



SAN BENITO COUNTY BOARD OF SUPERVISORS

Don Marcus
District No. 1

Anthony Botelho
District No. 2

Pat Loe
District No. 3
Vice-Chair

Reb Monaco
District No. 4
Chair

Jaime De La Cruz
District No. 5

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

REGULAR MEETING MINUTES AUGUST 9, 2005

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in regular session. Supervisors Marcus, De La Cruz; Botelho; Loe and Monaco were all present. Also present was Acting County Administrative Officer Susan Lyons, Interim County Counsel Claude Biddle and Assistant Clerk Sally Navarez. Chairman Reb Monaco presiding when the following was had to wit:

9:30 a.m. CALL TO ORDER:

- a) Pledge of Allegiance.
- b) *Upon motion duly made, seconded and carried, acknowledged the Certificate of Posting.*
- c) **Public Comment:** Longina Montoya, local resident, came forward. Mrs. Montoya noted she was against the proposed cuts to MediCal/MediCare and urged more members of the public to speak out against said cuts.
Supervisor De La Cruz suggested Mrs. Montoya stay at today's meeting as Item # 10 would be addressing that item.
- d) **Department Head Announcements:** None.
- e) **Board Announcements, Introductions and Presentations:** Supervisor Marcus noted the Inter-Governmental Committee was working with the City of Hollister and San Benito County Water District regarding the sewer/treatment plan issue and noted the agencies need to continue to work together and also there was a need for community involvement to move forward on this matter.
Chairman Monaco and Supervisors Botelho and De La Cruz thanked Supervisor Loe and Supervisor Marcus for their hard work on this Committee.

Chairman Monaco noted he was a volunteer at the State Historical Park, the last Saturday of every month for Living History and urged the public to attend. All participants were encouraged to attire themselves in 1980's period dress and noted there were people from through the State who participated in such events.

CONSENT AGENDA:

Chairman Monaco noted there was a request to pull Item #2 from the Consent Agenda for further discussion.

BOARD ACTION: *Upon motion duly made by Supervisor Marcus and seconded by Supervisor De La Cruz, approved Consent Agenda Items #1, #3 through #9, pulling Item #2 for further discussion. Motion passed unanimously.*

AGRICULTURAL COMMISSIONER – P. Matulich:

1) **Approved** agreement with the California Department of Food and Agriculture in the amount of \$45,743 for the provision of pest detection trapping services for FY 2005/2006. (file #1.1)

2) **Consider acceptance of Mosquito Control award for West Nile Virus funding.**

Ag Commissioner Paul Matulich explained he would like the Board to waive the formal bid process on the purchase of two (2) vehicles. Mr. Matulich noted he received information on vehicles locally on two pickups and would only have to wait for two days for delivery instead of going the California Department of General Services which would take 60-90 days. While the cost factor is higher, \$23,500-locally vs. \$17,759-General Services, timeliness is a key factor because of the need for public safety.

Discussion ensued and Supervisor Loe indicated she would abstain from voting on this matter.

BOARD ACTION: Upon motion duly made by Supervisor Botelho and seconded by Supervisor De La Cruz,

- 1) Accepted the Mosquito Control Award in the amount of \$185,500 and authorized the Department Head to sign award acceptance; and
- 2) Augmented the Agricultural Commissioner budget in the amount of \$185,500 expenditures and revenue; and
- 3) Amended the FY2005/2006 Fixed Asset Schedule to include items per grant, including the purchase of two (2) vehicles locally; waived the formal bid process with the finding that due to public necessity, waiver of the bid process is in the public's best interest.

Motion passed 4-1 with Supervisor Loe abstaining from said vote. (file #1.1)

AUDITOR – J. Hodges:

3) **Approved** Departmental Claims.

CLERK OF THE BOARD:

4) **Approved** the action minutes of the special meetings of July 19, 2005 and July 28, 2005.

DEPARTMENT OF EMERGENCY SERVICES – M. Riopel:

5) **Reaffirmed** 14-Day Proclamation of Local Emergency – Thomas Road. (file #104)

MENTAL HEALTH – A. Yamamoto:

6) **Approved** the appointment of Bob Maillot to the Mental Health Board as a Consumer/Family member effective August 15, 2005 to fill the term expiring on August 14, 2008. (file #810)

7) **Approved Resolution No. 2005-83 – A Resolution Approving Contract No. 05-75099-000 Between The California Department Of Mental Health And San Benito County Mental Health Department** in the amount of \$277,495 for Mental Health MediCal Managed Care Specialty services for FY2005/2006 and authorize Mental Health Director to sign said agreement and Contractor Certification Clauses on behalf of County. (file #810)

SUBSTANCE ABUSE PROGRAM – M. Narasaki:

8) **Approved** the FY2005/2006 County Plan for the Substance Abuse and Crime Prevention Act of 2000 (Proposition 36) revision and **directed** Clerk of the Board to include a minute order reflecting Board action. (file #1053)

9) **Approved** agreement with Santa Cruz Community Counseling Center (Si Se Puede) in the amount of \$7,983 for the provision of residential treatment services with a contract term of August 9, 2005 through June 30, 2006. (file #1053)

REGULAR AGENDA:

HEALTH & HUMAN SERVICES AGENCY:

- 10) a) **Receive reports re: Medi-Cal Redesign and Managed Health Care; and**
b) **Authorize H&HSA Director to submit a letter to State declaring County's' intent to join an existing County Organized Health System (COHS) with specific COHS to be determined at a later date.**

Received report from H&HSA Director Kathryn Flores and presentation from Mr. Alan McKay Executive Director of the Central Coast Alliance for Health.

BOARD ACTION: *Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Loe, authorized the submission of a letter to the State Department of Health Services declaring the intentions of San Benito County to go with an existing County Organized Health System (COHS) with specific COHS to be designated at a later date. Motion passed unanimously. (file #420)*

PUBLIC WORKS:

- 11) **Regarding intersection improvements for Fairview/Fallon Road, consider the following:**
a) **Accept all bids in the bid summary report; and**
b) **Award contract to Monterey Peninsula Engineering as the lowest responsive /responsible bidder; and**
c) **Approve contract with Monterey Peninsula Engineering in the amount of \$386,573 and authorize Chair to sign said agreement; and**
d) **Augment the Public Works Capital Improvement Projects budget in the amount of \$335,000 Expenditures and Revenues.**

Received report from staff.

BOARD ACTION: *Upon motion duly made by Supervisor Marcus and seconded by Supervisor Monaco,*

- a) ***Accepted*** all bids in the bid summary report; and
b) ***Awarded*** contract to Monterey Peninsula Engineering as the lowest responsive /responsible bidder; and
c) ***Approved*** contract with Monterey Peninsula Engineering in the amount of \$386,573 and authorize Chair to sign said agreement; and
d) ***Augmented*** the Public Works Capital Improvement Projects budget in the amount of \$335,000 Expenditures and Revenues.

Motion passed unanimously. (file #105)

- 12) **Regarding Old Hernandez low water crossing, consider the following:**
a) **Accept all bids in the bid summary report; and**
b) **Award contract to Don Chapin Company as the lowest responsive /responsible bidder; and**
c) **Approve contract with Don Chapin Company in the amount of \$392,000 and authorize Chair to sign said agreement; and**
d) **Request budget augmentation to Capital Improvement project (Account NO. 2102684) to cover current budget deficiency for Old Hernandez Low Water Crossing construction phase.**

Received report from staff.

BOARD ACTION: *Upon motion duly made by Supervisor Monaco and seconded by Supervisor Loe,*

- a) ***Accepted*** all bids in the bid summary report; and
b) ***Awarded*** contract to Don Chapin Company as the lowest responsive /responsible bidder; and
c) ***Approved*** contract with Don Chapin Company in the amount of \$392,000 and a

- d) **Augmented Capital Improvement project (Account NO. 2102684) to cover current budget deficiency for Old Hernandez Low Water Crossing construction phase.**
Motion passed unanimously. (file #105)

ADMINISTRATIVE BUSINESS:

- 13) **Consider proposed resolution urging State Legislature and the Governor to reimburse counties for cost of the Statewide Special Election 2005 in Fiscal Year 2005/2006. (CAO)**

Received report from staff.

BOARD ACTION: *Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Loe, adopted Resolution 2005-84 Urging State Legislature And The Governor To Reimburse Counties For Costs Associated With The Statewide Special Election 2005 In Fiscal Year 2005/2006. Motion passed unanimously. (file #285)*

- 14) **FY2005/2006 budget hearings wrap up. (Management Analyst)**

Management Analyst Scattini gave an overview of appropriations as a result of budget hearings held last week.

General Fund budget recommended to the Board was \$32,827,082. Items adjusted included increases to

- 1) Data Processing in the amt of \$600,000 from increase in Gen Fund fund balance;
- 2) District Attorney requested to roll forward his temp help due to starting late in the prior fiscal year in the amt of \$25,000 supported by COPS funding;
- 3) Sheriff asked for a live-scan fingerprint system supported by Sheriff Dept trust funds – shifted monies between salary savings from the Sheriff Dept to the Jail in the amt of \$100,000 to fund 2.0FTE Correctional Officer positions;
- 4) J-Hall added a van in the amt of \$20,000 supported by Gen Fund fund balance; and
- 5) Remainder of the fund balance is put into General Fund Contingency in the amt of \$580,000;

temporary due pass budget for the General Fund is \$34,089,120, an increase of \$1,262,038 with the majority coming from the increase in the General Fund fund balance.

Other Funds: Recommended budget started at \$43,367,584; Human Services Department there were two positions withdrawn during budget hearings equaling a reduction of \$165,132; disc re: integrated/solid waste fund balance on how to utilize that this fiscal year. The fund balance available, the revenue available over expenditures of FY04/05 is \$378,000 and change. There are two mandated reserves closure reserve and post/closure reserve and the Integrated Waste department works with the State. They have a formula where they determine the mandated or the required amount each fiscal year. At this point in time, that is \$46,128 to the Closure Reserve and \$104,367 to the Post Closure Reserve.

Lengthy discussion ensued regarding the use of Integrated Waste Management Reserves of \$500,000 to balance the budget; closure/post closure of future landfill needs; staff following up on other budget areas such as meeting with the District Attorney to discuss his staffing needs; meeting with the Treasurer/Tax Collector regarding her budget units upon her return to work; meeting the County's' information technology (IT) needs county wide whether it be with Santa Cruz County or the RFP process;

Supervisor Loe believed we should leave this money alone right now as we don't need to touch it. Supervisor Loe felt if sometime down the road, there is some reason we need to touch it, it is always going to be there.

CAO Thompson stated she was looking for direction in order to try to prepare the final documents. CAO Thompson asked for direction and would certainly be willing to take that direction today and make availability to produce a final budget on time.

BOARD ACTION: *Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Marcus, approved the budget as presented with the recommended numbers from staff. Motion passed 3-2 with Supervisor Loe and Supervisor Botelho voting no on the matter. (file #785)*

The Board adjourned at 11:00 a.m. for a short break and reconvened at 11:10 a.m. The Board adjourned as the Board of Supervisors and reconvened as the San Benito County Financing Corporation. Minutes for the San Benito County Financing Corporation have been prepared separately. The Board adjourned as the San Benito County Financing Corporation and reconvened as the Board of Supervisors re:

CLOSED SESSION:

- 15) **Conference with Legal Counsel – Anticipated Litigation**
a) **Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9 Number of cases: 1**
No action taken. (file #235.6)
- 16) **Conference with Legal Counsel – Existing Litigation**
Authority: California Government Code Section 54956.9(a)
a) **Stafford-Pelt v. County of San Benito**
No action taken. (file #235.6)
- 17) **Conference with Labor Negotiator**
Authority: California Government Code Section 54957.6
Agency Designated Representative: Susan Thompson, Co. Admin Officer & Megan Booth, Interim HR Director
Employee Organization: General Unit – SEIU, Local 817 Deputy Sheriff’s Association (DSA)
No action taken. (file #235.6)
- 18) **Conference With Labor Negotiator**
Authority: California Government Code Section 54957.6
Agency Designated Representative: Susan Thompson, Co. Admin. Officer & Gifford Swanson, Public Authority Manager (IHSS)
Employee Organization: SEIU, Local 817 – In Home Supportive Services (IHSS)
No action 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: Marcus; De La Cruz; Botelho; Loe & Monaco
NOES: SUPERVISORS: None
ABSENT: SUPERVISORS: None

There being no further business the Board adjourned to its next regularly scheduled meeting on Tuesday, August 23, 2005 at 9:30 a.m.

REB MONACO, CHAIRMAN
San Benito County Board of Supervisors

ATTEST:
John R. Hodges
Clerk of the Board

BY:
Sally Navarez
Assistant Board Clerk

