



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1

Anthony Botelho
District No. 2
Chairman

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 AGENDA JANUARY 6, 2009

Mission Statement

The County Board of Supervisors will recognize the public trust it holds, will on all occasions conduct business with honesty, integrity, and respect for the individual, and will hold the organization of County government to that same standard.

The San Benito County Board of Supervisors welcomes you to this meeting and encourages your participation.

- *If you wish to speak on a subject matter within the jurisdiction of the Board of Supervisors and does not appear on the agenda, you may do so during the Public Comment period at the beginning of the meeting. Please complete a Speaker Card and provide it to the Clerk of the Board prior to the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing on the agenda. When addressing the Board, please state your name for the record. Please address the Board as a whole through the Chair.*
- *If you wish to speak on an item contained in the agenda please complete a Speaker Card identifying the item(s) and provide it to the Clerk of the Board prior to consideration of the item.*
Each individual speaker will be limited to a presentation total of three (3) minutes.

9:00 a.m. CALL TO ORDER:

- A) Pledge of Allegiance to be led by Supervisor Monaco.
- B) Acknowledge Certificate of Posting.

BOARD RE-ORGANIZATION:

- 1) a) Open nominations and conduct election for Chair of the Board of Supervisors.
b) Open nominations and conduct election for Vice-Chair of the Board of Supervisors.
- 2) Receive Committee appointments from the newly elected Chair of the Board of Supervisors.
- 3) Consider appointment of Planning Commissioners for Supervisorial Districts 1, 2 and 5 as follows:
 - a) Confirm appointment of Jeff Culler as District 1 Planning Commissioner for a coterminous term with that of Supervisor Barrios.
 - b) Confirm appointment of Dan DeVries as District 2 Planning Commissioner for a coterminous term with that of Supervisor Botelho.
 - c) Confirm appointment of Robert Scattini as District 5 Planning Commissioner for a coterminous term with that of Supervisor De La Cruz

- 4) Confirm appointments to the Parks and Recreation Commission for Supervisorial Districts 1, 2 and 5 as follows:
 - a) Confirm appointment of Don Kelley representing Supervisorial District 1 for a coterminous term with that of Supervisor Barrios.
 - b) Confirm appointment of Jim West representing Supervisorial District 2 for a coterminous term with that of Supervisor Botelho.
 - c) Confirm appointment of Estevan Guzman representing Supervisorial District 5 for a coterminous term with that of Supervisor De La Cruz.

Continue Meeting:

- C) **Public Comment:** *Opportunity to address the Board on items of interest on a subject matter within the jurisdiction of the Board of Supervisors and not appearing on the agenda. No action may be taken unless provided by Govt. Code Section 54954.2*
- D) Department Head Announcements. Information only.
- E) Board Announcements, Introductions and Presentations. Information only.

PRESENTATIONS & RECOGNITIONS:

- 5) Present proclamation proclaiming January 2009 as National Blood Donor Month in San Benito County and authorize the Chairman to sign said proclamation. (Supervisor De La Cruz)
- 6) Approve Certificate of Recognition for Tim Foley, County Superintendent of Schools, who is retiring after 12-½ years of outstanding and dedicated service to the County of San Benito for presentation on January 10, 2009.

CONSENT AGENDA:

These matters shall be considered as a whole and without discussion unless a particular item is removed from the Consent Agenda. Approval of a consent item means approval of the recommended action as specified on the Agenda Item Transmittal.

If any member of the public wishes to comment on a Consent Agenda Item, please fill out a speaker card, present it to the Clerk prior to consideration of the Consent Agenda and request the item be removed and considered separately.

COUNTY LIBRARIAN – N. Conte:

- 7) Accept grant funding of \$10,000 for Mobile Library Services, a net addition to forecasted state literacy grant revenue of \$7,200; approve the budget transfer augmenting salaries by \$15,000 to be offset by \$7,200 in new grant revenue and \$7,800 from Special Department Expenses.

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

- 8) Status report on Audit Services RFP (Request for Proposals) process.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 9) Approve proposed Regulatory Addendum to the August 15, 2008 San Benito County EMS Agency Electronic Patient Care Reporting System Maintenance Agreement.
- 10) Approve the Health & Human Services Director's report and approve the sub-recipient agreement for the 2008 Community Development Block Grant (CDBG) with Community Pantry for the period of January 6, 2009 to December 31, 2009 in the amount not to exceed \$41,815.
- 11) Approve the Health & Human Services Director's report and the sub-recipient agreement for the 2008 Community Development Block Grant (CDBG) with the Homeless Task Force for the period of January 6, 2009 to June 30, 2010 in the amount not to exceed \$110,000.
- 12) Approve the Health & Human Services Director's report and the sub-recipient agreement for the 2008 Community Development Block Grant (CDBG) with the Emmaus House for the period of January 1, 2009 to June 30, 2010 for the amount not to exceed \$150,685.
- 13) Appoint Ms. Nancy A. Martin as a public sector representative for Workforce Investment Board for a three-year term, effective January 6, 2009 through January 6, 2012.
- 14) Appoint Ms. Mandi Culala as a private sector representative for Workforce Investment Board for a three-year term, effective January 6, 2009 through January 6, 2012.

INTERNAL SERVICES - R. Inman:

- 15) Appoint Barbara Thompson as Acting County Counsel effective December 28, 2008; salary will be at Step A of the designated range for County Counsel; benefits will be the same provided to all other appointed department heads; time spent as Acting County Counsel will be credited to her probationary time for Assistant County Counsel; if not appointed as the County Counsel she shall have the right to return to her previous position as Assistant County Counsel; the appointment as Acting County Counsel is not subject to Government Code Section 27641.
- 16) Assign position of Public Works Administrator in unit M1 designating that position as a department head.

LOCAL PLANNING COUNCIL – K. Bobsin:

- 17) Certify the annual Childcare Local Planning Council membership and authorize the Chair to sign certification statement.

PUBLIC WORKS DEPARTMENT – J. Cox:

- 18) Make findings that special circumstances exist for the office furniture purchase on the Clerk/Recorder Remodel Project, because components to be purchased must conform with and integrate into an existing system already installed in the Clerk/Recorder's Office and the recommended vendor is the sole source vendor for the required components, and authorize staff to dispense with the competitive procurement requirements for this purchase.

SHERIFF'S DEPARTMENT – C. Hill:

- 19) Approve Resolution authorizing temporary closure of a county roadway for the Twenty-sixth Annual Mission 10 runs sponsored by the Hollister Rotary Club on Saturday, January 24, 2009. (Res. No. 2009-01)

TREASURER/TAX COLLECTOR/ PUBLIC ADMINISTRATOR – M. Andrade:

- 20) Review the list of parcels to be sold at auction sale; provide authorization to the Tax Collector to hold the Sale on March 2, 22, 23 & 24, 2009; approve the reduction in the minimum bid price if no bids are received or approve the re-offer of unsold parcels at a price; approve unsold parcels being reoffered for sale within a 90-day period and any new parties of interest shall be notified pursuant to Revenue and Taxation Code Section 3692(e).

9:00 A.M. - PUBLIC HEARINGS (Or as soon thereafter as the matter may be heard):

COUNTY COUNSEL:

- 21) Hold a public hearing to consider an ordinance adopting the 2008 edition of the Code of Ordinances for the County of San Benito and consider the adoption of a Notice of Exemption pursuant to the California Environmental Quality Act ("CEQA"), California Public Resources Code section 21083 and CEQA Guidelines, California Code of Regulations, title 14, sections 15061(b)(3), 15378(a) and 15378(b)(5), determining whether this ordinance is exempt from environmental review under the Common Sense Exemption.

PLANNING & BUILDING DEPT. – A. Henriques:

- 22) Hold a public hearing to consider an increase in Planning Division application fees and adoption of an amended planning fee ordinance. (*Continued from Dec. 2, 2008 meeting.*)

9:30 A.M. – PUBLIC HEARING (Or as soon thereafter as the matter may be heard):

ADMINISTRATIVE BUSINESS – S. Thompson:

- 23) Hold a public hearing to consider a resolution and possibly approve the transfer of real property from the County of San Benito to the State of California, on behalf of the Judicial Council of California, Administrative Office of the Courts (hereinafter "State"). The Board may also make any necessary California Environmental Quality Act (CEQA) determinations or findings. The 3.08 acres of real property to be transferred has the street address of 335 West Street, Hollister. The State intends to construct a new courthouse on the West Street property.

REGULAR AGENDA:

For each regular agenda item, the following schedule shall occur:

- a) Staff report.
- b) Public opportunity to address the Board on a particular agenda item. Please fill out a speaker card and present it to the Clerk prior to consideration of the item.
- c) Consideration by the Board.

SHERIFF'S DEPARTMENT – C. Hill:

- 24) Approve Memorandum of Understanding with the Counties of San Benito; Santa Barbara, San Luis Obispo, the City of El Paso de Robles and the California Department of Corrections and Rehabilitation regarding the Central Coast Regional Secure Community Reentry Facility.

PLANNING & BUILDING DEPT. – A. Henriques:

- 25) Review and comment on upcoming Homebuyer Workshop scheduled on February 7, 2009 at the Veteran's Memorial Building Conference Room #204.

ADMINISTRATIVE BUSINESS – S. Thompson:

- 26) Verbal status report on State Budget.

BOARD OF SUPERVISORS:

- 27) Report on California State Association of Counties (CSAC) Annual Meeting. (Supervisor Monaco)

ADJOURN TO TUESDAY, JANUARY 13, 2009 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY, JANUARY 5, 2009 AT 1:00 P.M.

NOTE: A copy of this Agenda is published on the County's Web site on the Friday preceding each Board meeting and may be viewed at www.san-benito.ca.us/agendas. All proposed agenda items with supportive documents are available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. & 5:00 p.m., Monday through Friday (except holidays). This is the same packet that the Board of Supervisors reviews and discusses at each Board meeting.

As required by Gov. Code Section 54957.5 any public record distributed to the Board of Supervisors less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the office of the Clerk of the Board, San Benito County Administration Building, 481 Fourth Street, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the office of the Clerk of the Board.

In compliance with the Americans with Disabilities Act (ADA) the Board of Supervisors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Board's office at (831) 636-4000 at least 48 hours before the meeting to enable the County to make reasonable arrangements to ensure accessibility.

**ADDENDUM TO THE
JANUARY 6, 2009
BOARD OF SUPERVISORS
REGULAR MEETING AGENDA**

The following item has been added to the January 6, 2009 Closed Session Agenda:

CLOSED SESSION:

- 28) Conference with Legal Counsel – Existing Litigation – (Subdivision (a) of Government Code Section 54856.9

Name of Case:

1. Egan vs. County of San Benito, et al. (San Benito Superior Court, Case No. CU 08 00187

12/30/08

3:35 p.m.

Linda Churchill, Clerk of the Board