



# 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 AUGUST 25, 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.
- 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.*

**BOARD OF SUPERVISORS:**

- 1) Approve Certificate of Recognition for the 2009 LULAC Woman of the Year Award recipient Anita Canul Franchi for presentation at a later date.

**AGRICULTURAL COMMISSIONER – P. Matulich:**

- 2) Approve annual contract with the California Department of Food & Agriculture to provide nursery inspection services for FY 2009/2010 in the amount of \$4,542.
- 3) Approve annual contract with the California Department of Food & Agriculture to provide services for Weighmaster reporting for FY 2009/2010 for a total amount of \$2325.
- 4) Approve contract with California Department of Food & Agriculture for weed management services effective January 1, 2010 through December 31, 2010 in the amount of \$16,758.

**BEHAVIORAL HEALTH – A. Yamamoto:**

- 5) Approve contract with the Suicide Prevention Services of the Central Coast for prevention and early intervention services for the period of August 4, 2009 to June 30, 2010 for a maximum amount not to exceed \$9,000.
- 6) Approve contract renewal with Victor Treatment Inc. for mental health services for the term of FY 2009-2010 for a maximum amount not to exceed \$80,000.
- 7) Receive 2008 Annual Behavioral Health Board Report on County Mental Health Services.
- 8) Approve the revised County Behavioral Health Board By-Laws.

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

- 9) Approve the action minutes of the July 7, 2009, July 28, 2009 and August 4, 2009 meetings and the Special Joint meeting of July 16, 2009.

**COUNTY LIBRARIAN – N. Conte:**

- 10) Approve out-of-state for the County Librarian to attend the 2009 Association of Rural and Small Libraries Conference in Gatlinburg, Tennessee from September 10-14, 2009.

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

- 11) Ratify out-of-state travel for social worker approved by County Administrative Officer due to emergency nature related to child welfare case.
- 12) Approve contracts with UC Davis for child welfare and eligibility training in the amounts of \$11,040 and \$25,024 respectively for the term July 1, 2009 to June 30, 2010 and authorize the HHSA Director to sign said contracts.
- 13) Appoint Ms. Sandra Romero as an in-school youth representative for the Youth Employment Program (YEP) Council for a three-year term effective August 25, 2009 through August 25, 2012. (CSWD)

- 14) Appoint Ms Kylie Sullivan as an in-school youth representative for YEP Council for a three-year term effective August 25, 2009 through August 25, 2012. (CSWD)
- 15) Re-appoint Ms. Sylvia Sanchez as a private sector representative for Workforce Investment Board (WIB) for a three-year term effective August 25, 2009 through August 25, 2012. (CSWD)
- 16) Approve and adopt the Workforce Investment Act (WIA) On-the-Job-Training Agreement template and authorize the Executive Director of HHSA or the Deputy Director of CSWD to enter contracts on the county's behalf on the approved agreement template.

**INTERNAL SERVICES – R. Inman:**

- 17) Approve budget adjustment for year-end FY 2008-2009 for Budget Unit #2600101 (County Fire) and Budget Unit #3000806 (Capital Outlay).
- 18) Approve Modified Class Specifications for Employment Services/Computer Specialist; increase the position from .75 to 1.0 Full-Time Equivalent in the schedule of authorized positions for Community Services and Workforce Development.
- 19) Adopt job specification for Database Administrator for the Information Technology Division of Internal Services.
- 20) Approve First Amendment to Employment Agreement with San Benito County Law Enforcement Management employees.
- 21) Approve contract with the California Department of Forestry and Fire Protection for fire protection services for the period of July 1, 2009 through June 30, 2012; and adopt resolution to reflect an amount not to exceed \$948,600 in Schedule A services for Fiscal Year 2009-2010. (Res. No. 2009-76)

**PROBATION DEPARTMENT – B. Cardall:**

- 22) Approve out-of-state travel to Rite of Passage for one to two probation officers to transport court wards and to provide mandated monthly visits to comply with Title IV-E requirements and to ensure that the minor's needs are being met.

**SHERIFF DEPARTMENT – C. Hill:**

- 23) Allow the Sheriff to accept a donation of \$200 from the Deputy Sheriff's Association in support of National Night Out held on August 4, 2009.

<b>PUBLIC HEARING – 9:30 a.m. <i>(or as soon thereafter as the matter may be heard):</i></b>
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**SAN BENITO COUNTY FREE LIBRARY – N. Conte**

- 24) Hold a public hearing to consider a resolution authorizing the San Benito County Public Library to adopt new fees and revise existing fees and fines.

## **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.

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

- 25) Adopt Resolution adopting the Final Budget for the FY 2009-2010.
- 26) Adopt Resolution establishing the Proposition 4 Appropriation Limit for the FY July 1, 2009 to June 30, 2010 at \$26,632,510.

## **INTERNAL SERVICES – R. Inman:**

- 27) Adopt resolution entitled "Resolution of San Benito County Board of Supervisors Authorizing the Closure of County Offices on Certain Days in Fiscal Years 2009-2010 and 2010-2011; and cancel Board of Supervisors meetings on November 24, 2009, January 6, 2010, November 23, 2010 and January 4, 2011.

## **ADMINISTRATION:**

- 28) Adopt resolution staying processing and approval of applications for formation of new agricultural preserves, pending reinstatement of payment of subventions by the State of California. (Williamson Act)
- 29) Discuss and provide direction to staff concerning Highway 152, Highway 156 and Highway 25 as regional transportation priorities.

## **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.)*

- 30) Conference with Legal Counsel-Existing Litigation.  
(Subdivision (a) of Section 54956.9)  
Name of Case: Del Carlo v. County of San Benito, Superior Court of California,  
County of San Benito, Case No. CU 06-00079

## **AFTERNOON SESSION**

### **1:30 P.M.**

#### **CONSENT AGENDA:**

##### **PLANNING DEPARTMENT – A. Henriques:**

- 31) Approve second amendment to the environmental services agreement with Pacific Municipal Consultants (PMC) in an additional amount not to exceed \$81,595, for preparation of a Traffic Impact Fee Analysis and Fiscal Impact Analysis review in relation to the EIR, preparation for the Santana Ranch Specific Plan.

##### **PUBLIC WORKS DEPARTMENT – S. Wittry:**

- 32) Accept all bids and award contract to Mechanical Systems Inc. as the lowest responsive, responsible bidder for the Juvenile Hall HVAC project; approve the contract for the period August 25, 2009 through October 9, 2009 in the amount of \$51,000; and, authorize the Public Works Administrator to issue change orders to the construction contract in an amount not to exceed \$5,100.
- 33) Accept all bids and authorize the issuance of a purchase order to Edward R. Bacon Co., Inc., for the Aerial Boom Truck in the amount of \$134,923.75.
- 34) Approve County Equipment and Vehicle Auction Policy and direct staff to implement policy as County practice.
- 35) Adopt Resolution of Intention to levy and collect a property related fee in County Service Area No. 31, Stonegate, for Fiscal Year 2009-10, preliminarily approving Fee Report and setting a public hearing for September 8, 2009. (Res. No. 2009-77)
- 36) Approve letter to Jim Dassel of Dassel's Petroleum, Inc., recognizing the generous donation for construction of recreation facilities (Horseshoe Pit) at San Benito County Historical Park and authorize Chair to sign said letter.

#### **REGULAR AGENDA:**

##### **PLANNING & BUILDING DEPT. – A. Henriques:**

- 37) Accept report on Environmental Quality Act (CEQA) Guidelines Sections Proposed to be added or amended in regards to Climate Change Action (SB97) and provide comments.
- 38) Review report regarding renewable energy development and direct staff accordingly.

##### **PUBLIC WORKS DEPARTMENT - S. Wittry:**

- 39) Update on the status of County bridge debris cleaning in preparation for winter storms.

**ADJOURN TO TUESDAY, SEPTEMBER 1, 2009 AT 9:00 A.M.**

**AGENDA DEADLINE IS MONDAY, AUGUST 24, 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.***