



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 MARCH 1, 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 Clerk of the Board Denise Thome. Chair Barrios presided.

9:00 a.m. CALL TO ORDER:

- a) Supervisor Muenzer led the Pledge of Allegiance.
- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*
- c) **PRESENTATIONS & RECOGNITIONS:**
Present a Certificate of Recognition to Lillian Pereira, Assistant County Clerk Recorder, in appreciation for over 25 years of service to San Benito County. Chair Barrios made the presentation to Lillian Pereira on behalf of the Board and expressed their appreciation.
Assistant County Clerk Recorder Lillian Pereira thanked the Board for the recognition.
County Clerk Auditor Recorder Joe Paul Gonzalez expressed gratitude to Lillian for her many years of service. *File #630*
- d) **Public Comment:** Marvin Jones, Hollister resident, offered a positive comment on the new web page for the county. He understood that eventually the supporting documents for the Board agenda would be on the web page. He commended the new web page and stated that he looked forward to the completeness of it.
Marty Richman, Hollister resident, offered congratulations to the Board and residents of the county and city on the ground breaking ceremony for the new courthouse. He was encouraged that the courthouse was moving along, stayed on schedule and everyone has fulfilled their obligations. He was pleased with the location.
- e) **Department Head Announcements:** There were no department head announcements.

f) **Board Announcements, Introductions and Presentations:**

Supervisor Muenzer stated that he and Supervisor Rivas went to Sacramento for their second session of new supervisor training which was very informative. He noted that one of the opening speakers was Diane Cummings who is an advisor to Jerry Brown. Ms. Cummings gave a 30 year history of the State giving and taking money from the county.

Supervisor De La Cruz reported that the Budget Committee met with the Sheriff on Friday.

Supervisor Botelho spoke of how nice the Courthouse groundbreaking was. He indicated that he met with stakeholders, COG staff and CHP staff regarding expanding the truck route in San Benito County.

Supervisor Rivas had no announcements.

Chair Barrios stated that she attended the Economic Development Corporation presentation that was informative. She stated that she and Supervisor Rivas attended the retreat for Gang Prevention noting their many accomplishments and their objectives and goals for the future. With respect to the Courthouse groundbreaking, Chair Barrios offered kudos to previous supervisors Pat Loe and Reb Monaco who were instrumental for moving the project forward in a timely manner. Chair Barrios indicated that she would like to discuss the issue of Clear Creek and BLM on a future agenda and discuss the possibility of them wanting to take the roads over.

CONSENT AGENDA:

Upon motion made by Supervisor Rivas and seconded by Supervisor Muenzer, approved Consent Agenda items. (Unanimous)

ADMINISTRATION – R. Inman:

- 1) ***Adopted Resolution No. 2011-21*** approving the submission of application(s) for Off-Highway Grant Funds by the County Administrative Officer, or designated representative. *File #119*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 2) ***Approved*** the reappointment of Diana Carr as a public interest member to the Behavioral Health Board effective March 2011 through March 2014. *File #810*
- 3) ***Approved*** the reappointment of Judith Ann Cain as a public interest member to the Behavioral Health Board effective February 2011 through February 2014. *File #810*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 4) ***Accepted*** all bids in the bid summary report for the Chip and Slurry Seal Project; ***awarded*** contract to Graham Contractors, Inc. as the lowest responsive/responsible bidder in the amount of \$253,217.67; and ***authorized*** the Public Works Administrator to execute the contract; and ***authorized*** the Public Works Administrator to issue change orders in an amount not to exceed \$25,000. *File #105*

SHERIFF'S DEPARTMENT – D. Thompson:

- 5) ***Approved*** the maintenance agreement with L-1 Identity Solutions in the total amount of \$13,581 for the maintenance of three (3) Identix fingerprint machines

for the period of April 1, 2011 through March 31, 2012; and **authorized** the Sheriff to sign agreement. *File #110*

REGULAR AGENDA:

For each regular agenda item, the following schedule shall occur:

- a) Staff report.
- b) Public opportunity to address the Board on a particular agenda item. Please fill out a speaker card and present it to the Clerk prior to consideration of the item.
- c) Consideration by the Board.

INTERNAL SERVICES DEPARTMENT – M. Riopel:

- 6) **Receive overview and presentation of the Countywide Geographic System provided by Patrick Kelleher, President of Lynx Technologies and Rene Anchieta, County GIS Analyst.**

Management Analyst Margie Riopel gave a brief staff report and Introduced Patrick Kelleher, President of Lynx Technologies and Rene Anchieta, County GIS Analyst, who would be making the presentation.

Mr. Kelleher explained that this was a 10 year long project that started as the brain trust of Margie Riopel and a few county officials. He introduced what GIS (geographic information system) was, what the capabilities were and where it was going.

Mr. Kelleher and Mr. Anchieta proceeded to give a presentation and visual Demonstration on the countywide Geographic System and provided a handout to follow along with.

PLANNING DEPARTMENT – G. Armstrong:

- 7) **Approve Amendment #3 with Precision Inspection Company, Inc. to extend term of contract for Building Division services from June 30, 2011 to June 30, 2016.**

Planning Director Gary Armstrong explained that the matter was an item that was continued from February 1, 2011 and that they were requesting that the Board approve the amendment to the agreement. He added that Precision Inspection Company CFO Crickett Brinkman was available to answer any questions.

Jim Stevens, San Benito County part time Building Inspector explained that he worked 20 hours a week, was there on his own time and was representing the (SEIU) union. He gave a handout to the Board and read it aloud.

Frank Garden, contract enforcement specialist for SEIU, asked the Board to consider an alternative to Precision by letting the Building Department be its own department again. He proceeded to read from the same handout submitted by Mr. Stevens.

Joseph Torquato, Earth Bound Farms Director of Engineering, stated that their company's experience with Precision has allowed them to fast track projects with the help of planning and inspection groups. He felt that it was a fluid process and was working pretty well. He advocated continuing the relationship with Precision as he felt they were a sound company and they were serving the county's best interests as well as local businesses.

Chair Barrios asked what it would cost for 3 full time employees to do the jobs Precision is doing.

Mr. Armstrong stated that last year Building Division revenue was about \$174,000 and it would cost about \$300,000 for three full time employees. He noted that Precision was only being paid for building services that are being paid for.

Supervisor Rivas asked why a contract for 5 years.

Mr. Armstrong explained that Precision offered 5 years at no additional cost. He further noted that there was a termination clause and the county could terminate at any time.

Supervisor De La Cruz said the only way he would support the contract is if it was reduced to one year and Precision took a 20% cut.

Supervisor Botelho stated that using contract services was a cost saving measure. He indicated that adding more people to the payroll was not going to work. He stated that he would be supporting the contract.

Chair Barrios felt it would impact the general fund if they did anything different than what they were already doing. She indicated that at any point if it became cheaper to hire employees, she hoped the Planning Director would come to the Board.

*Upon motion made by Supervisor Botelho and seconded by Supervisor Barrios, **approved** Amendment #3 with Precision Inspection Company, Inc. to extend term of contract for Building Division services from June 30, 2011 to June 30, 2016. (The motion passed 4-1. Supervisor De La Cruz voted no) File #790.*

PUBLIC WORKS DEPARTMENT – S. Wittry:

8) Receive the midyear status report on the FY 2010/11 Capital Budget.

Adam Goldstone, Capital Projects Manager, gave a PowerPoint presentation.

Discussion ensued between the Board and staff.

SHERIFF'S DEPARTMENT – D. Thompson:

9) Approve the layoff of three (3) positions within the Sheriff's Corrections Division, effective on or around April 4, 2011. 1.0 FTE – Inmate Program Manager and 2.0 FTE Correctional Officer; and direct Human Resources to provide notice as required in County's Layoff Policy. (Continued from the February 22, 2011 meeting)

County Administrative Officer Rich Inman reported that the sheriff and the budget ad hoc committee met the previous Friday. He noted that regardless of what action was taken today, there would still be a significant hole in the sheriff's budget that would have to be dealt with at the end of the budget year.

Supervisor De La Cruz stated that from a fiscal perspective there was no resolution or new source of funds. He stated that because of the safety issue and increase of liability to taxpayers he would support his original opinion to continue to fund the two correctional officer positions and start the layoff process of the Inmate Program Manager, as the loss of that position did not compromise the liability of the county. He stated that would be his recommendation to the Board.

Supervisor Rivas reported that they had met for nearly two hours. He explained that the options were to eliminate all three positions or eliminate 1 or 2 positions and dip into reserves and create a deeper hole.

Sheriff Darren Thompson stated that the financial perspective of our nation is interesting and the way things are funded is complex and confusing at times. He indicated that his best estimate if they laid off two correctional officers

effective April 4, 2011, the savings through June 30, 2011 from those layoffs would be \$44,000 and that in turn they would spend an estimated \$20,000 plus in overtime to cover.

Those speaking under public comment were; Communications Dispatcher Jody Ortega; Correctional Officer Nick Cummings; County Building Inspector Jim Stevens; SEIU representative Frank Garden and Hollister resident Marty Richman.

Discussion ensued between Supervisors and staff.

BOARD ACTION: Upon motion made by Supervisor De La Cruz and seconded by Supervisor Barrios, **approved** the layoff of the Inmate Program Manager position. (Unanimous) File #110

BOARD ACTION: Upon motion made by Supervisor Botelho and seconded by Supervisor Muenzer, **approved** the layoff of the two correctional officer positions.

Supervisor De La Cruz called for a roll call vote:

Supervisor Muenzer – yes

Supervisor De La Cruz – no

Supervisor Barrios – no

Supervisor Botelho – yes

Supervisor Rivas – yes

The motion passed 3-2. File #110

The Board adjourned at 11:30 a.m. and reconvened at 1:30 p.m. for Assessment Appeal hearings.

1:30 p.m. ASSESSMENT APPEAL HEARINGS (Agenda prepared separately)

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 March 8, 2011 at 9:00 a.m.

MARGIE BARRIOS, CHAIR

San Benito County Board of Supervisors

ATTEST:

Denise R. Thome, Clerk of the Board