



# 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 JUNE 23, 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:**  
Introduction of Alyssa Abercrombie, Miss San Benito Rodeo 2009 who is representing the San Benito County Saddle Horse Association in the 2009 Saddle Horse Show and Rodeo Downtown Parade and the Saddle Horse Show and Rodeo to be held June 26-28 at Bolado Park. (Supervisor Monaco)
- 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 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.*

**ADMINISTRATION – S. Thompson:**

- 1) Approve transfers or Appropriations for Year End Cleanup to the Public Defender, Public Works-Administration and Engineering, and Victim Witness Budgets. (4/5 Vote)

**BEHAVIORAL HEALTH – A. Yamamoto:**

- 2) Approve amendment to the July 1, 2008 to June 30, 2010 inpatient and outpatient services contract with Merced County for a maximum amount of \$75,000.
- 3) Approve contract renewal with Value Options for Administrative Services Organization for the period of July 1, 2009 to June 30, 2012 for an amount not to exceed \$10,000.
- 4) Approve contract renewal with Door to Hope for Abuse Residential Treatment Facility for the FY 2009-10 for a maximum total of \$49,375.
- 5) Approve contract renewal with Santa Cruz Counseling Center, Inc. residential treatment provider for the FY 2009-10 for a maximum total of \$105,000.
- 6) Approve contract renewal with Liz Alameda for Facilitation of Domestic Violence Diversion Groups for the period of July 1, 2009 to June 30, 2010 for a maximum total of \$14,000.
- 7) Approve contract renewal with Project Ninety, Inc. for residential substance abuse treatment and recovery services for the period of July 1, 2009 to June 30, 2010 for maximum total not to exceed \$105,000.
- 8) Approve contract renewal with Mary Helen Lopez for therapy for Bicultural/Monolingual Spanish speakers for the period of July 1, 2009 to June 30, 2010 for a maximum annual total of \$10,000.

**BOARD OF SUPERVISORS:**

- 9) Adopt resolution recognizing the Community Pantry of San Benito County and supporting its efforts to obtain grants and funding. (Supervisor Monaco) (Res. No. 2009-47)
- 10) Adopt resolution recognizing the Emmaus House and supporting its efforts to obtain grants and funding. (Supervisor Monaco) (Res. No. 2009-48)

- 11) Adopt Resolution recognizing the San Benito County Homeless Task Force and supporting its efforts to obtain grants and funding. (Supervisor Monaco) (Res. No. 2009-49)

**CHILD SUPPORT SERVICES – K. Johnson:**

- 12) Approve Addendum E to the Commercial Lease Agreement for the Department of Child Support Services at 2320 Technology Parkway, to extend the lease for a five-year term ending on June 30, 2014.

**CLERK OF THE BOARD – L. Churchill:**

- 13) Approve the action minutes of the May 12, 2009, May 26, 2009 regular meetings and the June 12, 2009 special meeting.

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

- 14) Adopt Resolution accepting the certified statement of Election Results for the May 19, 2009 Statewide Election. (Res. No. 2009-50)
- 15) Adopt Resolution entitled “A Resolution of the San Benito County Board of Supervisors Authorizing County Clerk to Render Election Services on August 25, 2009 for County Service Area (CSA) Elections”. (Res. No. 2009-51)

**COUNTY COUNSEL – B. Thompson:**

- 16) Approve budget adjustment by \$275,000 in professional services to reflect total FY 08/09 expenditures for developer reimbursed projects, such as DMB and Santana Ranch; approve adjustment in revenue “Developer Charges” by an equal amount of \$275,000. (4/5 Vote)

**HEALTH & HUMAN SERVICES – K. Flores:**

- 17) Re-appoint Mr. Frank Ledesma to the Community Action Board (CAB) for a three-year term effective June 23, 2009 through June 23, 2012. (CSWD)
- 18) Approve contract with Plan A Solutions for the Development of Alternate Care Site Plan (ACS) for the period of June 23, 2009 to August 8, 2009 in the amount of \$15,000; and authorize the Health & Human Services Director to sign.
- 19) Approve contract renewal with Dr. Elizabeth Lee for Psychological Services for the period of July 1, 2009 through June 30, 2010 for the amount of \$72,180; and authorize the Health & Human Services Director to sign.
- 20) Approve contract with the National Council on Crime and Delinquency for Structured Decision Making (SDM) report services for the period of July 1, 2009 to June 30, 2010 in the amount of \$15,000 and authorize the Health & Humans Services Director to sign.
- 21) Approve contract with Sandra Montgomery for Physical Therapy Services for the period of July 1, 2009 to June 30, 2012 for an amount not to exceed \$46,080; and authorize the Health & Human Services Director to sign.
- 22) Approve the Workforce Investment Act (WIA) Title I Subgrant and adopt Resolution to grant signatory authority for the Director of Health & Human

Services Agency to sign WIA documentation and/or documents on behalf of the county of San Benito.

**INTERNAL SERVICES – R. Inman:**

- 23) Approve contract with Advanced Computer Experts for professional computer services for the period of July 1, 2009 to June 30, 2010 for an amount not to exceed \$20,000.
- 24) Approve contracts with Megabyte System, Inc. for the maintenance of the Megabyte Property Tax System MPTS 2000 and Web Access at a cost not to exceed \$46,032; and approve contract for SQL Server Database Support at a cost not to exceed \$23,559, for the period of July 1, 2009 to June 30, 2010.

**PROBATION DEPARTMENT – B. Cardall**

- 25) Approve revenue agreement with the San Benito County Office of Education providing funding in the amount of \$ to continue the Truancy Reduction Program for FY 2009-2010.

**SHERIFF'S DEPARTMENT – C. Hill:**

- 26) Approve the multi-year agreement with Global Tel\*Link Corporation for inmate telephone services; and authorize the Sheriff to sign agreement.
- 27) Approve Memorandum of Agreement with the City of Hollister that the \$18,314 allocation of Justice Assistance Grant (JAG) award funds shall be distributed to the City of Hollister.

**U.C. COOPERTIVE EXTENSION/AGRICULTURAL EXTENSION – W. Coates:**

- 28) Approve lease agreement with Toshiba Business Solutions for photocopier.

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

**HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

- 29) Receive HHSA Director's report on 2010-2011 Community Action Plan (CAP); hold a public hearing to receive comments on the 2010-2011 CAP; adopt resolution approving the 2010-2011 CAP; and authorize signing authority to the HHSA Director.

**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.

**ADMINISTRATION:**

- 30) Set FY 2009-10 budget hearings and specify expenditure limitations effective July 1, 2009; and take other actions as deemed necessary.

**AGRICULTURAL COMMISSIONER – P. Matulich:**

- 31) Accept the Engineers Report from SCI Consulting Group; schedule a public hearing; adopt Resolution of intention to Levy Assessments for FY 2009-10, preliminarily approving engineer's report and providing for notice of hearing for the San Benito County Mosquito Abatement Program.

**BOARD OF SUPERVISORS:**

- 32) Adopt resolution entitled "Resolution of San Benito County Board of Supervisors Supporting In Home Supportive Services (IHSS) Caregivers and Opposing Proposed State Funding Reductions. (Supervisor De La Cruz & Supervisor Barrios)

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

- 33) Approve and accept the completed and signed Elected Officials Base Pay Salary Waiver Form; adopt Resolution adopting a policy with regard to waiver of salaries for the elected offices of County Assessor, County District Attorney and County Clerk, Auditor & Recorder.
- 34) Accept the actuarial study for Post Employment Benefits Other than Pensions (OPEB) for medical coverage of our retired employees; approve the participation agreement to set up an irrevocable Retiree Benefit Trust through CalPERS and adopt Resolution for delegation of authority to request disbursements and sign the Certification of OPEB funding policy; assign an Ad Hoc Board of Supervisor Committee to research and identify options for managing cost and to make recommendations for ongoing funding of the costs of the County's Other Post-Employment Benefits.

**INTERNAL SERVICES – R. Inman:**

- 35) Appoint Mr. Matthew Granger pursuant to government code sections 27640 and 27641 as County Counsel effective July 15, 2009.
- 36) Ratify the Auditor's Office payment of wages for hours worked in excess of 1000 hours for FY 2008/2009 for the following temporary employees: Dr. Elizabeth Falade (County Health Officer), Dr. James Nelson (Psychiatrist); authorize Auditor's Office to pay CalPERS (retirement) contributions for both the employee and the employer amounts, as required by the Public Employment Retirement Law (PERL), for Dr. Elizabeth Falade (County Health Officer) in the amount of approximately \$18,850 and for Dr. James Nelson (Psychiatrist) in the amount of approximately \$165,000 in FY 2008/2009.

**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.)*

- 37) Authority: California Government Code Section 54957.6  
Agency Designated Chief Negotiator: Linzie Daniel  
Employee Organization: Deputy Sheriff's Association, Management Employees Group, General Unit (SEIU)

- 38) Conference with Legal Counsel-Anticipated Litigation.  
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: Number of Cases: (6)  
(Discussion regarding filing small claims actions to recover unpaid debts to county)
- 39) 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)(c).
- 40) Conference with Legal Counsel-Anticipated Litigation.  
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: Number of Cases: (1)

**AFTERNOON SESSION  
1:30 P.M.**

<b>CONSENT AGENDA:</b>
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**PUBLIC WORKS DEPARTMENT - J.Cox:**

- 41) Adopt the Final Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program and adopt Resolution for the Hospital Road Bridge Project, adopting the required CEQA Findings and Mitigation Measures. (Res. No. 2009-52)
- 42) Introduce ordinance amending Chapter 17.01 of the San Benito County Code, Motor Vehicles and Traffic, establishing a speed limit of 25 miles per hour on Carr Avenue, from its intersection at Carpentaria Road, to Mile Post 1.275 , and 35 miles per hour from Mile Marker 1.275 to 1.63, at the intersection of Anzar and Aromitas Road; waive the reading of said ordinance and continue to July 7, 2009 for adoption of said ordinance.
- 43) Approve contract amendment for janitorial services with M.A. Jones Incorporated, DBA Cleaning Services, extending the term through June 24, 2010, and to include automatic renewal for successive one-year periods not to exceed three years, in an amount not to exceed \$131,025 annually.
- 44) Approve fiscal year 2008-2009 and 2009-2010 proposed Proposition 1B Funding Disbursement Plans; and adopt Resolution establishing an annual Proposition 1B Funding Disbursement Plan. (Res. No. 2009-53)
- 45) Find that no bids were received in response to the invitation for bids issued on March 24, 2009 for the Courthouse Inmate Entry Project; and elect to proceed under Public Contract Code §20150.9; award contract to Nino Development Inc. for the Courthouse Inmate Entry Project for a total amount not to exceed \$129,785; and authorize the Chair go sign contract; authorize the Acting Public Works Administrator to issue change orders, when needed, not to exceed 10 percent of the contract amount, or \$12,978. (CSWD)

- 46) Adopt plans and specifications for the Stonegate Water Supply Test Well.

**REGULAR AGENDA:**

**PUBLIC WORKS DEPARTMENT – J. Cox:**

- 47) Receive report regards to Potential State Cuts to Local Gas Tax and Proposition 42 and provide direction to staff.

**MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT:**

- 48) Presentation from Richard A. Stedman, Air Pollution Control Officer of the Monterey Bay Unified Air Pollution Control District regarding air quality.

**PLANNING & BUILDING DEPARTMENT – A. Henriques**

- 49) Receive project update regarding Fairview Corners and provide comments as necessary.
- 50) Receive project update regarding Santana Ranch Project and provide comments as necessary.
- 51) Review growth projections for San Benito County through 2035.
- 52) Reset a public hearing for July 7, 2009 to consider a resolution for General Plan Amendment 08-38 and an ordinance for Zone Change 08-166. Applicant: Darin Del Curto Location: 2200 Santa Ana Valley Road, San Benito County, CA. APN: 025-090-061.
- 53) Reset a public hearing for July 7, 2009 to consider a resolution for General Plan Amendment 08-39 and an ordinance for Zone Change 08-167. Applicant: Calera Wine Co./Josh Jensen Location: 11300 Cienega Road, San Benito County, CA. APN: 023-090-033.

**ADJOURN TO TUESDAY, JULY 7, 2009 AT 9:00 A.M.**

**AGENDA DEADLINE IS MONDAY, JUNE 29, 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](http://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.***