



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 APRIL 7, 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:

- Pledge of Allegiance to be led by Supervisor Loe.
- Acknowledge Certificate of Posting.

PRESENTATIONS & RECOGNITIONS:

- Present Certificate of Recognition to Jim Hawkins for 12 years of dedicated service on the San Benito County Fish & Game Advisory Commission.
- Present Proclamation to Sexual Assault Advocate, Debbie Ruiz, declaring the month of April as Sexual Assault Awareness Month in San Benito County. (Chairman Botelho)
- 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.*
- Department Head Announcements:** Information only
- Board Announcements, Introductions and Presentations:** Information.

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.

BOARD OF SUPERVISORS:

- 1) Appoint James E. Pacheco to the San Benito County Fish and Game Advisory Commission representing Supervisorial District 1 with term effective April 7, 2009 through March 31, 2013. (Supervisor Barrios)

CLERK OF THE BOARD – L. Churchill:

- 2) Approve the action minutes of the meeting on March 10, 2009.

COUNTY CLERK, AUDITOR & RECORDER – J. P. Gonzalez:

- 3) Make a finding in regard to sole source and approve contract with K & H Integrated Print Solutions for the May 19, 2009 Special Statewide Election for the period of March 1, 2009 through July 31, 2009 at a cost not to exceed \$100,000.

DISTRICT ATTORNEY'S OFFICE – C. Hooper:

- 4) Authorize the District Attorney's Office to submit a grant application for funding of the San Benito County Victim/Witness Assistance Center and Vertical Prosecution of Cases involving violent crimes against women for a three-year cycle beginning July 1, 2009 and ending June 30, 2012; and adopt resolution authorizing the submission of Grant Application. (Res. No. 2009-26)

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 5) Approve Amendment #1 to the Joe Serna Jr. Farmworker Housing Grant Program Standard Agreement to extend the expiration date of June 30, 2009 to June 30, 2010; and authorize the Director of Health & Human Services to sign said agreement. (CSWD)
- 6) Approve the revised San Benito County Community Action Board (CAB) Bylaws to be effective April 7, 2009. (CSWD)
- 7) Approve agreement with Pacific Gas & Electric for California Alternate Rates for Energy (CARE) for 2009-2011; and authorize the Health & Human Services Director to sign said agreement and any subsequent amendments. (CSWD)
- 8) Approve FY 08/09 budget augmentations for the CalWorks Programs in the amount of \$273,340 and the Meds Security implementation in the amount of \$109,500. (4/5 vote)
- 9) Approve budget augmentation in the amount of \$57,744 for Community Services Block Grant. (4/5 Vote)

INTERNAL SERVICES – R. Inman:

- 10) Approve the addition of 1.0 FTE to the Schedule of Authorized Positions for Staff Analyst in the Probation Department's Budget Unit #4238136 (Gang Prevention Fund)
- 11) Approve Class Specifications for Child Support Accounting Specialist and set current salary range of 17.9; delete the following from the Department of Child Support Services Schedule of Authorized positions: 1.0 FTE Account Clerk Supervisor, 1.0 FTE Account Clerk II, 1.0 FTE Office Services Supervisors, 1.0 FTE Special Programs Coordinator; add the following to the Department of Child Support Services Schedule of Authorized positions: 1.0 FTE Child Support Specialist I/II, 1.0 FTE Accounting Technician, 1.0 FTE Child Support Accounting Specialist.

PUBLIC WORKS DEPARTMENT – J. Cox:

- 12) Accept the bid received on March 17, 2009; award contract to Pacific Air as the lowest responsive responsible bidder for the replacement of the Sheriff Building HVAC External Ducts for the period of April 13, 2009 through June 12, 2009 in the amount of \$14,240; and authorize the Acting Public Works Administrator to issue change orders to the construction contract, in an amount not to exceed \$2,000.
- 13) Approve contract change order No. 1, 2, 3, 5, 7, 8, and 10-14 with Sanchez, Inc. for the Clerk/Recorder Office Remodel project, in the amount of \$32,716 for a total contract amount of \$294,716.

SAN BENITO COUNTY FIRE DEPARTMENT – M. Marlow:

- 14) Adopt resolution accepting Agreement #7FG80083 with the California Department of Forestry and Fire Protection for Volunteer Fire Assistance (VFA) funds in the amount of \$8,000; and authorize chair to sign resolution; authorize chair to sign Agreement in the amount of \$8,000 with the California Department of Forestry and Fire Protection. (Res. No. 2009-27)

SHERIFF'S DEPARTMENT – C. Hill:

- 15) Approve the request to apply for grant funding under the American Recovery and Reinvestment Act, referred to as "the stimulus bill", for three funding opportunities; COPS Hiring Recovery Program (CHRP); Edward Byrne Memorial Competitive Grant Program; and the Assistance to Rural Law Enforcement to Combat Crime and Drugs.

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

- 16) Hold public hearing regarding (1) an ordinance amending Chapter 7.07 of Title 7 of the San Benito County Code pertaining to lettuce inspection and (2) a resolution which would amend lettuce inspection fees authorized by the San Benito County Code; (3) waive first reading of said ordinance and continue to April 14, 2009 for adoption; and adopt said resolution.

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.

COUNTY COUNSEL – B. Thompson:

- 17) Approve legal services agreement with the proposed law firm of Rankin, Landsness, Lahde, Serverian & Stock to recover costs incurred by the County pursuant to an indemnification agreement.
- 18) Discuss current litigation, Association for Equal Information and Governmental Integrity v. County of San Benito, Case No. CU-09-00043 and provide direction to staff and approve contract with law firm of Cota Cole & Associates.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 19) Approve Agreement with American Medical Response to provide countywide Emergency Advanced Life Support ground ambulance coverage for the period of July 1, 2009 through June 30, 2014.
- 20) Approve FY 2008/09 budget augmentation in the amount of \$209,149 for the Workforce Investment Act programs; and amend schedule of authorized positions to include 2 Employment Training Counselors I/II's, 2 Temporary Employment Training Counselors I/II and 1 Temporary Vocational Assistant Positions for the duration of available American Recovery Reinvestment Act (ARRA) funding. (4/5 Vote)

PLANNING & BUILDING DEPARTMENT – A. Henriques:

- 21) Approve Memorandum of Understanding with the Council of Governments, the San Benito Airport Land Use Commission, the City of Hollister, and the County of San Benito for the Airport Land Use Compatibility Plan for the Hollister Municipal Airport at a cost to the county in the amount of \$32,500.

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.)

- 22) Conference with Real Property Negotiators:
Authority: California Government Code Section 54956.8
Property: 327 Fifth Street, Hollister, CA 95023
Agency Negotiator: Susan Thompson, County Administrative Officer and Alan Yamamoto, County Behavioral Health Director.
Negotiating Parties: Philip C. Herbert, Patrick Herbert, Catherine Ann Herbert, Joseph P. Herbert and George Shore Properties.
Under Negotiation: Price and terms of purchase.

- 23) Name of Case: Association for Equal Information and Governmental Integrity v. County of San Benito, Superior Court of California, County of San Benito, Case No. CU-09-00043.
- 24) Conference with Legal Counsel-Anticipated Litigation.
Significant Exposure to litigation pursuant to subdivision (b) of Section 54956.9: Number of Cases (1) Closed session is authorized by Section 54956.9(b)(3)(E).
- 25) Conference with Legal Counsel-Anticipated Litigation.
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: Number of Cases: (1)

ADJOURN TO TUESDAY, APRIL 14, 2009 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY, APRIL 6, 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.