



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1
Chair

Anthony Botelho
District No. 2

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4

Jaime De La Cruz
District No. 5
Vice-Chair

County Administration Building – Board of Supervisors Chambers, 481 Fourth Street, Hollister, California

REGULAR MEETING AGENDA FEBRUARY 1, 2011

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:**
Present a Certificate of Recognition to "Friends of the San Benito County Free Library" for winning the 2010 National Friends of Libraries Week Award.
- 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 - R. Ross:

- 1) Approve contract with the California Department of Food & Agriculture for Pest Detection Trapping Services effective July 1, 2010 through June 30, 2011, in the amount of \$48,776.

ASSESSOR'S OFFICE – T. Slavich:

- 2) Adopt Resolution approving a compatible use request on an agricultural preserve (Contract Numbers 68-013, 68-013, 87-004, 88-003, 89-013, 90-001 and 91-003, Lone Ranch, LLC); adopt Resolution approving a lot line adjustment with an agricultural preserve (Contract Number 84-014, Edwards; and adopt Resolution approving the division of one agricultural preserve (Contract Number 72-10, Oveyssi). (Res. No. 2011-8, Res. No. 2011-9, Res. No. 2011-10)

COUNTY CLERK/RECORDER – J. P. Gonzalez:

- 3) Adopt Resolution authorizing the County Clerk to render all necessary election services for the County Service Area (CSA No. 53) Mail Ballot Election to be held on May 3, 2011. (Res. No. 2011-11)

HEALTH & HUMAN SERVICES AGENCY - K. Flores:

- 4) Receive and approve the HHSA Director's report and approve the sub-recipient contract for the 2011/2012 Community Development Block Grant (CDBG) with the Community Food Bank of San Benito County for the period of February 1, 2011 through June 30, 2012, for the amount not to exceed \$110,000. (CSWD)
- 5) Receive and approve the HHSA Director's report and approve the sub-recipient contract for the 2010/2011 Community Development Block Grant (CDBG) with the Homeless Coalition of San Benito County for the period of January 1, 2011 through June 30, 2012 for the amount not to exceed \$100,000. (CSWD)
- 6) Receive and approve the HHSA Director's report and approve the sub-recipient contract for the 2010/2011 Community Development Block Grant (CDBG) with Friends of the Library for the period of February 1, 2011 through June 30, 2012 for the amount not to exceed \$40,000.
- 7) Approve budget augmentation in the amount of \$155,000 from Community Development Block Grant (CDBG) to reflect grant activities that will be performed in FY 2010/11. (4/5 vote)
- 8) Appoint Jerry Muenzer to the Community Action Board as a District #4 representative effective January 11, 2011 and concurrently with his term as a Board of Supervisors for San Benito County.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 9) Accept all responsive bids received on December 21, 2010; find that the bid received from John Valasque was not responsive; award contract to Forster & Kroeger Landscape Maintenance, as the lowest responsive, responsible bidder for Landscape Maintenance Services at County Service Areas 46 Quail Hollow,

47 Oak Creek and 53 Riverview Estates for the period of February 1, 2011 through June 30, 2016, for an annual amount not to exceed \$13,440.

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 – R. Inman:

- 10) Determine appropriate date in March 2011 for a Board Retreat.

INTERNAL SERVICES – R. Inman:

- 11) Receive Annual Impact Fee Report for the fiscal year 2009/2010. Reports are available for public review until February 22, 2011 at the Clerk of the Board, 481 Fourth Street, Hollister, California.

PLANNING DEPARTMENT – G. Armstrong:

- 12) Approve Amendment #3 with Precision Inspection Company, Inc to extend term of contract for Building Division Services from June 30, 2011 to June 30, 2016; waive Provision 4.5 (b) of the Purchasing and Contracting Policy Manual requiring the recertification or renegotiation of contracts every three years, as Precision Inspection Company is not increasing costs or requesting any contract modifications for five years.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) Adopt Resolution authorizing one or more of its members to file written arguments in support of the ballot measures presented to the voters at the May 3, 2011 All-Mail Ballot Election for Riverview Estates, CSA No. 53. The Board is also requested to discuss and approve if desired, the argument attached to the staff report as "Exhibit A".

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.)

- 14) Conference with Legal Counsel – Existing litigation (Subdivision (a) of Government Code Section 54956.9) Number of case(s): 1
Easley v. County of San Benito, et al.; U.S. District Ct, San Jose; Case No. CV10-05520 JF
- 15) Conference with Legal Counsel – Anticipated Litigation.
Initiation of litigation pursuant to subdivision (c) of Section 54956:
Number of Cases: (1)

ADJOURN TO TUESDAY, FEBRUARY 8, 2011 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY JANUARY 31, 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.