



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1

Anthony Botelho
District No. 2
Chair

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4
Vice-Chair

Jaime De La Cruz
District No. 5

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

SPECIAL MEETING FEBRUARY 26, 2013 ACTION MINUTES

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

9:00 p.m. CALL TO ORDER:

- a) Supervisor Barrios led the Pledge of Allegiance.
- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*

REGULAR SESSION:

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 1) **Discuss Internal Service Fund (ISF) and New Budget Unit for Utilities and provide direction to staff.**

Interim County Administrative Officer Ray Espinosa spoke of a possible solution with an Internal Service Fund (ISF) regarding utilities.

Clerk-Auditor-Recorder Joe Paul Gonzalez explained that the thought was to take the utilities out of Maintenance (160). He noted that as costs increase it affects Public Works ability to manage. He suggested taking it out of 160 and create a new account, 165, which would be a consent item unit.

Chairman Botelho asked how that would promote conservation.

CAR Gonzales explained that from a budgetary standpoint it made sense, changing an uncontrollable to a separate where it won't affect the managing of Public Works. He noted that it would still be under Public Works but a different account number, 1001-165.

Public Works Administrator Steve Wittry stated that most departments don't even pay their own bills anyway and the bills go into a separate location.

Further discussion, including ways to reduce energy costs and be more energy efficient, ensued between Board members and staff.

Chairman Botelho opened public comment.

Marty Richman felt the proposal made perfect sense as most department heads are not experts in energy and the Public Works Department needed to be central. He suggested that for the general population they set a limit for the

heater, not above x and not below y. One hour before work, only Monday through Friday, and off at the end of the day. He indicated that it made sense especially if they put it in the cost plan. He commented that Public Works should manage the energy program.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Rivas, **directed** staff to create a new account, budget units for utilities and further **directed** staff to come back with internal policies to promote energy efficiency and conservation, within two to three months. (Unanimous) File #865*

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

2) **Discuss the Cost Plan Budget Strategies and Benefits and provide direction to staff.**

Clerk-Auditor-Recorder Joe Paul Gonzalez gave a staff report. He explained that it was only for budgetary purposes and it was not in financial statements. He noted the purpose was only to provide a clearer understanding for the Board of what it costs to run a department – direct and indirect costs. He added that it does not create revenue, but provides the Board a perspective. He explained that there was no way a department could operate without it and gave an example of an indirect cost such as printing a paycheck. He commented that they were trying to capture actual costs.

Supervisor De La Cruz asked if this went for non-general fund departments.

CAR Gonzalez stated that with sub-vented funds, these costs are already being paid for.

Supervisor Barrios asked when did the County start the cost plan.

CAR Gonzalez replied that for the sub-vented funds, it's been over 30 years and for the general fund it was the first year and they were proposing to implement for the next budget year 2013/14. He commented that he had been lobbying through the CAO's office for years and added that most other counties and cities do.

Supervisor Barrios asked how they determined cost.

CAR Gonzalez stated that in the report it was created annually and all the calculations were there.

There was no public comment.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor De La Cruz, moved to **create** new budgetary process with cost plan charges. (Unanimous) File #865*

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

3) **Receive report from Ad Hoc Committee on Public Defender contract and request authorization for letter to be sent to Public Defender on behalf of Chair requesting statistical information.**

Chairman Botelho stated that he and Supervisor Barrios were on the ad hoc committee and there was a letter in the packet, requesting information from Public Defender providers.

Supervisor Barrios reported that they had an opportunity to meet with Judge Sanders and County Counsel and came up with ideas. She explained that they asked the Public Defender for numbers and detail and they had not received anything since 2008.

Further discussion ensued among Board members.

Chairman Botelho called for public comment.

Public Defender Greg La Forge felt it was bothersome that the stats had not been to the Board since 2008 as they send them each month.

Supervisor Barrios offered that they probably went to the wrong person and that in the letter they were not saying that they hadn't done it.

Chairman Botelho closed public comment.

Chairman Botelho felt they should do a better job by reviewing all contracts and not just this one.

*Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Rivas, **authorized** letters to Public Defender requesting statistical information. (Unanimous) File #149*

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

4) **Receive report on items to be addressed from budget workshop of January 29, 2013.**

Interim County Administrative Officer Ray Espinosa reported that there were 22 items from the workshop and that consolidation and contracts stood out along with looking at interagency partnerships with the City. He proceeded to list several of the other items mentioned. He spoke of contracts by stating the Administration Office spent some time visiting the number of contracts that we have. He indicated that out of 805 contracts, there were 372 past due and 433 current, active contracts. He noted that there was no central data base in a software point of view. He indicated that they were looking at internal work force to handle the medical at the jail for potential savings.

Behavioral Health Director Alan Yamamoto explained that they currently deliver mental health and substance abuse services at the jail and they were looking at health care services, noting that he had a background in health care services. He added that they were looking into CFMG services and that it was definitely worth looking at. He reported that at his previous job they delivered health and mental health services to a 200 bed county jail. He mentioned another idea which was that of a Health Foundation mobile clinic. He stated that he had the background to research but that it was the Sheriff's and Probation's decision.

Chairman Botelho asked if it could be implemented prior to the budget year.

Director Yamamoto replied that he could do the research and get the information to them prior to fiscal year ending June 30th. He felt it was worth looking at.

Interim CAO Espinosa explained that the contract was established in 2007 and they would need to do something on the contract this year.

Chairman Botelho felt they needed to develop a data base.

Interim CAO Espinosa stated that he would continue to work on it per Board direction and that they were looking at putting all contracts in a data base and perhaps look at a performance view as well. He added that they were doing what they needed to do and Department Heads needed to take on some responsibility and perhaps go out to requests for proposal.

Supervisor Barrios asked that with managed care coming back to the counties, could this fit in or be separate.

Director Yamamoto stated that it would have to be separate because when they're incarcerated they lose medical benefits. He added that with talk of expansion of the jail, there was also the issue of aging criminals.

Chairman Botelho opened public comment.

Marty Richman thanked Director Yamamoto for volunteering. He added that one of the biggest costs for medical care in jails is drugs and that the cost of some psychotropic drugs are out of this world. He felt they should get someone to look at the separate issue related to the contract for the drug costs to be reduced.

Chairman Botelho closed public comment.

Interim CAO Espinosa stated that he would like to start by bringing all contracts into a single data base. *File #865*

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 5) **Set Board Budget Hearings to begin June 17, 2013 to publicly review the proposed FY 2013-2014 budget and direct the Clerk of the Board to post and publish notice of the hearings as required by law; and direct staff regarding changes to proposed budget policies.**

Interim County Administrative Officer Ray Espinosa went through the changes to the Budget Policies.

Discussion ensued between Board members and staff.

Chairman Botelho asked about Supervisor Barrios's suggestion to adopt at a future meeting.

Interim CAO Espinosa stated that they would make the changes and bring it back for adoption on the agenda.

*Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Rivas, **directed** the Clerk of the Board to post and publish the notice of budget hearings. (Unanimous) File #865*

The Board adjourned into executive session at 10:37 a.m. and reconvened into special session at 11:53 a.m.

CLOSED SESSION: (10:30 a.m.)

- 6) **Public Employee Recruitment
Title: County Administrative Officer
Government Code Section 54957**

There was no reportable action. File #235.6

- 7) **Conference with Legal Counsel-Anticipated Litigation
Significant Exposure to litigation pursuant to subdivision (d) of Section 54956.9:**

Number of Cases: (1)

Closed session is authorized by Section 54956.9(d)(2), and (e)(2): The State Controller's Office states the County of San Benito underfunded the Education Revenue Augmentation Fund (ERAF) from July 1, 1991 and June 30, 2001.

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

There being no further business the Board adjourned at 11:54 a.m. to March 5, 2013 at 9:00 a.m.

ANTHONY BOTELHO, CHAIRMAN
San Benito County Board of Supervisors

ATTEST:
Denise R. Thome, Clerk of the Board