



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 DECEMBER 20, 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 AND RECOGNITIONS:**
Present Certificate of Recognition for Years of Service to the following employees upon retirement:
 1. Kim Hawk, (Elections Department -Elections Coordinator) - over 36 years
 2. Maria Guadalupe Maldonado Monteon, (Elections Department - Bilingual Elections Coordinator) – 17.5 years
- 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.

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

- 1) Adopt Resolution accepting the certified statement of Election Results for the General District Election held on November 8, 2011. (Res. No. 2011-105)

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

- 2) Authorize Budget Augmentation to the Recorder budget in the amount of \$17,500; and approve the addition of (2) copy machines to the Schedule of Fixed Assets. (4/5 vote)

EMERGENCY MEDICAL SERVICES – K. Flores:

- 3) Approve contract with the State Department of Public Health (DPH) for the Immunization Assistance Program (IAP) in the amount of \$50,000 for the period of July 1, 2011 through June 30, 2013; authorize the Director of Health & Human Services or designee to sign contract.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 4) Approve purchase of Pediatric Trauma Crash Cart for Hazel Hawkins Memorial Hospital; approve Budget Augmentation for the expenditure of not more than \$18,000. (4/5 vote)

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 5) Approve Amendment #3 with American Medical Response (AMR) Ambulance Service for annual user fee increase and revision of Urban/Rural Maps; authorize the Director or designee of Health & Human Services to sign.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 6) Authorize reinstatement of a .50 FTE Office Assistant II to Public Health Department effective January 1, 2012.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 7) Authorize San Benito County Health & Human Services Agency to apply for a 3 year Adolescent Family Life Program grant; adopt Resolution authorizing application to the California Department of Public Health, Maternal and Child and Adolescent Division; and authorize the Director of Health and Human Services to sign the application. (Res. No. 2011-106)

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 8) Approve appointment of Marie Aceves to the Community Action Board for a three-year term effective December 20, 2011 through December 20, 2014.

COUNTY LIBRARY – N. Conte:

- 9) Review the Library Department's 2010-2011 Annual Report.

COUNTY LIBRARY – N. Conte:

- 10) Review the Library Strategic Plan.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 11) Adopt Resolution for an application for the California AB900 Phase II Local Jail Construction Financing Program. (Res. No.107)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 12) Approve contract with SSA Landscape Architects, Inc. for professional services for the San Benito River Parkway & Regional Park Master Plan project for the period of December 20, 2011 through December 20, 2013, in the amount of \$193,500.

SAN BENITO RESOURCE CONSERVATION DISTRICT – K. Guerra:

- 13) Approve the appointment of Michael Halperin as Director of the San Benito Resource Conservation District to fill the unexpired term through November 2012, left vacant by a resignation.

SHERIFF'S OFFICE – D. Thompson:

- 14) Approve the appropriations and revenue in the amount of \$25,763 under the Anti-Drug Abuse (ADA) grant as shown on the Operating Budget Adjustment/Transfer form. (4/5 vote)

SHERIFF'S OFFICE – D. Thompson:

- 15) Approve lease agreement with US Bancorp Business Equipment Finance, Inc. to replace a new copier for a period of 60 months at a cost of \$188.08 per month; authorize and approve the Budget/Adjustment Transfer reflecting the transfer of \$1,130 from Special Department Expense to Fixed Assets for the appropriate budget classification.

TREASURER/TAX COLLECTOR – M. L. Andrade:

- 16) Adopt Resolution delegating authority to the County Treasurer to invest and reinvest county funds and other depositors' funds in the county treasury or to sell or exchange securities so purchased, pursuant to the requirement of state law. (Res. No. 2011-108)

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) Provide Board direction on position of San Benito County Board of Supervisors concerning proposed constitutional amendment entitled "The Local Taxpayer, Public Safety and Local Services Protection Act of 2012" to be on the November 2012 ballot and proposed increase in annual dues for the California State Association of Counties (CSAC).

COUNTY COUNSEL – M. Granger:

- 18) Consideration to authorize County Counsel to submit comment letter to the California Energy Commission (CEC) re: its proposed decision to rule that applicants for all types of renewable energy projects may opt in to the CEC's jurisdiction.

HEALTH & HUMAN SERVICES AGENCY – K. Flores:

- 19) Receive report on In Home Supportive Services (IHSS) Late Public Authority Administration Claims.

INTERNAL SERVICES DEPARTMENT – M. Riopel:

- 20) Approve contract with Willdan Financial Services for the Development of Comprehensive Impact Fee Study for San Benito County for the period of December 20, 2011 through June 30, 2012, in an amount not to exceed \$28,225.

PLANNING DEPARTMENT – G. Armstrong:

- 21) Approve the Reimbursement Agreement with San Juan Oaks to fully recover County costs to review and process this project.

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.)

- 22) Conference with Legal Counsel – Anticipated Litigation.
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: Number of Cases: (1)
- 23) Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9)
Name of Case: Easley v. County of San Benito, et al., United States District Court for the Northern District of California, Case No. 5:10-cv-05520-JF/PSG

Please Note: The public hearing scheduled for December 20, 2011 at 1:30 in regards to AB 1265 (Williamson Act) **has been cancelled.**

ADJOURN TO TUESDAY, JANUARY 17, 2012 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.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.