

# **SAN BENITO COUNTY BOARD OF SUPERVISORS ACTION MINUTES OCTOBER 12, 2004**

The Board of Supervisors of San Benito County met in the Board Chambers, 481 Fourth Street, Hollister, California, on the above date in regular session. Supervisors Loe; Monaco, Kesler and Cruz were all present. Supervisor Scagliotti was absent. Also present was Interim County Administrative Officer Gil Solorio, County Counsel Karen R. Forcum and Assistant Clerk Sally Navarez. Chairman Bob Cruz 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 one wishing to address the Board during the Public Comment period.
- d) **Department Head Announcements:** There were no announcements.
- e) **Board Announcements, Introductions and Presentations:** None.

## **CONSENT AGENDA:**

Chairman Cruz noted for the record that Supervisor Monaco was abstaining from voting on Item #9.

Supervisor Kesler made the motion to approved Consent Agenda Item #1 through Item #10. Supervisor Loe was second on the matter.

*Upon motion duly made by Supervisor Kesler, seconded by Supervisor Loe and carried, approved the Consent Agenda, Item #1 through Item #10, with Supervisor Monaco abstaining from voting on Item #9 and Supervisor Scagliotti being absent for the vote on all items.*

## ASSESSOR - A. Fontes:

- 1) **Approved** Assessment Roll Corrections. (file #7.2)

## AUDITING:

- 2) **Approved** Departmental Claims.

## BOARD OF SUPERVISORS:

3) **Approved** Proclamation honoring South County Housing's 25<sup>th</sup> Anniversary of providing affordable housing and **authorized** Chair to sign. (file #430)

4) **Approved** Certificate of Recognition honoring Laura Munoz-Velazquez as the League of United Latin American Citizens (LULAC) 2004 Woman of the Year for presentation at a later date and **authorized** Chair to sign. (file #430)

CLERK OF THE BOARD:

5) **Approved** the action minutes of the meeting of September 28, 2004.

HEALTH & HUMAN SERVICES AGENCY - M. Coppola:

6) **Approved:**

a) **Authorizing** Chair to sign a Bioterrorism Grant Agreement in the amount of \$179,885 for continuing bioterrorism prevention with a contract term of July 1, 2004 through August 30, 2005; and

b) **Authorized** Chair to sign Certification Form indicating Bioterrorism Grant Agreement funds will not be used to supplant existing funding. (file #420)

MENTAL HEALTH - A. Yamamoto:

7) **Approved** agreement renewal with Monterey County Behavioral Health Services in the amount of \$25,000 for the provision of residential treatment services to child and adolescent clients with a contract term of July 1, 2004 through June 30, 2005 and **authorized** Chair to sign. (file #810)

PUBLIC WORKS:

8) **Approved** agreement with Santa Clara County in the amount of \$49,500 per year for the provision of striping and pavement marking services with a contract term of July 1, 2004 through June 30, 2006 and **authorized** Chair to sign. (file #105)

SAN BENITO COUNTY SADDLE HORSE ASSOCIATION - K. Ferreira:

9) **Approved** the 2005 Saddle Horse Show Budget.

***For the record as noted above, Supervisor Monaco abstained from voting on this matter; thereby making the vote 3-0 with Supervisor Monaco abstaining and Supervisor Scagliotti being absent for the vote.***(file #55)

SUBSTANCE ABUSE PROGRAM - M. Narasaki:

10) **Approved** agreement with Christopher G. Kovarik in the amount of \$4,500 for the provision of SmArts After School Drama Program with a contract term of October 1, 2004 through June 30, 2005 and **authorized** Chair to sign. (file #1053)

**9:40 a.m. REGULAR AGENDA:**

COMMUNITY SERVICES & WORKFORCE DEVELOPMENT - K. Flores:

11) **Consider proposed resolution and lease agreement with the Community Services Development Corporation (CSDC) with waiver of lease payment for use of space at the Migrant Center re: Mobile Home shelters with a contract term of October 1, 2004 through September 30, 2006.**

**BOARD ACTION:** Upon motion duly made by Supervisor Kesler, seconded by Supervisor Monaco and carried, approved a lease agreement between the County of San Benito and the Community Services Development Corporation (CSDC), waiving any lease payment for use of space at the Migrant Center for the period of October 1, 2004 through September 30, 2006, approved **Resolution No. 2004-112 Declaring An Intent To Lease An Interest In Real Property Which Interest Has A Value Under \$10,000** and authorized the Chair to sign both the Lease Agreement and Resolution. Motion passed 4-0 with Supervisor Scagliotti being absent for the vote. (file #750)

HEALTH & HUMAN SERVICES AGENCY - M. Coppola:

12) **Consider approval of System Improvement Plan (SIP) for Children's Protective Services for the period of October 1, 2004 through September 30, 2007.**

**BOARD ACTION:** *Upon motion duly made by Supervisor Monaco, seconded by Supervisor Kesler and carried, approved the System Improvement Plan (SIP) for Children's Protective Services for the period of October 1, 2004 through September 30, 2007. Motion passed 4-0 with Supervisor Scagliotti being absent for the vote. (file #130)*

BOARD OF SUPERVISORS:

13) **Consider Statement of Intent re: Hollister Urban Area Water and Wastewater Master Plan. (Supervisor Loe)**

**BOARD ACTION:** *Upon motion duly made by Supervisor Monaco, seconded by Supervisor Kesler and carried, approved the Statement of Intent to develop the Hollister Urban Area Water and Wastewater Master Plan under a Memorandum of Understanding between the City of Hollister, San Benito County and the San Benito County Water District. Motion passed 4-0 with Supervisor Scagliotti being absent for the vote. (file #1005.1)*

<b>10:00 a.m. CLOSED SESSION AGENDA:</b>
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14) **Conference with Legal Counsel - Anticipated Litigation**

a) **Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9. Number of cases: 3**

*Per County Counsel, all three (3) items were withdrawn. (file #235.6)*

b) **Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9. Number of cases: 3**

*Per County Counsel, all three (3) items were withdrawn. (file #235.6)*

15) **Conference with Legal Counsel - Existing Litigation**

a) **Sandman vs. County of San Benito.**

*Upon exiting Closed Session, Counsel Forcum indicated there was no reportable action taken on this matter. (file #235.6)*

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

*Upon exiting Closed Session, Counsel Forcum indicated there was no reportable action taken on this matter. (file #235.6)*

c) **United States Of America v. San Benito County, John R. Hodges, et al.**

*Upon exiting Closed Session, Counsel Forcum indicated there was no reportable action taken on this matter. (file #235.6)*

d) **Fancher and Roybal v. County of San Benito, John Sarsfield, et al.**

*Upon exiting Closed Session, Counsel Forcum indicated there was no reportable action taken on this matter. (file #235.6)*

**e) County of San Benito vs. Doodlebug LLC**

*Upon exiting Closed Session, Counsel Forcum indicated there was no reportable action taken on this matter. (file #235.6)*

**16) Conference with Labor Negotiators:**

**Agency Designated Representative: Elizabeth Brown, Human Resources Director**

**Employee Organization: General Unit - SEIU, Local 817**

*Upon exiting Closed Session, Counsel Forcum indicated there was no reportable action taken on this matter. (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:	P. Loe; R. Monaco, R. Kesler & B. Cruz
NOES:	SUPERVISORS:	None
ABSENT:	SUPERVISORS:	R. Scagliotti

There being no further business the Board adjourned to its next regularly scheduled meeting on Tuesday, October 26, 2004 at 9:30 a.m.

BOB CRUZ, CHAIR

San Benito County, Board of Supervisors

ATTEST:

BY:

John R. Hodges

Clerk of said Board

Sally Navarez

Assistant Clerk of said Board