



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 26, 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 De La Cruz.
- Acknowledge Certificate of Posting.
- PRESENTATIONS & RECOGNITIONS:**

ADMINISTRATION – R. Inman:

Present this year's Trindel Safety Award to Karen Rogers, Probation Department and recognize the nominees who have demonstrated an outstanding effort toward a safe and healthy workplace for the County of San Benito employees: Larry Gourley, Auditor; Lupe Eclarin, Public Health; Ron Terry, Ag. Commission Beth Kafer, Communications and Melisa Leonardo, Juvenile Hall.

BOARD OF SUPERVISORS:

Approve and present Proclamation to the Visiting Nurse Association (VNA) & Hospice proclaiming 2011 as VNA Year in San Benito County and for their 60 years of service.

BOARD OF SUPERVISORS:

Adopt and present Resolution in support of the YMCA Healthy Youth Partnership. (Chair Barrios)
(Res. No. 2011-31)

BOARD OF SUPERVISORS:

Presentation from the San Benito Fire Safe Council in regards to 100' dispensable space clearance and approve and present Proclamation declaring the Month of May 2011 as Fire Safety Month. (Supervisor Botelho)

WATER RESOURCES ASSOCIATION OF SAN BENITO COUNTY:

Proclaim May as "Water Resources Month" in San Benito County.

- 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) Re-appoint members Robert Frusetta, Ed Strohn and Jim Hawkins to the Taylor Act Grazing Advisory Board for a three-year term effective July 1, 2011 through June 30, 2014.

AGRICULTURAL COMMISSIONER – R. Ross:

- 2) Approve contract with the Department of Food & Agriculture to provide Asian Citrus Psyllid detection services for the period of October 1, 2010 through September 30, 2011, for a total of \$24,101.

AGRICULTURAL COMMISSIONER – R. Ross:

- 3) Approve contract with the US Department of Agriculture for Wildlife Services for the period of July 1, 2011 through June 30, 2012, for an amount not to exceed \$73,285 and authorize the Agricultural Commissioner to sign said contract.

BEHAVIORAL HEALTH – A. Yamamoto:

- 4) Approve request for the Behavioral Health Department's Substance Abuse Program Manager and one (1) Substance Abuse counselor to attend the National Technical Assistance Grants to Reduce alcohol Abuse Conference scheduled for June 1-2, 2011 in Denver, Colorado; authorize the San Benito County Administrative Officer to approve and sign travel/meeting expense form.

BEHAVIORAL HEALTH – A. Yamamoto:

- 5) Receive 2009-10-11 Annual Behavioral Health Board Report on County Mental Health Services, for information only.

BEHAVIORAL HEALTH – A. Yamamoto:

- 6) Adopt resolution recognizing the month of May 2011 as Mental Health Month in San Benito County. (Res. No. 2011-32)

CLERK OF THE BOARD – D. Thome:

- 7) Approve the action minutes of the March 22, 2011, April 5, 2011, April 12, 2011 regular meetings and April 5, 2011 Special Joint Meeting.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 8) Find that competitive bidding would not be in the public interest because utilizing San Benito County Ordinance No. 863, local vendor, Tiffany Ford, can provide an equivalent vehicle at a price lower than the price the state received with through its competitive bid process; approve purchase of Ford Fusion from Tiffany Motors for the base price of \$15,772.24, plus applicable taxes; and authorize Health & Human Services Agency Director to sign purchase contract.

INTERNAL SERVICES – M. Riopel:

- 9) Approve contract amendment with the California Department of Forestry and Fire Protection for the period of July 1, 2009 through June 30, 2012 with specifics for year two FY 2010-2011 "Schedule A" services; and adopt Resolution to reflect an amount not to exceed \$964,421 in "Schedule A" services for Fiscal Year 2010-2011. (Res. No. 2011-33)

PLANNING DEPARTMENT – G. Armstrong:

- 10) Approve First Amendment to reimbursement agreement with Santana Ranch Owners Group for the Santana Ranch Development project, reducing the deposit amount from \$100,000 to \$50,000.

PROBATION DEPARTMENT – B. Cardall:

- 11) Authorize the Chief Probation Officer to submit an application for the FY 2011-2012 Youthful Offender Block Grant (YOBG) funding for the Juvenile Justice Development Plan in the amount of \$117,000.

PROBATION DEPARTMENT – B. Cardall:

- 12) Authorize the Chief Probation Officer to submit the Juvenile Justice Crime Prevention Act's (JJCPA) application for FY 2011-2012 to California Standard's Authority (CSA) in the amount of \$134,747.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) Declare equipment listed on attachment to be surplus and direct staff to remove surplus from Inventory per County practice.

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:

- 14) Approve and authorize letter of support for the San Benito County Fairgrounds

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 15) Accept the Park Per Capita Grant Summary Report.

ADMINISTRATION – R. Inman:

- 16) Approve comments to the Supplemental EIR for Highway 156 improvements for submittal to Caltrans and authorize the Chair to sign.

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.)

- 17) Conference with Legal Counsel-Anticipated Litigation.
Significant Exposure to litigation pursuant to subdivision (b) of Section 54956.9:
Number of Cases: (2)
Closed session is authorized by Section 54956.9 (b)(3)(A).

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

PLANNING DEPARTMENT – G. Armstrong:

- 18) Review proposed ordinance adding new Chapter 19.39, Noise Control Regulations, to Title 19 of the San Benito County Code; accept introduction of the ordinance; waive further reading of the ordinance and continue to May 3, 2011 for adoption of said ordinance. (Continued from April 12, 2011 meeting)

PLANNING DEPARTMENT – G. Armstrong:

- 19) Receive Planning Commission recommendations for the General Plan Update Preferred Alternative Selection stage, including the Draft 2035 Vision and Guiding Principles, village concept, clustered-residential ordinance, transferable development credits, and the draft Preferred Policy Alternative diagram and provide direction to staff.

ADJOURN TO TUESDAY, MAY 3, 2011 AT 9:00 A.M.

AGENDA DEADLINE IS MONDAY APRIL 25, 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.