



SAN BENITO COUNTY BOARD OF SUPERVISORS

Don Marcus
District No. 1
Vice-Chair

Anthony Botelho
District No. 2

Pat Loe
District No. 3
Chair

Reb Monaco
District No. 4

Jaime De La Cruz
District No. 5

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

REGULAR MEETING FEBRUARY 28, 2006 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in regular session. Supervisors Monaco, De La Cruz; Botelho, Marcus and Loe were all present. Also present was County Administrative Officer Susan Thompson, Acting County Counsel Irma Valencia and Assistant Board Clerk Sally Navarez for morning session and Clerk of the Board Linda Churchill for afternoon session. Chair Pat Loe presiding when the following was had to wit:

9:30 a.m. CALL TO ORDER:

- a) Pledge of Allegiance led by Supervisor De La Cruz.
- b) *Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Monaco, **acknowledged** the Certificate of Posting.*
- c) **Public Comment:** Joe Thompson, Citizens Advisory Rail Committee, asked the Board to urge restoration of railroad passenger services to San Benito County.
John Vellardita, Executive Director of SEIU Local 817, asked the Board of Supervisors to consider the \$1.00 raise in wages for In Home Supportive Service (IHSS) workers and that the workers be bargained with and treated fairly.
Debi Mahler, IHSS worker, urged the board to consider the requested \$1.00 raise as this amount meant much to those, like herself, who tended to the needs of their disabled family member, in her case her son and rely on the money as a source of income.
Kathleen Church, IHSS worker, also noted the increase meant so much more. Ms. Church indicated she cares for her blind daughter and stated she had to travel to the San Francisco area two times per week and she is unable to hold a permanent job due to the special needs of her daughter and also urged the Board to consider the increase.
Irma Rodriguez, parent of a handicapped son, concurred that the increase is necessary as not all persons are able to afford a caregiver for their loved one and so must do it themselves at their own expense and the wage is too low to support themselves as well as their loved one.
Rebecca Gilpas, SEIU Field Representative, indicated she was thankful to represent these workers who provided valuable services. Ms. Gilpas stated the Governor wants to eliminate any increases past the current level of \$6.25 per hour and this would hurt the persons being taken care of as well as putting a financial burden on the caregivers so she encouraged the Board to consider the requested raise.

Mickie Luna, LULAC President, commented while there were benefits of an ethics commission, she was disappointed that the meeting was held at 10:30 a.m. on a Friday and felt the community was being excluded. Ms. Luna suggested to the Board that meetings of this nature be conducted in the evening in order for all representative to attend.

d) **Department Head Announcements:** CAO Thompson announced that Chief Probation Officer was appointed to the Correctional Standards Authority and was awaiting Senate approval and acknowledged Ms. Botts on her appointment.

Chief Probation Officer Deb Botts stated that former Sheriff Harvey Nyland and current Sheriff Curtis Hill had both served on this committee and was honored to now represent San Benito County and the rural counties.

Sheriff Curtis Hill indicated he was in Sacramento last week and met for about 2 ½ hours with the Governor as part of the State Sheriff's Association to discuss general obligation bonds and indicated this was an uphill battle but will work on behalf of the County to secure funding because the State Sheriffs' were also competing with state prisons for monies to build/expand.

e) **Board Announcements, Introductions and Presentations:** None.

CONSENT AGENDA:

AGRICULTURAL COMMISSIONER – P. Matulich:

1) **Re-appointed** members Helen Matulich and Jerry Hammond to the Taylor Act Grazing Advisory Board each for three (3) year terms effective July 1, 2006. (file #1.1)

2) **Approved** updated job specification and name change from Produce Inspector to Agricultural Technician. (file #1.1)

CLERK OF THE BOARD:

3) **Approved** minutes of the meetings of February 7, 2006 and February 14, 2006 and special meeting of February 3, 2006.

COUNTY ADMINISTRATIVE OFFICER – S. Thompson:

4) **Approved** designation of Kellie Kennedy, Management Analyst, as the alternate representative to the Trindel Insurance Fund Board. (file #36)

5) **Approved** designation of Kellie Kennedy, Management Analyst, as the alternate representative to the CSAC Excess Insurance Authority (EIA) Board of Directors. (file #36)

6) **Approved** amendment to the CSAC Excess Insurance Authority Joint Exercise of Power agreement restructuring the EIA/CPEIA relationship. (file #36)

7) **Approved** Memorandum of Understanding with the San Benito County Deputy Sheriff's Association for the period of October 1, 2005 through September 30, 2008. (file #630 & #1010)

ELECTIONS – J. Hodges:

8) **Approved** agreement with Hodges Consulting Services in the amount not to exceed \$10,000 to perform election services for the upcoming June 6, 2006 State-Wide Primary Election with a contract term of March 1, 2006 through June 30, 2006. (file #285)

9) **Approved** agreement with Sequoia Voting Systems in an amount not to exceed \$95,000 for the printing, manufacturing, finishing and mailing ballots and sample ballots associated with the June 6, 2006 Primary Election with a contract term of March 1, 2006 through July 1, 2006. (file #285)

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

10) **Approved Resolution 2006-15 authorizing** the Director of H&HSA to submit an application to the California Integrated Waste Management Board for the Local Enforcement Grant for 2006/2007. (file #130)

11) **Approved** agreement with Marin County in the amount of \$683 for Medi-Cal Administrative Activities and Targeted Case Management (MAA/TCM) claim services with a contract term of July 1 2005 through June 30, 2007 and **authorized** the H&HSA Director to sign on behalf of the County. (file #130)

12) **Accepted** the Health Resources and Services Administration (HRSA) National Bioterrorism Hospital Preparedness Program Local Funding agreement in the amount of \$166,018 for the period of September 1, 2005 through August 31, 2006 and **authorized** the H&HSA Director to sign the agreement and other pertinent documents. (file #130)

MENTAL HEALTH – A. Yamamoto:

13) **Reappointed** Monika Hassler to the Local Mental Health Board for an additional three (3) year term effective January 1, 2006 through December 31, 2008. (file #810)

BUILDING & PLANNING DEPARTMENT – A. Henriques:

14) **Adopted Ordinance #795 and Resolution No. 2006-16** for Zone Change 05-152, General Plan Amendment 05-27 changing the existing Agricultural Rangeland (AR) land use and zone designations to Agricultural Productive (AP) for approximately 40-acres of property located on Santa Ana Valley Road. (cont. from 2/14/06) (file #790)

PUBLIC WORKS: P. Corn

15) **Approved** agreements with Hollister Little League, Hollister Babe Ruth and Hollister Heat for use of fields at Veterans Memorial Park all with contract terms of January 1, 2006 through December 31, 2006. (file #127)

SAN BENITO COUNTY FARM BUREAU:

16) **Adopted Resolution 2006-17** supporting biotechnology in agriculture in San Benito County. (file #3.1)

SHERIFF DEPARTMENT: - C. Hill

17) **Approved** agreement with Justice Benefits, Inc. (JBI) to secure eligible Federal Financial Participation Reimbursements (FFP) with a contract term commencing March 1, 2006 and ending on February 28, 2010. (file #110)

REGULAR AGENDA:

COUNTY FIRE DEPARTMENT – J. Row:

18) Fire Department Informational session.

Battalion Chief Jeff Row indicated that CDF had met with Supervisors Marcus and Botelho to discuss items of interest that included a rural residential fire sprinkler systems ordinance that would be forthcoming and the increased numbers of plans reviewed from the Planning Department which generated additional revenues.

Discussion ensued regarding improving customer service/relations with the public; the suggestion that all CDF materials be in both English and Spanish and included discussion of a Planning Department requirement of an accessible water tank at rural residences to assist with fire personnel due to response times by Mr. Web Winans of Lovers Lane.

BOARD ACTION: *Received information report from Chief Row. No formal action(s) taken. (file #60)*

ADMINISTRATIVE BUSINESS:

19) Consider waiver of 20-day waiting period for out of class pay and waiver of residence qualification pursuant to Government Code Section 27641.1 as of February 1, 2006 for Acting County Counsel Irma Valencia. (CAO)

Supervisor De La Cruz indicated while he had no problem approving this matter, he would like the whole appraised of final candidates being considered in all upper management (Department Head, etc.) appointments.

Additionally, Supervisor De La Cruz asked that once a permanent County Counsel is hired, that Ms. Valencia go back to original salary.

BOARD ACTION: *Upon motion duly made by Supervisor Botelho and seconded by Supervisor Monaco, **approved as recommended** with the additional clause that once a permanent County Counsel is brought on board, Ms. Valencia reverts to previous position held and salary. Motion passed unanimously. (file #630)*

20) Consider approval of additional cost of \$3,750 for the County's share of the Traffic Impact Fee Study to be conducted by Hexagon Transportation Consultants and the Council of Governments (COG); and, approve appropriation from contingencies. (Total County Share is \$21,250). (CAO)

Discussion ensued regarding the use of this vendor and not going to an RFP. Discussion included that this was a propriety agreement; vendor holds current traffic model; a new RFP would take too long and cost additional monies and directed that the contractor take into consideration accurate numbers for the Hwy 26 Bypass.

BOARD ACTION: *Upon motion duly made by Supervisor Monaco and seconded by Supervisor De La Cruz, **approved as recommended**. Motion passed unanimously. (file #1035)*

21) Regarding Fiscal Year (FY) 2006/2007 Budget:

- a) **Receive and review potential revenue in preparation of FY 2006/2007 Budget.**
- b) **Receive and review budget policies from FY 2005/2006 in preparation for forming policies for FY2006/2007.**

CAO Thompson presented a detailed power-point presentation outlining use of one time revenue monies to balance budget; on-going General Fund discretionary revenues;

anticipated operating cost increases for the next fiscal year and projections necessary to maintain status quo for the next fiscal year.

BOARD ACTION: *Received informational review/report from CAO Susan Thompson. No formal action taken. (file #865)*

CLOSED SESSION:

The Board adjourned into Closed Session and reconvened into regular session re:

22) **Conference with Legal Counsel – Anticipated Litigation**

- a) **Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9. Number of cases: 2**

(file #235.6)

BOARD ACTION:

1 case – Acting County Counsel Irma Valencia reported that the Board of Supervisors considered the request of two officials for a legal defense on the matter entitled People v. Pekin, et al. On a vote of 3-0 the Board rejected the request for a legal defense. (Supervisor De La Cruz declared a conflict and was absent and did not participate, and Supervisor Loe abstained and was absent and did not participate.)

1 case – No reportable action.

23) **Public Employee / Dismissal / Release**

Authority: California Government Code Section 54954.5

No action taken. (file #235.6)

1:30 P.M. WORKSHOP:

24) **Informational Workshop with CalTrans Deputy Director, District 5 regarding local transportation issues.**

Chair Pat Loe called the afternoon session to order at 2:00 p.m. after the Board exited from Closed Session. Chair noted the elected officials, city managers and Council of Government (COG) staff who were present.

Rich Krumholz, Cal Trans Deputy Director, District 5 addressed the Board of Supervisors and the public regarding Transportation Planning in San Benito County. Mr. Krumholz began with an overview of the workshop. The presentation included: History and Trends in San Benito County; The Regional Transportation Planning Process; Addressing Current Needs; Addressing Future Needs including VTA Southern Gateway Study and CT System Analysis Study; and, funding.

Handouts replicating the display boards were handed out and included the agenda for the workshop, projects, Regional Transportation Planning, graphs and maps showing various projects and alternatives for transportation improvements.

The following members of the community addressed CalTrans and the Board of Supervisors: Joe Thompson, Tres Pinos resident; Georgana Gularte, San Juan resident; Ted Thoeny, San Juan resident; George Dias, San Juan Bautista City Councilman and COG member; Scott Fuller, representing San Juan Oaks Golf Club; Rebecca McGovern, San Juan Bautista; Ray Becker, El Rancho San Benito; Joseph A. Zanger, Pacheco Pass resident; Roxy Montana, Pacheco Pass resident; Stephan Rosati, Hollister resident; John

Gregg, San Benito County Water District Manager; Greg Swett, Paicines resident; Ginger Mutoza, Salinas resident; and Tony Ruiz, Pacheco Pass resident.

Chair Loe thanked CalTrans for facilitating this workshop and asked Mr. Krumholz to answer the public's questions at a COG meeting.

It was a consensus of the Board that we need to work with CalTrans and move forward to improve transportation issues in San Benito County.

The Board adjourned at 4:10 p.m.

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; De La Cruz; Botelho; Marcus & Loe
NOES:	SUPERVISORS: None
ABSENT:	SUPERVISORS: None

There being no further business the Board adjourned to its next regularly scheduled meeting on, Tuesday, March 7, 2006 at 9:30 a.m.

PAT LOE, CHAIR
San Benito County Board of Supervisors

ATTEST:
Linda Churchill
Clerk of the Board

BY:
Sally Navarez, Asst. Board Clerk, morning session

Linda Churchill, Clerk of the Board, afternoon session