



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 APRIL 12, 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 Muenzer.
- b) Acknowledge Certificate of Posting.
- c) **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.*
- d) **Department Head Announcements:** Information only.
- e) **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 Department of Food and Agriculture to provide Petroleum Product and Weighmaster Enforcement Services for the period of July 1, 2011 to June 30, 2012, for a total of \$2,325.

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- 2) Approve Certificate of Recognition for San Juan Bautista Rotary for their fifteen years of service to be presented at a later date.

LIBRARY - N. Conte:

- 3) Approve the contract with Friends of the San Benito County Free Library for program services provided by staff of the San Benito County Free Library, under the Friends of the Library's CDBG Sub grant for the Grow Strong Family Literacy Program, in an amount not to exceed \$23,900 effective April 12, 2011 through June 30, 2012; and approve the Budget Transfer augmenting the Library budget in temporary salaries of \$4,000 in the FY 10/11.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 4) Approve contract with Parikh Consultants, Inc. for material testing services for the San Juan Bike Lane Project from April 12, 2011 to June 30, 2013 in an amount not to exceed \$20,342.24.

SAN BENITO COUNTY ARTS COUNCIL - R. Inman:

- 5) Adopt Resolution approving the San Benito County Arts Council to serve San Benito County as a State and Local partner of the California Arts Council. (Res. No. 2011-29)

SHERIFF'S OFFICE – D. Thompson:

- 6) Approve contract with Enmachine, Inc. for operational area emergency operations center training for the period of April 12, 2011 through July 31, 2011 in the amount of \$35,000.

PUBLIC HEARINGS – 9:00 A.M. <i>(Or as soon thereafter as the matter may be heard)</i>
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PUBLIC WORKS DEPARTMENT – S. Wittry:

- 7) Hold a public hearing to adopt a resolution certifying Board consideration of the Mitigated Negative Declaration adopted by Caltrans for the State Route 101 @ San Juan Grade Interchange Project, making related findings and adopting the Mitigated Negative Declaration and Mitigation Measures and approve the Freeway Agreement with the State of California Department of transportation.

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.

BOARD OF SUPERVISORS:

- 8) Discussion of the Off-Highway Motor Vehicle Recreation Commission's review of the off-highway vehicle specific risk assessment of the naturally occurring asbestos exposure at the Clear Creek Management Area. (Chair Barrios)

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- 9) Approve letter to EPA supporting the addition of the New Idria Mercury Mine site to the National Priorities List (Superfund List).

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- 10) Discussion and/or direction concerning Highway 156 Supplemental Environmental Impact Report (EIR).

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 11) Receive Sheriff Admin. /County Permit Center Project update report.

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.)

- 12) Conference with Labor Negotiator:
Authority: California Government Code Section 54957.6
Agency Designated Chief Negotiator: Linzie Daniel and Jacki Credico, Management Analyst
Employee Organization: Deputy Sheriffs Association, Management Employees' Group, Law Enforcement Management, General Unit Employees
- 13) Conference with Legal counsel-Anticipated Litigation.
Significant Exposure to litigation pursuant to subdivision (b) of Section 54956.9:
Number of Cases : (1)
Closed session is authorized by Section 54956.9 (b)(3)(A).

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

1:30 P.M. PUBLIC HEARING *(Or as soon thereafter as the matters may be heard)***PLANNING DEPARTMENT – G. Armstrong:**

- 14) Hold a public hearing to adopt an ordinance as recommended by Planning Commission Resolution 2011-12, adding a new Chapter 19.39 Noise Control Regulations to Title 19 of the San Benito County Code.

REGULAR AGENDA:**HUMAN RESOURCES – J. Credico:**

- 15) Approve the Fourth Amendment to the Memorandum of Understanding between the County of San Benito and the Deputy Sheriff's Association related to employee concessions.

HUMAN RESOURCES - J. Credico:

- 16) Approve the Second Amendment to the Memorandum of Understanding between the County of San Benito and the Law Enforcement Management Group related to employee concessions.

HUMAN RESOURCES – J. Credico:

- 17) Approve the Third Amendment to the Memorandum of Understanding between the County of San Benito and the Management Employees' Group related to employee concessions.

ADJOURN TO TUESDAY, APRIL 26, 2011 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY APRIL 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.