



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 DECEMBER 1, 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 Barrios.
- b) Acknowledge Certificate of Posting.

PRESENTATIONS & RECOGNITIONS:

- c) Present Awards and Certificates of Appreciation to County Employees who have reached Milestone Years of Service.
- d) Present Certificate of Recognition to Barbara Lerma, who is retiring after over 42 years of service with the San Benito County Auditor's Office.
- e) Present Certificate of Recognition to Thomas Hain, who is retiring after 25 years of Service with the San Benito County Public Works Department.
- f) Present Certificate of Recognition to Tony Alameda, San Benito County Farm Bureau's "2009 Farmer of the Year".
- g) **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.

- h) **Department Head Announcements:** Information only.
- i) **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 and sign Certificates of Recognition, for presentation at a later date, recognizing Anita Wilson, Mary Anne Hughes, Mike Sanchez and Juan Cruz III who were selected by the Hollister Youth Alliance for their contributions to the community. (Supervisor Barrios)

CLERK OF THE BOARD – L. Churchill:

- 2) Approve the action minutes of the October 13, 2009 and October 27, 2009 meetings.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 3) Appoint David Mirrione to the Workforce Investment Board (WIB) as a private sector representative effective December 1, 2009 for a three-year term. (CSWD)
- 4) Appoint Mr. Jess Bosque to the Workforce Investment Board (WIB) as a private sector representative effective December 1, 2009 through December 1, 2012.
- 5) Adopt Resolution declaring an intent to lease an interest in real property for purposes of providing safe and affordable housing to qualified seasonal farmworkers, and winter shelter to homeless persons, at the Southside Road Migrant Farmworker Labor Camp; approve lease with Farm Labor Association for Southside Road Unaccompanied Adult Farm Labor Camp for the term January 1, 2010 to December 31, 2010; and authorize the Vice-Chair to sign said lease. (Res. No. 2009-109)
- 6) Review, approve and accept Center for Disease Control (CDC) Comprehensive Agreement in the amount of \$658,308 for the period of July 1, 2009 to August 9, 2010; and authorize the H&HSA Director to sign said agreement; Augment Emergency Preparedness Budget Unit by \$208,219 in revenues and \$208,219 in expenditures.
- 7) Approve contract with Schipper Design for the provision of marketing strategies for the One-Stop Career Center for an amount not to exceed \$42,415 from December 1, 2009 through March 31, 2010; and authorize the H&HSA Director to sign.

INTERNAL SERVICES – R. Inman:

- 8) Approve agreement with A-Check American, Inc. for DMV Record Reporting.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 9) Authorize chair and the Public Works Administrator to sign the Local Assistance Projects Bicycle Transportation Account CWA Cycle 7 Budget Authority form, and any other related documents, extending the funds to June 30, 2012.
- 10) Adopt resolution taking action related to construction of CSA No. 31 (Stonegate), test well, including but not limited to, acceptance of all proposals; award of contract to Guardino Well Drilling, Inc. in an amount not to exceed \$111,102; authorization of change orders not to exceed \$11,110; approval of letter of understanding for access to Granite Rock property and making related CEQA findings. (Res. No. 2009-110)

REGULAR AGENDA:

INTERNAL SERVICES – R. Inman:

- 11) Adopt resolution relieving Arman Nazemi of the duties of the San Benito County Road Commissioner, in accordance with California Streets and Highways, Code Section 2006(a).

9:00 A.M. PUBLIC HEARING *(Or as soon thereafter as the matter may be heard)*

INTERNAL SERVICES – R. Inman:

- 12) Hold a public hearing to consider the qualifications of the following candidate for appointment to the position of Road Commissioner: Steve Wittry, Public Works Administrator, County of San Benito; and adopt resolution appointing Steve Wittry as the San Benito County Road Commissioner.

REGULAR AGENDA (Continued):

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:

- 13) California First Statewide AB 811 Property Assessed Clean Energy Financing Program – Presentation and Authorization to Participate in the California First Program.
- 14) Consider request of Grand Jury for budget augmentation from the General Fund Contingency and direct staff to prepare necessary budget augmentation for Chairman's signature at amount determined by the Board not to exceed \$12,500. (4/5 Vote)

PLANNING DEPARTMENT – A. Henriques:

- 15) Review the report regarding renewable energy development and direct staff accordingly.

- 16) Receive update on the Inclusionary Housing Ordinance; consider the Planning Commission's recommendations and provide direction to staff.
- 17) Review and comment on the "Quarterly Progress Report" on the tasks completed to date by TRA Environmental Sciences, Inc. for the Habitat Conservation Plan (HCP) Feasibility Study.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 18) Receive Informational Report on American Recovery and Reinvestment Act (ARRA) Energy Grant; and provide direction to staff.
- 19) Receive the Stonegate Water Allocation status report and provide direction to staff.

COUNTY LIBRARIAN – N. Conte:

- 20) Review and approve the revised Library Barbara Room policy and specify exclusions to the Barbara Room maintenance fee for three entities.

BOARD OF SUPERVISORS:

- 21) Adopt Resolution establishing collaboration between the County, Cities and Schools in San Benito County for mutual sharing of ideas, vision and problem solving. (Supervisor Barrios)

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.)

Sitting as the Public Authority for In Home Support Services (IHSS):

- 22) Conference with Labor Negotiator:
Authority Designated Chief Negotiator: Linzie Daniel
Employee Organization: In Home Support Services

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

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

ASSESSOR – T. Slavich:

- 23) Hold public hearings to consider the following Land Conservation Act Requests.

Lone Tree Ranch LLC: *Compatible Use Request: APN: 15 Assessors Parcels in Book 25, Pages 7, 8, 11, 12, 13 & 14.*

Timothy P. Regan/ Lorene M. Regan: *Compatible Use Request: APN: 028-150-026-000.*

Solargen Energy, Inc.: *Compatible Use Request: Representing the following LCA Contract owners:*

Doodlebug Ranch LLC: *APN: 027-260-004-000; 027-260-008-000; 027-260-012-000.*

Juana Hill Family Trust: *APN: 027-260-003-000; 027-260-011-000; 027-270-008-000; 027-290-001-000.*

Stadlter, Philip N.: *APN: 33 Assessors Parcels in Book 26, Pages 30, 32, and Book 27, Pages 27, 29, 32 & 33.*

Coleman Ranch LLC: *APN: 6 Assessor Parcels in Book 26, Page 31 and Book 27, Pages 26, 27 & 28.*

ADJOURN TO TUESDAY, DECEMBER 15, 2009 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY, DECEMBER 7, 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.