



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 NOVEMBER 20, 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 Interim County Administrative Officer Ray Espinosa, County Counsel Matthew Granger and Clerk of the Board Denise Thome. 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 spoke under public comment.
- d) **Department Head Announcements:** Public Works Administrator Steve Wittry gave an update on the Hospital Road property noting that the appraisal should be back after the holidays.
- e) **Board Announcements, Introductions and Presentations:** Presentations were made to Ron Sanchez and Dr. Sharma who were named LULAC Veterans of the Year for 2012.

CONSENT AGENDA:

*Upon motion duly made by Supervisor Rivas and seconded by Supervisor Barrios, **approved** Consent Agenda Items with the exception of Item 3 which was pulled for discussion. (Unanimous)*

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 1) **Approved** the Volunteer Firefighter Assistance (VFA) Grant Agreement for a total grant award of \$20,000 and **adopted Resolution No. 2012-73 approving** the VFA Agreement acknowledging the agreement and award allocated. **Added** 3 self contained SCBA's to the Schedule of Fixed Assets list and **authorized** transfer \$14,300 from Special Dept. Funds to Fixed Assets. *File #60*

BEHAVIORAL HEALTH DEPARTMENT– A. Yamamoto:

- 2) **Approved** the County Behavioral Health Department's FY2012-13 Mental Health Services Act (MHSA), Annual Plan Update. *File #810*

DISTRICT ATTORNEY'S OFFICE – C. Hooper:

- 3) **Approve the Contingency Transfer in the amount of \$6,500.00 to the District Attorney's budget. (4/5 vote):**
District Attorney Candace Hooper answered the Board's questions.
Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Rivas, approved the contingency transfer in the amount of \$6,500 to the District Attorney's budget. (5-0) File #205

HEALTH AND HUMAN SERVICES AGENCY – M. Corona:

- 4) **Approved** Memorandum of Understanding between San Benito County Health & Human Services and the State Department of Child Support Services to allow County third party access to the Child Support Enforcement System and Child Support Information and **authorized** H&HSA Interim Director to sign the MOU. *File #130*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 5) **Approved** contract with San Benito Engineering & Surveying Inc. for engineering and surveying services for the John Smith Road Realignment and John Smith Road Rehabilitation projects, for the period of November 20, 2012 thru June 30, 2014, in the amount not to exceed \$27,704. *File #105*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 6) **Rejected** all bids for the Public Works Yard Electrical Line project and **adopted Resolution No. 2012-74 declaring** that a contract to perform the Public Works yard electrical line project can be negotiated with the original bidder at a lower price than any of the bids. (4/5 vote) *File #105.3*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 7) **Approved** the plans, specification, and bid documents for traffic signal installation at Santa Ana and Fairview Road Project. *File #105*

SHERIFF'S OFFICE – D. Thompson:

- 8) **Adopted Resolution No. 2012-75 authorizing** the Sheriff to submit a grant application for the Edward Byrne Memorial Justice Assistance Grant Program. *File #110*

REGULAR AGENDA:

HEALTH AND HUMAN SERVICES AGENCY – M. Corona:

9) **Provide update on Managed Care for San Benito County.**

Interim HHSA Director Maria Corona gave a staff report and explained that Managed Care would be coming to San Benito County with the expansion expected to be effective June of 2013. *File #130*

PUBLIC WORKS DEPARTMENT – S. Wittry:

10) **Approved Contract Change Order #13 with the Wattis Construction Company for the total amount of \$43,125 for the San Juan Highway Bike Lane Project and authorized Public Works Administrator to sign Change Order #13.**

Public Works Administrator Steve Wittry gave a staff report.

Supervisor Barrios stated that the change order numbers were not correct.

Public Works Administrator Wittry stated that on page 3 and 4 the bottom numbers were not correct and were included erroneously.

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor Rivas, **approved** contract change order #13 with the Wattis Construction Company for the total amount of \$43,125 for the San Juan Highway Bike Lane Project and #2 and **authorized** the Public Works Administrator to sign Change Order #13. (Unanimous) File #105*

CLERK-AUDITOR-RECORDER – J. Gonzalez:

10) **PowerPoint presentation on the California Public Employees' Pension Reform Act of 2013 (PEPRA):**

Clerk-Auditor-Recorder Joe Paul Gonzalez gave a PowerPoint presentation and answered the Board's questions.

The Chair called for Public Comment.

Marty Richman spoke under public comment.

The Chair closed public comment. *File #100*

The Board adjourned into Closed Session at 10:51 a.m. and reconvened into regular Session at 12:02 p.m.

CLOSED SESSION:

11) **Conference with Legal Counsel-Existing Litigation (Subdivision (a) of Section 54956.9).**

Name of Case: Purple Cross Rx, et. Al. v. County of San Benito, Superior Court of California, County of San Benito, Case No. CU-12-00060.

No reportable action was taken. File #235.6

12) **Public Employment Recruitment**

Title: County Administrative Officer

Authority: California Government Code 54957

*Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Barrios, **moved** that the matter be **agendized** again for the meetings of December 4, 2012 and January 11 and 18, 2013. 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: De La Cruz, Botelho, Rivas, Muenzer, Barrios
NOES: SUPERVISORS: None
ABSENT: SUPERVISORS: None

There being no further business, the Board adjourned at 12:04 p.m. to December 4, 2012 at 9:00 a.m.

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

ATTEST:
Denise R. Thome, Clerk of the Board