



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 JULY 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 Botelho.

b) Acknowledge Certificate of Posting.

c) **PRESENTATIONS & RECOGNITIONS:**

BOARD OF SUPERVISORS:

- Present Certificate of Recognition to Bill Coates who is retiring after 35 Years of Service as San Benito County Farm Advisor.

BOARD OF SUPERVISORS:

- Proclaim July as Parks and Recreation 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.

ADMINISTRATION – R. Inman:

- 1) Review and approve the Master Agreement for Tax Transfer upon Annexation between the county of San Benito and the City of Hollister.

AGRICULTURAL COMMISSIONER – R. Ross:

- 2) Approve contract with Department of Food & Agriculture to provide European Grapevine Moth Trapping Services for the period of February 1, 2011 through June 30, 2011.

AGRICULTURAL COMMISSIONER – R. Ross:

- 3) Approve contract with Department of Food & Agriculture to provide European Grapevine Moth Trapping Services for the period of July 1, 2011 through December 31, 2011 for a total of \$17,242.

ASSESSOR'S OFFICE – T. Slavich:

- 4) Adopt Ordinance, authorizing the Assessor to cancel low value supplemental assessments, and prohibiting low value escape assessments of any appraisal unit. (Ord. No. 877)

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 5) Approve contract renewal with Planned Parenthood for HIV/Aids Testing, Pre and Post Counseling for the FY 2011-12, for an amount not to exceed \$13,500.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 6) Approve contract renewal with K & R Manor and Salvador Lodge for Board and Care Facilities for FY 2011-12, for a total annual maximum amount not to exceed \$15,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 7) Approve contract renewal with John Muir Behavioral Health Center for psychiatric hospital care for the FY 2011-12, for a maximum total not to exceed \$70,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 8) Approve contract renewal with Connecting Principles to facilitate educational groups for the FY 2011-12, for a maximum total amount of \$25,000.

BEHAVIORAL HEALTH DEPARTMENT- A. Yamamoto:

- 9) Approve contract renewal with the Hollister Youth Alliance for prevention and early intervention services for the FY 2011-12, for a maximum amount not to exceed \$192,610, total inclusive of \$31,000 prior year rollover.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 10) Authorize the County Behavioral Health Director to sign and submit to the State ADP the Annual Renewal of Drug Court Multi-Agency Plan and Notice of Grant Award for the period of January 1, 2012 through December 31, 2012 in the amount of \$17,518.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 11) Adopt Resolution authorizing the County Behavioral Health Director to sign and submit the San Benito County Drug Medi-Cal Certification application to the State Department of Alcohol and Drug Programs. (Res. No. 2011-58)

CLERK OF THE BOARD – D. Thome:

- 12) Approve the action minutes of the Board of Supervisors regular meetings on May 24, 2011 and June 7, 2011 and special meeting on June 28, 2011.

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

- 13) Adopt Resolution accepting the certified Statement of Election Results for the June 7, 2011 Special Election. (Res. No. 2011-59)

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 14) Re-appoint Ms. Soila Rojas to the Workforce Investment Board to represent the private sector, for a three year term effective July 31, 2011 through July 31, 2014. (CSWD)

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 15) Appoint Ms. Elvia Gonzalez-Lozano to the Youth Employment Program (YEP) Council for a three year term effective July 12, 2011 through July 12, 2014. (CSWD)

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 16) Appoint Mr. Julian Toro Solis to the Youth Employment Program (YEP) Council for a three year term effective July 12, 2011 through July 12, 2014. (CSWD)

SHERIFF'S DEPARTMENT – D. Thompson:

- 17) Approve Memorandum of Agreement with the City of Hollister agreeing that the \$16,605 allocation of JAG award funds be distributed to the City of Hollister.

SHERIFF'S DEPARTMENT – D. Thompson:

- 18) Approve contract with the County of Monterey for use of the Monterey County Coroner's facilities for autopsies/external examinations.

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

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 19) Hold a public hearing on proposed fee for County Service Area Nos. 16 (Holiday Estates), 21 (Long Acres), 22 (Cielo Vista), 23 (Rancho San Joaquin), 24 (Santa Ana Acres), 28 Heatherwood/Foxhill), 31 (Stonegate), 34 (Ausaymas Estates), 35 (Union Heights), 42 (Lemmon Acres), 46 (Quail Hollow), 47 (Oak Creek), 48 (Dry Creek), 50 (Dunneville), 51 (Comstock), 53 (Riverview), and continue Public

Hearing with respect to CSA No. 54 (Pacheco Creek Estates) to July 26, 2011 at 9:00 a.m. or soon thereafter; adopt Resolution imposing a property-related fee for County Service Areas Nos. 16, 21, 22, 23, 24, 28, 31, 34, 35, 42 46, 47, 48, 50, 51 and 53, confirming the Fee Report, fee Schedule and Fee, providing for the levy of the Fiscal Year 2011/12 Property-Related Fees, and making certain related findings. (Res. No. 2011-60)

PLANNING DEPARTMENT – G. Armstrong:

- 20) Hold a public hearing; make all findings contained in Exhibits “A” and “B” of the attached proposed ordinance; and adopt Ordinance, establishing a permanent ban on the establishment, development, construction, maintenance, or operation of a marijuana dispensary by the addition of Article VI of Chapter 25.29, and amending Article V of Chapter 25.29 and §25.51.006 of Chapter 25.51 of the Benito County Code. (Ord. No. 878)

PLANNING DEPARTMENT – G. Armstrong:

- 21) Hold a public hearing to review the project record and Planning Commission Resolution #2011-04; review and consider the proposed zone change; adopt ordinance approving Zone change No. 08-162, based on the findings and conditions of approval reflected in Exhibit “B” of the proposed Ordinance. (Ord. No. 879)

PLANNING DEPARTMENT – G. Armstrong:

- 22) Hold a public hearing to consider, in accordance with State government Code §65400, the 2010 Annual Progress Report regarding the General Plan’s 2007-2014 Housing Element; and direct staff to submit the report to the State Department of Housing and Community Development (HCD) and the Governor’s Office of Planning and Research (OPR).

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:

- 23) Adopt Resolution requesting that the California Department of Transportation incorporate new design concepts into the proposed Highway 156 improvement project.

BOARD OF SUPERVISORS:

- 24) Discussion and direction to staff concerning the submittal of comments regarding the U.S. Fish and Wildlife Service California Foothills Legacy Area proposal.

ADJOURN TO TUESDAY, JULY 19, 2011 AT 9:30 A.M. TO BEGIN BUDGET HEARINGS.

NOTE: A copy of this Agenda is published, along with supportive documents, on the County’s Web site on the Friday preceding each Board meeting and may be viewed at www.cosb.us/government/meetings-

[agendas/](#). All proposed agenda items with supportive documents are also 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.