



SAN BENITO COUNTY BOARD OF SUPERVISORS

Don Marcus
District No. 1
Chair

Anthony Botelho
District No. 2

Pat Loe
District No. 3

Reb Monaco
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 MAY 1, 2007

The Board of Supervisors of San Benito County met in the Board Chambers on the above date *in regular session*. Supervisors Monaco, Loe, Botelho, De La Cruz and Marcus were all present. Also present was County Administrative Officer Susan Thompson, County Counsel Dennis Le Clere and Clerk of the Board Linda Churchill. Chairman Don Marcus presided

9:30 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) **Public Comment:** Joe Thompson, Tres Pinos resident, wished everyone a Happy Law Day. Mr. Thompson expressed concern over the recent Council of Governments (COG) meeting when the COG Director stated that we need to increase taxes and fees in this county to increase public transit. Mr. Thompson urged the Board of Supervisors to send a message to COG that we are moving the wrong way in this county and the Board should be adopting a resolution to dissolve COG.
- d) **Department Head Announcements:** Alan Yamamoto, Director of Behavioral Health, invited the Board and the public to attend the Grand Opening of the new San Benito County Behavioral Health Services' Esperanza Center, 327 5th Street, on Thursday, May 10, 1007 from 1:00 p.m. to 6:00 p.m.

County Administrative Officer Susan Thompson announced that today, May 1st, is the official kick-off for the American Cancer Society Relay for Life season noting that staff and the Board were wearing purple ribbons to recognize this day.

Sheriff Curtis Hill reported that Governor Schwarzenegger should be signing AB 900 this week, which is the prison reform act. Sheriff Hill stated that this was a culmination of about a year and a half of negotiations with the Governor's office and the legislature to get to this point. Sheriff Hill indicated that he would be keeping excellent communication with the Board of Supervisors and the County Administrative Officer as to the progress of this prison reform act noting a lot would be happening in the next several months.

Question and answer period ensued.

Supervisor Loe stated that the re-entry piece is a huge portion of this legislation and felt it was very important for the County to stay in front of it and this should be

discussed very soon on an upcoming agenda and maybe a subcommittee should be created to work on it.

f) **Board Announcements, Introductions and Presentations:** Supervisor Botelho reported that he attended the Dog Show held at Bolado Park over the weekend and there was 800 contestants on Saturday and 1000 on Sunday noting that this was good for local business and encouraged the community to welcome these visitors.

Supervisor Botelho addressed the concerns that Mr. Thompson brought up under public comment.

Supervisor De La Cruz stated that he supported the Relay for Life organization noting it was a very worthwhile group.

Chairman Marcus reported that at the last meeting the item to present the Safety Award was postponed and he introduced Jacki Credico, Management Analyst, who came forward to recognize the annual Safety Employee of the year. Ms. Credico presented a plaque and pin to Health & Human Services Agency employee Antoinette Moreno who has done an outstanding job in promoting and practicing safety in the workplace.

CONSENT AGENDA:

Upon motion made by Supervisor Monaco and seconded by Supervisor Botelho, approved Consent Items 1 through 12 with the exception of Item 9, which was pulled for discussion. (Unanimous)

BEHAVIORAL HEALTH – A. Yamamoto:

- 1) **Approved** purchase of two (2) mid sized sedans at a total base cost of \$28,908 plus tax and license fees and one (1) 7-passenger minivan at a total base cost of \$13,712 plus tax and license fees. *File #810*
- 2) **Approved** Proclamation declaring May 2007 as “Mental Health Month” in San Benito County. *File #430*

BOARD OF SUPERVISORS:

- 3) **Approved** Certificates of Recognition for the 2007 MACE (Mexican-American Committee on Education) Man, Woman and Education Achievement Awards of the Year for presentation at a later date. (Chair Marcus) *File #156*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 4) **Approved** out of state travel for an HHS Emergency Services Specialist to attend a Cities Readiness Initiative (CRI) preparedness course in Salt Lake City, Utah from May 7-9, 2007. *File #130*
- 5) **Approved** appointment of Ms. Josie Moreno to the Youth Employment Program Council to represent the ABLC Ministries, a youth activity organization, for term membership effective May 1, 2007. *File #939*
- 6) **Approved** re-appointment of Mr. Mike Walters to the Workforce Investment Board (WIB) representing the private sector, for a three year term effective June 1, 2007 through May 31, 2010. *File #939*

INTERNAL SERVICES DEPARTMENT – R. Inman:

- 7) **Approved** and **adopted** the San Benito County Family Care and Medical Leave Policy. *File #630*

- 8) **Approved** modified class specifications for the position of Student Intern (Temporary). *File #630*

- 9) **Approved** appointment of Commissioners to the San Benito County Parks and Recreation Commission with terms as follows:
District #1: **Don Kelley** (Coterminous with term of Supervisor Marcus)
District #2: **Jim West** (Coterminous with term of Supervisor Botelho)
District #3: **Phillip John Barrett** (Coterminous with term of Supervisor Loe)
District #4: **Ray Pierce** (Coterminous with term of Supervisor Monaco)
District #5: **Estevan Guzman** (Coterminous with term of Supervisor De La Cruz)
Veterans Memorial Park Commission: **Jesse Garza** (at will of Vets Park Com.)
Historical Society: **Jane Lausen** (at will of Historical Society)
Youth Representative: **Jaclyn Wiley** (May 1, 2007 thru April 30, 2008)
Youth Representative: **Talia Gonzales** (May 1, 2007 thru April 30, 2008)

Chairman Marcus reported that this was a newly established Commission and he announced the names of the new Commission members thanking them for their commitment to the community.

BOARD ACTION: *Upon motion made by Supervisor Monaco and seconded by Supervisor De La Cruz, approved appointments as recommended. (Unanimous) File #93*

PROBATION – M. Covell:

- 10) **Approved** expenditure of grant funds from the Juvenile Justice Crime Prevention Act for the purchase of two (2) vehicles and computer software updates. *File #510*

PUBLIC WORKS – J. Lo:

- 11) **Approved** fund transfer of \$1,000,000 from the Hospital Road Bridge project to the Nash Road Bridge project. *File #105*

SHERIFF – C. Hill:

- 12) **Approved** purchase of equipment for use in the Central Coast Rural Crime Prevention Program (CCRCPP) and **approved** transfer from increasing expenditures in the amount of \$39,619 and offsetting revenue in the same amount from the CCRCPP funding. *File #110*

9:30 a.m. PUBLIC HEARING (or as soon thereafter as the matter(s) may be heard):
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PLANNING & BUILDING DEPARTMENT - A. Henriques:

- 13) **Hold public hearing to consider an ordinance amending Chapter 18 of the San Benito County Code (Ordinance 479, Zoning Ordinance) to revise Section 18-128, Standards for Planned Unit Development (PUD) projects.**
Art Henriques, Planning Director, provided the staff report noting that additional Planning Commission minutes were submitted for the Board's packet.
The Chairman opened the public hearing.

Joe Thompson, Tres Pinos resident, came forward stating this ordinance is an excellent step in the right direction and encouraged the Board to keep the ball rolling in the direction of de-regulations.

The Chairman closed the public hearing.

Question and answer period ensued.

BOARD ACTION: Upon motion made by Supervisor De La Cruz and seconded by Supervisor Botelho, adopted **Ordinance No. 815** amending Section 18-128 of the San Benito County Code and authorized the Chairman to sign said ordinance. (4-1 Vote. Supervisor Loe voted no.) File #790

10:15 a.m.	The Board adjourned to attend Highway 25 Bypass Groundbreaking Ceremony held at the intersection of Airline Highway and Sunnyslope Road and returned at 1:30 p.m.
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1:30 p.m. REGULAR AGENDA:

DISTRICT ATTORNEY – C. Hooper:

- 14) **Hold discussion and provide direction to staff regarding revenue reduction and budgetary impact.**

District Attorney Candace Hooper provided background information stating that the information was provided to the Board in their packets and she recommended Scenario A as submitted.

BOARD ACTION: Upon motion made by Supervisor Monaco and seconded by Supervisor Botelho, adopted Scenario A as follows:

- a) *Approved the hiring of the previously approved Office Assistant and Investigative Aid in fiscal year 06-07; and*
- b) *Reduced grant revenue to \$9,500 from \$53,412; and*
- c) *Approved the use of additional General Fund Contingency in the amount of \$19,321 to \$59,074 from \$39,753; and*
- d) *Directed staff to prepare Budget Adjustment Form pursuant to Board's decision and authorized the Chairman to sign. (Unanimous) File #205*

HEALTH AND HUMAN SERVICES AGENCY – K. Flores:

- 15) **Approve agreement with the California Statewide Automated Welfare System Consortium IV Joint Exercise of Powers Agreement and MOU.**

Kathy Flores, HHSA Director, provided staff report and requested approval of the agreement and accompanying Memorandum of Understanding (MOU).

Ms. Flores answered questions posed by the Board.

BOARD ACTION: Upon motion made by Supervisor De La Cruz and seconded by Supervisor Monaco, approved the agreement and MOU as recommended. (Unanimous) File #130

PLANNING AND BUILDING – A. Henriques:

- 16) **Consider request for inactivation of CSA #49 – Hollister Ranch Estates and take action as appropriate.**

BOARD ACTION: Upon motion made by Supervisor Botelho and seconded by Supervisor Monaco, continued this item to the meeting of May 22, 2007. (Unanimous)

INTERNAL SERVICES – R. Inman:

17) **Approve and adopt San Benito County Employee Identification Badge Policy.**

Jacki Credico, Management Analyst, provided background information stating the Internal Services Department recently purchased an Employee ID Badge system to create badges for the purposes of security and safety for all employees of the county. The proposed policy is to set guidelines for the usage of the badges.

Ms. Credico answered questions posed by the Board.

BOARD ACTION: *Upon motion made by Supervisor Monaco and seconded by Supervisor De La Cruz, adopted the San Benito County Employee Identification Badge Policy. (Unanimous) File #630*

BOARD OF SUPERVISORS:

18) **Presentation, discussion and direction concerning development of county wireless network. (Supervisor De La Cruz)**

Supervisor De La Cruz presented a Power Point Presentation outlining a program to provide a wireless network throughout the county.

Ken Buciak, also presented a Power Point Presentation explaining his company whose goal would be to expand the current Public Wi-Fi Project in San Benito County through the use of their proprietary advertising supported Wi-Fi system.

Lengthy discussion ensued along with questions by the Board.

BOARD ACTION: *Upon motion made by Supervisor Monaco and seconded by Supervisor Botelho, appointed Supervisors De La Cruz and Loe to a sub-committee to explore the benefits of a County wireless network and approved attendance of Supervisor De La Cruz to the 2007 Wireless Community and Mobile Use Conference in Monterey from Wednesday May 30 through Friday, June 1, 2007. (Unanimous) File #156*

CLOSED SESSION:

Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Reportable actions taken by the Board during Closed Session will be announced during open session. (Gov. Code Section 54957.1(a) & (b), Ralph M. Brown Act.)

19) **Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9)**

Name of Case: M.K. Ballistics Systems v. Simpson, et al. (Case No. C07-00688)

No reportable action. File #235.6

20) **Conference with Legal Counsel – Existing Litigation – Subdivision (a) of Section 54856.9)**

Name of Case: Frank Del Carlo, et al. vs. County of San Benito (Case No.

CU-06-00079

No reportable action. File #235.6

21) **Conference with Legal Counsel – Existing Litigation – (Subdivision(a) of Section 54956.9)**

Name of Case: County of San Benito vs. Francisco Vasquez, et al. (San Benito Superior Court, Case No. CU 06 00089)

BOARD ACTION: *The Board authorized the Chair to sign a stipulated judgment in this case and the Chair did so sign. (Unanimous) File #*

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: Monaco, Loe, Botelho, De La Cruz, Marcus
NOES: SUPERVISORS: None
ABSENT: SUPERVISORS: None

There being no further business the Board adjourned to May 8, 2007 at 9:30 a.m. for a regular meeting.

DON MARCUS, CHAIRMAN
San Benito County Board of Supervisors

Attest:
Linda Churchill, Clerk of the Board