



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 13, 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 Botelho.
- b) Acknowledge Certificate of Posting.
- c) **PRESENTATIONS & RECOGNITIONS:**
 - Present Certificate of Recognition to Josephine Gallegos who is retiring after over 36 years of service with the San Benito County Assessor's Office.
 - Presentation of Trindel Employee Safety Award to Nadine Stevens-Deck, Child Support Services and recognize nominees Ann Dolmage, Building & Planning Department; Karen Rogers, Probation Department; Tina DeLaOssa, Child Support Services.
 - Approve proclamation recognizing April 25, 2010 as Fremont Peak 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, 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.

AGRICULTURAL COMMISSIONER:

- 1) Approve contract with the Department of Food & Agriculture for Weighmaster Services for FY 2010/2011 to provide inspection work in Weighmaster and petroleum programs, for the amount of \$2,325.00.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 2) Approve contract with Pacific Gas & Electric Company to bring three-phase power to John Smith Road Landfill and the proposed future Resource Recovery Park/Landfill and authorize the Director of Integrated Waste Management to sign said contract.

INTERNAL SERVICES – R. Inman:

- 3) Add .6 FTE (Full Time Equivalent) Public Health Officer to the Schedule of Authorized Positions and adopt class specifications for Public Health Officer at a flat salary of \$86 per hour.

PUBLIC HEARING – 9:30 A.M. (or as soon thereafter as the matter may be heard)

PLANNING DEPARTMENT – A. Henriques:

- 4) Hold a public hearing to consider adopting a resolution regarding Earthbound Farm/Natural Selection Foods' request for abandonment, transfer and finalization of an agricultural open space easement on APN 012-050-010 and related offer of new agricultural open space easements on APN 012-020-013 and 012-040-046. LOCATION: San Juan Valley, San Juan Bautista, CA (APN 012-020-013, 012-050-010, and 012-040-046); approve Hold Harmless and Indemnification Agreement; and, authorize Chairman to execute Grants of Easement and Certificates of Acceptance.

SITTING AS THE PUBLIC AUTHORITY FOR IN HOME SUPPORTIVE SERVICES (IHSS)

The Board will adjourn as the Board of Supervisors and reconvene as the IHSS Public Authority re:

IN HOME SUPPORTIVE PUBLIC AUTHORITY:

- 5) Approve Memorandum of Understanding between SEIU ULTCW Local 6434 and San Benito County In-Home Supportive Services Public Authority, with a term of January 1, 2010 through December 31, 2011.

The Board will adjourn as the IHSS Public Authority and reconvene as the Board of Supervisors re:

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.

GANG PREVENTION COORDINATOR – A. De Vos.

- 6) Informational report on the Gang Resistance Education and Training (G.R.E.A.T.) Program.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 7) Adopt Resolution of Findings; adopt Resolution of Intent and approve request for proposals for the planned Resource Recovery Park for release as required by Government Code 25515.1 and 25515.2.

COUNTY COUNSEL – M. Granger:

- 8) Direct Counsel regarding preparation of a proposed ordinance for weed abatement and possible abatement of other types of fire hazards and/or blight.

INTERNAL SERVICES – R. Inman:

- 9) Adopt new ordinance adding Chapter 15.09 “Public Projects” to the San Benito County Code. (*Continued from April 6, 2010 meeting.*)
- 10) Adopt Resolution that defines local preference and make findings to justify a local preference; and re-introduce Ordinance repealing Chapter 5.09 “Purchasing” and adding a new Chapter 5.09 “Purchasing”; waive reading of said ordinance and continue to April 27, 2010 for adoption.
- 11) Receive status report on Information Technology (IT) Five-Year Plan.
- 12) Approve fifth amendment to the Memorandum of Understanding between the County of San Benito and the San Benito County Employees Association/SEIU Local #521 regarding retirement formula for safety employees.

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.)

- 13) Authority: California Government Code section 54957
PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

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

CONSENT AGENDA:

PUBLIC WORKS DEPARTMENT- S. Wittry:

- 14) Adopt 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 direct staff to install new speed limit signs. *(Continued from 4/6/10 meeting).*

REGULAR AGENDA:

PLANNING DEPARTMENT – A. Henriques:

- 15) Receive Santana Ranch Quarterly Project Update and provide comments as necessary.
- 16) Receive Fairview Corners Quarterly Project Update and provide comments as necessary.
- 17) 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.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 18) Receive report regarding strategies for construction of Sheriff Administration Building and provide direction to staff.

ADJOURN TO TUESDAY, APRIL 27, 2010 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY, APRIL 19 , 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.