



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 SEPTEMBER 27, 2005 ACTION MINUTES

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 Senior Board Clerk Linda Churchill. Chairman Monaco called the meeting to order at 9:30 a.m.

9:30 a.m. CALL TO ORDER:

- a) Pledge of Allegiance.
- b) *Acknowledged Certificate of Posting.*
- c) **Public Comment:** Mikel Martin, Assistant Fire Chief, came forward stating that he has accepted a position with the Department of Forestry as Unit Chief and Fire Chief of Madera City, Merced County and Madera County Fire Department. His new job is effective October 1, 2005. Mr. Martin stated that it has been a pleasurable run working with the County of San Benito and he congratulated the Board on moving forward with fire protection issues in the county and stated that he has outlined several plans with Fire Chief Maza to improve fire protection in the county.
Estella Orozco who works for San Benito Health Foundation came forward. Ms. Orozco thanked Supervisors De La Cruz and Monaco for attending the meeting on Thursday and stated that on Friday she was dismissed and hoped they could look into getting her back her job.
Angelique Agloro, SEIU Local 817, and a field representative for the clinic of the San Benito Health Foundation where Estella worked, came forward. Ms. Agloro stated there were a lot of problems going on at the Health Foundation noting there was a terrible turnover and they needed a lot of help. The clinic is severely understaffed which cuts patient services horribly and the Board of Directors who oversees this clinic is getting tired of hearing concerns and anytime anybody speaks out they get retaliated against. Ms. Agloro asked the Board of Supervisors for some form of assistance.
District Attorney John Sarsfield came forward stating he was aware of the situation at the Health Foundation and there is an investigation in progress and he will keep the Board of Supervisors apprised of the results.
Joe Thompson, Tres Pinos resident, came forward. Mr. Thompson stated that he has alerted the Board of Supervisors at past meetings to AB 765 authored by our Assemblyman. It is clear that this legislature is now on our Governor's desk and if it should be enacted we are in for a grave crisis in this county. The bill will authorize inter-county transit operations. Mr. Thompson stated he does not see how this county could afford such a development and urged the Board to tell the Governor to veto this bill immediately. Mr. Thompson stated this bill would put the county on a course for bankruptcy.
- d) **Department Head Announcements:** County Administrative Officer Susan Thompson provided a status report on the recruitment for Planning Director and Public Works Director reporting there has been a lot of movement and the process was moving quickly.

Chairman Monaco asked for a report on the recruitment of the Librarian.

Ms. Thompson stated that the County had not begun that recruitment at this time noting that the Planning Director and Public Works Director have taken the priority at this point in time. Ms. Thompson stated she would provide an update at the next meeting.

Ms. Thompson publicly thanked the department heads and the supervisors who worked very hard last week to put on an employee barbeque held at Veteran's Memorial Park. Ms. Thompson emphasized what a great job was done and it was an enjoyable time noting that county funds were not used. Supervisors and department heads paid for the event and provided the work.

Ms. Thompson reported that the Planning Department has had some public feedback comment cards available over the last several months and all of the returned cards (approximately 70) have reported excellent or good as far as the way the person felt they were treated and the service they got in that department was professional, articulate and timely. Ms. Thompson stated that even under the most difficult circumstances the planning staff has done an extraordinary job.

e) **Board Announcements, Introductions and Presentations:** Supervisor Botelho stated that he was disappointed that he was not able to attend the Employee Barbeque but felt it was a great opportunity to connect and create a better working environment within the county. Supervisor Botelho commended Hazel Hawkins Hospital for the great care given to his grandmother last week stating they did a great job.

Supervisor De La Cruz reported that on Tuesday, September 20th there was a gathering of the community in the Board of Supervisors Chambers in reference to Brandy Court and the Living Sober Housing Unit was discussed. Supervisor De La Cruz stated that it was a good meeting and he thanked the CAO and Management Analyst Susan Lyons for their help in facilitating this meeting. Supervisor De La Cruz further reported that on Thursday, September 22nd the San Benito Health Foundation employees had a meeting that he and Supervisor Monaco attended along with a member of Hazel Hawkins Hospital who was present. Supervisor De La Cruz said he was concerned about the services that should be provided at this facility and felt something should be done to keep the doors open or it would then become a burden to the county taxpayers.

Supervisor Marcus reported that he attended the Regional Council of Rural Counties (RCRC) Annual Conference held September 21 through September 23. Supervisor Marcus stated it was a very enlightening conference where a variety of interesting topics were discussed such as the State's ongoing effort to support the local rural jurisdictions in addressing solid waste land fills, developing land use policies, encourage affordable housing while protecting natural resources and the environment and the ongoing discussion of the meth and drug labs throughout California. Also the many effects of the new California University located in Merced were discussed.

Supervisor Marcus further addressed an update on AB 885 pertaining to regulation mandates on performance requirements for rural septic tanks. Supervisor Marcus said he would be asking our Environmental Health Department for a report.

Supervisor Marcus reported that he and Supervisor Monaco sat in on a meeting with concerned citizens in the Lone Tree Road area regarding the crowing fowl and they are working together with County Counsel to create an ordinance to help mitigate the noise problems in these types of situations.

Chairman Monaco stated that he attended and worked at the Employee Barbeque noting it was a huge success and a lot of fun and there was a lot of opportunity to interchange with county employees and he hopes to do this again in the future.

CONSENT AGENDA:

ADMINISTRATION:

- 1) **Approved** an agreement with Cooperative Personnel Services (CPS) for professional human resources services in an amount not to exceed \$10,000 with start date of September 28, 2005. (Management Analyst) **File #630**
- 2) **Approved** job specifications for Tax Collector's Office Manager and Treasurer-Public Administrator's Office Manager and set salary at Range 15.1 for both positions. (CAO) **File #630**

- 3) **Adopted Resolution No. 2005-92** approving termination of Regional Council of Rural Counties Juvenile Ward Authority. (CAO) *File #1065*
- 4) **Approved** agreement with Suicide Prevention Service of the Central Coast with a contract period of September 27, 2005 through June 30, 2006 in the amount of \$6,000. (Management Analyst) *File #22*
- 5) **County's Response to the City of Hollister's Draft Environmental Impact Report (DEIR) Draft General Plan 2005-2023. Information only. No action required. (CAO)**
 Supervisor Botelho noted he was in complete agreement with Interim Planning Director Michael Betheke's response to the Draft EIR for the General for the City of Hollister. Supervisor Botelho requested that we invite the City of Hollister to come forward and report regarding the current revision means to the City and to the County.
 CAO Susan Thompson said that she could have a staff report done for the Board and also discuss this with the City Manager and bring information co-jointly at a Board meeting.
No action taken. Information only. File #20

AUDITOR:

- 6) **Adopted Resolution No. 2005-93** adopting FY2005/2006 Final Budget. *File #865*
- 7) **Approved** Departmental Claims.
- 8) **Adopted Resolution No. 2005-94** levying taxes and direct assessments for Fiscal Year 2005/2006. *File #608*
- 9) **Adopted Resolution No. 2005-95** establishing the Proposition 4 appropriation limit for Fiscal Year 2005/2006 at \$21,682,884. *File #608*
- 10) Regarding budget transfers as part of the June 30, 2005 Year-End Closing Adjustments:
 - a) **Approved** budget adjustment/transfer in the amount of \$197,950 from FY2004/2005 General Fund Appropriation for Contingencies to various budget units within the General Fund; and
 - b) **Approved** budget adjustment/transfer in the amount of \$91,504 from the FY 2004/2005 contingencies from various operating funds. *File #865*

COMMUNITY SERVICES AND WORKFORCE DEVELOPMENT (CSWD) – K. Flores:

- 11) **Approved** agreement with Certified Appraisal Services to provide appraisal services of the unaccompanied adult section of the Southside Road Migrant Labor Camp with a contract term of September 28, 2005 to November 30, 2005 in the amount of \$4,500 and **authorized** Executive Director of CSWD to sign said contract. (Vote 4-1. Supervisor Botelho abstained). *File #750*

COUNCIL OF GOVERNMENTS:

- 12) **Approved** proclamation declaring October 3 – 7, 2005 as Rideshare Week in San Benito County. *File #430*

ELECTIONS: J. Hodges:

- 13) **Adopted Resolution No. 2005-96** consolidating West Hills Community College District, Hartnell Community College District and King City Joint Union High School District with the November 8, 2005 Special Statewide Election. *File #285*
- 14) **Adopted Resolution No. 2005-97** approving the application for funds under Election Assistance for Individuals with Disabilities (EAID) in the amount of \$5,202.40. *File #285*

EMERGENCY SERVICES DEPARTMENT– M. Riopel:

- 15) **Reaffirmed** 14-Day Proclamation of Local Emergency – Thomas Road. *File #104*
- 16) **Adopted Resolution No. 2005-98** adopting the National Management Systems (NIMS). *File #75.5*

FIRST 5 SAN BENITO – K. Castillo:

- 17) **Approved** agreement with Go Kids, Inc. for “CARES” program services with a contract term of September 27, 2005 to October 31, 2006. (Vote 4-1. Supervisor De La Cruz abstained.) *File #155*

MENTAL HEALTH – A. Yamamoto:

- 18) **Approved** agreement with James Michael Nelson, M.D. for provision of psychiatry services with a contract term of September 27, 2005 through June 30, 2006 in an amount not to exceed \$184,800. *File #810*
- 19) **Approved** contract renewal for Fiscal Year 2005/2006 with Merced County Department of Health to provide outpatient and inpatient services in an amount not to exceed \$15,000. *File #810*
- 20) **Adopted Resolution No. 2005-99** approving the annual contract with the Department of Mental Health to provide community mental health services for Fiscal Year 2005/2006 and **authorized** the Mental Health Director to said contract and related documents. *File #810*

PROBATION – D. Botts:

- 21) Regarding reimbursement from the Hollister Police Department for the July 4, 2005 Motorcycle Rally activities, consider the following:
- a) Augment expenditure line item 1001224-6103 for Overtime Wages in the amount of \$7,649.65; and
 - b) Augment expenditure line item for 1001226-6103 for Overtime Wages in the amount of \$1,325.10; and
 - c) Augment revenue line item 1001224-570002 for Probation – Other in the amount of \$7,649.65; and
 - d) Augment revenue line item 1001226-570002 for Probation – Other in the amount of \$1,325.10.

Supervisor Botelho pulled this item for information as to how these figures are calculated.

Chief Probation Officer Deborah Botts explained the process.

BOARD ACTION: Upon motion made by Supervisor Botelho and seconded by Supervisor De La Cruz **approved** Item 21 as recommended. *File #510*

SHERIFF – C. Hill:

- 22) **Approved** renewal of sole source agreement with Frank Ledesma in the amount of \$15,480 for the provision of inmate GED Instructor services with a contract term of October 1, 2005 through September 30, 2006. *File #110*
- 23) Regarding reimbursement by the City of Hollister for 2005 Hollister Independence Rally costs:
- a) Augment the Patrol (1001210) and Jail (1001220) revenue line items in the amount of \$25,485.06 and \$5,811.66 respectively; and
 - b) Augment Patrol Overtime (1001210-610301) in the amount of \$19,802.57; and
 - c) Augment Jail Overtime (1001220-610301) in the amount of \$5,811.66; and
 - d) Augment Patrol Professional Services (1001210-623508) in the amount of \$3,735.00; and
 - e) Augment Patrol Communications (1001210-620501) in the amount of \$1,947.49.

Under sheriff Pat Turturici explained how these figures were calculated and reimbursed.

BOARD ACTION: Upon motion made by Supervisor Marcus and seconded by Supervisor Botelho **approved** Item 23 as recommended. *File #110*

SUBSTANCE ABUSE PROGRAM – M. Narasaki:

- 24) **Approved** agreement with the Hollister Police Department to teach Family Wellness classes with a contract term of September 16, 2005 to June 30, 2006. *File #1053*

REGULAR AGENDA:

PRESENTATION:

- 25) **Received** presentation from Ray Becker of DMB Associates regarding the El Rancho San Benito community planning process. Mr. Becker provided a Power Point presentation as submitted in the Board of Supervisor's agenda packet.

There was no comment from the public.

The Board of Supervisors, who held their comments on the actual project, held discussion.

BOARD DIRECTION: *Chairman Monaco directed staff to explore some creative ideas to look at how other counties have handled projects like this and come back with some kind of report in the near future on some kind of model we can use or have the inter-action of staff and the DMB project.*

It was the consensus of the Board that staff doesn't have the extra time at this point in time to spend on large-scale projects and would like the CAO and DMB to discuss what this might entail and at that point a reimbursement process could be planned. *File #790*

The Board adjourned as the Board of Supervisors and reconvened as the Board of Directors of CSA's #45, #46 and #47 re:

- 26) **Sitting as the Board of Directors of CSA's #45 (Rancho Larios), #46 (Quail Hollow), #47 (Oak Creek) and #53 (Riverview Estates) consider the following:**

Assistant Director of Public Works Arman Nazemi provided the staffs report.

- a) **Approved** Request for Proposal (RFP) for Landscaping Services at CSA #45, CSA #46, CSA #47 and CSA #53; and
- b) **Authorized** Chair of the Board of Directors of the various CSA's to sign the RFP. *CSA File*

The Board adjourned as the Board of Directors of CSA's #45, #46 and #47 and reconvened as the Board of Supervisors re:

PLANNING & BUILDING:

- 27) **Receive informational update regarding the Northeast Fairview Specific Plan application re-submittal and an overview of statutory requirements for timely application review and permits processing; and, consider direction to staff to prepare an RFP to secure professional contract planning services in anticipation of said plan.**

Interim Planning Director Michael Bethke provided background information stating that the general idea is to receive direction to secure an adjunct or contract staff planner to help work through this new re-application of a fairly good sized project. Mr. Bethke stated that the Planning Department could not even begin to deal with such a project given the presently limited staffing resources. Mr. Bethke stated that this would not be fair to those who have been waiting for projects for a long time and they are still playing catch up for a lot of work. Mr. Bethke noted that when this application is submitted the County is required to respond within a prescribed statutory timeline of 30 calendar days to determine its completeness.

Lengthy discussion ensued regarding the necessity for contract planning services and the history of this project.

David Wade, representative of the Northeast Fairview project, came forward stating that it was their understanding that they are excluded from Ordinance 709.

Supervisor Loe stated that we would need clarification from County Counsel on this matter.

Mr. Wade concurred with Mr. Bethke's recommendation that there be some staff support, either through additional staff positions or a consultant however this is best accomplished by the County. Mr. Wade further stated that the idea that the developer paying for those services is not new and is fairly

common throughout jurisdictions in California. Mr. Wade stated that they endorse the idea of funding support for the county received with complex projects such as this one.

Chairman Monaco noted for the record that in the letter from Mr. Wade, which was included in the Board of Supervisor's packet, it stated that the owners have not had and do not expect to have any control over who the county may choose to provide consulting services. It is also stated that the only interest is that the consultant be experienced and capable of providing a professional analysis of the proposed project in a timely manner.

Mr. Wade acknowledged that was absolutely their intent.

Brad Sullivan, City of Hollister, stated that he had a problem when he started as a City Attorney in Sutter Creek in 1992 explaining that the developer of the bills had no connection between what he was seeing in time for the consultant who was doing other people's projects and the work that the normal part time planner was doing on his and there was a real difficulty in straightening out which bills he should pay and which bills he should not pay and it was a real administrative mess.

Web Winans, Lovers Lane resident, stated that he knows there have been a great number of gaps in the Planning Department so there must have been some budget accumulating for people that are not there. He felt we should be starting to build up a staff instead of running without any staff and trying to make due. Mr. Winans stated we need to hire people.

Supervisor Loe had questions regarding the Environmental Impact Report process and how would this service be billed.

Mr. Bethke answered that the EIR must be refined and the scope must be defined. Mr. Bethke stated that the services would be paid as they are performed in other words "pay as you play".

BOARD ACTION: *Upon motion made by Supervisor De La Cruz and seconded by Supervisor Marcus, moved to direct staff to prepare an RFP to secure professional contract planning services in anticipation of the Northeast Fairview Specific Plan re-submittal. (Vote 5-0) File #790*

28) Consider approval of amendment to contract with Precision Inspection Company, Inc. to conduct services of the Building Permit Division of the Planning Department for 75% of the building permit and inspection fees for a three-year period to June 30, 2008. (CAO)

Management Analyst Susan Lyons provided background information stating that this was consideration of an extension of the current contract with Precision Inspection Company for plan checking services which was approved on July 6, 2005. Precision Company has found there as enormous amount of workload beyond just plan checking due to lack of staff.

Ms. Lyons noted that on the last page of the proposed extension contract under Modifications to Scope of Services, under Section 1.14 we are reminding the contractor that we are adding in our contract that Precision Inspection Company will include our inspectors. There is a concern that there could be a privatization that would eliminate two of our employees and that is not the case.

Ms. Lyons noted that Pat Dunn, County Employee representing SEIU was present at this meeting to hear the presentation and ask any questions if he felt it necessary.

Ms. Lyons introduced Gregory Lamb, CEO of Precision Inspection Company who provided a Power Point presentation along with a handout outlining the services that Precision Inspection Company provides.

Minerva Rodriguez, Senior Permit Technician for Precision Inspection, introduced the permitting software that would be utilized in the Building Department.

Discussion ensued regarding the need for these services, the length of the contract and the fee structure and the fact that this would cost 75% of fees that the County collects in the Building Department. Also, the Board assured the current County Building Inspector's jobs would be secure.

Pat Dunn, San Benito County employee and president of the local bargaining unit, came forward. Mr. Dunn stated that there has been some concern from some of the folks in the Building and Planning Department. Mr. Dunn stated that the Building Inspectors welcome these services and want to be trained and looking forward to this new system however, there was concern about keeping their job and also Precision Inspection coming in and doing some of the bargaining unit member's work and that is a concern and violation of contract. Secondly, a concern is when the 3-year contract is up and Precision Inspection leaves, will the jobs still be there or will Precision take over or not. Mr. Dunn stated that he would like to have this item continued for further discussion with employees but trusted the judgment of

the Board of Supervisors and if they say jobs won't be lost then he agreed to the approval of this contract.

BOARD ACTION: *Upon motion made by Supervisor Botelho and seconded by Supervisor Loe, approved the amendment to the contract with Precision Inspection Company, Inc. to conduct services of the Building Permit Division of the Planning Department for 75% of the permit and inspection fees for a time period of three years ending on June 30, 2008. File #790*

The Board adjourned for lunch at 11:55 a.m. and reconvened at 1:30 p.m. re:

ADMINISTRATIVE BUSINESS:

29) Regarding staffing issues in the District Attorney's Office:

- a) Receive report and authorize staff to return to the Board to amend the schedule of authorized positions, appropriate funding and approve position descriptions; and**
- b) Consider approval of organizational chart as submitted.**

County Administrative Officer Susan Thompson provided background information stating that this was the results of a study performed by the Administrative Office conducted under the direction of the Board of Supervisors during budget hearings. The full report is included the Board's agenda packet.

Ms. Thompson summarized the recommendations noting that they find that there has been a significant understaffing of support staff in the D.A.'s office for some time and lack of automated systems that are available in other jurisdictions has also detrimentally affected the efficiency of our limited attorney staff.

District Attorney John Sarsfield came forward stating that he agreed with some of the findings in the report and he did not have an objection to the organizational chart as presented nor did he object to the designation of a lead attorney but frankly he would prefer a chief position comparable to what other law enforcement agencies have but in the absent of that this would be fine.

Mr. Sarsfield indicated that the administrative support services understaffing needs to be addressed very quickly. Mr. Sarsfield explained the duties performed by the current clerical staff.

Mr. Sarsfield stated that he appreciated what the Board of Supervisors had done but the District Attorney's office is in a crisis and this is affecting the quality of life in the community and the Board's constituents. Mr. Sarsfield stated that perhaps the county could explore creating a Misdemeanor Diversion Program which is authorized by the Penal Code but he cannot do it without the Board's support by way of a resolution.

Mr. Sarsfield further reported that his office would have to shut down for a week noting they would be there and answer telephones and handle emergencies but they can't take any more cases because there is literally no one to physically type up and file these cases due to not being able to keep up with the caseload because of understaffing.

CAO Susan Thompson indicated that she would agendize the consideration of the job specifications at the October 11, 2005 Board meeting.

Supervisor Marcus requested that the District Attorney Office be proactive with regards to obtaining grants and would like to have a report with regards to a Misdemeanor Division Program and also the consideration of funding a separate position of someone that concentrated on forfeitures.

Chairman Monaco brought up the concern of now using the Sheriff's Department investigative services on an ad hoc basis and this should be in writing.

CAO Susan Thompson stated that she was willing to facilitate the conversation between two elected officials but the MOU (Memorandum of Understanding) has to be between the two elected officials.

Discussion continued on options to help with the staffing at the D.A.'s office and it was agreed that the County Administrative Officer and the District Attorney would work together and come back with a report and recommendations for the Board.

Web Winans, Lovers Lane resident, came forward stating that he appreciated seeing the Board of Supervisors and the District Attorney work together.

Gifford Swanson, IHSS Public Authority Manager, came forward stating that the state is mandating a quality assurance program to be implemented in each of the counties. Part of that quality assurance program is to root out fraud and we are looking for ways to cut back on the spending in In-

Home Support Services. Currently and in the future the State mandates that any in-home support services fraud basically be referred back to the State Department of Health Services and they have an investigative department. Mr. Gifford wanted the Board to consider that in the future the District Attorney's Office may be requested by the State to start investigating additional fraud.

BOARD ACTION: *Upon motion made by Supervisor Botelho and seconded by Supervisor Marcus, authorized staff to return to the Board to amend the schedule of authorized positions, appropriate funding and approve position descriptions; and, approved the organizational chart as submitted. (Vote 4-1. Supervisor De La Cruz voted no.) File #205*

30) Consider Board subcommittee be appointed to review fire mitigation requirements for rural areas with California Department of Forestry (CDF) and County Administrative Officer. (Supervisor Marcus)

Supervisor Marcus provided background information stating that he had been meeting with members of CDF and the CAO to discuss not only the idea of fire sprinklers in rural residential units, but also all fire issues in rural area residential units. Supervisor Marcus would like the authorization for a sub-committee to be established to work with the San Benito County Fire Department to work out what the Board of Supervisors would like to see mandated for certain rural residential requirements.

BOARD ACTION: *Upon motion made by Supervisor Monaco and seconded by Supervisor Loe established a Board sub-committee to review fire mitigation requirements for rural areas with California Department of Forestry(CDF) and County Administrative Officer and appointed Supervisor Botelho and Marcus to this sub-committee. (Vote 5-0) File #60*

31) Regarding effects to San Benito County from the proposed interchange improvements at Highway 152 and Highway 156 intersection in Santa Clara County:

- a) Receive update on Council of Governments special meeting held on September 21, 2005 and the meeting with California State Department of Transportation on September 26, 2005; and
- b) Hold discussion re: consideration of Board of Supervisor's position addressing mitigation of the inter-regional traffic impact to San Benito County; and
- c) Direct staff accordingly.
(Supervisors Loe and Botelho)

Supervisor Loe reported that yesterday (September 26, 2005) City of Hollister Mayor Pauline Valdivia, San Benito County Assistant Public Works Director Arman Nazemi and herself met with District 4 Valley Transportation Authority and the Director of CalTrans in Sacramento. Supervisor Loe stated the meeting was very positive and it basically carried two messages and that is that we do not want to stop the flyover but we also need to provide for the safety of the people of San Benito County and we need to understand the future plans for that intersection. Supervisor Loe stated that our concerns were definitely understood. All agencies agreed to continue a dialogue and hopefully within the next few weeks we will have a mutual agreement on a resolution.

Supervisor Botelho was happy that the meeting went well and hoped that we will have a long-range plan that we as a county can accept and start pursuing it as one voice.

It was the consensus of the Board that the flyover is needed but we have to deal with the impacts it will have on San Benito County traffic.

Web Winans, Lovers Lane resident, came forward stating that this was a story close to his heart since he lives on Lovers Lane. Mr. Winans said this means he will be locked in because he can't get onto Shore Road and he was concerned if all of these roads were going to be brought up to standards.

BOARD ACTION: *Upon motion made by Supervisor Loe and seconded by Supervisor De La Cruz, directed staff to prepare a resolution for signature by the Chair supporting Council of Governments Resolution No. 05-07 regarding the proposed interchange at Highways 152 and 156 in Santa Clara County and noting that this resolution does not need to return on a Board agenda. (Vote 5-0) File #105*

32) Consider approval of San Benito County responses to the 2004/2005 Grand Jury Final Report and direct staff to submit responses to Presiding Judge of the Supervisor Court by the statutory deadline of September 30, 2005. (CAO)

County Administrative Officer Susan Thompson reported that prepared for the Board's review today is a lengthy document which constitutes our legal requirements to respond to the Grand Jury Report of 2004-2005. The findings and recommendations were distributed upon receipt to each of the affected department heads, both elected and appointed, and each prepared a response. Also included in the document for the convenience of the Grant Jury this year, for the first time we have included all of the responses, unedited, by the elected county department heads. It is not the Board of Supervisor's authority to approve or disapprove of their responses. The deadline for submission to the Grand Jury is September 30, 2005.

There was no public comment.

BOARD ACTION: *Upon motion made by Supervisor Marcus and seconded by Supervisor De La Cruz approved the San Benito County responses to the 2004/2005 Grand Jury Final Report and directed staff to submit responses to the Presiding Judge of the Supervisor Court by the statutory deadline of September 30, 2005. File #605*

The Board adjourned to Closed Session at 2:40 p.m. and reconvened in Regular Session at 4:00 p.m. re:

CLOSED SESSION:

33) 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 reportable action. File #235.6

34) 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 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: Don Marcus, Jaime De La Cruz, Anthony Botelho, Pat Loe,
Reb Monaco

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: None

There being no further business the Board adjourned to its next regularly scheduled meeting on October 4, 2005 at 9:30 a.m.

REB MONACO, CHAIRMAN

San Benito County Board of Supervisors

ATTEST:

John R. Hodges

Clerk of the Board

BY:

Linda Churchill

Senior Board Clerk