



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 SEPTEMBER 13, 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 County Administrative Officer Susan Thompson, 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:** There was no public comment.
- d) **Department Head Announcements:** CAO Susan Thompson noted that she had met with H&HSA Director Kathy Flores and OES Director Margie Riopel relative to hurricane relief efforts. Ms. Riopel has been in touch on a regular basis with State OES via conference call and noted there were now 480 individuals relocated in California and came here of their own accord. FEMA and OES are trying to identify these individuals in order to provide assistance such as long-term housing. CAO Thompson noted that housing needs for these displaced persons will be for a period of eighteen months or longer. The local media will be brought in to run stories in order to help identify these persons and OES as well as H&HSA will be working together to assist as well on the local front.
- e) **Board Announcements, Introductions and Presentations:** Chairman Monaco gave an overview of the CSAC Board of Directors meeting he attended in Sacramento on September 8, 2005. He noted which Propositions CSAC was opposing, supporting or not taking stances on.
Chairman Monaco also noted that he would be displaying a poster in the lobby in support of Arts Day in San Benito County. Chair also noted he would be bringing a proclamation before the Board supporting October 7, 2005 as "Arts Day in San Benito County" at the meeting of October 4th.

CONSENT AGENDA:

Chairman Monaco noted there was a request to pull Items 6, 8 & 9 from off the Consent Agenda for further discussion.

BOARD ACTION: *Upon motion duly made by Supervisor Marcus and seconded by Supervisor De La Cruz, **approved** the Consent Agenda minus Items 6, 8 & 9. Motion passed unanimously.*

ADMINISTRATIVE BUSINESS:

1) **Approved** proclamation proclaiming the month of October 2005 as "Lupus Awareness Month". (file #430)

CLERK OF THE BOARD:

2) **Approved** the minutes of the special meeting of August 1-3, 2005 (FY05/06 budget hearings) and the meeting of August 23, 2005.

DEPARTMENT OF EMERGENCY SERVICES – M. Riopel:

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

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

4) **Approved** declaration of intent not to contract for FY2005/2006 Emergency Medical Services Appropriation (EMSA) funds and **authorized** Chair to sign said declaration. (file #130)

5) **Approved** agreement with the San Benito High School District in the amount of \$8,024.30 for the provision of school nursing services with a contract term of September 13, 2005 through June 30, 3006. (file #130)

6) **Consider proposed resolution directing Child Abuse Prevention Council to send Notice of Intent to the Office of Child Abuse Prevention (OCAP); proceed with submission of CAPIT/CBCAP/PSSF 3-Year Plan and authorize HHSA Director to accept funds and execute necessary documents.**

Supervisor De La Cruz asked if the proposal included the County Victim/Witness Program.

H&HSA Director Kathryn Flores noted Community Solutions was included in the proposal as well as the District Attorney's office, but would bring this up to the Council, will report back to the Board of Supervisors on the make up of the Council and request that the County Victim / Witness Program be members of said Council.

BOARD ACTION: *Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Monaco, **adopted** Resolution 2005-89 directing staff to proceed with submission of CAPIT / CBCAP / FSSF three-year plan; authorized H&HSA to accept funds, execute all necessary documents and report back to this Board at a later date regarding the addition of the County Victim / Witness Program being a part of the make up of the Child Abuse Prevention Council. Motion passed unanimously. (file #130)*

HUMAN RESOURCES:

7) **Approved** approval of job specification for Public Works Superintendent and set salary at Range 23.8. (file #630)

MENTAL HEALTH – A. Yamamoto:

8) **Consider agreement renewal with AnsaVoice Communication Services, Inc. in the amount of \$8,000 for the provision of after hours answering service for MediCal beneficiaries with a contract term of July 1, 2005 through June 30, 2006.**

Supervisor De La Cruz questioned if the contract actually began on July 1st and if there were other such providers available to bid out.

Director Alan Yamamoto noted the provider returned the contract late, but has been providing service since July 1st. Mr. Yamamoto indicated he would inform the provider that actual contract terms in the future will be effective upon timely receipt of said agreement.

Mr. Yamamoto also explained that this vendor specialized in 24-hour service and has utilized this particular provider since such services became mandated in 1995. While there may be other providers out there, AnsaVoice has provided adequate service for many years and are tested with various calls in various languages at least six (6) times per year. The provider is required to provide services in any language necessary ie. Farsi, Russian, etc.

BOARD ACTION: *Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Loe, **approved** agreement renewal with AnsaVoice Communication Services, Inc. in the amount of \$8,000 for the provision of after hours answering services for MediCal beneficiaries with a contract term of July 1, 2005 through June 30, 2006. Motion passed unanimously. (file #810)*

PLANNING DEPARTMENT – M. Bethke:

9) **Consider approval to hire Associate Planner at Range 21.8, Step E of basic salary schedule.**

Supervisor Loe asked if the appointment would affect other departmental staff; if there was existing staff with experience at a lower step and if the duties included handling initial studies.

CAO Thompson noted the position and related salary was within the existing salary structure of the department and due to current low staffing levels, appointment at the higher rate is due to the experience of said candidate.

Trish Maderis, Planning staff, indicated the department had one existing employee in the same category but at a lower step. Ms. Maderis also noted the appointee would be working on the existing backlog in the initial study reviews.

BOARD ACTION: *Upon motion duly made by Supervisor Loe and seconded by Supervisor Marcus, **approved** the appointment of an Associate Planner at Range 21.8, Step E of the basic salary schedule. Motion passed unanimously. (file 630/790)*

PUBLIC WORKS:

10) Regarding dedication of right of way for MS1166-04 (Kraig Klauer), consider the following:

a) **Accepted** offer of dedication for right of way on Edgewood Drive; and

- b) **Adopted** Resolution No. 2005-90 **accepting** grant of right of way easement and **authorized** Chair to sign said resolution; and
- c) **Authorized** staff to record attached grant deed for same. (file #105)

11) **Approved** plans and specifications for construction of bridge earthquake retrofitting and **authorized** staff to solicit bids for same. (file #105)

SHERIFF – C. Hill:

12) **Approved** Resolution No. 2005-91 **authorizing** the Sheriff to accept a donation from the Gavilan Kennel Club to the K9 Training Trust Fund in the amount of \$500. (file #110)

REGULAR AGENDA:

PRESENTATIONS:

13) Receive presentation from Nick Papadakis, Executive Director of the Association of Monterey Bay Area Governments (AMBAG). (Supervisor Botelho)

Received informational presentation from Executive Director Nick Papadakis of AMBAG.

Received comments from San Juan Bautista City Councilman G. Dan Reed urging the Board to join AMBAG due to their expertise in transportation and planning issues.

BOARD ACTION: *Upon motion duly made by Supervisor Botelho and seconded by Supervisor Marcus, **accepted** report from AMBAG Executive Director and **authorized** the rejoining of the Association effective September 15, 2005 at an estimated cost of \$1350 for remainder of FY2005/2006. Motion passed unanimously. (file #1111)*

PRESENTATIONS / RECOGNITIONS:

13.1) Presentation of Trindel Safety Incentive Award to County employees.

Matter was withdrawn from agenda as presentation will be made at Employee Barbecue, September 22nd. (file #630)

PLANNING & BUILDING DEPARTMENT – M. Bethke:

14) Request for clarification of Board of Supervisor's direction re: condition of approval regarding the re-routing of secondary access to Tract Map 03-69. (Bertuccio)

Background information was provided by Byron Turner of the Planning Department and Arman Nazemi of the Public Works Department.

Roger Grimsley, Engineer, and Douglas Marshall, Attorney, addressed the Board on behalf of Mrs. Bertuccio.

Bill and Mary Damm, adjacent property owners to the project spoke in opposition to the location of the secondary access route.

Lengthy discussion ensued and culminated with Counsel Biddle recommending this matter be continued for further study and review.

BOARD ACTION: *Upon motion duly made by Supervisor Monaco and seconded by Supervisor Marcus, **continued** this matter to the meeting of October 4, 2005 to allow*

County Counsel time to review the matter more thoroughly and bring back a report at that time. Motion passed unanimously. (file #790)

PUBLIC WORKS:

- 15) Regarding repairs to storm damaged Thomas Road, consider the following:
- a) Make necessary finding due to public interest and necessity demands immediate action to stabilize the hillside at Thomas Road, mile post 1.92, necessitated by the occurrence of a landslide from storm damage, to safeguard life, health and property, the emergency restoration of slope failure can be performed partially by day labor and the remainder of the work can be performed by letting a contract without advertising for bids; and
 - b) Approve contract with Thunder Mountain Enterprises for emergency slope repairs in an amount not to exceed \$87,000 and authorize Chair to sign the contract; and
 - c) Authorize augmentation to the Public Works Road Maintenance budget in the amount of \$140,000 from the General Fund Contingencies.

Report received from the Assistant Director of Public Works Arman Nazemi.

BOARD ACTION: Upon motion duly made by Supervisor Monaco and seconded by Supervisor Marcus, **approved** as recommended with findings of proprietary process for said vendor and the sole source selection is in the best interest of the County. Motion passed unanimously. (file #105)

CLOSED SESSION:

- 16) **Conference with Legal Counsel – Existing Litigation**
Authority: California Government Code Section 54956.9(a)
a) **Fancher & Roybal vs. County of San Benito**
No action taken. (file #235.6)
- 17) **Conference with Real Property Negotiators:**
Authority: California Government Code Section 54956.8
Property: 2650 John Smith Road
Negotiating parties: Mandy Rose on behalf of San Benito County
Under Negotiation: Site Lease
No action taken. (file #235.6)
- 18) **Conference with Labor Negotiator**
Authority: California Government Code Section 54957.6
Agency Designated Representative: Susan Thompson, County
Administrative Officer
Employee Organization: General Unit – SEIU, Local 817
Deputy Sheriff's Association (DSA)
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, September 27, 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