



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 22, 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:

- Pledge of Allegiance** to be led by Supervisor Rivas.
- 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.

AGRICULTURAL COMMISSIONER – R. Ross:

- Accept Agricultural Commissioner's recommendation to join the water monitoring coalition operated by the Mosquito and Vector Control Association of California; authorize Agricultural Commissioner to execute documents related to coalition membership.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 2) Authorize the County Behavioral Health Director to sign the Cal. State University Monterey Bay (CSUMB) Masters in Social Work (MSW) Program Student Field Placement Agreement for the period of February 22, 2011 through January 31, 2014.

BOARD OF SUPERVISOR:

- 3) Approve Certificate of Recognition honoring Pat's Place, San Benito County 2010 Hunger Fighter of the Year, for presentation at a later date. (Chair Barrios)

CLERK OF THE BOARD – D. Thome:

- 4) Approve the action minutes of the January 11, 2011, January 25, 2011, February 1, 2011 and February 8, 2011 regular meetings.

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

- 5) Accept report and approve contract with BMI Imaging Systems regarding redaction of Social Security Numbers from Recorder's Official Records in Digital Reel in the amount of \$50,000.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 6) Adopt Resolution authorizing the HHSA Director to apply for and sign Emergency Housing Assistance Program (EHAP) grant application and any grant amendments, and all documents pertaining to said grant, for an amount not to exceed \$25,247; and authorize the Chair to sign the Payee Data Record form and Resolution. (CSWD) (Res. No. 2011-17)
- 7) Authorize Health & Human Services to send grant application to Office of Traffic Safety for \$46,000 to Fund Education and Promotion of Occupant Protection; and adopt Resolution authorizing application to Office of Traffic Safety; and authorize the Director of Health & Human Services to sign the application. (Res. No. 2011-18)

INTEGRATED WASTE DEPARTMENT – M. Rose:

- 8) Approve Amendment #1 to contract with Golder Associates, Inc. for additional General Services work related to the Resource Recovery Park, Landfill expansion and landfill gas issues in the amount of \$8,000.00.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 9) Declare vehicles listed on the attached memos to be surplus; and direct staff to remove surplus vehicles from inventory per County practice.

PUBLIC HEARINGS – 9:00 A.M. (Or as soon thereafter as the matter may be heard)

PLANNING DEPARTMENT – G. Armstrong:

- 10) Hold a public hearing to adopt an urgency interim Ordinance to impose a temporary moratorium on marijuana dispensaries and other like businesses by adding a new Article V, "Medical Marijuana Dispensaries" to Chapter 25.29 of Title 25 of the San Benito Code and amending section 25.51.006 of the San

Benito County Code and provide further direction to staff regarding development of a medical marijuana ordinance. (Ordinance No. 867)

11:00 A.M. – (Or as soon thereafter as the matter may be heard)
County Board of Supervisors
SITTING AS THE BOARD OF DIRECTORS OF THE SAN BENITO COUNTY FINANCING CORPORATION

The Board will adjourn as the Board of Supervisors and reconvene as the Board of Directors of the San Benito County Financing Corporation. (*separate agenda*)

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:

- 11) Receive and review the FY 2010-11 second quarter (mid-year) budget status report; and direct staff as needed.
- 12) Approve the County Flag.
- 13) Discussion and/or direction concerning appointment to the Planning Commission.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 14) Approve the System Improvement Plan (SIP) for Children's Protective Services for the period of January 2011 through January 2014.

INTERNAL SERVICES – R. Inman:

- 15) Approve the Annual Impact Fee Report for 2009/2010.

INTEGRATED WASTE DEPARTMENT – M. Rose:

- 16) Approve Amendment #2 to contract with Environmental Stewardship & Planning to provide a facilitated public workshop to solicit input on potential design guidelines and mitigation for the proposed Resource Recovery Park in the amount of \$5,340.00.
- 17) Receive information from the Integrated Waste Management Department regarding the operation of Stericycle, Inc., which deals with medical waste, at John Smith Road Landfill.

PLANNING DEPARTMENT – G. Armstrong:

- 18) Hold administrative hearing regarding weed abatement regarding 490 Bridgevale Road, parcel number 019-24-0-017-0; adopt resolution authorizing code enforcement and provide additional direction to staff.

SHERIFF'S DEPARTMENT – D. Thompson:

- 19) Approve the layoff of three (3) positions within the Sheriff's Corrections Division, effective on or around April 4, 2011. 1.0 FTE – Inmate Program Manager and 2.0

FTE Correctional Officer; and direct Human Resources to provide notice as required in County's Layoff Policy.

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.)

- 20) Authority: California Government Code Section 54957
Consider Discipline/Dismissal/Release Matter of a Public Employee

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

PLANNING DEPARTMENT – G. Armstrong:

- 21) Receive progress report on the continuation of the Appeal of Planning Commission Denial of M-District Review 91-10 for a flea market located at 1771 San Felipe Road, Hollister and direct staff accordingly.

ADJOURN TO TUESDAY, MARCH 1, 2011 AT 9:00 A.M.

AGENDA DEADLINE IS FRIDAY FEBRUARY 18, 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.