



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 23, 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 De La Cruz.
- b) Acknowledge Certificate of Posting.

PRESENTATIONS & RECOGNITIONS:

- c) Present Certificate of Recognition to Nancy Bozzo who is retiring after over 9 years of service with the San Benito County Public Works Department.
- 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/AUDITOR/RECORDER – J. P. Gonzalez:

- 1) Adopt Resolution authorizing the County Clerk to render election services for County Service Area (CSA) Mail Ballot Election to be held on May 4, 2010. (Res. No. 2010-16)
- 2) Approve contract with Transcend for translation of election materials for the upcoming June 8, 2010 Primary Election, the County Service Area (CSA) Election be held on May 4, 2010 and for the November 2, 2010 General Election.

CLERK OF THE BOARD – L. Churchill:

- 3) Approve the action minutes for the January 26, 2010 and February 2, 2010 regular meetings.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 4) Adopt Resolution accepting the 2010 Community Services Block Grant (CSBG) and authorize the HHSA Executive Director to approve and sign the grant agreement and any amendments pertaining to such grant (\$21,430). (CSWD) (Res. No. 2010-17)
- 5) Approve the second amended Joint Exercise of Powers Agreement with the California Statewide Automated Welfare System Consortium IV; approve the updated C-IV Memorandum of Understanding (MOU); and authorize the Chair to sign.
- 6) Adopt Resolution accepting the 2010 Low Income Heating Energy Assistance Program grant and authorize the HHSA Executive Director to approve and sign grant agreement and any amendments pertaining to such grant (\$19,205). (CSWD) (Res. No. 2010-18)

LONG TERM CARE COMMISSION – B. Pate:

- 7) Re-appoint the following Long Term Care Commission members with terms to be effective 01/01/2010 through 12/31/2012: Patsy Pence, Daphne Weaver, Barbara Pate, John Belez, Terry Hancock and Linda Robinson.

PROBATION DEPARTMENT – B. Cardall:

- 8) Approve contract with Corrections Software Solutions, L.P. for case management application software and support services for the period of February 23, 2010 through February 22, 2013 in the amount of \$70,192 and approve budget transfer in the amount of \$5,226.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 9) Declare vehicles and equipment as surplus and direct staff to remove it from inventory.
- 10) Appoint Jesse Garza to the San Benito County Parks and Recreation Commission for a one-year term effective February 23, 2010.
- 11) Approve the plans, specifications and bid documents for the West and 4th Street Parking Lot Improvements Project.

- 12) Approve the San Benito County Parks and Recreation Commission By-Laws.
- 13) Adopt Resolution approving delegation of authority for executing California Department of Transportation (CALTRANS) documents. (Res. No. 2010-19)

SHERIFF-CORONER – C. Hill:

- 14) Approve budget augmentation in the amount of \$48,481.00 for Sheriff's UNET budget recognizing increased grant funding. *(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:

- 15) Receive report from the Local Census Bureau representatives as to the 2010 Census Count activities in San Benito County.

COUNTY COUNSEL – M. Granger:

- 16) Approve reimbursement agreement with Solargen Energy, Inc. dated February 23, 2010.

PLANNING DEPARTMENT – A. Henriques:

- 17) Approve Amendment No. 2 to the contract with Aspen Environmental Group for environmental and fiscal review services not to exceed \$779,391.
- 18) Adopt Resolution regarding the appeal of the Planning Commission's decision on Use Permit 1011-08, for Flea Market at 1370 Shore Road.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 19) Receive status report on San Benito County bridge projects and provide direction.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 20) Receive the HHSA Director report; add four (4) Full Time Equivalents (FTE's), one (1) FTE Office Assistant I and three (3) FTE's Eligibility Worker I to the HHSA Schedule of Authorized Positions.

BOARD OF SUPERVISORS:

- 21) Adopt Resolution supporting the co-location of Gavilan College and YMCA and the former Leatherback site. *(Supervisors Loe & Barrios)*

ADMINISTRATION:

- 22) Approve two budget adjustments in the amount of \$43,604, authorizing the reduction of revenues and expenditures in FY 2009-10 as submitted by Planning & Building and Clerk of the Board.

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.)

- 23) Conference with Labor Negotiators:
Authority: California Government Code Section 54957.6
Agency Designated Chief Negotiator: Linzie Daniel
Employee Organization: In-Home Support Services
- 24) Conference with Labor Negotiators:
Authority: California Government Code Section 54957.6
Agency Designated Chief Negotiator: Linzie Daniel
Employee Organization: SEIU
- 25) Conference with Real Property Negotiator:
Authority: Government Code Section 54956.8
Property: 2733 John Smith Road, Hollister, CA
Agency Negotiator: Susan Thompson, County Administrative Officer
Negotiating Party: Newlight Technologies
Under Negotiation: Price and terms of Lease
- 26) Conference with Legal Counsel-Existing Litigation (Subdivision (a) of Section 54956.9)
Name of Case: Joseph P. Thompson, et.al. v. San Benito County Council of Governments, et.al., Superior Court of California, County of San Benito, Case No. CU-10-00019
- 27) Conference with Legal Counsel – Existing litigation (Subdivision (a) of Government Code Section 54956.9)
Name of Case: *Nuno, et al. v. Churchman*, et al; Monterey County Superior Court; Case No. M95209

ADJOURN TO TUESDAY, MARCH 2, 2010 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY, FEBRUARY 22, 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.