



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 SEPTEMBER 28, 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:

- Pledge of Allegiance** to be led by Supervisor Barrios.
- Acknowledge Certificate of Posting.**
- 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.*
- Department Head Announcements:** Information only.
- 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.

ADMINISTRATION:

- 1) Approve contract with Jovenes de Antano in the amount of \$25,000 to support two fundamental services: home delivered meals and congregate meals for the period of October 1, 2010 through June 30, 2011.
- 2) Approve the prepared response and letter to be submitted to the Presiding Judge Of San Benito County Superior Court in regard to the Grand Jury Report and authorize the Chair to sign.
- 3) Receipt of Unanticipated Revenues of \$264,889 from the California Emergency Management Agency and request to use \$10,000 of these funds for the Communications Feasibility Study.

AGRICULTURAL COMMISSIONER – R. Ross:

- 4) Approve contract with the California Department of Food & Agriculture for the European Grapevine Moth (EGVM) trapping services for the period of July 1, 2010 through October 31, 2010 for the amount of \$13,095.00.
- 5) Approve contract with the California Department of Food & Agriculture for the Light Brown Apple Moth (LBAM) trapping services for the Fiscal Year 2010/2011 in the amount of \$2,664.00.

CLERK OF THE BOARD – L. Churchill:

- 6) Approve 2011 Board of Supervisors Meeting Calendar.
- 7) Approve the Action Minutes of the August 24, 2010 meeting.

CLERK/AUDITOR/RECORDER – J. P. Gonzalez:

- 8) Approve levying of taxes and direct assessments for the Fiscal Year 2010-2011; adopt resolution for FY 2010-2011; approve the collection fee authorized by Government Code §29142. (Res. No. 2010-111)

COUNTY LIBRARY - N. Conte:

- 9) Approve out-of-state travel for the County Librarian to attend the 2010 Association of Rural and Small Libraries Conference in Denver, Colorado from October 12 through October 17, 2010. Paid for by the California State Library Rural Library Initiative.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 10) Approve CDC/Pan Flu/Hospital Preparedness Comprehensive Agreement with the California Department of Public Health Services for the period of July 1, 2010 to August 9, 2011 in the amount of \$383,555 and authorize the H & HSA Director to sign said agreement.
- 11) Appoint Jose Fernandez to the Community Action Board as the District #4 Representative of the poor for a three-year term, effective September 30, 2010 to September 30, 2013. (CSWD)

- 12) Appoint Hazel Winfree-White to the Community Action Board as the District #5 Private Sector Representative for a three-year term, effective September 30, 2010 to September 30, 2013. (CSWD)
- 13) Appoint Tonia Sunseri to the Community Action Board as the District # Private Sector Representative for a three-year term, effective September 30, 2010 to September 30, 2013. (CSWD)

INTERNAL SERVICES – R. Inman:

- 14) Adopt two resolutions for 2011 Employer contributions for CalPERS Health Insurance Premiums for Retirees. (2010-112 & 2010-113)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 15) Approve joint use agreement with the Aromas/San Juan Unified School District for the construction and ongoing maintenance of a new restroom at the San Juan Schools Athletic Field, for the period of September 14, 2010 through September 14, 2030, in an amount not to exceed \$100,000; direct the Public Works Administrator to submit all documents necessary for the project application and payment processes with the State of California.
- 16) Approve reimbursement agreement with the City of Hollister pertaining to the design and construction of the paving of San Felipe Frontage Road; and authorize Chair to sign the reimbursement agreement.

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.*

ASSESSOR'S OFFICE – T. Slavich:

- 17) Accept the Assessor's 2010-2011 Annual Report.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 18) Accept the County Self Assessment Final Report submitted by the Health and Human Services Agency; and direct Clerk of the Board to prepare minute order for inclusion in report.

PLANNING DEPARTMENT – G. Armstrong:

- 19) Support and approve letter to Governor Arnold Schwarzenegger requesting veto of AB 602; and authorize chair to sign letter.
- 20) Receive update to Proposition 23 (Consider the suspension of AB32), Assembly Bill 32 (Transportation, Housing and Greenhouse Gases) and Senate Bill 375 (Global Warming Solutions Act); and provide comments.

ADMINISTRATION:

- 21) Adopt a Resolution authorizing an Interfund Loan from the Integrated Waste Proprietary Fund to the General Fund in the amount of \$1,805,000 for the

purchase of a building located at 2301 Technology Parkway for use as administrative office space for three county departments.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 22) Approve the purchase agreement with Evelyn Pivetti Trust for the purchase of real property located at 2301 Technology Parkway, in the amount of \$2,730,000; and authorize the Chair to sign purchase agreement, seller property questionnaire, and natural hazard disclosure report; and adopt Resolution authorizing the County Administrative Officer or the Assistant County Administrative officer to accept interest in real property on behalf of the County.

ADMINISTRATION:

- 23) Receive report on travel, training and meeting line item breakdown by department and direct staff as necessary.
- 24) Approve project scope of services, compensation and project staff for professional services provided by Municipal Resources Group LLC to evaluate opportunities of Law Enforcement Service Consolidation and direct purchasing agent to execute a memorandum of understanding with the City of Hollister in an amount not to exceed \$9,152 for the County's one-half share of the cost of these services.

BOARD OF SUPERVISORS:

- 25) Receive report on California State Association of Counties (CSAC) Board of Directors meeting held in Sacramento on September 9, 2010. (Supervisor De La Cruz)

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.)

- 26) Conference with Legal Counsel-Existing Litigation.
(Subdivision (a) of Government Code 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.*
- 27) Conference with Legal Counsel – Existing litigation (Subdivision (a) of Government Code Section 54956.9)
Name of case(s):
1. *Sarsfield v. County of San Benito, et al.; U.S. District Ct, San Jose; Case No. C 07-2528 JF.*

ADJOURN TO TUESDAY, OCTOBER 5, 2010 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY, SEPTEMBER 27, 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.