



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 MARCH 3, 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 Barrios.
- 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.

AGRICULTURAL COMMISSIONER – P. Matulich:

- 1) Re-appoint members Helen Matulich and Jerry Hammond, to the Taylor Act Grazing Advisory Board, for a three-year term effective July 1, 2009.

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

- 2) Approve amendment #3 to the contract with Sequoia Pacific Voting Systems for the purchase of a pre-owned refurbished 400-C Unit Ballot Tabulator at a total cost of \$58,625 and authorize the County Clerk, Auditor & Recorder to sign said amendment; approve the budget transfer to cover total cost of purchase.
- 3) Augment the Elections FY 2008-2009 Election Budget #140 with \$200,000 from General Fund contingencies to conduct Special Statewide Elections to be held on May 19, 2009. *(4/5 vote)*

CLERK OF THE BOARD – L. Churchill:

- 4) Approve the action minutes for the February 10, 2009 meeting.

HEALTH & HUMAN SERVICES – K. Flores:

- 5) Adopt Resolution authorizing the Director of Health & Human Services Agency to enter into and execute agreements with the California Department of Social Services (CDSS) for reimbursement of interim assistance payments. (Res. No. 2009-19)
- 6) Approve transfer of \$5,294 in the Public Health Emergency Preparedness budget from special department expense to fixed assets; recognize a fixed asset for an Alternate Care Site Trailer to the Public Health/HHSA budget and schedule of fixed assets for FY 08/09.

INTERNAL SERVICES DEPARTMENT – R. Inman:

- 7) Adopt ordinance entitled “An Ordinance Amending Chapter 3.01(Administration Generally) of Title 3 of the San Benito County Code”. *(Continued from 2/24/09 mtg.)* (Ordinance No. 835)

PROBATION DEPT. – B. Cardall:

- 8) Approve amendment to contract with King & Associates for services to teach Health Realization principles to minors and parents from the Juvenile Justice Crime Prevention Act funds in an amount not to exceed \$23,500.

PUBLIC WORKS DEPARTMENT – J. Cox:

- 9) Declare equipment specified on submitted list be declared surplus per County practice and removed from inventory.
- 10) Adopt the specifications for the Juvenile Hall Maintenance and Improvements, Painting Project, Invitation for Bid (IFB).

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

INTERNAL SERVICES – R. Inman:

- 11) Adopt ordinance amending Chapter 13.01 (Animals and Fowl) of Title 13 the San Benito County Code (*Continued from 2/24/09 mtg.*); and,

Hold public hearing and adopt resolution regarding new animal control fees, including license, shelter, euthanasia, adoption, and other animal related fees.

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.*

INTERNAL SERVICES – R. Inman:

- 12) Update on status of recruitment for County Counsel and Public Works Administrator.

PLANNING & BUILDING DEPT.- A. Henriques:

- 13) Approve the County Administrative Draft Environmental Impact Report Policy.

ADMINISTRATIVE BUSINESS – S. Thompson:

- 14) Receive status report on Federal Stimulus Act application activity and direct staff as appropriate.

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.)

- 15) Name of Case: Frances Vyverberg v. San Benito County, et.al., Superior Court of California, County of San Benito, Case No. CU-08-00174

AFTERNOON SESSION

1:30 P.M.

REGULAR AGENDA:

PLANNING DEPARTMENT – A. Henriques:

- 16) Adopt Resolution granting the appeal of the Santana Ranch Owner's group and provide the appellant with 22 allocations or take alternate action. (*Postponed from 2/24/09 mtg.*)

PLANNING DEPARTMENT – A. Henriques:

- 17) Hold a public hearing to consider an ordinance for Zone Change (ZC 08-161) Request: A Zone Change from Rural (R) to Rural-Planned Unit Development (R-PUD) for the purpose of subdividing approximately 200 acres into 17 one-acre lots, a 68-acre open space parcel, and a remainder lot of 115 acres. Applicant/Appellant: Guerra Nut Shelling. Location: 500 John Smith Road, Hollister, CA. APN 025-100-007. CEQA Determination: Mitigated Negative Declaration. *(Continued from November 25, 2008)*

ADJOURN TO TUESDAY, MARCH 10, 2009 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY, MARCH 2, 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.