



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 AGENDA FEBRUARY 10, 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.
- 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.

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.

BEHAVIORAL HEALTH – A. Yamamoto:

- 1) Authorize the County's Behavioral Health Director to sign the FY 2008-09 Amendment No. 1 to the Negotiated Net Amount Contract (NNA), for the period of July 1, 2007 through June 30, 2010, with the State Department of Alcohol and Drug Programs (ADP); and adopt Resolution to accept the ADP FY 2008-09 Amendment No. 1 to the Negotiated Net Amount Contract. Contract annual total is \$561,066.00. (Res. No. 10)

CLERK OF THE BOARD – L. Churchill:

- 2) Approve the action minutes for the meeting of January 27, 2009.

HEALTH & HUMAN SERVICES & PLANNING DEPT. – K. Flores & A. Henriques:

- 3) Adopt Resolution opposing AB 885 draft regulations for Onsite Wastewater Treatment Systems. (Res. No. 11)

INTERNAL SERVICES – R. Inman:

- 4) Adopt Resolution entitled "Resolution of the San Benito County Board of Supervisors Amending Resolutions 2003-105, 2003-106, 2004-110 and 2004-111 Retroactively Establishing Health Insurance Rates for Retirees for 2004 and 2005". (Res. No. 12)

PROBATION DEPARTMENT –B. Cardall:

- 5) Authorize Probation Department to accept Youthful Offenders Block Grant (YOBG) Funds for FY 2008-2009 in the amount of \$117,000; authorize Probation Department to transfer prior year revenues in the amount of \$10,895; and authorize modification as set forth in the budget transfer and augmentation of budget units. (4/5 Vote)

PUBLIC WORKS DEPARTMENT – J. Cox:

- 6) Approve agreement with Monterey County for the administration; right-of-way purchase and construction of the Lonoak Road Bridge replacement at no cost to San Benito County.
- 7) Accept the bids received on January 9, 2009; award contract to Edward R. Bacon Co. Inc., for the purchase and installation of the Juvenile Hall Standby Generator, for the period of February 3, 2009 to June 30, 2009 in the amount of \$106,661.43.
- 8) Adopt Resolution providing for the placement of a stop sign on a County roadway intersecting Union Road and for the placement of intersection warning signs on Union Road. (Res. No. 13)
- 9) Adopt Resolution providing for the placement of a stop sign on San Juan Canyon Road northbound at its intersection with Mission Vineyard Road and for the placement of a yield sign on Mission Vineyard Road westbound at its intersection with Salinas Grade Road. (Res. No. 14)

SHERIFF'S DEPARTMENT – C. Hill:

- 10) Approve the multi-year lease with Dataflow Business Systems for copier machine in the amount of \$7,241.93 over the life of the lease and authorize the Sheriff to sign.

PUBLIC HEARING - 9:30 a.m. (Or as soon thereafter as the matter may be heard):

- 11) Hold public hearing to accept public comment and testimony on the proposed County Service Area #31 (Stonegate) annual fee and adopt Resolution declaring the results of a protest tabulation, imposing a property related fee, ordering capital improvements and maintenance therein, and confirming the fee report, the fee schedule and fee; and providing for the levy of the Fiscal Year 2008/09 supplemental fee and an annual fee in subsequent years and authorize a mail ballot election to be held June 24, 2009 for the storm drainage fee.

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.

PUBLIC WORKS DEPARTMENT – J. Cox:

- 12) Introduce Ordinance amending Chapter 17.01 of Title 17 of the San Benito County Code, Traffic Regulations, establishing a speed limit of 35 miles per hour on Carr Avenue; and waive the reading of ordinance and continue to Tuesday, February 24, 2009 for adoption of said ordinance.

COUNTY COUNSEL – B. Thompson:

- 13) Provide update for tasking outside Counsel on El Rancho San Benito (DMB) project and direct staff as appropriate.

INTERNAL SERVICES – R. Inman:

- 14) Approve San Benito County's participation in the NACO Prescription Drug Discount Card Program.

ADMINISTRATIVE BUSINESS – S. Thompson:

- 15) Update on local impacts of State budget actions and direct staff as necessary.

CLOSED SESSION:

Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Reportable actions taken by the Board during Closed Session will be announced during open session. (Gov. Code Section 54957.1(a) & (b), Ralph M. Brown Act.)

- 16) Conference with Legal Counsel-Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Section 54956.9
Number of Cases: (2)

ADJOURN TO TUESDAY, FEBRUARY 24, 2009 AT 9:00 A.M.

AGENDA DEADLINE IS FRIDAY, FEBRUARY 13, 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.