



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1

Anthony Botelho
District No. 2

Pat Loe
District No. 3
Vice-Chair

Reb Monaco
District No. 4
Chair

Jaime De La Cruz
District No. 5

County Administration Building – Board of Supervisors Chambers, 481 Fourth Street, Hollister, California

REGULAR MEETING AGENDA FEBRUARY 9, 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.

9:00 a.m. CALL TO ORDER:

- a) Pledge of Allegiance to be led by Supervisor Barrios.
- b) Acknowledge Certificate of Posting.

PRESENTATIONS & RECOGNITIONS:

- c) Present Certificate of Recognition to Celia Sepulveda for over 20 years of service as a member of the Community Action Board of San Benito County. (Supervisor De La Cruz)
- (d) **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.
- e) **Department Head Announcements:** Information only.
- f) **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.

CLERK OF THE BOARD – L. Churchill:

- 1) Approve the action minutes for the December 15, 2009 regular meeting and January 21, 2010 special meeting (Retreat).

COUNTY LIBRARIAN – Nora Conte:

- 2) Approve the reimbursement of personal expenses for Out-of-State Travel for the County Librarian to attend the 2010 Public Library Association Conference in Portland, Oregon from March 23-27, 2010 in the amount of \$1,486.00.

COUNTY COUNSEL – M. Granger:

- 3) Approve Amendment No. 1 to contract with Aspen Environmental Group and approve Interim Reimbursement Agreement dated February 3, 2010 , Entitled “Agreement to Reimburse Outside Consultant Fees” and authorize the Chair to sign.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 4) Approve contract with Environmental Stewardship & Planning, Inc. for environmental services to affect the Zone Change and General Plan Amendment at the Resource Recovery Park located at 2733 John Smith Road, Hollister, CA 95023.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 5) Adopt Resolution authorizing the Association of Monterey Bay Area Governments to submit a loan application to the California Energy Commission on behalf of San Benito County, and if granted, to accept a loan up to \$125,000 and authorize the Public Works Administrator to execute all necessary documents, and finding that the identified projects funded under these opportunities are exempt from CEQA.
- 6) Accept all bids in the bid summary report and award contract to Barbosa Cabinets, Inc. for the Juvenile Hall Cabinetry Project, as the lowest responsive, responsible bidder; approve the contract with Barbosa Cabinets, Inc.; authorize the Public Works Administrator to sign the contract in the amount of \$17,738; and authorize the Public Works Administrator to sign change orders in the amount not to exceed \$1,774.
- 7) Approve contract for assessment of the Sheriff’s Administration Building with Beverly Prior Architects in an amount not to exceed \$19,000.

SHERIFF’S DEPARTMENT – C. Hill:

- 8) Approve an increase to Sheriff’s Schedule of Fixes Assets, Expenditure and Revenue Schedules adding replacement vehicle in the amount of \$28,711.73. (4/5 Vote)
- 9) Approve budget augmentation for Sheriff’s UNET Budget Pursuant to the Memorandum of Understanding in the amount of \$10,000. (4/5 Vote)

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.

ADMINISTRATION:

- 10) Accept and receive the FY 2009-10 Second Quarter (mid-year) Budget Status Report, approve contingency transfer of \$136,320 to Agricultural Commissioner and direct staff as necessary. (4/5 vote)

BUREAU OF LAND MANAGEMENT – R. Cooper:

- 11) Receive report by the Bureau of Land Management regarding the Environmental Impact Study report on the Clear Creek Management Area.

INTERNAL SERVICES – R. Inman:

- 12) Receive the Five Year Impact Report for fiscal year 2003/2004 thru 2007/2008 and Annual Report for fiscal year 2008/2009. Reports are available for public review until March 2, 2010 when the report will be brought back for review and approval.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) Adopt Resolution authorizing one or more Board of Supervisors member to file written arguments in support of the ballot measures presented to the voters at the May 4, 2010 Special Election and discuss and approve argument. (*Continued from 2/2/10 meeting*).

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.)

- 14) 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, FEBRUARY 23, 2010 AT 9:00 A.M.

AGENDA DEADLINE IS THURSDAY, FEBRUARY 11, 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.