



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 DeLaCruz
District No. 5

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

SPECIAL MEETING APRIL 18, 2006 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in *special* 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 Clerk Sally Navarez. Chair Pat Loe presiding when the following was had to wit:

9:00 a.m. CALL TO ORDER:

- a) Pledge of Allegiance.
- b) *Upon motion duly made by Supervisor Marcus and seconded by Supervisor Botelho, **acknowledged** the Certificate of Posting.*

Acting County Counsel Irma Valencia noted there were three (3) urgency items to add to Item #1 – Anticipated Litigation. Acting Counsel Valencia stated the three (3) cases came up within two days following the posting of the agenda.

BOARD ACTION: *Upon motion duly made by Supervisor Monaco and seconded by Supervisor Botelho, **added** three urgency items to Item #1 thereby making the total number of cases five and not two. Motion passed unanimously.*

Acting Counsel Valencia noted Items #1 and #2 would be heard as the San Benito County Board of Supervisors.

Adjourned as the San Benito County Board of Supervisors and reconvened as the Governing Board for the Public Authority for In Home Supportive Services for Item #3.

Adjourned as the Governing Board for the Public Authority for In Home Supportive Services and reconvened as the San Benito County Board of Supervisors.

Adjourned as the San Benito County Board of Supervisors and reconvened as the San Benito County Financing Corporation.

Held Corporation meeting. Corporation minutes have been prepared separately.

Adjourned as the San Benito County Financing Corporation and reconvened as the San Benito County Board of Supervisors.

CLOSED SESSION:

1) **Conference with Legal Counsel – Anticipated Litigation**
Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9. Number of cases: 5

Acting County Counsel Valencia reported out on the matters of Anticipated Litigation. There were three (3) EEOC complaints that had been settled by the Board of Supervisors in the following matters:

Costa vs. County of San Benito

Keylon vs. County of San Benito

Zander vs. County of San Benito

The settlement in the Costa matter is \$35,000; Keylon matter is \$37,500 and Zander matter is \$35,000.

Also reported out under Anticipated Litigation was a request for defense presented by Supervisor De La Cruz, Richard Place and Supervisor Monaco has been rejected/declined.

There were two other matters presented as requests by Patti Lawry and Ken Speciale for defense in Criminal Grand Jury proceedings. That request was declined as well. (file #235.6)

2) **Conference with Legal Counsel – Existing Litigation**

Authority: California Government Code Section 54956.9(a)

a) **Monteon vs. Richard Scagliotti, San Benito County Board of Supervisors, San Benito County Financing Corporation et. al.**

It was reported that the county Board of Supervisors, San Benito County Financing Corporation have entered into a fee agreement with attorney Michael Severian to take over the representation in that matter from Nancy Miller. (file #235.6)

b) **John Sarsfield, San Benito County District Attorney vs. County of San Benito et al.**

No reportable action. (file #235.6)

c) **William Damm & Mary Damm vs. San Benito County Board of Supervisors, Tina Bertuccio, et al.**

No reportable action. (file #235.6)

SITTING AS THE GOVERNING BOARD FOR THE PUBLIC AUTHORITY FOR IN HOME SUPPORTIVE SERVICES:

3) **Conference with Legal Counsel – Existing Litigation**

Authority: California Government Code Section 54956.9(a)

a) **SEIU Local 817 v. Public Authority of San Benito County**

- 4) *No reportable action. (file #235.6)*
Public Employment
Authority: California Government Code Section 54957
Title: County Counsel
No reportable action. (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: 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, April 25, 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
Assistant Board Clerk