



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1

Anthony Botelho
District No. 2
Chair

Pat Loe
District No. 3

Reb Monaco
District No. 4
Vice-Chair

Jaime De La Cruz
District No. 5

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

REGULAR MEETING MARCH 10, 2009 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date *in regular session*. Supervisors Monaco, Loe, Barrios, De La Cruz and Botelho were present. Also present was County Administrative Officer Susan Thompson, Acting County Counsel Barbara Thompson and Assistant Clerk Janet Slibsager. Chairman Anthony Botelho presided.

9:00 a.m. CALL TO ORDER:

- a) Supervisor De La Cruz led the pledge of Allegiance.
- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*
- c) **Public Comment:** Marvin Jones, local resident, addressed the Board with regards to the stimulus package that the Federal Government passed recently and reducing tax rates.
Joe Thompson, local resident, spoke in regards to the epidemic of small business failures in San Benito County and how there is very little hope for those small businesses.
- d) **Department Head Announcements:** County Administrative Officer (CAO) Susan Thompson reported that the Inter-Governmental Committee met in regards to several issues.
Ms. Thompson mentioned she has been working very closely with the water district regarding recent announcement that they are going to be shutting down the blue valve for a few days to do some investigation on the possible mussel infestation in the blue valve. Ms. Thompson stated that this would affect the Stonegate residents but it was a short term shut off.
- e) **Board Announcements, Introductions and Presentations:**
Supervisor Barrios announced that she attended the First Five Commission meeting and they are anxiously waiting to see what the results of the May 2009 election will be. Supervisor Barrios stated the best-case scenario is that they would have about fifty percent of the funding that they currently have and that would mean huge changes to that commission.

Supervisor Barrios announced she attended the Pajaro River Watershed Flood Prevention Authority meeting and there was a legislative advocacy formed to go to Sacramento.

Supervisor Barrios said there were several supervisors from the counties of Santa Cruz, Monterey and others that were there to try and move forward the five million dollars that has been requested from the federal government to start the investigation on Soap Lake flood plain levees. Supervisor Barrios stated that they decided to form a committee of engineers and board members of the authority to study the effects of that project.

Supervisor Barrios mentioned that she and Supervisor Loe attended the Intergovernmental Agency Committee meeting and some of the concerns were that the San Benito High School did not come on board with the Gang Prevention position and Inclusionary Housing concerns and how it would affect the City of Hollister and San Benito County.

Supervisor Loe added that it was a very good meeting and noting that we cleared the air on issues that the city was concerned about. Supervisor Loe also stated that we need to focus on some of these larger projects.

CONSENT AGENDA:

Upon motion made by Supervisor Barrios and seconded by Supervisor Monaco, approved Consent Agenda Items 1 through 5 with the exception of Items 3 and 5, which were pulled for discussion. (Unanimous)

BOARD OF SUPERVISORS:

- 1) **Approved** certificate of recognition honoring Dotty Rose, San Benito County 2009 Hunger Fighter of the Year for presentation at a later date. *File #156*

INTERNAL SERVICES – R. Inman:

- 2) **Approved** Class Specifications for Sheriff's Civil Clerk and set current salary range of 12.9; delete 1.0 FTE Sheriff's Civil and Records Supervisor from the Sheriff's Office (Operations) Schedule of Authorized Positions; add 1.0 FTE Sheriff's Civil Clerk to the Sheriff's Office (Operations) Schedule of Authorized Positions. *File #110*

PROBATION DEPARTMENT – B. Cardall:

- 3) **Approve agreement with Evercom Systems, Inc. for Juvenile Hall Inmate Phone System for a four-year period effective March 10, 2009 to March 10, 2013.**

Acting County Counsel Barbara Thompson asked that the board approve this item subject to an addendum being worked out with the contractor in regards to two provisions; one being an early termination clause and the second being a maximum percentage rate increase on the phone charges with any additional rate increase subject to approval of the County; and the addendum could be subject to approval of the County Counsels Office or the County Administration Office.

BOARD ACTION: *Upon motion made by Supervisor Monaco and seconded by Supervisor Loe; **approved** and gave **authorization** for Chief Probation Officer to enter into a four year agreement for inmate phone system with the addition of the addendum that will be worked out with County Counsel and County*

Administration Office in regards to early termination and maximum rate increases. (Unanimous) File #120.5

PUBLIC WORKS DEPARTMENT – J. Cox:

- 4) **Adopted** the specifications for Painting of the County Courthouse and Hall of Records. File #105.3
- 5) **Approve water allocation request agreement with San Benito County Water District for the purchase of water from the San Felipe Distribution System for the water agreement year, March 2009 through February 2010, in an amount not to exceed \$23,657.57; and authorize the Acting Public Works Administrator or designee to sign said agreement.**

Supervisor Monaco wanted the public to understand that even though we are entering into this agreement with the state to request a water allotment for Stonegate, the allotment can be cut or modified by the state at anytime and he wants to know if the residents of Stonegate are aware of this.

Acting Public Works Administrator Janelle Cox replied that she has spoke with the water district and they have indicated that it is highly unlikely there would be any further reductions.

Ms. Cox mentioned that they are currently reading the meters for Stonegate and providing the residents with their usage information and they are under extreme conservation efforts as we speak.

Chairman Botelho asked if the residents that live at Stonegate have been getting written information that Public Works received from the water district.

Ms. Cox replied the written notices go to the President of the Homeowners Association and he distributes them and there are posted notices at the gate also.

BOARD ACTION: Upon motion made by Supervisor Monaco and seconded by Supervisor De La Cruz, **approved** the water allocation request agreement with San Benito County Water District for the purchase of water from the San Felipe Distribution System for the water agreement year, March 2009 through February 2010, in an amount not to exceed \$23,657.57; and **authorized** the Acting Public Works Administrator, or designee to sign said agreement. (Unanimous) File #CSA31

REGULAR AGENDA:

ADMINISTRATIVE BUSINESS – S. Thompson:

- 6) **Adopt Resolution entitled “Resolution of the San Benito County Board of Supervisors Demanding Rapid Reimbursement for May, 2009 Special Election” and direct resolution to be sent to the Governor, State Legislators, CSAC and RCRC.**

County Administrative Officer Susan Thompson stated that the board asked staff to draft a resolution at the last meeting in regards to rapid reimbursement for May 2009 Special Election and have it sent to the Governor, State Legislators, CSAC and RCRC. Ms. Thompson said that the resolution is being presented today to the Board of Supervisors for approval or further direction.

Chairman Botelho, Supervisor Monaco and Supervisor Barrios stated that they don't feel that the language is too strong and supports this resolution.

Joe Thompson, local resident, commends the Board of Supervisors for this act of pure democracy and sticking up for this county.

BOARD ACTION: *Upon motion made by Supervisor Barrios and seconded by Supervisor Loe, adopted Resolution No. 2009-22, entitled "Resolution of the San Benito County Board of Supervisors Demanding Rapid Reimbursement for May, 2009 Special Election" and directed resolution be sent to the Governor, State Legislators, CSAC and RCRC. (Unanimous) File #285*

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

7) Consider the Health & Human Services Agency Director's report and provide further direction.

Health & Human Services Director Kathy Flores provided information in regards to the challenges they are facing in the Public Health Division of the Health & Human Services Agency with regards to revenues for the current year and for 2009/2010 and possibly beyond that.

Ms. Flores reported that due to revenue short falls they are proposing to layoff four (4) employees in the Public Health Division effective May 1, 2009. Ms. Flores stated that the proposal is necessary in order to maintain expenditures within the anticipated revenues. Ms. Flores mentioned that they have been working with the affected employees to redirect them to other County job opportunities.

Ms. Flores stated that this layoff would affect important community resources.

Ms. Flores asked the Board to accept her report and give further direction if necessary.

Chairman Botelho stated that this was a hard report to give and thanked Ms. Flores for doing a good job in managing the services that we provide our community.

Board members thanked Ms. Flores for this report.

Supervisor De La Cruz mentioned that the Board of Supervisors has not discussed any direction for lay offs at this time and believes that they need to have this discussion.

Discussion ensued by Board and staff.

Board Direction was to proceed as proposed with the lay off of the four (4) positions that were identified. (Unanimous) File #420

INTEGRATED WASTE MANAGEMENT DEPARTMENT – M. Rose:

8) Approve contract with Advanced Waste Solutions, Inc. for a two year term to provide convenient community wide collection sites (up to ten) for residential medical waste, specifically pharmaceuticals and sharps.

Integrated Waste Manager Mandy Rose provided information in regards to the proposed contract with Advanced Waste Solutions, Inc., which would provide a community-wide collection for pharmaceuticals and sharps.

Ms. Rose mentioned that as of September 2008 the state passed a law that said that you could no longer throw out sharps, which are home needles used by diabetics. Ms. Rose mentioned that by having this contract it would make it easier and more convenient for residents to have drop off locations throughout the county.

Supervisor Monaco said he was very supportive of this, but how is the information going to get out to the public.

Ms. Rose replied they would be posting information at doctor offices, pharmacies, hospitals, etc.

Marty Richman, Hollister resident, mentioned that he gives full support to this program and encourages similar programs for other household waste.

Robert Scolls, Aromas resident, stated that he also supports this program. Mr. Scolls mentioned that he is an otter researcher and sees all kinds of pharmaceutical items that end up in the water and on the beach that are from flushing them down the toilets.

BOARD ACTION: Upon motion made by Supervisor Monaco and seconded by Supervisor De La Cruz, **approved** contract with Advanced Waste Solutions, Inc. for a two year term and **authorized** the Chair to sign. (Unanimous) File #142

ADMINISTRATIVE BUSINESS – S. Thompson:

9) Mid-Year fiscal year 2008-09 Budget Status Report.

County Administrative Officer Susan Thompson provided a handout and gave a summary in regards to the Mid-Year fiscal year 2008-09 Budget Report.

Ms. Thompson stated that she wanted to emphasize that there was some good news. As a county, along with the employees of San Benito County, we have been extremely effective in managing our expenditure levels and that it is going to help us get through this year well in the black. Overall General Fund mid-year expenditures are below target by approximately \$1.6 million. Ms. Thompson mentioned that currently all purchases that go through this county comes by her desk and all vacancies that become available are discussed with each department head.

Ms. Thompson stated that the bad news was that when we adopted the budget we had no idea that the bottom was going to fall out to the degree it did and some of our key general fund discretionary revenues. Ms. Thompson said the general-purpose non-departmental revenues continue to decline and by year-end we are expected to come in \$800,000 less than what we adjusted, so we have a gap of \$800,000. Fortunately we have an under expenditure of \$1.6 million and consequently we are ahead of the game still by \$800,000 if we don't save another dime between now and the end of the fiscal year.

Ms. Thompson said that General Fund Contingency is expected to end the year with a balance of approximately \$2.8 million that is reduced expenditures and offsetting the reduced revenues contingency. Ms. Thompson said that between us all, we could probably come up with another \$1. million worth of savings between now and the end of the year ending the year with a \$3.8 million in fund balance to help fund next years budget. Ms. Thompson said that last year we ended the year with \$7.1 million in fund balance. The FY 2009-10 operating budget will have to be reduced by \$4.2 million in Net County Costs.

Ms. Thompson mentioned that balancing of this upcoming budget could only be achieved by reducing expenditures, increasing revenues, drawing on rainy-day reserve funds or all of these strategies.

Ms. Thompson stated that we are in better shape than most counties, probably in the top 40% statewide right now.

Ms. Thompson said that we are looking at a major adjustment to our size of operation and our cost of doing business very significantly over the next couple of years. Ms. Thompson said that some of the strategies would be discussed at budget time.

Ms. Thompson mentioned that they would be meeting with our labor groups for direction.

Discussion ensued by Board & staff.

Supervisors thank CAO Susan Thompson for the report and keeping on top of this situation.

Joe Thompson, local resident, thanked the Board of Supervisors for thinking about shrinking down the size of our local government to streamlining, saving money as opposed to what we are seeing at the state and federal level where they think there is no end to the amount that they can grow our government and spend our money, etc.

Marty Richman, Hollister resident, said that he agrees that there is a storm here and he is glad to hear that we are not as bad off as other counties. Mr. Richman suggested cutting into the rainy day fund if we need to.

Marvin Jones, Hollister resident, thanked Ms. Thompson for the report. Mr. Jones suggested that maybe we can look at cutting back on regulations and still meet the state requirements that could allow our businesses to expand a little bit.

CAO Susan Thompson stated we would invite our county employees to take advantage of a voluntary furlough, to start meeting with the unions immediately on the issue of voluntary furlough and any other ideas that they may want to bring to the table, to continue to take any and all measures that we can to eliminate costs to our budgets, and would continue to have the hiring review on every position.

Chairman Botelho said that he would like to see something come back with a cost savings going into the next year's budget and developing the multi-year strategy of the rainy day funds.

Supervisor De La Cruz mentioned that he would like to discuss things to do to generate revenue.

Chairman Botelho noted that could be a topic for the May retreat.

Chairman Botelho said that there have been some positive things happening in the community and we need to continue to be aggressive.

PUBLIC WORKS DEPARTMENT – J. Cox:

10) Receive the fiscal year 2008-2009 Mid Year Capital Budget Report.

Acting Public Works Administrator Janelle Cox provided a power point presentation in regards to the fiscal year 2008/09 Mid Year Capital Budget and provided a handout with revised information pertaining to capital expenditures for the roads and the budgets adding in the priority expenses.

Supervisor Monaco had a question in regards to Hospital Road Bridge being put off for a while, the problem is that it is impassable and has been since 1998 and he would like to know if it would be possible to talk to Fish & Game to see if we could get a temporary low river crossing in there to simply make the road passable.

Ms. Cox said that she would do some additional work on that and get back to the board.

Supervisor De La Cruz asked what the status was for resurfacing Wright Road.

Ms. Cox mentioned that the chip seal program has been put on hold at this time, so they are not doing any additional contracts for chip sealing at this time.

Supervisor Botelho said that he was concerned with the striping, would it be possible to contract out for this instead of purchasing a striper.

Ms. Cox said that they could do a cost benefit analysis before purchasing that piece of equipment.

Ms. Cox said that she would like to commend the staff at Public Works for stepping it up and participating as a county as a whole to minimize costs and look at the most effective way to get these projects done.

Joe Thompson, local resident, said that he appreciates the five board members; because when the going gets tough, it is quite obvious today, the tough get going.

Supervisor Barrios asked where does regular maintenance on roads fit in, and what can we do to resurface roads.

Ms. Cox replied it is a road maintenance line item in the budget, it is not capital improvement.

Chairman Botelho thanked Ms. Cox for a fine report.

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: Monaco, Loe, Barrios, De La Cruz, Botelho
NOES: SUPERVISORS: None
ABSENT: SUPERVISORS: None

There being no further business the Board adjourned at to March 24, 2009 at 9:00 a.m. for a regular meeting.

ANTHONY BOTELHO, CHAIRMAN
San Benito County Board of Supervisors

ATTEST:
Janet Slibsager
Assistant Clerk