



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 NOVEMBER 10, 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 Loe.**

In recognition of Veteran's Day, November 11th, remain standing in honor of the men and women of our armed services and expressing profound gratitude for their dedication to our country.

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:** Information only.

PRESENTATIONS & RECOGNITIONS:

- 1) Present Certificate of Recognition to Kay Gibson, who is retiring after over 32 years of service with the Health and Human Services Department, County of San Benito.

- 2) Present Certificate of Recognition to Janet Somavia, who is retiring after 7 years of Service with the Planning Department, County of San Benito.

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 – R. Ross:

- 3) Approve contract with SCI Consulting Group for the Mosquito Abatement Program, for a total cost not to exceed \$28,500 for a period of three years retroactive from July 26, 2009 thru March 31, 2014.

BOARD OF SUPERVISORS :

- 4) Approve Certificate of Recognition for the 2009 Veteran of the Year Honoree, James David Perales, MSGT, Retired United States Air Force, for presentation at the 15th Annual Veterans Breakfast sponsored by San Benito County LULAC on November 11, 2009.

BEHAVIORAL HEALTH – A. Yamamoto:

- 5) Approve the appointment of Donald Moody to the Behavioral Health Board as a public interest member for the term of November 10, 2009 through November 10, 2012.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 6) Add a one (1) FTE Eligibility Supervisor to the CSWD Schedule of Authorized Positions, Budget Unit 2401-12. After the completion of a successful promotional recruitment, delete one (1) FTE Eligibility Worker I/II or Employment Training Services Counselor I/II from said schedule, as appropriate.
- 7) Appoint Ms. Nelda Escamilla as representative for the Youth Employment Program (YEP) Council for a three-year term effective November 10, 2009 through November 10, 2012. (CSWD)
- 8) Appoint Ms. Kathy Flores as a public sector representative for Workforce Investment Board (WIB) for a three-year term effective November 10, 2009 through November 10, 2012. (CSWD)

INTERNAL SERVICES – R. Inman:

- 9) Approve Resolution for 2010 Employer Contributions for CalPERS Health Insurance Premiums for Retirees of San Benito County. (Res. No. 2009-105)
- 10) Approve Reclassification in Community Services and Workforce Development, effective November 15, 2009 to reflect consolidation of duties and departmental reorganization.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 11) Declare supplies and equipment as surplus as requested by the Public Works, Integrated Waste Management Departments and the Health & Human Services Agency; and direct staff to remove from inventory.
- 12) Approve contract with MNS Engineers, Inc. for resident engineering and construction administration services for San Juan Highway Bike Lane, in the amount of \$100,000.

SHERIFF'S DEPARTMENT – C. Hill:

- 13) Approve agreement for Deputy Services for the City of San Juan Bautista for the period of July 1, 2009 through June 30, 2010.

VICTIM WITNESS – C. Hooper:

- 14) Approve the additional grant revenue of \$11,278 awarded by CalEMA State Grant and appropriate funding to temporary salaries in the Victim/Witness budget.

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.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 15) Authorize the Health and Human Services Agency (HHS) to proceed with the development of the San Benito County TANF ECF Subsidized Employment and Non-Recurring Short Term Supportive Services Plan (\$1.6 million) and approve Exhibit A of the San Benito County CalWORKs Plan Addendum and authorize the Director of HHS to sign said plan.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 16) Approve budget adjustment for Utility Services in County Service Areas.

INTERNAL SERVICES – R. Inman:

- 17) Approve Resolution Electing to Establish a Health Benefit vesting requirement for future retirees under the Public Employees' Medical and Hospital, which will apply only to employees hired by San Benito County on or after January 1, 2010.
- 18) Approve contract with Keep IT Simple's (KIS) consulting services to assist with the implementation and migration services for the County IT System at a cost not to exceed \$171,310 to begin on November 11, 2009 and end on March 11, 2010; approve all other expenditures listed on Exhibit B to implement all other components of the County IT Infrastructure Project at a cost not to exceed \$464,690.
- 19) Hold discussion on purchasing and public projects ordinances.

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- 20) Instruct staff to prepare appropriate agendas and noticing to allow the conduct of a special Board meeting on December 16, 2009 to address high priority planning and land use items.

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.)

- 21) Conference with Legal Counsel-Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: Number of Cases: (2)
- 22) Conference with Legal Counsel – Existing Litigation – (Subdivision(a) of Section 54956.9) Number of Cases(s):
1. *Egan v. County of San Benito, et al.* (San Benito Superior Court, Case No. CU 08 00187)

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

PUBLIC HEARING: 1:30 P.M. (Or as soon thereafter as the matter may be heard)

PLANNING DEPARTMENT – A. Henriques:

- 23) Hold a public hearing to consider an ordinance revising the hillside development regulations (Ordinance No. 781), Article II of Chapter 25.29 of Title 25 (Zoning Ordinance) of the San Benito County Code. The Ordinance is entitled AN ORDINANCE OF THE COUNTY OF SAN BENITO, STATE OF CALIFORNIA, AMENDING SECTION 25.29.30 THROUGH 25.29.43 OF THE SAN BENITO COUNTY CODE (ORDINANCE NO. 781) RELATING TO THE REGULATION OF HILLSIDE DEVELOPMENT.
- Receive the report update on the Hillside Ordinance.
 - Adopt resolution making the necessary CEQA findings; and
 - Adopt the Ordinance recommended by the Planning Commission on October 21, 2009.

ADJOURN TO MONDAY, NOVEMBER 23, 2009 AT 1:00 P.M. FOR SPECIAL MEETING.

THE DEADLINE FOR TUESDAY, DECEMBER 1, 2009 AGENDA IS TUESDAY, NOVEMBER 17, 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.