



# 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 APRIL 6, 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.
- c) **PRESENTATIONS & RECOGNITIONS:**  
Adopt Resolution recognizing April 2010 as Sexual Assault Awareness Month and present to Debbie Ruiz of Community Solutions. (Res. No. 2010-31)  
  
Present Proclamation to San Benito County Health & Human Services Agency proclaiming April 5-11, 2010 as National Public Health Week.  
  
Present Proclamation to San Benito County Library proclaiming April 11-17, 2010 as National Library Week.  
  
Present Proclamation to San Benito County Farm Bureau recognizing San Benito County Farm Day.
- 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:** 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.*

### **AGRICULTURAL COMMISSIONER – R. Ross:**

- 1) Re-appoint Charles Strohn and Jim Myers to the Taylor Act Grazing Advisory Board for a three-year term effective July 1, 2010 through June 30, 2013.

### **BEHAVIORAL HEALTH – A. Yamamoto:**

- 2) Authorize the Behavioral Health Director to sign and submit a request to the State Department of Mental Health (DMH) for funds in the amount of \$16,000 for the Mental Health Services Act (MHSA) Prevention and Early Intervention Statewide Project for Training, Technical Assistance and Capacity Building.
- 3) Authorize the Behavioral Health Director to sign and submit a request to the State Department of Mental Health (DMH) to dedicate Mental Health Services Act (MHSA) Prevention and Early Intervention funds in the amount of \$166,300 to the DMH required MHSA, Community Services and Supports Local Prudent Reserve.
- 4) Approve the request for the Behavioral Health Department's Substance Abuse Program Manager and one (1) Substance Abuse Counselor to attend the National Technical Assistance Grants to Reduce Alcohol Abuse Conference scheduled for April 13-15, 2010 in Chicago, Illinois.

### **BOARD OF SUPERVISORS:**

- 5) Approve Certificates of Recognition for the 2010 Teacher of the Year Award recipients for presentation at a later date. (Chairman Monaco)

### **CLERK OF THE BOARD – L. Churchill:**

- 6) Approve the action minutes for the meeting of March 9, 2010 and March 23, 2010.

### **PUBLIC WORKS DEPARTMENT – S. Wittry:**

- 7) Approve contract with Dana Bland Associates for an update to the Environmental Impact Report for Fairview and John Smith Road Realignment Project for the period of April 6, 2010 through June 30, 2010, in an amount not to exceed \$13,090.
- 8) Approve scope of work for Hollister Urban Area Water and Wastewater Master Plan Engineering and Environmental Services and recognize San Benito County Water District as lead agency for project administration.

- 9) Approve contract with Avila Construction Company, as the lowest responsive, responsible bidder for the Treasurer's Office Carpet & Painting Project in the amount of \$27,380 and authorize the Public Works Administrator to sign change orders in an amount not to exceed \$2,738.
- 10) Approve contract with Wattis Construction Company, Inc., as the lowest responsive, responsible bidder for the West and 4<sup>th</sup> Street Parking Lot Improvements Project in the amount of \$51,531; and authorize the Public Works Administrator to sign change orders in the amount not to exceed \$5,153.
- 11) Approve contract with A & N Plumbing, Inc., as the lowest responsive, responsible bidder for the Juvenile Hall Electronic Plumbing Retrofit Project and authorize the Public Works Administrator to sign the contract in the amount of \$9,543.97 and authorize the Public Works Administrator to sign change orders in the amount not to exceed \$954.00.

### **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:**

- 12) Receive report from CSAC staff regarding State budget and other Sacramento activities.
- 13) Adopt Resolution recognizing April 2010 as National County Government Month.  
(Chairman Monaco)
- 14) Approve Budget Adjustment in the amount of \$9,266, authorizing the reduction of revenues and expenditures in FY 2009-10 as submitted by the District Attorney.

### **BOARD OF SUPERVISORS:**

- 15) Receive California State Association of Counties (CSAC) Board of Directors March 25, 2010 meeting report. (Chairman Monaco)

### **HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

- 16) Receive HHSA Directors report. Approve letters to the Assembly and Senate Budget Committees and to local legislators urging restoration of the Child Welfare Services (CWS) funds, join the coalition of elected officials opposing the CWS reductions in FY 2010/11.

### **PUBLIC WORKS DEPARTMENT – S. Wittry:**

- 17) Introduce an ordinance amending Chapter 17.01 of the San Benito County Code, Traffic Regulations, establishing a speed limit of 45 miles per hour (mph) on Southside Road from mile post 0.00 at its intersection with Hwy 25 in the town of Tres Pinos to mile post 6.33 (1200 feet north of the Southside Road and Union Road intersection); and waive the reading of said ordinance; and continue to April 13, 2010 for adoption of said ordinance.

**PLANNING DEPARTMENT – A. Henriques:**

- 18) Receive General Plan Update Quarterly Report of Progress and Expenses and provide comments.
- 19) Review the concept of Economic Development Zones related to the comprehensive General Plan Update and provide direction to staff.
- 20) Approve Amendment No. 1 to the contract with Mintier Harnish Planning Consultants for Phase Two of the General Plan Update in the total contract amount of \$1,130,657.

**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.  
Significant Exposure to litigation pursuant to subdivision (b) of Section 54956.9:  
Number of Cases: (1)  
Closed session is authorized by Section 54956.9(b)(3)(A).
- 22) Conference with Legal Counsel-Anticipated Litigation.  
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: Number of Cases: (1)
- 23) Conference with Legal Counsel – Existing Litigation – (Subdivision(a) of Section 54956.9) Name of Case(s):
  1. *Vyverberg v. County of San Benito, et al*, (San Benito Superior Court, Case No. CU 08 00174)

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

**PLANNING DEPARTMENT – A. Henriques:**

- 24) Review staff report, and draft comment letter to the Bureau of Land Management Clear Creek Environmental Impact Statement (EIS) and provide comments and direction to staff.

**PUBLIC WORKS DEPARTMENT – S. Wittry:**

- 25) Adopt a Resolution to re-open unmaintained County roads upon the installation of appropriate information signage referencing a potential for human health risks within surrounding terrain in the BLM Clear Creek Management Area; and direct staff to maintain quarterly inspections of signs in the area.
- 26) Receive the County Service Area quarterly report encompassing the period October 1, 2009 through March 31, 2010.

**ADJOURN TO TUESDAY, APRIL 13, 2010 AT 9:00 A.M.**

**AGENDA DEADLINE IS MONDAY, APRIL 5, 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](http://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.***