisor and delete one Sheriff Community Service Tech III (Pos 124); 4) Sheriff Corrections-BU 23000: add two Correctional Facilities Admis Clerk and delete two Security Systems Operator (Pos 95,99); 5) Probation-BU 23400: add one Chief Probation Officer Designee; 6) Agricultural Commissioner-BU 27000: Transfer one Automation Systems Analyst I/II (Pos 25) to BU 75601-Automation Systems Analyst I/II, and establish and allocate EH Agricultural Biologist I, EH Agricultural Biologist II and EH Agricultural Biologist III; 7) Public Health-BU 40000: delete one Managed Care Project Coordinator (Pos 236), add one Staff Services Analyst I/II, delete one Community Health Nurse/Public Health Nurse I/II (Pos 10), add one Health Education Specialist; 8) First Five-BU 40600: Re-establish First 5 Merced County Program Manager and delete one First 5 Merced County Program Specialist (Pos 11) and add one First 5 Merced County Program Manager; 9) Mental Health-BU 41500: add one Staff Psychiatrist and add one Staff Services Manager; 10) DPW-Parks-BU 70200: Transfer one Ground Maintenance Worker I/II (Pos 18) to BU 23300 Ground Maintenance Worker I/II; (2) Re-establish the First 5 Merced County Program Manager classification specification and approve the modifications to the following classification specifications: Social Worker I/II, Social Worker III, Social Worker IVA-IVB, Supervising Social Worker, Social Svcs Program Administrator, Fire Prevention Inspector, and First 5 Merced County Program Manager; (3) Approve the amendments to the Salary Allocation Resolution; and, (4) Approve the amendments to the Position Allocation Resolution.

**REVIEW BOARD ORDER – SEE PAGE 13 THROUGH 15**

**EXECUTIVE OFFICE**

14. Pending the outcome of the State of California Fiscal Year 2010/2011 State Budget, direct staff to return to the Board of Supervisors with recommendations to bring costs in line with Federal and State funding as a result of the State's Final Budget.

**REVIEW BOARD ORDER – SEE PAGE 15**

AUDITOR - SCHEDULES

15. Adopt Budget Schedules 1, 2, 3, 4 and Other Budget Schedules including Reserves and Appropriations for Encumbrance Carryover for the 2010-2011 Budget Year.

**REVIEW BOARD ORDER – SEE PAGE 15**

AUDITOR - FINAL BUDGET ADOPTION

16. Adopt Resolution adopting the Fiscal Year 2010/2011 Final Budget as reviewed and amended during Final Budget hearings; and authorize the Auditor-Controller to make technical adjustments as necessary.

**REVIEW BOARD ORDER – SEE PAGE 16**

**THE MEETING IS ADJOURNED.**

**BOARD ORDERS – SUMMARY ACTION MINUTES – AUGUST 24, 2010**  
**FINAL BUDGET**

**1:30 P.M. SCHEDULED ITEM**  
**2010-08-24 AUDITOR – PUBLIC HEARING**

The time and date previously set for a public hearing to consider a proposal resolution setting the Appropriation Limit for FY 2010-2011 established under Article XIII B of the Constitution as submitted by the Auditor.

Auditor-Controller Lisa Cardella-Presto reviews the Staff Report and recommendation.

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

The Chairman closes the public hearing.

Following discussion and upon motion of Supervisor Walsh, seconded by Supervisor Nelson, duly carried, the Board approves using the change in County population combined with 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 2010/2011 Appropriation Limit and establishes the FY 2010/11 Appropriation Limit as \$559,552,940 and adopts Resolution No. 2010-152.

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

**1:30 P.M. SCHEDULED ITEM**  
**2010-08-24 COUNTY EXECUTIVE OFFICE – BUDGET**

County Executive Officer Larry Combs states the annual budget is prepared, reviewed and approved in accordance with the Budget Act per Government Code and states the Budget is provided and will be reviewed for approval.

Deputy County Executive Officer Scott DeMoss reviews the powerpoint presentation highlighting the Budget Overview stating revenue losses and reductions from reduced property taxes, decreased sales tax related to economic troubles and the State's budget cuts have impacted the County's financial capabilities. He continues to review: Financing Requirements, General Purpose Revenue, Local Resources, Available Fund Balance, Reserves, General Fund Contingency, Budget Summary, General Purpose Revenue Requirements, Staffing Reductions by Functional Area, Positions Held Vacant ½ Year, Future Outlook, Revenues vs. Expenditures (General Fund), Cash Flow (General Fund), Local Resources, Net County Cost, and Local Funding Projections–5 Year Projection.

Assistant County Executive Officer Jim Brown reviews the powerpoint presentation highlighting the Areas for Consideration as follows: Road Work Plan, Fire Fund, High Speed Rail, Household Hazardous Waste Program, Planning & Community Development, Library, Staffing Reductions, and State Budget.

County Executive Officer Larry Combs states the budget before the Board is a difficult one and more projections will be before the Board in late January or February. With respect to the Williamson Act, Mr. Combs states that legislation is looking at various Bills that would put money toward Williamson Act.

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

**CONSENT ITEM NO. 1**

**2010-08-24 BUDGET - FINAL BUDGET ADJUSTMENTS**

The Clerk announces the Final Budget Adjustments are before the Board for consideration.

The Chairman asks if there is anyone present wishing to speak.

AFSCME President Mary McWatters states concern with the Special Projects Director position under Public Works Administration transferred from 19001 to 18200 (Commerce, Aviation, and Economic Development) which placed an A Level under another A Level position. She suggests elimination stating if this position is eliminated, other line staff jobs could be saved.

County Executive Officer Larry Combs states that the Special Projects Director position was filled by Mr. Smith and he has since retired. Mr. Combs further states that the position will be evaluated.

Upon motion of Supervisor Nelson, seconded by Supervisor Kelsey, duly carried, the Board approves Final Budget Adjustments based on more current information to various budget units within the General Fund and Other Funds as follows: 10000, 10100, 10200, 11000, 11100, 11300, 11400, 12500, 13000, 13100 14000, 14200, 16000, 16900, 17000, 17300, 17400, 17900, 18100, 18200, 19000, 19200, 19700, 19900, 20100, 20200, 20400, 20600, 22100, 23000, 23300, 23400, 27000, 27200, 27300, 27400, 28000, 28200, 28300, 28400, 28600, 28700, 29000, 29400, 40000, 41500, 50000, 50500, 51000, 55000, 55100, 55200, 55300, 55600, 57600, 57700, 57800, 57900, 59000, 70000, 70200, 71000, 71500, 75000, 75100, 75200, 75300, 75400, 75500, 75600 and 75900.

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

**CONSENT ITEM NO. 2**

**2010-08-24 BUDGET - OUT-OF-STATE TRANSPORTATION AND TRAINING FOR FY 2010/11**

The Clerk announces the Out-of-State Transportation and Training for Fiscal Year 2010/11 is before the Board for consideration.

The Chairman asks if there is anyone present wishing to speak.

AFSCME President Mary McWatters states the County Travel totals almost \$182,000 and the Dept. of Workforce Investment has \$33,400 and suggests less people attend trainings especially the departments that have no available funds.



Deputy County Executive Officer Scott DeMoss reviews the Schedule of Out-of-State for Transportation and/or Training that has been submitted.

Supervisor Nelson states the Staff Report references Out-of-State and Overnight Travel but the documents provide pertain only to Out-of-State and he requests information on Out-of-County In-State Travel.

County Executive Officer Larry Combs states no Out-of-County Overnight or Out-of-State Travel may take place unless authorized by the County Executive Officer or his designee.

Mr. DeMoss advises the Out-of-County In-State Travel totals \$367,905.

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Nelson, duly carried, the Board approves the Schedule of Out-of-State Transportation and/or Training for Fiscal Year 2010/11 and directs that no Out-of-County Overnight or Out-of-State Travel take place unless authorized by the County Executive Officer or his designee.  
Ayes: O'Banion, Pedrozo, Walsh, Nelson, Kelsey

**CONSENT ITEM NO. 6**  
**2010-08-24 BUDGET - FIRE**

The Clerk announces the Final Budget Adjustments in Fire Budget Unit 25000 and 25100 are before the Board for consideration.

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

Several Board members question new equipment purchases, the requirements and the Impact Fees and the use of impact fees.

Division Fire Chief Scott Newman states replacement of equipment is on a 20-year Schedule and requires the purchase of new equipment to avoid potential risk to both the public and employees. He states Impact Fees can be used when purchasing equipment, but not for direct replacement and therefore, cannot replace an Engine on a 20-Year Cycle.

Following discussion and upon motion of Supervisor Nelson, seconded by Supervisor Pedrozo, duly carried, the Board approves the Final Budget Adjustments in Fire, Budget Unit 25000 and 25100.  
Ayes: O'Banion, Pedrozo, Walsh, Nelson, Kelsey

**CONSENT ITEM NO. 7**

**2010-08-24 BUDGET - COMMERCE, AVIATION, AND ECONOMIC DEVELOPMENT – High Speed Rail**

The Clerk announces the Contribution to the Greater Merced High-Speed Rail Committee, Inc. is before the Board for consideration.

Commerce, Aviation, and Economic Development (CAED) Director Mark Hendrickson reviews the Staff Report and states the proposed contract is to demonstrate ongoing support of the High Speed Rail which has the potential for 1,500 jobs.

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

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Pedrozo, duly carried, the Board authorizes Commerce, Aviation and Economic Development to negotiate a Contract with the Greater Merced High-Speed Rail Committee, Inc. in the amount of \$80,000 for ongoing support of the High Speed Rail and upon approval of Contract by County Executive Officer and Counsel, authorizes the Chairman to sign Contract No. 2010217.

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

**CONSENT ITEM NO. 8**

**2010-08-24 BUDGET - HEALTH – Household Hazardous Waste**

The Clerk announces the transition of Merced County's Household Hazardous Waste Management is before the Board for consideration.

Public Health Director Tammy Moss reviews staff report stating the Household Hazardous Waste sites have been operated by Environmental Health and with last year's budget reductions, the hours of operation were substantially reduced. As budget and service impacts continue to be evaluated, Public Works has identified an operational solution whereby the hours of operation at the Highway 59 Household Hazardous Waste site could be increased to match the landfill operation hours and operational costs could be reduced through consolidating activities. Staff members from both departments have jointly developed a transition timeline that would be effective October 1, 2010.

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

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Pedrozo, duly carried, the Board approves the transfer of operations of the Household Hazardous Waste Program from Health - Environmental Health Division to the Public Works - Solid Waste Division and directs Staff to return to the Board with necessary revisions to contracts and permit forms.

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

**ACTION ITEM NO. 9**

**2010-08-24 BUDGET - PLANNING**

The Clerk announces Final Budget Adjustments in Planning, Budget Unit 28500 is before the Board for consideration.

The Chairman reviews the staff report and asks if there is anyone present wishing to speak. No one speaks.

The Board discusses the GIS Manager position, the position placement in the Information Systems Department, the GIS services provided by Merced County Association of Governments (MCAG) and the quality and possible duplication of services.

Following a lengthy discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Pedrozo, duly carried, the Board takes the following actions:

- (1) Approves the Final Budget Adjustments in Planning, Budget Unit 28500;
- (2) Approves the following departmental personnel actions: Change one Planner I/II/III, Range 66.8/69.8/73.9 (Pos 7) to Office Assistant I/II, Range 55.4/57.4 in Planning, BU 28500;
- (3) Authorize the Reduction In Force of the following:  
Effective September 26, 2010 delete the following three filled positions and transfer the following one position: Delete one Office Assistant I/II (Pos 7); one Code Compliance Technician (Pos 33), one Planner I/II/III (Pos 32) in Planning, BU 28500 and transfer one GIS/Development Services Manager (Pos 26) from Planning to Information Systems-BU 75601; and,
- (4) Adopts Resolution No. 2010-153 (Position).

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

**ACTION ITEM NO. 10**

**2010-08-24 BUDGET - LIBRARY**

The Clerk announces the Reduction in Library Hours due to Budget Shortfall is before the Board for consideration.

Merced County Librarian Jacque Meriam reviews the staff report stating the Library will not experience any reduction in force and the proposed recommendation has a reduction of hours of operation primarily where patronage has been traditionally low.

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

Following discussion and upon motion of Supervisor Kelsey, seconded by Supervisor Pedrozo, duly carried, the Board adopts the new hours of operation for the Merced Main, Atwater, Los Banos, Livingston, Gustine, and Hilmar Library Branches effective September 1, 2010, and approves the Final Budget Adjustments in Budget Unit 60000.

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

**ACTION ITEM NO. 12**

**2010-08-24 BUDGET - HUMAN RESOURCES**

The Clerk announces the 2010/11 Final Budget Personnel Actions for Reduction in Force is before the Board for consideration.

Human Resources Director Robert Morris states there are 17 filled positions affected by the proposed Reduction in Force (RIF). Mr. Morris informs the Board that 4 of the 17 positions are in general fund departments and 14 positions are in the Department of Workforce Investment (DWI) as a result of a reduction in ARRA funds. Mr. Morris states that every effort will be made to place RIF employees in other departments if possible.

The Chairman asks if there is anyone present wishing to speak.

AFSCME President Mary McWatters states with this proposed recommendation and the Planning deleted positions previously discussed, layoffs will affect 20 people in the County and she questions the justification of 12 DWI management positions to oversee 15 DWI case managers.

Elena Blanton states she provided a letter to the Board in opposition to the layoffs in DWI stating she feels management has not given thorough consideration to all other possible money saving cuts and asks that the Board review other options within the Department before approving the proposed recommendation.

Anthony Gallegos states he is opposed to the layoffs and requests the Board vote "no" and look at the top heavy of this department stating in the past 10 years this department has been RIF'ed 3 times and during that time not one manager has been laid off.

The Board recesses at 2:50 p.m. and reconvenes at 2:55 p.m. with all members present.

Department of Workforce Investment Director Andrea Baker responds to questions, reviews the DWI funding stating a reduction in force is being recommended based on utilization of funding and the Workforce Investment Act funding and adds that California lost 6.29% of overall funding in allocation which also is resulting in reduction of services.

The Board discusses and questions concerns of line staff and the management staff levels and discusses furlough days.

Following discussion on the management positions vs. line staff positions, County Executive Officer Larry Combs states a report will be completed by Director Baker and brought back to the Board.

Human Resources Director Robert Morris and Dept. of Workforce Investment Director Andrea Baker address questions by the Board and provide information on staffing.

Following further discussion, Supervisor Kelsey moves, seconded by Supervisor O'Banion, the Board takes the following action for FY 10/11 Final Budget, Personnel Actions:

(1) Authorizes the Reduction In Force of the following 17 filled positions and deletion of the following 24 vacant positions effective September 26, 2010:

- 1) Assessor-BU 11200: delete one Appraiser I/II/III (Pos 7);

- 2) Tax Collector-BU 11300: delete one Tax Collector Clerk I/II (Pos 3);
  - 3) District Attorney-BU 20400: delete one District Attorney Program Specialist (Pos 32);
  - 4) Probation-BU 23400: delete one Supervising Probation Officer (Pos 109);
  - 5) Dept. of Workforce Investment-BU 55000: delete eight Employment Training Specialist I/II (Pos 118, 119, 122, 141, 144, 145, 146, 147), delete two Assessment Technician I/II (Pos 69, 98), delete one Supervising Employment & Tng Spec (Pos 123), delete one Management Info Systems Tech I/II (Pos 22) and delete one Office Assistant I/II (Pos 148);
- Effective September 26, 2010, delete the following 24 Vacant positions:
- 1) County Executive Office-BU 10100: delete one Director of Governmental Affairs (Pos 21);
  - 2) Assessor-BU 11200: delete one Assessment Clerk I/II (Pos 31) and delete one Assistant Title Technician (Pos 35);
  - 3) Administrative Services-BU 11505: delete one Janitor (Pos 16);
  - 4) County Counsel-BU 12500: delete one Deputy County Counsel I/II/III/IV (Pos 8);
  - 5) District Attorney-BU 20400: delete one Paralegal (Pos 107) and delete one Deputy District Attorney I/II/III/IV (Pos 49);
  - 6) Public Defender-BU 20600: delete one Deputy Public Defender I/II/III/IV (Pos 5);
  - 7) Sheriff-BU 22100: delete one Commander-Operations (Pos 7), delete two Deputy Sheriff/Coroner I/II (Pos 16, 129), delete one Sheriff Senior Sergeant (Pos 8), and
  - 8) Sheriff-Corrections-BU 23000: delete one Commander-Corrections (Pos 74);
  - 9) Probation-BU 23400: delete one Deputy Probation Officer I/II/III (Pos 36);
  - 10) Public Health-BU 40000: delete one Secretary I/II (Pos 15) and delete one Environmental Health Specialist I/II/III (Pos 105);
  - 11) Dept. of Workforce Investment-BU 55000: delete three Employment Training Specialist I/II (Pos 36, 43, 52), delete one Supervising Employment & Tng Spec (Pos 114), delete one Staff Services Analyst I/II (Pos 143), delete one Secretary I/II (Pos 116 );
  - 12) Library-BU 60000: delete two Library Assistant I/II (Pos 8, 31); and
- (2) Adopts Resolution No 2010-155 (Salary), and  
(3) Adopts Resolution 2010-156 (Position).  
Ayes: O'Banion, Pedrozo, Walsh, Kelsey  
Noes: Nelson

**ACTION ITEM NO. 13**

**2010-08-24 BUDGET - HUMAN RESOURCES**

The Clerk announces the 2010/11 Final Budget Position Recommendations are before the Board for consideration.

Human Resources Director Robert Morris reviews the staff report and each department reduction.

The Board discusses the funding and allocation of the Special Programs Director in Public Works-Administration.

The Chairman asks if there is anyone present wishing to speak.

AFSCME President Mary McWatters states the position of Special Programs Director-Public Works should be deleted and the funds placed back into the General Fund.

Supervisor Nelson moves, to amend the position of Special Programs Director-Public Works (Position 25) to reflect the amount be zeroed out and not funded.

County Counsel James Fincher states zero funding means you would have an unfunded position and you have to come back to the Board and approve it to be funded and it would require a 4/5 Vote.

Supervisor Pedrozo seconds the Motion.

Following discussion, The Chairman calls for a vote on the motion.

Supervisors Pedrozo, Walsh, Nelson, Kelsey and O'Banion vote "no". Motion fails

Ayes: None

Noes: O'Banion, Pedrozo, Walsh, Nelson, Kelsey

Supervisor Walsh moves, to delete the Special Programs Director-Public Works position in terms of funding and position allocation and bring the matter back for an additional position if so determined by the County Executive Officer.

Supervisor Kelsey seconds the motion.

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

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

Upon motion of Supervisor Nelson, seconded by Supervisor Kelsey, duly carried, the Board takes the following action for FY 10/11 Final Budget Position Recommendations: (1) Approve the following departmental personnel actions:

- 1) Elections-BU 14200: add one Support Services Analyst I/II;
- 2) Public Works-Admin-BU 19900: prior action taken [Special Programs Director (Pos 25)];
- 3) Sheriff-BU 22100: add one Administrative Supervisor and delete one Sheriff Community Service Tech III (Pos 124);
- 4) Sheriff Corrections-BU 23000: add two Correctional Facilities Admis Clerk and delete two Security Systems Operator (Pos 95,99);
- 5) Probation-BU 23400: add one Chief Probation Officer Designee;
- 6) Agricultural Commissioner-BU 27000: Transfer one Automation Systems Analyst I/II (Pos 25) to BU 75601-Automation Systems Analyst I/II, and establish and allocate EH Agricultural Biologist I, EH Agricultural Biologist II and EH Agricultural Biologist III;
- 7) Public Health-BU 40000: delete one Managed Care Project Coordinator (Pos 236), add one Staff Services Analyst I/II, delete one Community Health Nurse/Public Health Nurse I/II (Pos 10), add one Health Education Specialist;
- 8) First Five-BU 40600: Re-establish First 5 Merced County Program Manager and delete one First 5 Merced County Program Specialist (Pos 11) and add one First 5 Merced County Program Manager;
- 9) Mental Health-BU 41500: add one Staff Psychiatrist and add one Staff Services Manager;
- 10) DPW-Parks-BU 70200: Transfer one Ground Maintenance Worker I/II (Pos 18) to BU 23300 Ground Maintenance Worker I/II;

(2) Re-establish the First 5 Merced County Program Manager classification specification and approve the modifications to the following classification specifications: Social Worker I/II, Social Worker III, Social Worker IVA-IVB, Supervising Social Worker, Social Svcs Program Administrator, Fire Prevention Inspector, and First 5 Merced County Program Manager;

(3) Adopts Resolution 2010-157 (Salary, Special Duty Pay); and,

(4) Adopts Resolution No. 2010-158 (Position).

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

#### **ACTION ITEM NO. 14**

##### **2010-08-24 BUDGET – EXECUTIVE OFFICE**

The Clerk announces the Impact of delayed State of California Fiscal Year 2010/2011 Budget is before the Board for consideration.

Amanda Carvajal, Executive Director-Merced County Farm Bureau speaks in support of the Williamson Act and the continued funding and submits a Letter dated August 24, 2010 from Jeff Marchini, President of the Merced County Farm Bureau in support of the inclusion of the Williamson Act for FY 2010/11 Budget.

Upon motion of Supervisor Nelson, seconded by Supervisor Pedrozo, duly carried, the Board directs Staff to return to the Board with recommendations to bring costs inline with Federal and State funding as a result of the State's Final Budget.

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

#### **ACTION ITEM NO. 15**

##### **2010-08-24 BUDGET - AUDITOR SCHEDULES**

The Clerk announces Budget Schedules 1 through 4 and other Schedules including Change in Reserves is before the Board for consideration, in addition to updates in Schedules 1 through 14 (Supplemental Material).

Auditor-Controller Lisa Cardella-Presto reviews the staff report and submits and reads into the record comments on the schedules, the general fund balance, expenditures and revenues, property values decline and property tax revenue decrease, Property tax in lieu of Vehicle License Fees and State IOUs and the affect on the county cash management.

Upon motion of Supervisor Walsh, seconded by Supervisor Pedrozo, duly carried, the Board adopts Budget Schedules 1, 2, 3, 4, and Other Budget Schedules including Reserves and Appropriates for Encumbrance Carryover for the 2010/2011 Budget Year.

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

**ACTION ITEM NO. 16**

**2010-08-24 BUDGET - AUDITOR – FINAL BUDGET ADOPTION**

The Clerk announces the Proposed Resolution to consider adoption of the FY 2010/2011 Final Budget is before the Board for consideration.

The Board and County Executive Officer thank all county staff for the efforts in compiling the Budget.

Supervisor Nelson moves, seconded by Supervisor Kelsey, the Board adopt the Fiscal Year 2010/2011 Final Budget.

Following discussion, Counsel Fincher recommends the Board take a break to allow Counsel to review a legal issue on the final budget relative to Government Code 29080 subsection (d) which requires all proposals for revision shall be in writing to the Clerk of the Board before the close of the public hearing.

The Board recesses at 3:50 p.m. and reconvenes at 4:00 p.m. with Supervisor Kelsey not present.

Assistant County Administrator Jim Brown states the action taken was to remove the position and to remove the funding related to this position and we will reduce the County Executive Office Budget by \$154,000.

He further states on Action Item #16, this authorizes the Auditor to make technical adjustments and the Auditor will reduce property tax revenues due to the uncertainty in the roll and by the related \$154,000 so that the budget stays in balance.

The Chairman requests Counsel comment as Supervisor Kelsey is not present and seconded the Motion.

County Counsel James Fincher responds this is not an issue and the Board may vote on the motion.

The Chairman calls for a Vote on the Motion to approve the Budget as corrected.

Motion carries.

Ayes: O'Banion, Pedrozo, Walsh, Nelson

Not Present: Kelsey