



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 SEPTEMBER 27, 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 AND RECOGNITIONS:

HUMAN RESOURCES – J. Credico:

Present Certificate of Recognition for Years of Service to San Benito County upon retirement to the following employees:

1. Beth Kafer (Sheriff's Office-Communications Manager) - over 5 years
2. Victor Leon (Public Works Department-Custodian) – over 12 years
3. Mary Macias (Health & Human Services-Social Worker III) – over 16 years
4. Thomas Payne (Sheriff's Office-Communications Dispatcher III) – 3 years
5. Roberta Russell (Sheriff's Office-Communications Dispatcher III) – 5 years
6. Cynthia Silva (Sheriff's Office-Emergency Services Specialist) – over 26 years
7. Joyce Swett (First 5-School Resource Coordinator) – 7 years
8. Michael Watson (Public Works Department-Road Maintenance – over 22 years

HEALTH & HUMAN SERVICES AGENCY:

Present Proclamation to Health & Human Services proclaiming the month of September as Childhood Obesity Awareness Month in San Benito County.

BOARD OF SUPERVISORS:

Present Proclamation to the San Benito County Health Foundation proclaiming the week of October 1-16, 2011 as Bi-National Health Week 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) Approve contract with Jovenes de Antano to assist with providing meals to the senior citizens of San Benito County for the period of September 1, 2011 through June 30, 2012, in the amount of \$37,150.

ADMINISTRATION – R. Inman:

- 2) Approve an annexation fee of one hundred and forty-seven dollars (\$147.00) per unit for the Silver Oaks Senior Housing Project.

ADMINISTRATION – R. Inman:

- 3) Adopt Ordinance amending Article III (Supervisory Districts) of Chapter 3.01 of Title 3 of the San Benito County Code, amending the boundaries of all Supervisory Districts as a result of 2010 Census Data. (Ord. No. 881)

ADMINISTRATION – R. Inman:

- 4) Approve contract with Senior Council-Area Agency on Aging for the period of September 1, 2011 through June 30, 2012, in the amount of \$26,320.

ASSESSOR'S OFFICE – T. Slavich:

- 5) Approve contract with Trang Cooper to perform appraisal duties in the Assessor's Office for the period of October 1, 2011 through June 30, 2012, in an amount not to exceed \$5,840.

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

- 6) Adopt Resolution approving the FY 2011-2012 Final Budget. (Res. No. 2011-84)

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

- 7) Adopt Resolution establishing the Proposition 4 Appropriation Limit for the Fiscal Year July 1, 2011 to June 30, 2012 at \$26,992,047. (Res. No. 2001-85)

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 8) Approve agreement with California Department of Public Health for Public Health Emergency Preparedness activities for the period of July 1, 2011 through August 9, 2012; in the amount of \$359,216; and authorize the H&HSA Director to sign said agreement.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 9) Authorize the submission of the Continuum of Care (COC) Notice of Funding Availability application in the amount of \$207,966 to provide permanent housing to homeless individuals and families; and authorize the HHSA Director signing authority.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 10) Adopt Resolution authorizing Grant Application with the California Environmental Protection Agency; authorize the Director or authorized representative of the Health & Human Services Agency to submit application for a UST Grant in the amount of \$35,987. (Res. No. 2011-86)

HUMAN RESOURCES – J. Credico:

- 11) Adopt Resolution regarding office hours and days of operation of County Offices. (Res. No. 2011-87)

HUMAN RESOURCES – J. Credico:

- 12) Adopt Resolution authorizing the closure of County Offices on certain days for Fiscal year 2011/2012. (Res. No. 2011-88)

HUMAN RESOURCES / INTERNAL SERVICES – J. Credico / M. Riopel:

- 13) Approve the extension of the layoff of 1.0 FTE 911 Systems Coordinator in Budget Unit #1001212 until December 17, 2011.

SAN BENITO COUNTY LONG TERM CARE COMMISSION – P. Valdivia:

- 14) Appoint Mr. Mitchell Matthews to the Long Term Care Commission for a three year term effective September 13, 2011 through September 13, 2014; appoint Rumi Saikia to the Long Term Care Commission for a three year term effective September 13, 2011 through September 13, 2014.

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

- 15) Conduct Public Hearing for Commercial District Review 67-10 for JMK Golf LLC (Ridgemark Golf and Country Club) consider the merits of the appeal and direct staff to prepare a Resolution to either grant the appeal, deny the appeal, or other action including modification of the project or returning the project to the Planning Commission.

PLANNING DEPARTMENT – G. Armstrong:

- 16) Conduct a Public Hearing to review proposed changes to the C-District Review Process, Chapter 25.15 of the County Code, and M-District Review Process, Chapter 25.17 of the County Code; and provide comments to staff.

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:

- 17) Presentation by Steve Samuelian of California Consulting to explain grant writing services.

ASSESSOR'S OFFICE – T. Slavich:

- 18) Accept Assessor's Annual Report for the 2011-12 Tax Year.

COUNTY COUNSEL – M. Granger:

- 19) Approve letter supporting consideration of the most Southern Alignment of the Proposed Highway 152 Trade Corridor.

COUNTY COUNSEL – M. Granger:

- 20) Discuss SB 226 pertaining to environmental quality CEQA and the permitting of certain types of solar facilities; provide direction to staff; if desired, authorize the Chair to execute and submit a letter to Governor Brown either supporting SB 226 or requesting that it be vetoed.

COUNTY COUNSEL – M. Granger:

- 21) Read title of ordinance for the record: "An ordinance of the County of San Benito amending §§1.03.003 and 1.03.005 and adding §§1.03.015 and 1.03.016 to Chapter 1.03 of Title 1 of the San Benito County Code" (Code Enforcement); accept introduction and waive further reading of the ordinance; and continue to October 4, 2011 for adoption.

PLANNING DEPARTMENT – G. Armstrong:

- 22) Adopt CEQA findings and negative Declaration, and consider introduction of three ordinances amending the (1) Growth management Ordinance, (2) Potential Residential Growth Increase (PRGI) Ordinance, and (3) Section 19.29.003 regarding General Plan Amendments, and continue to October 4, 2011 for adoption.

PROBATION DEPARTMENT – B. Cardall:

- 23) Request to make modifications to FY 2011/2012 Probation Department and Juvenile Hall Budget units in Revenues and Expenditures. (4/5 vote)

PROBATION DEPARTMENT – B. Cardall:

- 24) Authorize Probation Department to increase staffing and programming due to the commencement of AB109 funding in San Benito County; and approve Budget Augmentation. (4/5 vote)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 25) Approve the plans, specifications and bid documents for the Sheriff Administration/County Permit Center Building Improvements project (PWB-1102).

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.)

- 26) Conference with Legal Counsel-Anticipated Litigation.
Significant Exposure to litigation pursuant to subdivision (b)(3)(B) of Section 54956.9: 1 potential case
The County has received a complaint alleging various violations of State and Federal Law, including that a layoff due to recent budgetary reductions was in retaliation for the employee having made a prior complaint.

ADJOURN TO TUESDAY, OCTOBER 4, 2011 AT 9:00 A.M.

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.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.