



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 MAY 24, 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 Matt Granger, and Clerk of the Board Denise Thome. Chair Barrios presided.

9:00 a.m. CALL TO ORDER:

- a) Chair Barrios led the Pledge of Allegiance.

A moment of silence was observed in honor of Eric Tognazzini.

- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*

- c) **Public Comment:**

Rosa Maria Navarro and Elizabeth Garcia, both In-Home Supportive Services (IHSS) workers spoke in support of the IHSS program and asked for the Board's support.

- d) **Department Head Announcements:**

County Administrative Officer Rich Inman spoke in regards to AB109 which would shift prisoners to counties. He noted that there would be a special meeting on June 28, 2011 for close out items for this year's budget.

Public Works Director Steve Wittry gave an update on paving projects.

- e) **Board Announcements, Introductions and Presentations:**

Supervisor Botelho spoke in regards to Fish & Game holding up planning projects in San Benito County. He indicated that he would like to have a Fish & Game representative speak to the Board.

Planning Director Gary Armstrong indicated that the State had restricted Fish & Game travel to mission critical items only. He stated that he had offered for the County to go to them.

Chair Barrios suggested that she and Supervisor Botelho, as an ad hoc committee, meet with Fish & Game along with Mr. Armstrong.

Supervisor Rivas stated that he would like to agendize the review of the curfew ordinance for a later meeting and would also like to get a series of updates from the Sheriff's Office in regards to violence prevention.

Supervisor Muenzer indicated that he and Supervisor Botelho participated in the 156 improvement discussion.

Supervisor De La Cruz spoke of the results of the COG meeting he attended the previous week.

Chair Barrios attended the In-Home Supportive Services (IHSS) meeting at the library and received a stack of support cards that she put in the Board of Supervisors office for review. She gave an update on the New Idria Mines clean up issue. Chair Barrios indicated that she would be putting a resolution supporting storefront businesses in regards to out of state online orders and no taxes being paid, on the next meeting. She reported that she attended Sam Farr's presentation at St. Francis Retreat and thanked staff for being there.

CONSENT AGENDA:

*Upon motion made by Supervisor Botelho and seconded by Supervisor Muenzer, **approved** Consent Agenda Items with the exception of Items 1, 3, 6, 7, 13 and 15 which were pulled for discussion. (Unanimous)*

ADMINISTRATION – R. Inman:

- 1) **Approve contract renewal with Monterey County for veteran's services for the period of July 1, 2011 through June 30, 2014, in the amount not to exceed \$220,281.**

Item was pulled for discussion.

Marty Richman and Richard Place, both Hollister residents, spoke in regards to veterans services.

*Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Barrios **approved** contract renewal with Monterey County for veterans services for the period of July 1, 2011 through June 30, 2014, in the amount not to exceed \$220,281. (Unanimous) File #125*

ADMINISTRATION – R. Inman:

- 2) **Adopted Resolution No. 2011-38 approving** the application(s) for Statewide Park Program Grant Funds. *File #93*

AGRICULTURAL COMMISSIONER – R. Ross:

- 3) **Accept the preliminary engineer's Report from SCI Consulting Group for the Mosquito Abatement Program; schedule a public hearing for June 21, 2011 and adopt a Resolution of Intent to levy the assessment for Fiscal Year 2011/2012.**

Item was pulled for discussion.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor De La Cruz **accepted** the preliminary engineer's Report from SCI Consulting Group for the Mosquito Abatement Program; **scheduled** a public hearing for June 21, 2011 and **adopted Resolution No. 2011-39** a Resolution of Intent to levy the assessment for Fiscal Year 2011/2012. (Unanimous) File #1.1*

AGRICULTURAL COMMISSIONER – R. Ross:

- 4) **Approved** contract with the Department of Food & Agriculture to provide Organic Food Services for the period of July 1, 2011 through June 30, 2012, in total amount of \$7,845. *File #1.1*

AGRICULTURAL COMMISSIONER - R. Ross:

- 5) **Approved** contract with the Department of Food & Agriculture to provide services for placing and servicing traps for the detection of exotic insect pests for the period of July 1, 2010 through June 30, 2011, for a total of \$48,776. *File # 1.1*

CLERK OF THE BOARD – D. Thome:

- 6) **Approve the action minutes of the Board of Supervisors special meeting on May 17, 2011 and regular meetings on April 26, May 3, 2011 and May 10, 2011.**

Item was pulled for discussion.

Chair Barrios noted that corrections to the minutes were given to the Clerk of the Board.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Rivas, **approved** the action minutes of the Board of Supervisors special meeting on May 17, 2011 and regular meetings on April 26, May 3, 2011 and May 10, 2011, as corrected.(Unanimous)*

CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 7) **Approve contract with K & H Integrated Print Solutions as the lowest responsible quote for the upcoming June 7, 2011 Special Election for printing of ballots and booklets, and address/mailing services for sample ballot booklets and ballots.**

Item was pulled for discussion.

Chair Barrios stated that they were set to approve something that has already taken place.

Supervisor Botelho reminded Departments that contracts needed approval before and they were not a rubberstamp Board.

Approved contract with K & H Integrated Print Solutions as the lowest responsible quote for the upcoming June 7, 2011 Special Election for printing of ballots and booklets, and address/mailing services for sample ballot booklets and ballots. *(Unanimous) File #285*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 8) **Approved** contract with Goodfellow Occupational Therapy Services for occupational therapy services for the period of July 1, 2011 through June 30, 2012, for an amount not to exceed \$79,800. *File #130*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 9) **Approved** contract with Dr. Carol Johnson-Schroetlin for psychological services for the period of July 1, 2011 through June 30, 2012, in the amount of \$30,000. *File #130*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 10) **Approved** contract with National Council on Crime and Delinquency for Structured Decision Making (SDM) report services for the period of July 1, 2011 through June 30, 2012, in the amount of \$12,000. *File #130*

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 11) **Approved** contract with Golder Associates, Inc. for groundwater and landfill monitoring, inspection and reporting requirements at John Smith Landfill for the period of July 1, 2011 through July 1, 2013, at a total not to exceed \$144,000. File #75.4

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 12) **Approved** contract with Golder Associates for general service tasks as authorized to meet the requirements at John Smith Road Landfill in compliance with regulatory agencies for the period of July 1, 2011 through July 1, 2013, at a total not to exceed \$20,000. File #75.4

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) **Approve** contract with Biggs Cardosa Associates, Inc. for engineering services on the Rosa Morada Road Bridge replacement project at Arroyo Dos Picachos Creek from May 24, 2011 through June 30, 2013, in an amount not to exceed \$338,000.

Item pulled for discussion.

Approved contract with Biggs Cardosa Associates, Inc. for engineering services on the Rosa Morada Road Bridge replacement project at Arroyo Dos Picachos Creek from May 24, 2011 through June 30, 2013, in an amount not to exceed \$338,000. (Unanimous) File #105

SHERIFF'S OFFICE – D. Thompson:

- 14) **Adopted** Resolution No. 2011-40 authorizing positions to execute applications on behalf of the County, Federal assistance and Funding for FY 2011 State Homeland Security Grant Program and the FY 2011 State Emergency Management Performance Grant. File #75.5

SHERIFF'S OFFICE – D. Thompson:

- 15) **Adopt** Resolution authorizing the creation of the "San Benito County Auxiliary Communications Service (ACS) and Radio Amateur Civil Emergency Service Unit"; and approve Auxiliary Communications Service Plan and authorize the County Administrative Officer to sign.

Item was pulled for discussion.

Chair Barrios noted the name on top of page one and throughout was Santa Benito and should be San Benito and needed to be corrected.

Adopted Resolution No. 2011-41 authorizing the creation of the "San Benito County Auxiliary Communications Service (ACS) and Radio Amateur Civil Emergency Service Unit"; and approve Auxiliary Communications Service Plan, with corrections, and **authorized** the County Administrative Officer to sign. (Unanimous) File #110

REGULAR AGENDA:

ADMINISTRATION – R. Inman:

- 16) **Authorize** the issuance of a press release with the City of Hollister concerning illegal street vendors and give staff direction if necessary.

County Administrative Officer Inman gave a brief introduction and turned it over to Environmental Health Director Vivian Nelson.

Ms. Nelson gave a PowerPoint presentation on illegal street vendors.

Discussion was had afterwards.

Providing public comment were Hollister residents Marty Richman and Richard Bettencourt.

BOARD ACTION: Upon motion duly made by Supervisor Barrios and seconded by Supervisor Rivas, **authorized** the issuance of a press release and **directed** continued efforts to partner with businesses through the Inter-Governmental Committee. (Unanimous) File #119

ASSESSOR'S OFFICE – T. Slavich:

- 17) **Adopt Resolution to allow for posting of annual assessment notices, effective June 1, 2011 on the County website per Revenue & Taxation Code Section 621.**

Assessor Tom Slavich gave a brief staff report.

BOARD ACTION: Upon motion duly made by Supervisor Botelho and seconded by Supervisor De La Cruz, **adopted Resolution No. 2011-42** to allow for posting of annual assessment notices, effective June 1, 2011 on the County website per Revenue and Taxation Code Section 621. (Unanimous) File #7

The Board adjourned at 10:35 for a short break and reconvened at 10:41 a.m.

BOARD OF SUPERVISORS:

- 18) **Discussion and direction regarding proposed improvements to Highway 156, including County funding of improvements. (Supervisor Botelho)**

Supervisor Botelho reported on the round table discussion with several community members regarding Highway 156 improvements.

Lisa Rheinheimer of Council of Governments spoke on the matter and indicated that she would commit to having a report together for when they met with Cal Trans.

Discussion ensued.

Those speaking under public comment were Hollister residents Richard Bettencourt and Richard Place.

BOARD ACTION: Upon motion made by Supervisor Botelho and seconded by Supervisor Rivas, **directed** staff to bring a report on what's being proposed, back to the Board prior to the meeting with District 5. (Unanimous) File #156

BOARD OF SUPERVISORS:

- 19) **Direct staff to write a letter to Regional Council of Rural Counties (RCRC) requesting their support and action in requesting the State of California to perform a statewide mountain lion count. (Supervisor Muenzer)**

Fish & Game Commission Chairman Richard Place gave a brief report on the matter and suggested that the Board send it to Regional Council of Rural Counties (RCRC) for consideration.

Charles McCullough, Paicines resident, offered information on the mountain lion problem.

BOARD ACTION: Chair Barrios **directed** County Administrative Officer Inman to draft a letter regarding the mountain lion situation, to be brought back at the June 7, 2011 meeting. File #24

FISH & GAME ADVISORY COMMISSION – R. Place:

- 20) **Request for Board of Supervisors to prepare a resolution to facilitate the transfer of fees assessed on Fish & Game violations by Superior Court.**

Fish & Game Commission Chairman Richard Place gave a brief report on their efforts to receive the administration fee levied on court fines, noting that it was their only source of income.

BOARD ACTION: *Upon motion duly made by Supervisor Botelho and seconded by Supervisor Muenzer, **directed** staff to prepare a resolution to facilitate the transfer of fees assessed on Fish & Game violations by Superior Court, to be brought back for adoption at a later meeting. (Unanimous) File #24*

PLANNING DEPARTMENT – G. Armstrong:

- 21) **Approve a Fixed Asset, Noise Meter in the amount of \$3,286; approve a budget adjustment, decreasing salaries and benefits object detail by \$3,286 and increasing fixed assets by \$3,286; and approve the purchase of one Larson Davis Sound Track LxT N/Forcer model LxT1-NFR-PK1 for use by Planning, Building and Code Enforcement staff for enforcement of the Noise Ordinance. (4/5 vote)**

Planning Director Gary Armstrong indicated that a noise meter was not in the budget and would need approval to purchase.

BOARD ACTION: *Upon motion made by Supervisor Rivas and seconded by Supervisor Botelho, **approved** a Fixed Asset, Noise Meter in the amount of \$3,286; **approved** a budget adjustment, decreasing salaries and benefits object detail by \$3,286 and increasing fixed assets by \$3,286; and **approved** the purchase of one Larson Davis Sound Track LxT N/Forcer model LxT1-NFR-PK1 for use by Planning, Building and Code Enforcement staff for enforcement of the Noise Ordinance. (The motion passed 5 – 0) File #790*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 22) **Adopt Resolution declaring the result of the mail ballot election conducted on May 3, 2011, in which the proposed property related fee for CSA #53 was approved.**

County Service Area Coordinator Lynette Redman gave a staff report.

BOARD ACTION: *Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Barrios, **adopted Resolution No. 2011-43** declaring the result of the mail ballot election conducted on May 3, 2011, in which the proposed property related fee for CSA #53 was approved. (Unanimous) File CSA#53*

The Board adjourned into closed session at 11:40 a.m. and reconvened into regular session at 11:59 a.m.

CLOSED SESSION:

- 23) **Conference with Labor Negotiator:**

Authority: California Government code Section 54957.6

Agency Designated Chief Negotiator: Linzie Daniel, Jo Dan and Associates and Jacki Credico, Management Analyst

Employee Organization: SEIU Local 521 (General Unit Employees)

No reportable action was taken. File # 235.6

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: Barrios, De La Cruz, Botelho, Rivas, Muenzer

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

There being no further business the Board adjourned at 12:01 p.m. to June 7, 2011 at 9:00 a.m.

MARGIE BARRIOS, CHAIR

San Benito County Board of Supervisors

ATTEST:

Denise R. Thome, Clerk of the Board