



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 ACTION MINUTES AUGUST 2, 2011

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.

Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.

b) **PRESENTATIONS & RECOGNITIONS:**

BOARD OF SUPERVISORS:

Chair Barrios presented a proclamation to the family of the late Eric S. Tognazzini from the Board of Supervisors. *File #430*

BOARD OF SUPERVISORS:

Supervisor De La Cruz presented the proclamation to the San Benito Health Foundation, declaring Health Center Week from August 7-13, 2011 and August 2011. *(File #430)*

Chair Barrios presented the proclamation to the San Benito Health Foundation declaring "Breastfeeding Awareness Month" in San Benito County. Public Health Nurse Kathryn Farnham said a few words in support of breastfeeding. *File #430*

c) **Public Comment:**

There was no public comment.

d) **Department Head Announcements:**

Sheriff Lieutenant Roy Iler informed the Board about the 28th National Night Out to be held at the Target parking lot that evening from 5 to 8 p.m.

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

Supervisor Botelho gave an update on the Highway 156 Improvement Project.

Supervisor Muenzer reported that he had attended the Hollister Hills Advisory Committee meeting where Hollister Hills Superintendent Jeff Gaffney announced that they would be giving the County almost \$190,000 to several different departments within the County, from the State Off Road Vehicle Registration Fund. He noted that they were giving back to the community and were augmenting the budget considerably. He further noted that Hollister Hills was using goats to eradicate the yellow flower thistle on the property.

Chair Barrios reported that she had attended Probation's Juvenile Work Graduation at the San Benito County Historical Park. She made the correction from the last meeting when she mistakenly said Supervisor Rivas had met with L.U.L.A.C. when in fact Supervisor Rivas had met with Mickie Luna and other constituents. She noted that the AB 109 Committee had met the previous day and were a very organized group.

REGULAR AGENDA:

PLANNING DEPARTMENT – G. Armstrong:

1) **Receive presentation from US Fish and Wildlife Services on the proposed “Foothill Legacy Project” and provide comments as necessary.**

Planning Director Gary Armstrong introduced Mark Pelz of the California Fish and Wildlife Service who gave a PowerPoint presentation on the California Foothill Legacy Project.

Those speaking under public comment were: San Benito County landowner Roger Miller, San Benito County resident Kate Woods, Paicines resident Richard Williams, Paicines resident Kevin Davis, San Benito County resident Jeannette Langstaff and San Benito County resident Janet Brians.

Discussion ensued between Supervisors and Mr. Pelz. *File #790*

CONSENT AGENDA:

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor De La Cruz **approved** Consent Agenda items with the exception of Items 2, 3, 4 and 6 which were pulled for discussion. (Unanimous)*

ADMINISTRATIVE OFFICE – R. Inman:

2) **Approve the response prepared by the County Administrative Office on behalf of the County Board of Supervisors; submit the prepared letter with the responses to the Presiding Judge of San Benito County Superior Court in regards to the 2010-11 Grand Jury Report.**

Item was pulled for discussion.

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor Rivas, **approved** the response prepared by the County Administrative Office on behalf of the County Board of Supervisors, **directed** submission of the prepared letter with the responses to the Presiding Judge of San Benito County Superior Court in regards to the 2010-11 Grand Jury Report. (Unanimous) File #605*

ADMINISTRATIVE OFFICE – R. Inman:

- 3) **Extend the effective date for layoffs in the Sheriff's Operational and jail budgets from August 15, 2011 to September 13, 2011.**

Item was pulled for discussion.

County Administrative Officer Inman stated that he would like to have in the motion that it applies to deputy sheriffs and correctional officers.

*Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Rivas, **extended** the effective date for layoffs in the Sheriffs Operational and Jail budgets, as applies to deputy sheriffs and correctional officers, from August 15, 2011 to September 13, 2011. (Unanimous) File #110*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 4) **Approve the Workforce Collaborative of California's Central Coast (WCCC) MOU between the San Benito County WIB and partnering WIBs; authorize the Chair of the WIB and the Deputy Director to sign said MOU.**

Item was pulled for discussion.

Health and Human Services Agency Deputy Director Enrique Arreola stated that the first two sentences on page 2, item 3e had been changed. He submitted the new language.

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor Muenzer, **approved** the Workforce Collaborative of California's Central Coast (WCCC) MOU between the San Benito County WIB and partnering WIBs; **authorized** the Chair of the WIB and the Deputy Director to sign said MOU with amended language incorporated. (Unanimous) File #130*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 5) **Appointed Ms. Barb Montag to the Workforce Investment Board to represent the private sector, for a three year term effective August 2, 2011 through August 2, 2014. File #939**

PROBATION DEPARTMENT – B. Cardall:

- 6) **Approve application for Juvenile Accountability Block Grant (JABG's) Evidence Based Practices Project for FY 2011-2012; adopt Resolution to authorize Chief Probation Officer to sign and submit the JABG application to the California Standard's Authority.**

Item was pulled for discussion.

Chair Barrios felt page 4 should be more specific and should state "City Council" and not "City Hall".

Supervisor Muenzer stated that page 16 should read “4 Saturdays per month” and not “4 Saturdays per week”.

Gang Prevention Coordinator Al DeVos stated that he would make the changes.

*Upon motion made by Supervisor Barrios and seconded by Supervisor De La Cruz, **approved** the application, with amendments on pages 4 and 16 as noted, for Juvenile Accountability Block Grant (JABG’s) Evidence Based Practices Project for FY 2011-2012; **adopted Resolution No. 2011-69** to authorize Chief Probation Officer to sign and submit the JABG application to the California Standard’s Authority. (Unanimous) File #510*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 7) **Approved** Amendment No. 3 with Biggs Cardosa Associates, Inc. for additional design and engineering services on the Union Road Bridge replacement project and a new total contract amount not to exceed \$2,382,090. *File #105*

The Board adjourned for a short break at 10:28 a.m. and reconvened at 10:40 a.m.

REGULAR AGENDA:

ADMINISTRATION – R. Inman:

- 8) **Discussion/direction from Board members to the Budget Ad Hoc committee concerning issues the Board would like the Ad Hoc committee to take into consideration.**

CAO Inman explained that this was an opportunity to present ideas to the Budget Committee.

Chair Barrios did not want it to be the last opportunity and would like to have the opportunity at every meeting.

Supervisor Muenzer wanted to make sure the full Board heard back from the Budget Committee at least once a month. He suggested the Budget Committee look at revenue sources such as hotel tax and any money that could be received on gas and oil. He emphasized that they needed to look at money from outside the area and whatever revenue streams there were. He commented that they had asked staff for cuts and they were bleeding from the cuts. He further suggested for future budget hearings, putting departments that do not use any general fund money on consent form for approval.

Supervisor Botelho expressed that they needed to be result driven and concurred with Supervisor Muenzer about encouraging staff and different departments to find additional revenues. He felt they should explore the possibility of altering the benefit package, namely Public Employees Retirement System (P.E.R.S.) and further felt that they could save money and avoid layoffs if the employee picked up some of the retirement cost. He commended the San Benito County employees for stepping up and felt they were fairly compensated and not over compensated. Supervisor Botelho further suggested that they consider employees paying a portion and contribute to their retirement. He recommended that they get good projections early on for 2012-13 so they could start planning.

Chair Barrios suggested looking at cell phone use and only having cell phones for those that absolutely needed them. She wanted the Budget Committee to also look at mileage allowances for department heads and the possibility of double-dipping if the department head has a car and is also getting mileage allowance. She further suggested looking at retiree caps and exploring the idea of buyouts and forfeiting of retiree vacation and sick leave with maximum pay out amount, with the agreement that the retiree would get a certain amount and in turn forfeit sick and vacation pay. She recommended asking the departments to start budgeting a small percentage of salaries for retirement pay off for sick and vacation. She suggested talking to property owners near the airport to see if anyone was interested in purchasing county owned property out there.

CAO Inman stated that the City of Hollister funding of the Economic Development Corporation (EDC) was contingent upon funding of the RDA and that the City of Hollister had not yet made a commitment to fund the EDC. CAO Inman noted that he put the Board's commitment to the EDC, which had expired, on the August 16, 2011 agenda for further discussion. *File #119*

AGRICULTURAL COMMISSIONER – R. Ross:

- 9) **Accept the 2010 Crop Report; and authorize the release of this report to the public via the department web-site.**

Agricultural Commissioner Ron Ross gave a presentation on the 2010 Crop Report.

BOARD ACTION: *Upon motion made by Supervisor Botelho and seconded by Supervisor Barrios, **accepted** the 2010 Crop Report and **authorized** the release of this report to the public via the department web-site. (Unanimous) File #1.1*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 10) **Receive the Environmental Health Manager's report on domestic drinking water source for nitrate levels.**

Environmental Health Manager Vivian Nelson gave a PowerPoint presentation on Nitrate Monitoring in Groundwater.

Lengthy discussion ensued between Board and staff.

BOARD ACTION: *Upon motion made by Supervisor Rivas and seconded by Supervisor De La Cruz, **received** the Environmental Health Manager's report on domestic drinking water source for nitrate levels and **directed** Governance Committee members to bring the matter up at the next Governance Meeting. (Unanimous) File #142*

PLANNING DEPARTMENT – G. Armstrong:

- 11) **Make all findings contained in Exhibit "A" of the attached proposed ordinance; and adopt Ordinance, adopting Article XIII (Impact Fee Reimbursement) of Chapter 5.01 of Title 5 of the San Benito County Code".**
(Continued from July 26, 2011 meeting)

Planning Director Gary Armstrong recommended making the findings.

Chair Barrios noted that there was a typographical error in the title and that "reimbursement" was misspelled.

BOARD ACTION: *Upon motion made by Supervisor Rivas and seconded by Supervisor Muenzer, **made** all findings contained in Exhibit "A" of the attached proposed ordinance; and **adopted Ordinance No. 880**, including amendment of typographical error, **adopting** Article XIII (Impact Fee Reimbursement) of Chapter 5.01 of Title 5 of the San Benito County Code. (Unanimous) File #790*

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 11:45 a.m. to August 16, 2011 at 9:00 a.m.

MARGIE BARRIOS, CHAIR

San Benito County Board of Supervisors

ATTEST:

Denise R. Thome, Clerk of the Board