



# 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 SEPTEMBER 22, 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 Monaco.
- 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.*

**ADMINISTRATION:**

- 1) Approve contract with Jovenes de Antano to provide meals to the senior citizens of San Benito County for the period of October 1, 2009 through June 30, 2010 in the amount of \$40,000.

**AGRICULTURAL COMMISSIONER – P. Matulich:**

- 2) Approve contract with the California Department of Food & Agriculture for Sudden Oak Death program for the fiscal year 2009/2010 in the amount of \$617.30.

**BEHAVIORAL HEALTH – A. Yamamoto:**

- 3) Approve contract renewal with Planned Parenthood for HIV/Aids Testing, Pre and Post Counseling for the period of September 22, 2009 to June 30, 2010 for an amount not to exceed \$7,500.
- 4) Approve the re-appointment of Dori Bannister to the Behavioral Health Board as a public interest member for the period of June 6, 2009 to June 6, 2012.
- 5) Approve contract renewal with Monterey County Behavioral Health Services for the FY 2009-10 for a maximum amount of \$25,000.

**BOARD OF SUPERVISORS:**

- 6) Adopt Resolution acknowledging and supporting the Condor Classic Bicycle Event to be held on Saturday, October 10, 2009 in San Benito County. (Supervisor Monaco) (Res. No. 2009-89)

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

- 7) Approve the action minutes of the August 25, 2009 and September 1, 2009 meetings.
- 8) Approve the Revised 2009 and 2010 Board of Supervisors calendars.

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

- 9) Authorize the Health & Human Services Director to hire an Emergency Medical Services (EMS) Coordinator at Step F, Range 24.5, effective October 13, 2009.
- 10) Approve agreement with One Stop Career Center Partner Agencies for resource sharing agreement.
- 11) Adopt Resolution approving the State Community Services Block Grant (CSBG) contract in the amount of \$82,837 for funds received under the American Recovery and Reinvestment Act of 2009 (ARRA); authorize the HHS Director to sign said contract. (Res. No. 2009-90)
- 12) Approve Amendment No. 1 to Sublease Agreement with State of California for premises located at 1111 San Felipe Road, Suite 107 effective August 1, 2009 to July 21, 2011 in a monthly amount of \$2,548.88; authorize the Director of HHS to sign said sublease.

**INTEGRATED WASTE MANAGEMENT – M. Rose:**

- 13) Approve Amendment #1 to the agreement with Advanced Waste Solutions, Inc. transferring the contract to Stericycle, Inc.
- 14) Review and approve the Cooperative Light Brown Apple Moth Quarantine Program Compliance Agreement and authorize the Director of Integrated Waste Management to sign.

**INTERNAL SERVICES – R. Inman:**

- 15) Approve the option to forfeit up to (5) administrative leave buy back days and apply said five (5) days toward furlough obligations for those entitled to administrative leave.

**LONG TERM CARE COMMISSION – B. Pate:**

- 16) Accept the resignations of Sally NeSmith and Christina Andrade and appoint Mary Macias to the Long Term Care Commission for the term of September 1, 2009 to December 31, 2011 and appoint Debbie Reed for a term of September 1, 2009 to December 31, 2011.

**PROBATION DEPARTMENT – B. Cardall:**

- 17) Authorize Chief Probation Officer to hire the Gang Prevention Coordinator/Staff Analyst at a Step "F" of Range 25.2.

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

- 18) Accept State relinquishment of the bridge portion of San Juan Hollister Road/4<sup>th</sup> Street (formerly known as Highway 156) and intersection portions of the Buena Vista and Wright Roads from the State of California to the County of San Benito; adopt Resolution accepting State relinquishment of the bridge portions.
- 19) Accept all bids in the bid summary report; award contract to Avila Construction Company as the lowest responsive, responsible bidder; approve contract with Avila Construction Company for the Farm Worker Dorm and Kitchen Project in the amount of \$939,000 and authorize Chair to sign upon receipt of Bonds and Insurance; authorize Public Works Administrator to issue change orders to the construction contract, not to exceed \$49,450.
- 20) Approve letter to State Senator Jeff Denham recognizing his support in saving Highway User Tax Account (HUTA) funding from the FY 2009-10 Budget Revisions and authorize Chair to sign letter.
- 21) Status on County Service Area No. 22, Cielo Vista and County Service Area No. 50 Dunneville property rated fee.

**SAN BENITO COUNTY FIRE DEPARTMENT – R. Spino:**

- 22) Adopt resolution accepting Agreement #7FG90113 with the California Department of Forestry and Fire Protection for Volunteer Fire Assistance (VFA) funds in the amount of \$11,750; and authorize chair to sign Agreement in the amount of \$11,750 with the California Department of Forestry and Fire Protection. (Res. No. 2009-91)

**SHERIFF'S DEPARTMENT – C. Hill:**

- 23) Receive report regarding Inmate Welfare Expenditures for FY 2008-2009.
- 24) Approve contract with EnMagine, Inc. to provide orientation to the Emergency Operations Plan and provide comprehensive training that meets State and Federal requirements for FY 07 and FY 08 HSGP funding at an amount not to exceed \$17,000 for the period of September 30, 2009 through October 2, 2009.

**REGULAR AGENDA:**

**ECONOMIC DEVELOPMENT CORPORATION – N. Martin:**

- 25) Status report on activities of the San Benito County Economic Development Corporation.

**9:30 a.m. PUBLIC HEARINGS (or as soon thereafter as the matters may be heard)**

**TREASURER / TAX COLLECTOR – M.L. Andrade:**

- 26) Hold a public hearing and adopt ordinance amending Chapter 5, Article III, sub article IV of the San Benito County Code (Ordinance 629) regarding the collection of installment redemption fees by the San Benito County Treasurer-Tax Collector.
- 27) Hold a public hearing and adopt ordinance amending Ordinance 699 concerning fees and charges for services of the Treasurer-Tax Collector-Public Administrator.

**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.*

**AGRICULTURAL COMMISSIONER – P. Matulich:**

- 28) Review the proposed procedure for recovering costs for mosquito abatement for Green Pools.

**ASSESSOR'S OFFICE – T. Slavich:**

- 29) Accept the Assessor's 2009-2010 Annual Report.

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

- 30) Introduce an ordinance amending Chapter 17.01 of the San Benito County Code, Motor Vehicles and Traffic, establishing speed limits along Airline Highway (Highway 25 Bypass) of 55 miles per hour (mph) between San Felipe and Santa Ana Road and 45 miles per hour (mph) on County segments between Santa Ana and Sunnyslope Roads; waive the reading of said ordinance; and continue to October 6, 2009 for adoption of said ordinance.

**SHERIFF'S DEPARTMENT – C. Hill:**

- 31) Adopt Resolution authorizing the creation of the “San Benito County Equine Evacuation and Assistance Unit”, a volunteer organization of the Sheriff Office’s Mounted Search and Rescue Team.

**PLANNING DEPARTMENT – A. Henriques:**

- 32) Receive Santana Ranch quarterly update and provide comments as necessary.
- 33) Receive Fairview Corners quarterly update and provide comments as necessary.
- 34) Receive the proposed options for amending the Hillside Ordinance and direct staff accordingly.

**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.)*

- 35) Conference with Legal Counsel-Existing Litigation. (Subdivision (a) of Section 54956.9)  
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

**ADJOURN TO TUESDAY, OCTOBER 6, 2009 AT 9:00 A.M.**

**AGENDA DEADLINE IS MONDAY, SEPTEMBER 28, 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.***