



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1
Chair

Anthony Botelho
District No. 2

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4

Jaime De La Cruz
District No. 5
Vice-Chair

County Administration Building – Board of Supervisors Chambers, 481 Fourth Street, Hollister, California

REGULAR MEETING FEBRUARY 8, 2011 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in *regular session*. Supervisors Barrios, Botelho, Rivas, Muenzer and De La Cruz were present. Also present were County Administrative Officer Rich Inman, County Counsel Matthew Granger, and Assistant Clerk of the Board Janet Slibsager. Chair Barrios presided.

9:00 a.m. CALL TO ORDER:

- a) Supervisor Botelho led the Pledge of Allegiance.
- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*
- c) **PRESENTATIONS & RECOGNITIONS:**
Present Awards and Certificates of Appreciation to County Employees who have Reached Milestone Years of Service.
Management Analyst Jacki Credico of Human Resources Division along with the Board of Supervisors presented certificates to the following for their years of service with San Benito County: 15 years, Michael Kirschman, Mary Macias, Edward Escamilla, Brian Lepore; 20 years, Kimberly Flores, Guadalupe Vasquez, Martha Gibson, Rita Leon, Patricia Maderis, Javana Sammons, Richard Brown, Priscilla Leon, Debora Peters, Joseph Alvarado, Jason DeRosa, Sylvia Jacquez; 25 years, Hank Brown, Cynthia Silva, Lillian Pereira; 30 years, Matthew Oates, Patricia Estrada, Alma Villasana, James Sanchez; 35 years, Kim Hawk. *File #630*
- d) **Public Comment:** Marty Richman, Hollister resident, thanked the San Benito County Employees for their public service.
- e) **Department Head Announcements:** Health & Human Services Director Kathy Flores thanked Mr. Richman for his comments.
Ms. Flores mentioned that there was discussion at the last Board of Supervisors meeting under public comment in regards to illegal food vendors. Ms. Flores said that she wanted to have Vivian Nelson of Environmental Health provide some information in regards to food vendors.
Environmental Health Manager Vivian Nelson provided information in regards to food vendors and the Environmental Health's staff role in regards to inspections in regards to food vendors on a complaint basis. Ms. Nelson said that

when a food vendor has been inspected and passes the inspection they would be given a sticker to display by Environmental Health to show that they are a permitted food vendor.

Supervisor Botelho thanked Ms. Nelson for addressing this issue. Supervisor Botelho said that we have a lot of street vendors that don't have vehicles.

Ms. Nelson said that Environmental Health Specialists do not have citation power but they do have a process in place to educate the person who wishes to sell food.

Chair Barrios said that she had directed CAO Rich Inman to put it on the agenda for the next Intergovernmental meeting and they would be discussing it with the City of Hollister as well.

- f) **Board Announcements, Introductions and Presentations:** Supervisor Muenzer announced that he attended the Veterans Park Commission meeting and that they elected a new chair.

Supervisor De La Cruz said that he was elected Chairman of the Veterans Park Commission. Supervisor De La Cruz said they discussed the need for fields for baseball, soccer, etc. Supervisor De La Cruz said that they would be applying for Prop 84 grant monies, which could provide funds for new facilities.

Supervisor Botelho said that he would like to encourage the use of the new fields in San Juan Bautista.

Chair Barrios announced that she attended the General Plan Advisory Committee meeting. She said that they are moving right along and meeting time lines.

Chair Barrios announced that she attended the Tri County Association of Latino Elected Officials Summit quarterly meeting along with Supervisor Rivas. Chair Barrios said that this year they are focusing on education.

CONSENT AGENDA:

*Upon motion made by Supervisor De La Cruz and seconded by Supervisor Muenzer, **approved** Consent Agenda Items 2 through 5 with the exception of Item 1 which was pulled for discussion. (Unanimous)*

CLERK OF THE BOARD – D. Thome:

- 1) **Approve the action minutes of the December 21, 2010 regular meeting.**

Supervisor Muenzer and Rivas abstained as they were not on the Board at that time.

BOARD ACTION: *Upon motion made by Supervisor De La Cruz and seconded by Supervisor Botelho, **approved** the action minutes of December 21, 2010.*

HEALTH & HUMAN SERVICES – K. Flores:

- 2) **Adopted Resolution No. 2011-13,** accepting the 2011 Community Services Block Grant and authorizing the HHSA Executive Director to enter into and sign the CSBG grant contract and any amendments to such grant contract on behalf of the County of San Benito. *File #939*

PROBATION DEPARTMENT – B. Cardall:

- 3) **Approved** four year agreement with Evercom Systems, Inc. to supply and maintain a juvenile inmate phone system, which will provide the County with

approximately \$2,880 annually; and authorize the Chief Probation Officer to sign said agreement. *File #510*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 4) ***Approved*** increase of Public Works Administrator change order authority for the Playgrounds at Veterans Memorial Park and McCarthy Park Project from \$6,282 to \$20,000; and authorize the Public Works Administrator to approve change orders on this project in an amount not to exceed \$20,000. *File #105.3*
- 5) ***Approved*** contract with Nolte Associates, Inc. for engineering services for preparation of plans and specifications for the Rocks Road Bridge Replacement at Pinacate Creek project for the period of February 8, 2011 to June 30, 2013 in an amount not to exceed \$293,392. *File #105*

9:00 A.M. - PUBLIC HEARING *(Or as soon thereafter as the matter may be heard)*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 6) **Hold a public hearing and adopt Resolution tabulating protests and confirming the consolidated fee report, fee schedule and fee for property-related fees in connection with CSA No. 31 (Stonegate) and taking certain related actions. (Res. No. 2011-14)**

Management Analyst Janelle Cox provided a staff report and an overview of the process for the tabulating protests and confirming the consolidated fee report, fee schedule and fee for property related fees for CSA No. 31 (Stonegate).

Chair Barrios opened the public hearing.

There being no public comment, the Chair closed the public hearing.

Assistant Clerk of the Board Janet Slibsager reported that there was one (1) written protest.

Chair Barrios pointed out a couple of errors in the Resolution that she would like to have corrected before she signed: First page, fourth whereas, remove the second that from sentence and on last page of resolution, sentence to read on file with the Clerk of the Board.

BOARD ACTION: *Upon motion made by Supervisor Muenzer and seconded by Supervisor Botelho, adopted Resolution No. 2011-14, tabulating protests and confirming the fee report, fee schedule and fee for property-related fees in connection with CSA No. 31, with the changes specified by the Chair. (Unanimous) File #CSA #31*

REGULAR AGENDA:

HUMAN RESOURCES – R. Inman:

- 7) **Adopt Resolution regarding a 5% waiver of salaries for the Elected Offices of County Supervisor for District 1, County Supervisor for District 2, County Supervisor for District 3, County Supervisor for District 4 and County Supervisor for District 5 and accept the completed and signed Voluntary Elected Officials Waiver Forms.**

Management Analyst Jacki Credico provided information in regards to the 5% waiver of salary reduction for the Board of Supervisors.

Supervisor De La Cruz said that he would like to have this matter tabled until they hear from the other elected officials.

Supervisor Botelho said that he feels very strongly that everybody is going to have to give something up. Supervisor Botelho said that he feels that we need to move forward with Resolution, we need to show by example and provide leadership.

Supervisor Rivas said that he agrees with Supervisor De La Cruz, however, we do need to move forward today and set a precedent and hopefully the other elected department heads can make the same commitment.

Supervisor Muenzer said that he also agrees with Supervisor De La Cruz, however, we have already asked one segment of employees to take a 5% cut. I think it would send a wrong message if we did not move forward today and sign the resolution.

Chair Barrios said that we need to take a leadership role and would like to move forward with this item today.

BOARD ACTION: Upon motion made by Supervisor De La Cruz and seconded by Supervisor Rivas, ***adopted Resolution No. 2011-15***, regarding the waiver of salaries for the Elected Offices of County Supervisor for District's 1, 2, 3, 4 & 5; ***accepted*** the completed and signed Voluntary Elected Officials Salary Waiver Forms. (Unanimous) File #630

HEALTH & HUMAN SERVICES – K. Flores:

- 8) **Proclaim January 24-28, 2011 as Eligibility Professional Recognition Week. Recognize the women and men who are eligibility workers at all levels, for their efforts and accomplishments to improve the lives of our community.**

Health & Human Services Director Kathy Flores said that the week that they are asking to be proclaimed has gone by but they would be doing their own celebration in their office on February 14th, which is also Valentine's Day to recognize their staff.

Ms. Flores introduced some of her staff that was in the audience.

Health & Human Services Deputy Director Cindy Singh provided information in regards to Eligibility Professional Recognition Week that had been set by Governor Schwarzenegger back in 2009 to proclaim the last week in January as Eligibility Professional Recognition Week. Ms. Singh thanked the Board of Supervisors for their recognition.

BOARD ACTION: Upon motion made by Supervisor Botelho and seconded by Supervisor Rivas, ***proclaimed*** January 24-28, 2011 as Eligibility Professional Recognition week; ***recognized*** the women and men who are eligibility workers at all levels, for their efforts and accomplishments to improve the lives of our community. (Unanimous) File #430

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 9) **Adopt Resolution which makes special findings and authorizes the transfer of \$1,467,000 of County General Fund Contingency, authorizes the appropriation of funds to a Revolving Fund for the benefit of CSA No. 31 (Stonegate), and establishes terms for repayment of the loan; approve the budget adjust, transferring General Fund Contingency in the amount of \$454,200 to the Stonegate CSA Water Project, with an existing budgeted**

amount of \$1,012,800, for a total amount of \$1,467,000; increase the Stonegate Revolving Loan Fund by \$67,000, for a total of \$1,467,000. (4/5 vote)

Management Analyst Janelle Cox provided information in regards to the proposed Resolution which makes special findings and authorizes the transfer of \$1,467,000 of County General Fund Contingency for the CSA No. 31 (Stonegate) and the repayment of the loan.

Discussion ensued by Board and staff.

Marty Richman, Hollister resident, asked what was the collateral for the loan.

Clerk, Auditor, Recorder Joe Paul Gonzalez provided information.

Chair Barrios pointed out an error in the Resolution on the last page to add are on file with the Clerk of the Board before she signs it.

BOARD ACTION: Upon motion made by Supervisor Muenzer and seconded by Supervisor Rivas, adopted Resolution No. 2011-16, which makes special findings and authorizes the transfer of \$1,467,000 of County General Fund Contingency, authorizes the appropriation of funds to a Revolving Fund for the benefit of CSA No. 31, and establishes terms for repayment of the loan; approved the budget adjustment, transferring General Fund Contingency in the amount of \$454,200 to the Stonegate CSA Water Project, organizational key 2700-816, with an existing budgeted amount of \$1,012,800 for a total amount of \$1,467,000; increased the Stonegate Revolving Loan Fund by \$67,000 for a total of \$1,467,000. (Unanimous) File #CSA No. 31

The vote of each member of the Board of Supervisors upon each matter at the foregoing meeting, unless otherwise stated, was as follows:

AYES:	SUPERVISORS:	Botelho, Rivas, Muenzer, De La Cruz, Barrios
NOES:	SUPERVISORS:	None
ABSENT:	SUPERVISORS:	None

There being no further business the Board adjourned to February 22, 2011 at 9:00 a.m.

MARGIE BARRIOS, CHAIR

San Benito County Board of Supervisors

ATTEST:

Janet Slibsager, Asst.Clerk of the Board