



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1

Anthony Botelho
District No. 2

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4

Jaime De La Cruz
District No. 5

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

REGULAR MEETING JANUARY 7, 2014 ACTION MINUTES

9:00 a.m. CALL TO ORDER:

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

BOARD RE-ORGANIZATION:

Chairman Botelho opened nominations for Chair of the Board of Supervisors for 2014.

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

*Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Rivas, **nominated** and **elected** Supervisor Muenzer for Chair of the Board of Supervisors for 2014. (Unanimous) File #156*

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

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor Muenzer, **nominated** and **elected** Supervisor Barrios for Vice-Chair of the Board of Supervisors for 2014. (Unanimous) File #156*

Newly elected Chairman Muenzer presented a plaque to out-going 2013 Chairman Anthony Botelho in appreciation for his dedicated service.

Chairman Botelho thanked everyone.

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

Newly elected Chairman Muenzer announced the committee assignments for 2014 and a list was provided to Board members and the public. He indicated that he had added a new ad hoc committee titled County Policies and Procedures. *File #156*

e) **Public Comment:**

Those speaking under public comment were Marvin Jones, Rick Cooper of the Bureau of Land Management and Marty Richman.

f) **Department Head Announcements:**

County Administrative Officer Ray Espinosa stated that departments have access to their portion of the county website and can update it. He referenced item #3 noting that the word "to" had been omitted after "be it further resolved. . . **to**". He noted that item #15 on the agenda, the closed session, would be heard at 11:30 a.m. He indicated that on item #14 the contract should be changed to January 21st.

Public Works Administrator Steve Wittry reported that they were doing work on Fairview Road with the construction of a pipeline from Sunnyslope Road to 200 yards past John Smith Road. He added that they could expect delays and would close one of the lanes. He further reported that the new signal at the intersection of Santa Ana and Fairview Road would go into operation the week of January 13th.

Supervisor Barrios asked if there would be a warning on Fairview Road not to block Mansfield Road so people could get out.

Mr. Wittry indicated that they would take a wait and see attitude and if it is a problem they would put limit lines to not block.

g) **Board Announcements:**

Supervisor De La Cruz thanked Supervisor Botelho for his term as chair.

Supervisor Barrios thanked Supervisor Botelho for representing the Board and the County as well. She looked forward to working with Supervisor Muenzer and was honored to serve as vice-chair.

Chairman Muenzer wished everyone a happy new year and stated that he looked forward to the new year as their chairman.

The Board adjourned as the Board of Supervisors and reconvened as the Board of Directors of the San Benito County Financing Corporation.

The minutes for the Financing Corporation have been prepared separately.

The Board adjourned as the San Benito County Financing Corporation and reconvened as the Board of Supervisors.

CONSENT AGENDA:

*Upon motion made by Supervisor De La Cruz and seconded by Supervisor Botelho, **approved** Consent Agenda Items with the exception of Item #3 and Item #9 which were pulled for discussion. (Unanimous)*

AGRICULTURAL COMMISSIONER – R. Ross:

- 1) **Approved** contract with the Department of Food & Agriculture to provide Weighmaster enforcement services for the period of January 1, 2014 through June 30, 2014, for a total of \$1,200. *File #1.1*

CLERK OF THE BOARD – D. Thome:

- 2) **Approved** the action minutes of the October 15, 2013 regular meeting.

COUNTY COUNSEL – M. Granger:

- 3) **Adopted Resolution delegating settlement authority to the County Administrative Officer in regards to claims held by the County of San Benito against any third party, in an amount not to exceed \$25,000.** (Res. No. 2014-1)

Item pulled for discussion.

Supervisor Barrios reiterated what the CAO said with regards to the change adding the word “to”.

Assistant County Counsel Barbara Thompson indicated the change had been made.

*Upon motion made by Supervisor Barrios and seconded by Supervisor Botelho **adopted Resolution No. 2014-1 delegating** settlement authority to the County Administrative Officer in regards to claims held by the County of San Benito against any third party, in an amount not to exceed \$25,000. (Unanimous) File #160*

COUNTY COUNSEL – M. Granger:

- 4) **Adopted Resolution No. 2014-2 delegating** authority to the County Administrative Officer in regards to CalPERS Disability Retirement applications. File #160

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 5) **Authorized** the HHSA Director or their designee to sign the MOU with Safe Kids California. File #130

HEALTH & HUMAN SERVICES AGENCY – J Rydingsword:

- 6) **Approved** contract with the State Department of Public Health (DPH), for the Maternal, Child and Adolescent Health (MCAH) program for the period of July 1, 2013 through June 30, 2017, in the amount of \$363,473.00; and **authorized** the HHSA Director to execute the contract and any amendments. File #130

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 7) **Authorized** and **designated** the San Benito County Health & Human Services Agency as the entity to assist County Jail inmates and/or Juvenile Hall inmates to apply for a health insurance affordability program as authorized by AB720. File #130

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 8) **Approved** lease agreement with US Bancorp for a copy machine, for a 60 month period in the amount of \$3,249.12 plus tax; approve maintenance agreement with Monterey Bay Office Products in the annual amount of \$606.00 beginning January 1, 2014 and ending December 31, 2014 to be renewed annually; and **authorized** the HHSA Director to sign said agreements. File #130

HUMAN RESOURCES – G. Cochran:

- 9) Adopt new class specifications for Auditor-Accountant I and set salary range 22.2 of Class Title and Pay Plan; adopt new class specifications for Auditor-Accountant II and set salary range 25.2 of Class Title and Pay Plan; and adopt new class specifications for Auditor-Accountant III and set salary range 28.2 of Class Title and Pay Plan.

Item pulled for discussion.

Supervisor Barrios stated that she had talked to Georgia Cochran, Human Resources, about the mistakes.

Ms. Cochran stated that she had corrected the mistakes and distributed copies to the Board.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Botelho, **adopted** new class specifications for Auditor-Accountant I and set salary range 22.2 of Class Title and Pay Plan; **adopted** new class specifications for Auditor-Accountant II and set salary range 25.2 of Class Title and Pay Plan; and **adopted** new class specifications for Auditor-Accountant III and set salary range 28.2 of Class Title and Pay Plan, **approved** with amendments as presented by staff. (Unanimous)*

File #630

CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 10) **Modified** Schedule of Authorized Positions in the Auditor's Budget #1001110 to include two Auditor-Accountant I/II/III positions and delete two Accountant I/II/III positions. *File #608*

REGULAR AGENDA:

HUMAN RESOURCES – G. Cochran:

- 11) **Adopt a Resolution authorizing the hours of operation for San Benito County Departments in 2014.**

Georgia Cochran, Human Resources, gave a staff report.

Chairman Muenzer expressed that he was pleased to see that the Library had extended its hours and was open on Friday from 2 to 6 p.m.

There was no public comment.

*Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Barrios, **adopted Resolution No. 2014-3** authorizing the hours of operation for San Benito County Departments in 2014. (Unanimous) *File #630**

PLANNING DEPARTMENT – B. Turner:

- 12) **Approve agreement with the City of Hollister regarding the application of the “Master Agreement for Tax Transfer upon Annexation” to the 2006 Brigantino Annexation.**

Interim Planning Director Byron Turner gave a staff report noting that the agreement would be going to the City of Hollister on January 21, 2014.

Supervisor Rivas stated that he opposed the decision in May and felt that they would be opening up Pandora's box and that other people out there would expect the same treatment. He added that they should make it a standard agreement because there will be others. He asked how Planning would handle.

Mr. Turner stated that staff does not have the ability to waive or alter fees.

Supervisor Rivas asked if every request would then be on the agenda.

Mr. Turner replied that yes every one would be on the agenda.

Supervisor Barrios stated that the decision was based on findings and that they have to be pretty specific findings. She noted a small error on point 1.11. . . . whereas.

Assistant County Counsel noted that on the signature page L & G requested that it be changed to L + G.

Supervisor Botelho indicated that he shared the same concerns as Supervisor Rivas. He explained that he supported it because there were very specific circumstances. He stated that he did have an issue and problem promoting growth in cities.

Supervisor De La Cruz agreed with Supervisor Rivas and that there was a concern there. He hoped they didn't see an array before the Board.

Chairman Muenzer asked if the impact fee committee had looked at it.

County Administrative Officer Ray Espinosa stated that he could speak with Bob Braitman of LAFCO.

Supervisor Botelho noted that the cities have not been paying into the jail and juvenile hall.

CAO Espinosa spoke of sitting down with the city and looking at tax sharing agreement and hopefully something next quarter.

Chairman Muenzer called for public comment.

Marvin Jones felt there was something wrong with the system if eight years later an applicant still didn't know their financial commitment.

Marty Richman expressed concern with L + G being involved and a conflict of interest as they were the City of Hollister attorneys. He added that he had put in a written protest over the appointment of L + G as city attorney.

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

Mr. Turner explained that L + G was approved as the new city attorney and were not representing the applicant. He noted that the applicant's attorney was Paul Balbas.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Botelho, **approved** agreement, with corrections noted, with the City of Hollister regarding the application of the "Master Agreement for Tax Transfer upon Annexation" to the 2006 Brigantino Annexation. (The motion passed 4-1 with Supervisor Rivas voting no) File #790*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) **Adopt Resolution requesting route transfer of State Route 25 from its current alignment along San Benito Street to the Highway 25 Bypass, and closing access from Chappell Road to the Highway 25 bypass.**

Public Works Administrator Steve Wittry gave a staff report.

There was no public comment.

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor Barrios, **adopted Resolution No. 2014-4 requesting** route transfer of State Route 25 from its **current alignment along San Benito Street to the Highway 25 Bypass, and closing** access from Chappell Road to the Highway 25 bypass. (Unanimous) File #105*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 14) **Adopt Resolution to modify the AB900 Jail Expansion Project's approved project scope summary as required by the California Board of State and Community Corrections.**

This item was continued to January 21, 2014. File #105

County Counsel Matt Granger noted that they added the names of Enrique Arreola and Nadine DaRoza to consult re: SEIU United Long Term Care Works Local 6434.

The Board adjourned into Closed Session at 9:54 a.m. and reconvened into Regular Session at 11:30 a.m.

CLOSED SESSION:

- 15) **CLOSED SESSION-CONFERENCE WITH LABOR NEGOTIATORS**
Agency designated representatives: Dania Torres Wong, Allyson Hauck, Ray Espinosa, Joe Paul Gonzalez, Melinda Casillas, Mark Gregersen, and Georgia Cochran.

**Employee Organizations: Institutions Associations
Law Enforcement Management
Management Employees' Group
SEIU Local 521 (General Unit Employees)
SEIU United Long Term Care Workers Local 6434**

Authority: California Government Code Section 54957.6

No reportable action was taken. File #235.6

The Board adjourned at 12:46 p.m.

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

There being no further business the Board adjourned at 12:46 p.m. to January 21, 2014 at 9:00 a.m.

JERRY MUENZER, CHAIRMAN
San Benito County Board of Supervisors

ATTEST:
Denise R. Thome, Clerk of the Board