



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 JANUARY 8, 2013 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in *regular session*. Supervisors Botelho, De La Cruz, Rivas, Barrios and Muenzer were present. Also present were Interim County Administrative Officer Ray Espinosa, County Counsel Matthew Granger, and Clerk of the Board Denise Thome. Chairman Botelho 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.*

BOARD RE-ORGANIZATION:

Chairman De La Cruz thanked the public for trusting them to be their leaders and thanked his fellow supervisors and the public for having him as Chair.

Chairman De La Cruz opened nominations for Chair of the Board of Supervisors for 2013.

- c) **Open nominations and conduct election for Chair of the Board of Supervisors.**

Upon motion duly made by Supervisor Rivas and seconded by Supervisor Barrios, nominated and elected Supervisor Anthony Botelho for Chairman of the Board of Supervisors for 2013. (Unanimous) File #156

The Board took a short break to change desks.

Newly elected Chairman Botelho presented a plaque to out-going 2012 Chair Jaime De La Cruz in appreciation for his dedicated service.

Supervisor De La Cruz accepted the plaque commented that it meant a lot. He expressed that it was an exciting time and he looked forward to serving under Chairman Botelho's leadership.

Open nominations and conduct election for Vice-Chair of the Board of Supervisors.

Upon motion duly made by Supervisor Barrios and seconded by Supervisor De La Cruz, nominated and elected Supervisor Jerry Muenzer for Vice-Chairman of the Board of Supervisors for 2013.(Unanimous) File #156

Chairman Botelho stated that he was looking forward to 2013 and that there were a number of challenges, namely the budget. He felt that 2013 should be prosperous.

d) Receive Committee appointments from the newly elected Chair of the Board of Supervisors.

Newly elected Chairman Botelho announced the committee assignments for 2013 and a list was provided to Board members and the public. He noted the changes of removing himself from the Intergovernmental Committee and putting Supervisor De La Cruz on instead. He also noted that he would put himself on the Public Defender Committee and take Supervisor De La Cruz off.

Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Muenzer, accepted the committee appointments from Chairman Botelho. (Unanimous) File #156

e) Public Comment:

Marty Richman spoke in regards to the Pinnacles becoming a National Park and suggested using Economic Development loan money to promote it.

f) PRESENTATIONS AND RECOGNITIONS:

BOARD OF SUPERVISORS – Supervisor De La Cruz:

Present Proclamation to American Red Cross declaring January 2013 as “National Blood Donor Month” in San Benito County.

Upon motion duly made by Supervisor Barrios and seconded by Supervisor Rivas, approved the “National Blood Donor Month” in San Benito County proclamation. (Unanimous) File #430

Supervisor De La Cruz presented the proclamation to Nants Foley of the American Red Cross.

Ms. Foley explained the ease and benefits of blood donations.

g) Department Head Announcements:

Sheriff Darren Thompson introduced Crystal Anderson who was a new deputy Sheriff who started January 2, 2013.

h) Board Announcements: Information only.

Supervisor Rivas requested updates regarding the labor issues at the labor camp and the Homeless Coalition agreement.

Chairman Botelho directed that it be agendaized for the next meeting.

Supervisor De La Cruz reported that there would be flu shots at the Health Clinic that day from 1:30 to 6:00 p.m. He thanked Mayor Ignacio Velazquez and Councilman Robert Scattini for leading the charge to bring back the Motorcycle

Rally, adding the potential for revenue and putting Hollister back on the map. He felt the Board of Supervisors should show some form of support.

Supervisor Muenzer reported that the bill for Pinnacles becoming a national park was on the President's desk. He concurred with Mr. Richman's public comment that it was a great opportunity for the public to get behind and for economic potential. He added that it would be the newest and first national park in ten years. He felt it was a great thing for the community.

Supervisor Barrios thanked Supervisor Muenzer for his work in getting the Pinnacles a national park. She thanked all those that attended the swearing in ceremony the previous day and indicated that she was looking forward to a productive year. She reported that she attended the AB 109 meeting. Supervisor Barrios spoke of the success of the Sober Living Environment. She reported that the Courthouse was scheduled to open the fall of 2013. Supervisor Barrios expressed thanks for another term and that she was looking forward to working with staff.

CONSENT AGENDA:

HEALTH AND HUMAN SERVICES AGENCY – M. Corona:

- 1) **Adopt Resolution Accepting the 2013 Community Services Block Grant (CSBG) and Authorize the H&HSA Interim Director to Approve and Execute The Grant Agreement and any Amendments and other Documents Related to the Grant. (Res. No. 2013-1)**

*Upon motion duly made by Supervisor Rivas and seconded by Supervisor De La Cruz **adopted Resolution No. 2013-1** with the change of the incorrect date from January 18th to January 8th, **accepting** the 2013 Community Services Block Grant (CSBG) and **authorized** the H&HSA Interim Director to Approve and Execute The Grant Agreement and any Amendments and other Documents Related to the Grant. (Unanimous) File #130*

PUBLIC HEARING – 9:00 a.m. (Or as soon thereafter as the matter may be heard)

ASSESSOR'S OFFICE – T. Slavich:

- 2) **Conduct a public hearing regarding an Ordinance adopting a new fee regarding processing late-filed change in ownership exclusion claims and review and consider the proposed fee schedule, supportive fee study, and the proposed Notice of Exemption pursuant to CEQA sections 21065 and 21080(b)(8) and CEQA Guidelines Section 15061(b)(1) and Adopt Notice of Exemption and Ordinance Adopting a New Fee regarding Processing Late-filed change in Ownership Exclusion Claims. (Ord. No. 912)**

Assessor Tom Slavich thanked Supervisor De La Cruz for a fine job as Chairman and wished incoming Chairman Botelho the best. He proceeded to give a staff report noting that the processing fee was \$175 and it cost roughly \$235 to process.

Chairman Botelho opened the public hearing

There being no public comment, the Chairman closed the public hearing.

*Upon motion duly made by Supervisor Rivas and seconded by Supervisor Muenzer, **adopting Ordinance No. 912 adopting** a new fee regarding*

REGULAR AGENDA:

ADMINISTRATION – R. Espinosa:

3) Approve appointment of temporary management (budget) Analyst III in Administrative Office.

Interim County Administrative Officer Ray Espinosa explained that Management Analyst Catherine Shaw retired December 28th and they were requesting approval of a part time temporary employee in preparation of the 2013/14 budget. He stated that Melinda Casillas has experience with the budget.

Supervisor De La Cruz asked if they were asking the county to contribute into Retirement.

Management Analyst Jacki Credico stated that this employee used to be employed by Auditing and did not withdraw after resigning years ago. She indicated that PERS law states that if you bring a person in as a temporary employee and they're already a PERS member you have to pay. She explained that they were coming to the Board of Supervisors to ask for an exception since the policy does not allow to pay. She felt it was a good choice if filling on a temporary basis. Ms. Credico added that they could wait for the newly hired CAO to hire a management analyst. She indicated that the temporary employee would not be part of any bargaining units and that she would pay 7% and the county would pay 12%.

Supervisor De La Cruz commented that he did not like it.

Supervisor Barrios asked if the hours would be monitored. She indicated that she would support it because it is a critical position.

Supervisor Rivas expressed hesitation given the fact that he did not know the individual and immediately questioned the process. He added that he understood institutional knowledge but what about technical knowledge. He commented that he did not know the candidate's experience.

Ms. Credico felt confident she would be able to perform the function and that the retiree would be coming in to train her. She added that out of the 12 to 15 candidates she was the most qualified.

Chairman Botelho felt they did need to get help in the admin office and it seemed like this person has the background to fill in. He shared Supervisor De La Cruz's concern but they needed bodies in place.

Supervisor De La Cruz wanted the true disclosure cost for the long haul for this employee and estimated it would be more than \$745 per month.

Ms. Credico stated that it was 12% but she had not calculated long term.

Supervisor De La Cruz felt that staff should present long term calculations and requested to see that in the future.

Interim CAO Espinosa stated that he would make sure it happened in the future, adding that they were under the timeline to get the budget done.

Chair Botelho opened public comment.

Marvin Jones thought it sounded like a good person to help on a short term basis.

Richard Bettencourt agreed with Supervisor De La Cruz with respect to hiring an individual who was PERS.

Chair Botelho closed public comment.

Ms. Credico stated that Cal PERS rules and regulations don't allow the county to bring on a contractor if the person is being used as an employee.

Supervisor Muenzer stated that she was a former county employee and the county was already on the hook for her retirement.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Muenzer, **approved** appointment of temporary management (budget) Analyst III in Administrative Office. (Unanimous) File #630*

COUNTY SUPERINTENDENT OF SCHOOLS – M. Sanchez

4) Presentation of the County Superintendent's Report.

Superintendent of Schools Mike Sanchez gave the County Superintendent's report and answered questions of the Board.

Chairman Botelho opened public comment.

Marty Richman concluded that the program doesn't work. He analyzed that the systems in place statewide are not working and students with huge disadvantages are not catching up. He thought there should be a more equal distribution of funds.

Chairman Botelho closed public comment.

Supervisor Barrios agreed that problem kids don't all start at the same level.

File #13

The Board will adjourn as the Board of Supervisors and reconvene as the Board of Directors of the San Benito County Financing Corporation at 11:28 a.m. the Board adjourned as the San Benito County Financing Corporation and reconvened as the San Benito County Board of Supervisors at 11:30 a.m.

11:00 A.M. – (Or as soon thereafter as the matter may be heard)

County Board of Supervisors

SITTING AS THE BOARD OF DIRECTORS OF THE SAN BENITO COUNTY FINANCING CORPORATION

Acknowledge Certificate of Posting.

Approve minutes of the January 17, 2012 San Benito County Financing Corporation meeting; appoint the slate of officers for the 2013 year.

Appointments of officers for the year 2013.

The Board will adjourn as the Board of Directors of the San Benito County Financing Corporation and reconvene as the Board of Supervisors.

CLOSED SESSION:

5) Conference with Labor Negotiator:

Authority: California Government Code Section 54957.6

Agency Designated Chief Negotiator: JoDan and Associates, Linzie Daniel and Management Analyst Jacki Credico

Employee Organization: Management Employees' Group

County Counsel Matt Granger pulled the Closed Session item noting that it was not needed.

The Board adjourned into Closed Session at 10:08 a.m. and reconvened into regular session at 11:26 a.m.

6) **Public Employee Performance Evaluation**
Government Code Section: 54957
Title: Agricultural Commissioner
Conducted Public employee performance evaluation. No reportable action. File #235.6

7) **Public Employee Performance Evaluation**
Government Code Section: 54957
Title: County Counsel
Conducted Public employee performance evaluation. No reportable action. File #235.6

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

There being no further business the Board adjourned at 11:31 a.m. to January 22, 2013 at 9:00 a.m.

ANTHONY BOTELHO, CHAIRMAN
San Benito County Board of Supervisors

ATTEST:
Denise R. Thome, Clerk of the Board