



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 DECEMBER 21, 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 Loe.

b) Acknowledge Certificate of Posting.

PRESENTATIONS & RECOGNITIONS:

Present Certificate of Recognition to Sheriff Curtis J. Hill who is retiring after 34 years of service with the County of San Benito.

Present Certificate of Recognition to Al Bonturi, San Benito County Farm Bureau's "2010 Farmer of the Year". (Supervisor Botelho)

Present Certificate of Recognition to Gordon Machado, Planning Commissioner District 3, for his eight years of service on the Planning Commission. (Supervisor Loe)

Present Certificate of Recognition to Richard Bettencourt, Planning Commissioner District 4, for his eight years of service on the Planning Commission. (Chairman Monaco)

Present Certificate of Recognition to Robbie Scattini, Planning Commissioner District 5, for his three years of service on the Planning Commission. (Supervisor De La Cruz)

Present Certificate of Recognition to Daniel Dungy, Parks & Recreation Commissioner District 3 for over two years of dedicated service. (Supervisor Loe)

Present Certificate of Recognition to Rita Bowling, Land Conservation Committee Member District 3 for eight years of dedicated service. (Supervisor Loe)

Present Certificate of Recognition to Ray Pierce, Parks & Recreation Commissioner District 4 for over three years of dedicated service. (Chairman Monaco)

Presentation to outgoing Supervisors Monaco and Loe.

- 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.

ASSESSOR'S OFFICE – T. Slavich:

- 1) Adopt resolutions establishing Agricultural preserve and authorize chairman to sign LCA Contracts. (Res. No. 2010-141 thru

CLERK OF THE BOARD – D. Thome:

- 2) Approve the action minutes of the October 12, 2010, November 2, 2010 regular meetings and November 10, 2010 and November 18, 2010 special meetings.

COUNTY COUNSEL – M. Granger:

- 3) Approve agreement with US Bancorp Business Equipment Finance Group for replacement copier for a period of 60 months at the cost of \$125.10/month; approve maintenance agreement with Sharp Business Systems for a period of 60 months, at the rate of \$.0068/copy.

FIRST 5 SAN BENITO – K. Castillo:

- 4) Reappoint Kendra Bobsin to the First 5 San Benito Children and Families Commission for a three year term beginning December 1, 2010 through November 30, 2013.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 5) Authorize the HHSA Director to hire an Environmental Health Manager at Step F, of Range 28.6, effective January 24, 2011.

INTERNAL SERVICES – R. Inman:

- 6) Approve the modified Class Specifications for the Executive Director of the First/Five/Children and Families Commission.

PLANNING DEPARTMENT – G. Armstrong:

- 7) Approve agreement with US Bancorp Business Equipment Finance Group for replacement copier for a period of 60 months at the cost of \$188.50/month; and approve maintenance agreement with Sharp Business Systems for a period of 6 months, at the rate of \$.0068/copy.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 8) Approve the specifications for the Courthouse Chiller and Cooling Tower Improvements Project.
- 9) Approve amendment #1 to the joint use agreement with the Aromas/San Juan Unified School District pertaining to the construction of public restrooms at San Juan School Athletic Fields; and direct the Public Works Administrator to submit all documents necessary for the Project Application and Payment Processes with the State of California.
- 10) Accept all bids received on November 16, 2010; authorize the issuance of a purchase order to Coastal Tractor for the 96" Sweeping Width QC Angle Sweeper with Heavy Duty Quick Attach Front Loader 83" Bucket, in the amount of \$24,472.00.
- 11) Approve the specifications for the repair and relining of the Stonegate Water Tank Repair and Relining project.

SAN BENITO RESOURCE CONSERVATION DISTRICT – K. Guerra:

- 12) Approve re-appointments of John Gregg, Ted Thoeny and Robin Pollard effective December 21, 2010 through November 25, 2014; appoint Laura Pangburn as Director of the San Benito Resource Conservation District effective December 21, 2010 through November 25, 2012.

TREASURER/TAX COLLECTOR/PUBLIC ADMINISTRATOR – M. L. Andrade:

- 13) Consider closure of the offices of Treasurer-Tax Collector for December 23, 2010 from noon to 5:00 p.m. and provide authorization to close the offices on December 23, 2010 from noon to 5:00 p.m.

<i>SITTING AS THE PUBLIC AUTHORITY FOR IN- HOME SUPPORTIVE SERVICES:</i>

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

IN-HOME SUPPORTIVE PUBLIC AUTHORITY – G. Swanson:

- 14) Approve Amendment #2 to agreement between HHSA and the Public Authority, extending the term to June 30, 2011 and increasing the amount from \$48,557 to \$83,593; and authorize the Chair to sign said agreement.

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.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 15) Approve Budget Augmentation in the amount of \$33,036 and authorize Chair to sign Amendment No. 2 to agreement between HHSA and Public Authority extending the contract to June 30, 2011. (CSWD)

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 16) Approve the Sixth Amendment to the Operating Agreement with Waste Connections, Inc. for John Smith Road Landfill; approve the New Landfill Operating Agreement with Waste Connections, Inc for John Smith Road Landfill and adopt Resolution outlining the purpose of the new agreement and designating the use of the Closure/Post Closure reserve funds.

INTERNAL SERVICES – R. Inman:

- 17) Approve reorganization in the District Attorney's Office: approve Class Specifications for District Attorney Investigator I and II; allow flexible staffing for the 1.0 FTE Investigative Aide, Investigator I and II; delete 1.0 FTE Administrative Services Specialist from the Schedule of authorize positions; increase the Office Assistant I from a .50 to a 1.0 FTE in the schedule of authorized positions.

PLANNING DEPARTMENT – G. Armstrong:

- 18) Receive the project update and provide direction to staff regarding the preparation of an Environmental Impact Report for Sandman property.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 19) Adopt Resolution of Intention to impose a Property Related Fee in County Service Area No. 31, preliminarily approving a Fee Report and setting a public hearing for February 8, 2011 at 9:00 a.m.

ADMINISTRATION:

- 20) Receive report from Sheriff and take appropriate action(s) to meet the budget reductions in the Sheriff's budget.

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) Closed Session pursuant to Government Code 54957 (Personnel)
Public Employment Performance Evaluation

Title: Agricultural Commissioner/Sealer of Weights and Measures

- 22) Conference with Legal Counsel-Anticipated Litigation.
Initiation of litigation pursuant to subdivision (c) of Section 54956.9:
Number of Cases: (5)

AFTERNOON SESSION 1:30 P.M.

1:30 P.M. PUBLIC HEARING <i>(Or as soon thereafter as the matters may be heard)</i>
--

ASSESSOR – T. Slavich:

- 23) Hold public hearings to consider the following Land Conservation Act Requests:
Lone Ranch, LLC: *Compatible Use Request* - 44 Assessor Parcels in Book 29, Pages 13, 15, 16, 17, 18, 19 & 20 and Book 30 Page 8.
Robert S. Edwards: *Lot Line Adjustment* – APN's: 028-080-014; 028-110-014; 028-130-001.
Mahmoud-Manijeh Oveyssi: *Division Request* – 8 Assessor Parcels in Book 15, Pages 2 & 3.
- 24) Hold a public hearing to consider authorization and implementation of SB 863 to establish new Williamson Act contracts including reduction of property tax benefits and a related reduction of the term of the contracts to nine years, to be effective beginning calendar year 2011 and related actions.

PLANNING DEPARTMENT – G. Armstrong:

- 25) Open and conduct a Public Hearing to review and consider the proposed Transfer of Development Credit (TDC) ordinance, make CEQA findings set forth in the Board Report; adopt the Negative Declaration attached to the Staff report; adopt Ordinance adding a new Chapter 21.09, "TDC Principles" to Title 21 the San Benito County Code.
- 26) Open and conduct a Public Hearing to review and consider the proposed amendments to the Affordable Housing Regulations; make the CEQA findings set forth in the Board Report; and adopt Ordinance amending Chapter 21.03 of Title 21 of the San Benito County Code.
- 27) Open and conduct a Public Hearing regarding the requested amendments to the San Benito County Implementing Procedures for CEQA; review and consider the proposed amendment; and adopt resolution amending articles 2, 5, 13 and 19 of the San Benito County Implementing Procedures for CEQA and making Related CEQA findings.

ADJOURN TO TUESDAY, JANUARY 11, 2011 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY, JANUARY 3, 2011 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.