



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1
Vice-Chair

Anthony Botelho
District No. 2

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4
Chair

Jaime De La Cruz
District No. 5

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

REGULAR MEETING JUNE 3, 2014 ACTION MINUTES

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

9:00 a.m. CALL TO ORDER:

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

- c) **PRESENTATIONS & RECOGNITIONS:**

BOARD OF SUPERVISORS:

Present Proclamation to the California Strawberry Commission declaring the month of May 2014 as National Strawberry month. (Supervisor Rivas)

*Upon motion duly made by Supervisor Rivas and seconded by Supervisor De La Cruz **approved** the proclamation to the California Strawberry Commission declaring the month of May 2014 as National Strawberry month.(5-0)*

Supervisor Rivas presented the proclamation to Carolyn O'Donnell of the California Strawberry Commission and gave a PowerPoint presentation. **File #430**

- d) **Public Comment:** Those speaking under public comment were Marvin Jones and Marty Richman.
- e) **Department Head Announcements:**

Assistant Public Works Director Arman Nazemi gave a status report on the John Smith Road overlay and estimated completion by July 14, 2014, if not sooner.

CAO Espinosa introduced the new Office of Emergency Services Manager, Kevin O'Neill.
- f) **Board Announcements:** There were none.

CONSENT AGENDA:

*Upon motion duly made by Supervisor Rivas and seconded by Supervisor Barrios **approved** Consent Agenda Items with the exception of Items 5,10,19 and 21 which were pulled for discussion. (5-0)*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 1) **Approved** the appointment of Rosa Apodaca to the Behavioral Health Board, residing in Supervisorial District 2 for the period of June 3, 2014 through June 3, 2017. *File #810*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 2) **Authorized** the County's Behavioral Health Director to sign the Amended Multi-Year Negotiated Net Amount Contract (NNA), Agreement with the State Dept. of Alcohol and Drug Programs (ADP) for FY 2010-11 through FY 2013-14; **adopted Resolution No. 2014-49** to **accept** the Amended ADP Multi-Year Negotiated Net Amount contract for FY 2010-11 through FY 2013-14. *File #810*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 3) **Authorized** the County Behavioral Health Director to sign the San Jose State University Practicum Agreement for a field training site for student interns, effective June 3, 2014. *File #810*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 4) **Approved** contract renewal with Mary Helen Lopez, Licensed Clinical Social Worker, for the period of July 1, 2014 through June 30, 2015, for a maximum annual total of \$20,000. *File #810*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 5) **Approve contract with Dr. Wallace B. Mendelson, M.D. Psychiatrist for the period of July 1, 2014 through June 30, 2015, for the total of \$317,000.**

Behavioral Health Director Alan Yamamoto gave a staff report.

Marvin Jones, a member of the public, had requested that the item be pulled. He stated that he had also requested item #10 be pulled for the same reason, asking if it was a duplication of services.

Mr. Yamamoto stated that there was no real duplication of services and they had a shortage of psychiatrists.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Botelho **approved** contract with Dr. Wallace B. Mendelson, M.D. Psychiatrist for the period of July 1, 2014 through June 30, 2015, for the total of \$317,000. (5-0)*
File #810

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 6) **Approved** contract with Unity Care Group, Inc. for residential treatment facilities, for the period of July 1, 2014 through June 30, 2015, for a maximum amount of \$40,000. *File #810*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 7) **Approved** contract renewal with Suicide Prevention Services of the Central Coast for the period of July 1, 2014 through June 30, 2015, for a maximum amount not to exceed \$17,940. *File #810*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 8) **Approved** contract renewal with Gary C. Ernst, Fiscal/Administrative Consultant, for the period of July 1, 2014 through June 30, 2015, for a maximum annual total of \$95,000. *File #810*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 9) **Approved** contract renewal with IDEA Consulting for the period of July 1, 2014 through June 30, 2015, for a maximum annual total of \$122,000. *File #810*

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 10) **Approve contract with Jackson & Coker for psychiatry services for the period of June 17, 2014 through June 30, 2015, for a maximum annual total of \$374,400.**

Marvin Jones, member of the public that pulled the item, stated that his questions had been answered during the item #5 discussion.

Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Barrios, approved contract with Jackson & Coker for psychiatry services for the period of June 17, 2014 through June 30, 2015, for a maximum annual total of \$374,400. (5-0) File #810

CLERK OF THE BOARD – D. Thome:

- 11) **Approved** the action minutes of the February 11, 2014 Board Retreat and the February 11, 2014 special meeting.

DEPARTMENT OF CHILD SUPPORT SERVICES – K. Johnson:

- 12) **Approved** the proposed Addendum F to the Commercial Lease Agreement for the Department of Child Support Services at 2320 Technology Parkway, extending the lease from June 30, 2014 to June 30, 2019. *File #22*

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 13) **Ratified** the Workforce Investment Boards appointment of Ms. Schmitt-McQuitty to the Youth Employment Program (YEP) Council, for a term effective June 3, 2014 through June 3, 2017. *File #130*

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 14) **Ratified** the Workforce Investment Boards appointment of Mr. Al DeVos to the Youth Employment Program (YEP) Council, for a term effective June 3, 2014 through June 3, 2017. *File #130*

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 15) **Approved** contract with National Council on Crime and Delinquency (NCCD) for structured decision making child welfare risk/assessment tools and reports beginning July 1, 2014 through June 30, 2015, in the amount of \$12,000. *File #130*

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 16) **Adopted Resolution No. 2014-50 accepting** the Workforce Investment (WIA) Title I Master Sub-grant, Youth Program Allocation for Program Year 2014-2015, in the amount of \$195,446; approve the sub-grant agreement and **authorized** the

Chair of the Board of Supervisors or the Director of HHS to sign the said sub-grant agreement and amendments. *File #130*

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 17) **Approved** Memorandum of Understanding (MOU) for placement of an Automated External Defibrillator (AED) at the San Juan Bautista Community Hall. *File #130*

PLANNING DEPARTMENT – B. Turner:

- 18) **Reviewed** and **authorized** the Chair to sign letter to the California Highway Patrol regarding traffic on Buena Vista Road. *File #790*

PLANNING DEPARTMENT – B. Turner:

- 19) **Approve contract with EMC Planning Group, Inc., for Environmental Services to prepare the Roberts Ranch Environment Impact Report, in an amount not to exceed \$188,703; authorize the Interim Planning Director to approve minor contract amendments, authorizing additional work within the 10% contact contingency amount.**

Interim Planning Director Byron Turner stated that he was available for any questions.

Bob Golobic, member of the public that pulled the item, read a statement from the Cielo Vista Homeowners Association. He stated that they opposed the Roberts Ranch subdivision as it would create noise and traffic and affect the quality of life and the value of homes.

Supervisor Botelho stated that there would be a lot of public process left before the project moves forward.

Mr. Turner stated that there would be a scoping meeting and each homeowner and resident of Cielo Vista would be notified.

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor De La Cruz, **approved** contract with EMC Planning Group, Inc., for Environmental Services to prepare the Roberts Ranch Environment Impact Report, in an amount not to exceed \$188,703; **authorized** the Interim Planning Director to approve minor contract amendments, authorizing additional work within the 10% contact contingency amount. (The motion passed 4-1 with Supervisor Muenzer voting no.) File #790*

PUBLIC WORKS DEPARTMENT – A. Nazemi:

- 20) **Adopted Resolution No. 2014-51 delegating** authority to Public Works officials to execute grant applications, agreements, certifications and other required documents for the Monterey Bay Unified Air Pollution Control District's AB2766 Motor Vehicle Emissions Reduction Grant Program. *File #105*

PUBLIC WORKS DEPARTMENT – A. Nazemi:

- 21) **Approve the Final Map for TSM 11-84, Tract No. 310, commonly known as DARA Farms.**

Supervisor Barrios stated that she was aware that it would go through the process and noted that the area has a history of flooding. She expressed concern that it sits in a 100 year flood plain and was also concerned with the septic and drainage. She wanted to make sure that the public was aware.

Assistant Public Works Director Arman Nazemi addressed Supervisor Barrios's concerns.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Botelho, **approved** the Final Map for TSM 11-84, Tract No. 310, commonly known as DARA Farms. (5-0) File #105.3*

PUBLIC WORKS DEPARTMENT – A. Nazemi:

- 22) **Approved** contract Amendment #1 with Hayashi & Wayland Accounting and Consulting LLP., for Public Works account services for the period of July 1, 2014 through June 30, 2015, in an additional amount not to exceed \$32,000 for a total contract amount of \$64,000. *File #105*

SHERIFF'S OFFICE – D. Thompson:

- 23) **Approved** Amendment #2 extending the contract with California Forensic Medical Group to June 30, 2015, from June 30, 2014; approve the 5.77 percent increase of the Medical CPI for the San Francisco-Oakland Region pursuant to Section 3.02 of the original agreement. *File #110*

REGULAR AGENDA:

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 24) **Approve purchasing agreement with Palace Business Solutions for office supplies, for the period of July 1, 2014 through June 30, 2017.**

Interim CAO Espinosa stated that Clerk of the Board Denise Thome had spearheaded the purchasing agreement and thanked her for her work. He noted that the only office supply storefront would be closing June 30, 2014 and that taxes received online from Staples went to other counties and not San Benito County.

Supervisor Barrios noted that Palace gives back 10% to the community and asked if any was going to San Benito County.

Ed Mauro, Palace Business Solutions Senior Account Manager, stated that they contributed to the Hazel Hawkins Hospital Foundation for the past six years. He noted that they also distributed free backpacks within the county and that he would get information on contributions within the county. He explained that he lived in San Benito County and was born and raised here.

Further discussion ensued between board members and Mr. Mauro.

Mr. Mauro spoke of the further benefits of the purchasing agreements.

Speaking under public comment was Marty Richman.

*Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Barrios, **approved** purchasing agreement with Palace Business Solutions for office supplies, for the period of July 1, 2014 through June 30, 2017. (5-0) File #119*

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 25) **Approve the request for out-of-state travel upon the setting of a hearing date for the Clear Creek Management Area H.R. 1776 (Clear Creek National Recreation Area and Conservation Act); and identify attendee(s).**

Management Analyst Sara Fontanos gave a staff report.

Discussion was had amongst board members.

Those speaking under public comment were; Marvin Jones and Marty Richman.

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor Barrios, **identified** Supervisor Muenzer as the attendee and **approved** the request for out-of-state travel upon the setting of a hearing date for the Clear Creek Management Area H.R. 1776 (Clear Creek National Recreation Area and Conservation Act). (5-0) File #156*

HUMAN RESOURCES – G. Cochran:

- 26) **Adopt Resolution approving the collective bargaining agreement with the Institutions Association; authorize the County Administrative Officer and County Auditor to take the necessary administrative actions appropriate to effectuate the purpose and intent of this action including signing the final MOU agreement; and authorize the County Administrator or his/ designee to make any technical edits as later identified. (Res. No. 2014-52)**

Georgia Cochran gave a staff report.

There was no public comment.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Botelho, **adopted Resolution No. 2014-52 approving** the collective bargaining agreement with the Institutions Association; **authorized** the County Administrative Officer and County Auditor to take the necessary administrative actions appropriate to effectuate the purpose and intent of this action including signing the final MOU agreement; and **authorized** the County Administrator or his/ designee to make any technical edits as later identified. (5-0) File #630*

HUMAN RESOURCES – G. Cochran:

- 27) **Adopt Resolution fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act only with respect to members of the Institutions Association; and fix the employer's contribution at an amount at or greater than that prescribed by Section 22892(b) of the Government Code. (Res. No. 2014-53)**

Georgia Cochran gave a staff report noting that "board" has been spelled incorrectly and had been corrected and re-signed.

There was no public comment.

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor Barrios, **adopted Resolution No. 2014-53 fixing** the employer's contribution under the Public Employees' Medical and Hospital Care Act only with respect to members of the Institutions Association; and **fixed** the employer's contribution at an amount at or greater than that prescribed by Section 22892(b) of the Government Code. (5-0) File #630*

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 28) **Review and discuss FY 2014/2015 budget to be presented on June 16, 2014.**

County Administrative Officer Ray Espinosa stated that they would be doing a quick overview of the June 16 budget hearings. They handed out a budget packet with notes highlighted in red.

Management Analyst Melinda Casillas gave a PowerPoint presentation.

Discussion ensued between board members and staff.

Chairman Muenzer called for public comment. Speaking under public comment was Marty Richman.

Supervisor Botelho stated that he would like to know the additional cost for court security. He felt the board had to have an understanding and he liked to know what the cost was.

CAO Espinosa stated that the additional cost would be six personnel and they would be bringing it back on June 16.

Marty Richman spoke under public comment.

Further discussion ensued amongst board members and staff.

Board members thanked staff for their hard work.

CAO Espinosa thanked staff for their work. *File #865*

COUNTY COUNSEL – M. Granger:

- 29) **Appoint Ad Hoc Committee to review existing Primary Indigent Defense Services contract and contract for First Level Conflict Indigent Services and advise Board.**

County Counsel Matt Granger explained that the contracts expire June 30th.

Chairman Muenzer appointed Supervisors Botelho and Barrios to a Primary Indigent Defense Services Contract ad hoc committee. *File #160*

ADJOURN TO TUESDAY, JUNE 17, 2014 AT 9:00 A.M.

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 12:13 p.m. to June 17, 2014 at 9:00 a.m.

JERRY MUENZER, CHAIRMAN
San Benito County Board of Supervisors

ATTEST:
Denise R. Thome, Clerk of the Board