



# 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 MAY 10, 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 Rivas.
- b) Acknowledge Certificate of Posting.
- c) **PRESENTATIONS & RECOGNITIONS:**

#### **BOARD OF SUPERVISORS:**

- Present Proclamation to the Monterey Bay Unified Air Pollution Control District declaring the month of May 2011 as Clean Air Month.

#### **BOARD OF SUPERVISORS:**

- Present Proclamation to Pat's Place recognizing them as the Community Food Bank Hunger Fighter of the Year for 2011.

#### **BOARD OF SUPERVISORS:**

- Present Proclamation proclaiming Santa Barbara Bank & Trust (formerly San Benito Bank) a strong supporter of our community.

#### **HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

- Proclaim May 15-21, 2011 as Emergency Medical Services Week; recognize David Dennis, Hollister Hills State Park for his outstanding EMS Service; and recognize other individuals for outstanding EMS Service and teamwork that saved the lives 3 of San Benito County citizens.

**PARKS AND RECREATION COMMISSION:**

- Present Proclamation to the Parks and Recreation Commission proclaiming May 21, 2011 as National Kids to Parks Day.
- 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.*

**BOARD OF SUPERVISORS:**

- 1) Appoint Jonathan Sinclair to the Agricultural Preserve Advisory Committee representing District 3, effective May 10, 2011. (Supervisor Rivas)

**HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

- 2) Adopt Resolution authorizing the Director or his or her designee of the Health & Human Services Agency to submit an application to the California Environmental Protection Agency for the California Unified Program Agency Environmental Reporting System (CERS) Grant in the amount of \$39,248 for the FY 2011/12. (Res No. 2011-36)

**HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

- 3) Accept the HHSA Director's report; accept the Community Foundation grant awards for the Summer Youth Employment & Training Program in the amount of \$16,500 and the Fresh Start Backpack Program for low-income children in the amount of \$5,000.

**HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

- 4) Approve lease with De Lage Landen Public Finance, LLC and maintenance agreements with Sharp Business Systems for photocopier machines for a period of 60 months; approve lease with De Lage Landen Public Finance, LLC and maintenance agreement with Sharp Business Systems for photocopier machines for a period of 36 months; approve Budget Augmentation to recognize financing agreement; authorize Health and Human Services Agency Director to sign lease and maintenance agreements. (4/5 vote)

**HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

- 5) Receive the CalWORKs Plan Addendum as presented.

**HEALTH & HUMAN SERVICES AGENCY- K. Flores:**

- 6) Authorize the HHSA Director to hire Pat McCabe as an extra-help Accountant II, Step F for an estimated 160 hours over an eight week period, effective May 10, 2011.

**HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

- 7) Approve contract with Dr. Lee for psychological services related to Child Welfare for the period of July 1, 2011 through June 30, 2012 in the amount of \$72,180.

**PROBATION DEPARTMENT – B. Cardall:**

- 8) Approve the purchase of one Universal Forensic Extraction Device (UFED) from CelleBrite U.S. A., Corporation in the amount of \$4,564.00; recognize UFED as a fixed asset in the Gang Prevention Program for fiscal year 2010-2011.

**PUBLIC WORKS DEPARTMENT – S. Wittry:**

- 9) Approve agreement with Schaaf & Wheeler for the design and engineering services related to the CSA #31(Stonegate) Production Well and Water Transmission Pipeline project for the period of May 10, 2011 to June 30, 2013 in an amount not to exceed \$225,000.

**SHERIFF’S OFFICE – D. Thompson:**

- 10) Approve receipt of Local Safety and Protection Account (LSPA) funding in the amount of \$54,067 in support of the Sheriff’s Rural Crime grant; approve receipt of LSPA funding in the amount of \$49,432 in support of the Sheriff’s Cal-MMET grant.

**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.*

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

- 11) Approve and accept the completed and signed Elected Officials Base Pay Salary Waiver Forms; adopt Resolution in regards to wavier of salaries for the County of San Benito Elected Offices of Assessor; Treasurer, Tax Collector & Public Administrator; District Attorney and Clerk, Auditor & Recorder.

**COUNTY ADMINISTRATIVE OFFICER – R. Inman:**

- 12) 1. Set board budget hearings to begin July 11, 2011 for the FY 2011-12 budget and direct the Clerk of the Board to post and publish notice of the hearings as required by law.
2. Require Board approval for purchase of any fixed assets, continue hiring freeze subject to CAO approval for exceptions, and mandate CAO review and approval for all purchases authorizing CAO to deny any purchase request not deemed critical to ongoing operations for safety or necessary to complete grant funded program obligations.
3. Continue standing policy that General Fund Contributions to other funds will be limited to the amount necessary to balance the fund even if this

results in the contribution being less than the budgeted contribution included in the approved FY 2010-11 budget.

**HEALTH & HUMAN SERVICES AGENCY – K. Flores:**

- 13) Accept the HHSA Director's report; approve the layoff of one (1.0) FTE Eligibility Worker effective on or around July 1, 2011. (CSWD)

**PLANNING DEPARTMENT – G. Armstrong:**

- 14) Approve budget adjustment increasing Planning and Building budget in the amount of \$74,040, funded by developer reimbursement; approve Amendment No. 1 with Impact Sciences, Inc. to provide additional assistance regarding preparation of the Fairview Corners Environmental Impact Report, in the amount not to exceed \$74,040 for a total amount of \$103,465. (4/5 vote)

**PLANNING DEPARTMENT – G. Armstrong:**

- 15) Review and consider the recommendation of the Planning Commission to repeal or rescind the Growth Management Ordinance; and direct staff to prepare an ordinance repealing the Growth Management Ordinance, or provide other direction to staff.

**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.)*

- 16) Conference with Legal Counsel-Existing Litigation. (Subdivision (a) of Section 54956.9)  
Name of Case: *Association for Equal Information and Governmental Integrity v. County of San Benito*, Superior Court of California, County of San Benito, Case No. CU-09-0043
- 17) 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)(B) due to receipt of letter regarding the County's de minimus use (363,199 lbs) of the Casmalia Disposal Site

**ADJOURN TO TUESDAY, MAY 24, 2011 AT 9:00 A.M.**

**AGENDA DEADLINE IS MONDAY MAY 16, 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](http://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.***