



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1

Anthony Botelho
District No. 2
Vice-Chair

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4

Jaime De La Cruz
District No. 5
Chair

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

REGULAR MEETING MARCH 6, 2012 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in *regular session*. Supervisors De La Cruz, Botelho, Rivas, Muenzer and Barrios were present. Also present were County Administrative Officer Rich Inman, County Counsel Matthew Ganger, and Asst. Clerk of the Board Janet Slibsager. Chairman De La Cruz presided.

9:00 a.m. CALL TO ORDER:

- a) Supervisor Rivas led the Pledge of Allegiance.
- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*
- c) **Public Comment:** Marty Richman, Hollister resident, spoke in regards to budget and trying to find the normal level as to where we are going to be economically today. Mr. Richman said budget committee needs to find out where we are going to be on a normal level and use it as a stepping stone to get where we have to get to be sustainable.
- d) **Department Head Announcements:** County Administrative Officer Rich Inman announced that the deadline for the public participant for the oversight committee for the RDA ended and that there was only one application, and that he would be bringing the item to the board at the March 20, 2012 meeting.
Mr. Inman also mentioned instituting a third board meeting on the second Tuesday of each month to focus only on the budget until budget is resolved.
The consensus of the Board was to institute a third board meeting on the second Tuesday of each month beginning April 10, 2012.
Mr. Inman suggested having a special board meeting next Tuesday, March 13th for the interviews for the Interim Director of Health & Human Services at 9:00 a.m. as they had four applicants.
The consensus of the Board was to have a special meeting on Tuesday, March 13, 2012 for the interviews for the Interim Director of Health & Human Services beginning at 9:00 a.m.
Management Analyst Janelle Cox spoke in regards to budget issues for the county parks and library services and how they are both very important to our community.
Ms. Cox announced that there is going to be an educational workshop on Special Districts on Tuesday, March 13th from 6:00 to 8:00 p.m. in the Board of

Supervisors Chambers. The workshop will provide the opportunity for the community to learn about the establishment of special districts and all that is entailed. Ms. Cox said that the information on the workshop was put in the back of the board room and the lobby and that the public was invited to attend.

Supervisor Botelho voiced concern in regards to costs and risk factor involved in establishing a district.

Clerk, Auditor, Recorder Joe Paul Gonzalez provided an update to the Board in regards to the Educational Revenue Augmentation Fund (ERAF) special legislation for San Benito County. Mr. Gonzalez said that Assemblyman Alejo and Senator Canella have jointly sponsored a bill (AB1676), on behalf of San Benito County, which would provide us with much needed relief that we have been seeking. Mr. Gonzalez announced that there would be a Local Government Committee meeting on March 21, 2012 from 1:30 to 4:00 p.m. that the county is being asked to attend in Sacramento.

Mr. Gonzalez announced that he would be attending an Association of County Auditors meeting in Sacramento on March 16, 2012.

e) **Board Announcements, Introductions and Presentations:**

Supervisor Barrios reported that she attended the CSAC Executive board meeting in Sacramento pertaining to the Governor's initiative.

Supervisor Botelho reported that he attended the RCRC special meeting in Sacramento to approve a draft of a Memorandum of Understanding amongst the Department of Land Management and U. S. Forest Service in the pacific southwest region with CSAC and RCRC.

Supervisor Muenzer reported that the fire committee consisting of himself and Supervisor Botelho were moving forward with research in regards to the county fire contract.

Supervisor Muenzer said that he had met with Kelly Sorenson, Executive Director of the Ventana Wildlife Society in regards to their willingness to participate with the condors in San Benito County. Supervisor Muenzer mentioned that he assisted in a vetting exercise with one of the condors at the Pinnacles National Monument and was actually able to hold the feet of the condor.

Supervisor Muenzer reported that he attended the Hazel Hawkins Hospital top it off ceremony for the new Women's Center.

CONSENT AGENDA:

*Upon motion made by Supervisor Botelho and seconded by Supervisor Barrios, **approved** Consent Agenda items with the exception of items 3 and 4 which were pulled for discussion. (Unanimous)*

CLERK OF THE BOARD – D. Thome:

- 1) **Approved** the action minutes of the February 7, 2012 regular meeting.

DISTRICT ATTORNEY'S OFFICE – C. Hooper:

- 2) **Approved** lease–purchase of Multi-Functional Printer Copier from Monterey Bay Office Systems/US Bancorp; **authorized** the District Attorney to sign said contract; **approved** budget augmentation. (4/5 vote) **File #205**

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 3) *Item pulled for discussion*

Approve Memorandum of Understanding with Hazel Hawkins Memorial Hospital for Hospital Preparedness Program (HPP) for use of Grant Funds in the amount of \$35,118.22; and authorized the Director of HHSA to sign said document.

BOARD ACTION: *Upon motion made by Supervisor Botelho and seconded by Supervisor Rivas, **approved** item as presented. File #130*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 4) *Item pulled for discussion.*

Adopt Resolution recognizing the Homeless Coalition of San Benito County as an integral and needed part of the community's efforts in providing much needed assistance to our most needy population.

BOARD ACTION: *Upon motion made by Supervisor Barrios and seconded by Supervisor Botelho, **adopted Resolution No. 2012-8** recognizing the Homeless Coalition of San Benito County as an integral and needed part of the community's efforts in providing much needed assistance to our most needy population. File #130*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 5) **Approved** the LTV 1200 Ventilator Acceptance Agreement with Hazel Hawkins Memorial Hospital (HHMH) for the placement of ventilators which are to be used in the event of a public health emergency in San Benito County and **authorized** the HHSA Director to sign said agreement. *File #130*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 6) **Approved** Memorandum of Understanding (MOU) with CASA of Monterey County for the period of June 1, 2011 to May 31, 2013 for court appointed special advocates program. *File #130*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 7) Certify the compliance of Child Health and Disability Prevention (CDPH) and California Children Services (CCS) programs with all applicable state and federal laws and regulations and the CMS Plan and Fiscal Guidelines Manual; agree that programs may be subject to sanctions or other remedies applicable if the program violates any of the respective laws, regulations and policies with which it has certified it will comply; **authorized** the Program Director, Health Officer and Agency Director to sign the Certification Statements for CHDP and CCS programs. *File #130*

PLANNING DEPARTMENT – G. Armstrong:

- 8) **Adopted Ordinance No 891** amending Section 19.11.008(D) (4) of Chapter 19.11 of Title 19 of the San Benito County Code pertaining to Development Agreements. (Continued from February 21, 2012 meeting) *File #790*

REGULAR AGENDA:

COUNTY ADMINISTRATIVE OFFICER – R. Inman:

- 9) **Approve Memorandum of Understanding (MOA) transferring the authority of the Local Enforcement Agency to (CalRecycle) California Department of Resources, Recycling and Recovery; adopt Resolution authorizing the transfer of the Local Enforcement Agency back to the State and Execution of the MOA.**

Management Analyst Margie Riopel provided information in regards to the MOA transferring the authority of the Local Enforcement Agency to (CalRecycle) and staff's recommendations to proceed with the transfer.

Supervisor Muenzer said that he would like to have a representative from CalRecycle speak in regards to what they can provide them.

Representative from CalRecycle Georgianne Turner stated that they would be obligated to fulfill the same obligations as the local enforcement agency and that they would be available by phone if needed. Ms. Turner also mentioned that they were a couple of hours away so that they would need to consider that in their decision making.

Questions directed from Board to Ms. Turner in regards to contract. Ms. Turner provided information.

BOARD ACTION: *Upon motion made by Supervisor Muenzer and seconded by Supervisor Barrios, **approved** MOA transferring the authority of the Local Enforcement Agency to (CalRecycle) California Department of Resources, Recycling and Recovery; and **adopted Resolution No. 2012-9** authorizing the transfer of the Local Enforcement back to the State and Execution of the MOA. (4/1 vote, De La Cruz voted no) File #119*

COUNTY ADMINISTRATIVE OFFICER – R. Inman:

- 10) **Discussion and direction concerning County's reserves.**

Clerk, Auditor, Recorder Joe Paul Gonzalez provided a handout to the Board and the public in regards to the Comparative General Fund Balance FY 2009-10 through 2013-13 and provided information in regards to County Reserves, FY 2011-12 Cancellation of Reserves and prudent reserves.

Discussion ensued by Board and staff in regards to handout.

Public speakers were: Marty Richman, Hollister resident.

The direction of the Board was to approve a budget reserve policy and have staff provide percentages and the effect to the level of services at the next special budget board meeting.

Supervisor Barrios mentioned that we need to revisit the possibility of merging Parks and Recreation with the City and would like to have that agenda item with the Intergovernmental Committee.

Supervisor Rivas mentioned that the Intergovernmental Committee had talked about that a few months ago and that they also talked about merging Public Works and Planning, but all that they got was resistance. Supervisor Rivas said that we are a small community and that if we invest the time and work with the City he thinks anything is possible in a county our size. *File #119*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 11) **Approve contract with Economic Development Corporation for the provision of Rapid Response Lay-Off Aversion Strategies for the Workforce**

Investment Board for an amount not to exceed \$16,000 from March 6, 2012 through June 30, 2012; and authorize the HHSA Director to sign.

Deputy Director Enrique Arreola gave a staff report and background information.

Supervisor's agreed that this was an excellent use of funds and appreciated the good work done by everyone.

BOARD ACTION: *Upon motion made by Supervisor Rivas and seconded by Supervisor Barrios, **approved** contract with Economic Development Corporation for the provision of Rapid response Lay-off Aversion Strategies for the Workforce Investment Board for an amount not to exceed \$16,000 from March 6, 2012 through June 30, 2012 and **authorized** the HHSA Director to sign on behalf of the County. (Unanimous) File #130*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 12) Introduce an ordinance amending Chapter 17.01 (Motor Vehicles and Traffic) of Title 17 (Traffic Regulations) of the San Benito County Code, Traffic Regulations, establishing a speed limit of 50 miles per hour (mph) on Fallon Road between Fairview and Spring Grove Road; waive the reading of said ordinance; and continue to March 20, 2012 for adoption of said ordinance.**

Public Works Administrator Steve Wittry introduced Garrison Buss from Gilroy Early College academy, he needed to do a senior project and he did it on how speed limits were set. Mr. Wittry said as culmination for his project he asked him to present the information to the Board.

Mr. Buss mentioned that Public Works conducted a speed survey to determine safe speed for traveling on Fallon Road. A speed survey is required every five years for collection roads that have a speed limit of 55 mph or less. The survey determined that 85% of vehicles traveling on Fallon Road between Fairview and Spring Grove Road are traveling 49 mph. Mr. Buss said that the staff recommends that the speed limit be changed from 55 to 50 mph.

Mr. Buss mentioned that the Public Works Department road staff would perform the necessary installation of signs and the cost would be \$1,000.

BOARD ACTION: *Upon motion made by Supervisor Barrios and seconded by Supervisor Botelho, **introduced** an ordinance amending Chapter 17.01 (Motor Vehicles and Traffic) of Title 17 (Traffic Regulations) of the San Benito County Code, establishing a speed limit of 50 miles per hour on Fallon Road between Fairview Road and Spring Grove Road; **waived** the reading of said ordinance; and **continued** to March 20, 2012 for adoption of said ordinance. (Unanimous) File #105*

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:	Botelho, Rivas, Muenzer, Barrios, De La Cruz
NOES:	SUPERVISORS:	None
ABSENT:	SUPERVISORS:	None

There being no further business the Board adjourned to March 13, 2012 at 9:00 a.m. for special meeting.

JAIME DE LA CRUZ, CHAIRMAN
San Benito County of Board of Supervisors

ATTEST:
Janet Slibsager, Asst. Clerk of the Board