



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 JANUARY 12, 2010

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 matter which 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.

9:30 a.m. CALL TO ORDER:

- a) Pledge of Allegiance to be led by Supervisor Loe.

A moment of silence in memory of Juan Caudillo San Benito County Employee.

- b) Acknowledge Certificate of Posting.

BOARD RE-ORGANIZATION:

- 1) a) Open nominations and conduct election for Chair of the Board of Supervisors.
b) Open nominations and conduct election for Vice-Chair of the Board of Supervisors.
- 2) Receive Committee appointments from the newly elected Chair of the Board of Supervisors.

Continue Meeting:

- c) **Public Comment:** *Opportunity to address the Board on items of interest 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, Introductions and Presentations:** Information only.

PRESENTATIONS & RECOGNITIONS:

- 3) Present proclamation proclaiming January 2010 as National Blood Donor Month in San Benito County and authorize the Chairman to sign said proclamation. (Supervisor Botelho)
- 4) Present Certificate of Recognition to Lupe Ortiz Community Action Board Member of San Benito County for over 20 years of service. (Supervisor Loe)

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:

- 5) Approve contract with Bay Area Economics (BAE) and the City of Hollister for fiscal impact study in the amount of \$29,040, the county's share will be \$14,520.

AGRICULTURAL COMMISSIONER – R. Ross:

- 6) Approve contract with the California Department of Food & Agriculture for Light Brown Apple Moth Regulatory Services for the FY 2009-2010 in the amount of \$25,564.80.

BOARD OF SUPERVISORS:

- 7) Approve certificates of recognition for the Chamber of Commerce Man and Woman of the Year, Businesses of the Year and Ambassador of the year for 2010 for presentation on January 16, 2010. (Supervisor Botelho)

BEHAVIORAL HEALTH – A. Yamamoto:

- 8) Authorize the County's Behavioral Health Director to sign the FY 2009-10 Amendment No. 1 to the Negotiated Net Amount Contract (NNA) for the term of July 1, 2007 through June 30, 2010 with the State Department of Alcohol and Drug Programs (ADP); and approve Resolution to accept the ADP FY 2009-10 Amendment No. 1 and authorize chair to sign. (Res. No. 2010-1)

CLERK OF THE BOARD – L. Churchill:

- 9) Approve the action minutes of the December 16, 2009 special meeting.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 10) Approve agreement with Department of Health Services (DHS) for Health Emergency Preparedness CDC/Pan Flu/Hospital Preparedness Phase III for the period of July 31, 2009 to July 30, 2010 in the amount of \$184,357; authorize the H&HSA Director to sign said agreement; augment Emergency Preparedness Budget Unit. (4/5 vote)

- 11) Approve contract with Mary O. White for H1N1 registered pharmacist services for the period of January 12, 2010 through July 30, 2010 in an amount not to exceed \$13,920; and authorize the H&HSA Director to sign.
- 12) Approve contract with Claudia Arnold for H1N1 nursing services for the period of January 12, 2010 through July 30, 2010 in an amount not to exceed \$29,000; and authorize the H&HSA Director to sign.
- 13) Approve contract with State Department of Parks and Recreation Hollister Hills SVRA to fund EMS services and mitigate impacts of Hollister Hills SVRA for the period of January 1, 2010 through December 31, 2011 for a total of \$114,000 in revenue; authorize the H&HSA Director to sign.
- 14) Approve contract with Gavilan College CalWorks Program to provide Subsidized Employment Services to Eligible CalWorks participants for the period of January 12, 2010 through September 30, 2010 in the amount of \$317,922; and authorize the H&HSA Director to sign.

LOCAL PLANNING COUNCIL – K. Bobsin:

- 15) Certify the annual Childcare Local Planning Council membership and authorize the Chair to sign certification statement.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 16) Accept all bids in the summary report; award contract to Granite Rock Company, dba: Pavex Construction Division, as the lowest responsive, responsible bidder; approve contract with Granite Rock Company, dba: Pavex Construction Division in the amount of \$263,519; authorize the Road Commissioner to issue change orders to the construction in an amount not to exceed \$5,000.
- 17) Approve specifications for the County Service Area (CSA) Landscape Maintenance and Services.
- 18) Approve specifications and bid documents for the Fairview and Union Road Asphalt Overlay projects.
- 19) Approve the plans, specifications and bid documents for Juvenile Hall Control room Cabinetry.
- 20) Accept the resignation of Estevan Guzman from the San Benito County Parks and Recreation Commission.

TREASURER/TAX COLLECTOR/PUBLIC ADMINISTRATOR – M. L. Andrade:

- 21) Adopt Resolution for delegating authority to the County Treasurer to invest and reinvest county funds and other depositors' funds in the County Treasurer or to sell or exchange securities so purchased, pursuant to the requirement of state law. (Res. No. 2010-2)

SHERIFF'S OFFICE – C. Hill:

- 22) Approve renewal of Memorandum of Understanding with the Bureau of Land Management (BLM) for increased protection of persons and property on the

public lands, water, roads and trails administered by the BLM and adjacent property for a period of five (5) years; and authorize the Sheriff to sign said MOU.

- 23) Adopt resolution authorizing temporary road closure of the roadways listed in the resolution in order to ensure the safety of the public for the Hollister Rotary Club 27th Annual Mission 10, 10 mile, 5-k run on January 30, 2010. (Res. No. 2010-?)
- 24) Approve maintenance agreement with L-1 Identity Solutions for six (6) Indentix Fingerprint Machines for a total amount of \$24,261.

PUBLIC HEARING – 9:00 a.m. (or as soon thereafter as the matter may be heard):

INTERNAL SERVICES:

- 25) Hold a public hearing and adopt a new ordinance amending Chapter 7.05 of Title 7 of the San Benito County Code by adding a new Article II “State Video Service Franchises” to that Chapter. *(Continued from 12/15/09 meeting)*
- 26) Hold a public hearing with respect to the proposed participation by the County of San Benito (“the “County”) in the CaliforniaFIRST Program of the California Statewide Communities Development Authority; adopt Resolution to join the CaliforniaFirst Program; adopt Applicant’s authorizing Resolution.

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.

PLANNING DEPARTMENT – A. Henriques:

- 27) Receive update and progress report on the County Housing Element and Inclusionary Housing Ordinance and provide comment and direction to staff.

ADMINISTRATION:

- 28) Receive initial briefing on the Governor’s proposed FY 2010-11 state budget.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 29) Receive National Association of Latino Elected Officials (NALEO) presentation on Census 2010 outreach efforts.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 30) Adopt Resolution of Intention to impose a property related fee in various County Service Areas, preliminarily approving a fee report and setting a Public Hearing for March 9, 2010.
- 31) Receive update on Hollister Urban Area Master Plan Implementation Program Coordinated Water Supply and Treatment Plan.

- 32) Introduce ordinance amending Chapter 3.05 of Title 3 of the San Benito County Code relating to the San Benito County Parks and Recreation Commission; waive the reading of said ordinance; and continue to January 26, 2010 for adoption of said ordinance.

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.)

- 33) Authority: California Government Code Section 54957
Consider Discipline/Dismissal/Release Matter of a Public Employee
- 34) Conference with Legal Counsel – Existing Litigation (Subdivision(a) of Section 54956.9) Name of Cases(s):
1. Hagins v. County of San Benito, et al. (San Benito Superior Court, Case No. CU-08-00068)
2. Hogeman v. County of San Benito, et al. (San Benito Superior Court, Case No. CU-08-00127)
- 35) Authority: Government Code Section 54956.8
Conference with Real Property Negotiator:
Property: 2733 John Smith Road, Hollister, CA
Agency Negotiator: Susan Thompson, County Administrative Officer
Negotiating Party: Newlight Technologies
Under Negotiaton: Price and terms of lease

ADJOURN TO TUESDAY, JANUARY 26, 2010 AT 9:30 A.M.

AGENDA DEADLINE IS FRIDAY, JANUARY 15, 2010 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.