



# 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

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County Administration Building – Board of Supervisors Chambers, 481 Fourth Street, Hollister, California

## REGULAR MEETING JUNE 21, 2011 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in *regular session*. Supervisors Barrios, Botelho, Rivas, Muenzer and De La Cruz were present. Also present were County Administrative Officer Rich Inman, County Counsel Matt Granger, and Clerk of the Board Denise Thome for the morning session and Assistant Clerk of the Board Janet Slibsager for the afternoon session. Chair Barrios presided.

### 9:00 a.m. CALL TO ORDER:

- a) Supervisor De La Cruz led the Pledge of Allegiance.
- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*
- c) **PRESENTATIONS AND RECOGNITIONS:**

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

**Introduction of Grace Tobias, Miss San Benito Rodeo 2011, who is representing the San Benito County Saddle Horse Association in the 2011 Saddle Horse Show and Rodeo Downtown Parade and the Saddle Horse Show and Rodeo to be held June 24-26 at Bolado Park.**

Taylor Wood, 2010 Miss San Benito Rodeo introduced Grace Tobias, Miss San Benito Rodeo 2011. *File #55*

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

**Presentation of Proclamation to Mary Sellen.**

Supervisor Botelho presented the proclamation to Mary Sellen for her many years of volunteer work. *File #430*

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

**Present Certificate of Recognition to the San Benito County Free Library.**

Chair Barrios presented the Certificate of Recognition to Ruth Erickson who was representing the Friends of the San Benito County Free Library for receiving the national "Best Friends Award". Ms. Erickson recognized Mike Sanchez, Rebecca Salinas, Nora Conte and Joan Sattler for their efforts. *File #156*

**HUMAN SERVICES – J. Credico:**

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

**1. Sally Boden (Ag Bio Inspector), 24 years.**

Ms. Boden was not present to receive her certificate from Supervisor Rivas.

**2. Mark Gillaspie (Heavy Equipment Mechanic), 35 years.**

Mr. Gillaspie was not present to receive his certificate from Supervisor Muenzer, but his wife Jean accepted the certificate on his behalf.

**3. Sally Navarez (Deputy County Clerk/Recorder), almost 25 years.**

Supervisor De La Cruz presented Sally Navarez with her certificate of recognition.

**4. Nadine Stevens-Deck (Child Support Specialist) almost 18 years.**

Chair Barrios presented Nadine Stevens-Deck with her certificate of recognition. *File #630*

**d) Public Comment:**

Jeanette Garcia, Case Manager for Hollister Youth Alliance, spoke of the need and positive results from the Hollister Youth Alliance.

**e) Department Head Announcements:**

Librarian Nora Conte reported that there were over 30,000 library card holders in the County and they were going to put messages on the new cards as a simple and unexpected way to outreach to the community. She added that they were kicking off the Summer Reading Program.

Public Works Director Steve Wittry stated that they were kicking off the Adopt-A-County Roadway Program on July 1, 2011. He reported on the disaster training incident that was held the week before.

Richard Bettencourt, Hollister resident, spoke in regards to the training session and the effects of the road closure to the public.

**e) Board Announcements:**

Supervisor Muenzer reported that he had met with S.E.I.U. long term care workers and was presented with additional postcards of support. He further reported that he attended the Foothills Legacy presentation and was not impressed. He added that Mr. Armstrong was to set up a presentation to the Board.

Supervisor De La Cruz agreed with Ms. Garcia's comments regarding the Hollister Youth Alliance.

Supervisor Botelho reported on the Council of Governments (COG) meeting the week before. He further reported on his and Supervisor Muenzer's meeting with Cal Trans regarding 156 proposals.

Supervisor Rivas encouraged all residents to support the Saddle Horse Show and Parade.

Chair Barrios reported on the RCRC meeting that she attended. She spoke about the California Foothills Legacy Area.

#### **CONSENT AGENDA:**

*Upon motion duly made by Supervisor Rivas and seconded by Supervisor Muenzer, **approved** Consent Agenda Items with the exception of Items 6, 16 and 17 which were pulled for discussion. (Unanimous)*

#### **ASSESSOR'S OFFICE – T. Slavich:**

- 1) **Introduced** an ordinance Enacting Chapter 5.13 of Title 5 of the San Benito County Code, **authorizing** the Assessor to Cancel Low Value Supplemental Assessments, and Prohibiting Low Value Escape Assessments of Any Appraisal Unit; **waived** the reading of said ordinance; and **continued** to July 12, 2011 for adoption of said ordinance. *File #7*

#### **BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:**

- 2) **Approved** contract renewal with Door to Hope for Substance Abuse Residential Treatment Facility for the FY 2011-12, for a maximum total of \$49,375. *File #810*

#### **BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:**

- 3) **Approved** contract renewal with Mary Helen Lopez, Licensed Clinical Social Worker for the FY 2011-12, for a maximum annual total of \$20,000. *File #810*

#### **BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:**

- 4) **Approved** contract renewal with Rebekah Children's Services to provide Therapeutic Behavioral Services for the FY 2011-12, for a maximum amount of \$40,000. *File #810*

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

- 5) **Adopted Resolution No. 2011-52** in support of statewide e-fairness legislation. *File #156*

#### **COUNCIL OF GOVERNMENTS – L. Rheinheimer:**

- 6) **Approve Amendment #6 to Employment Agreement with Lisa Rheinheimer, Council of Governments.**

The item was pulled for discussion.

Supervisor Botelho said that it was no reflection on Ms. Rheinheimer's agenda item as it was a model for all department heads. He suggested incorporating boiler plate language into contracts for pension reform.

County Counsel Granger stated that the only two with contracts were Ms. Rheinheimer and Librarian Nora Conte.

Lengthy discussion ensued.

*Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Rivas, **approved** Amendment #6 to Employment Agreement with Lisa Rheinheimer, Council of Governments. File #1035*

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

- 7) **Approved** cost reimbursement contract with Hazel Hawkins Memorial Hospital for the period of July 1, 2011 through June 30, 2012, for an amount not to exceed \$60,000. *File #130*

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

- 8) **Approved** Memorandum of Understanding with Santa Clara County Office of Education Head Start Program for recruitment and enrollment of CalWORKS and Head Start Eligible Families and **authorized** the Health & Human Services Agency to sign MOU. *File #130*

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

- 9) **Approved** contract with UC Davis Extension for on-site training for the FY 2011-2012, in the amount of \$33,440 and **authorized** the HHSA Director to sign contract. *File #130*

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

- 10) **Approved** Agreement with Public Authority for conducting In Home Supportive Services (IHSS) provider background checks and orientations for the period of July 1, 2011 through June 30, 2012, for the amount of \$47,586. *File #130*

**INTEGRATED WASTE MANAGEMENT – M. Rose:**

- 11) **Approved** budget adjustments of unanticipated revenue for Oil Payment Program #1 Grant: \$9,349.00 and Division of Recycling Grant: \$4,760.00 for FY 2010/2011. (4/5 Vote) (Unanimous) *File #142*

**INTEGRATED WASTE MANAGEMENT – M. Rose:**

- 12) **Adopted Resolution No. 2011-53 authorizing** the Integrated Waste Management Department to apply for the Oil Payment Program grant funds on behalf of the San Benito County Integrated Waste Management Regional Agency for FY 2011/2012. *File #142*

**PROBATION DEPARTMENT – B. Cardall:**

- 13) **Approved** contract with San Benito County Office of Education to provide funding in the amount of \$47,500 to continue the Truancy Reduction Program for FY 2011-12. *File #510*

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

- 14) **Adopted Resolution No. 2011-54 implementing** parking regulations for the County-owned parking lot at 4<sup>th</sup> and West Streets. *File #105.3*

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

- 15) **Approved** the plans, specifications, and bid documents for the Sheriff Administration/County Permit Center Structural Upgrades & Elevator project. *File #110*

**SHERIFF'S OFFICE – D. Thompson:**

- 16) **Approve Amendment #1 to the Enimage, Inc. contract for Operational Area Emergency Operations Center Training to extend term of contract to March 30, 2012.**

The item was pulled for discussion.

Supervisor Botelho asked if the contract training was needed.

Management Analyst Margie Riopel stated that the training was needed and that it was covered by grant funding.

Further discussion ensued.

*Upon motion duly made by Supervisor Rivas and seconded by Supervisor Muenzer, **approved** Amendment #1 to the Enmage, Inc. contract for Operational Area Emergency Operations Center Training to extend term of contract to March 30, 2012. (Unanimous) File #110*

**SHERIFF'S OFFICE – D. Thompson:**

- 17) **Approve contract renewal with Emergency Vehicles Specialists, Inc. to provide maintenance, repair and emergency call out service for our radios and repeater locations, for the period of July 1, 2011 through June 30, 2012, at a total cost not to exceed \$32,120.**

The item was pulled for discussion.

Supervisor Muenzer requested clarification that the matter had to move forward regardless of later items.

Management Analyst Margie Riopel replied that it did.

*Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Rivas, **approved** contract renewal with Emergency Vehicles Specialists, Inc. to provide maintenance, repair and emergency call out service for our radios and repeater locations, for the period of July 1, 2011 through June 30, 2012, at a total cost not to exceed \$32,120. (Unanimous) File #110*

**SHERIFF'S OFFICE – D. Thompson:**

- 18) **Approved** Agreement with John R. Hain, MD for the autopsy services at the Monterey County Coroner's facilities effective July 1, 2011 through June 30, 2012 and authorize the Sheriff to sign said agreement. *File #110*

**SITTING AS THE PUBLIC AUTHORITY FOR IN- HOME SUPPORTIVE SERVICES:**

*The Board adjourned as the Board of Supervisors and reconvened as the IHSS Public Authority re:*

**IN-HOME SUPPORTIVE PUBLIC AUTHORITY – G. Swanson:**

- 19) **Approve Agreement between HHSA and the Public Authority, for conducting In Home Supportive Services (IHSS) provider background checks and orientations for the period of July 1, 2011 through June 30, 2012, for the amount of \$47,586.**

In Home Supportive Services Director Gifford Swanson gave a brief staff report.

Marty Richman, Hollister resident, spoke under public comment in support of the program.

**BOARD ACTION:** *Upon motion duly made by Supervisor Barrios and seconded by Supervisor Rivas, **approved** Agreement between HHSA and the Public Authority, for conducting In Home Supportive Services (IHSS) provider background checks and orientations for the period of July 1, 2011 through June 30, 2012, for the amount of \$47,586. (Unanimous) File #130.1*

The Board adjourned as the IHSS Public Authority and reconvened as the San Benito County Board of Equalization re:

**San Benito County Board of Supervisors sitting as the County Board of Equalization:**

- 20) **Accept the Stipulation for Reduction of Assessment for the 2007-2008 Tax Year for JMK Golf, LLC (Ridgemark Golf & Country Club, Inc.); waive the appearance of the person affected, and change the assessed value in accordance with Revenue & Taxation Code Section 1610.8.**

Assessor Tom Slavich gave a staff report.

**BOARD ACTION:** Upon motion duly made by Supervisor Rivas and seconded by Supervisor Botelho, **accepted** the Stipulation for Reduction of Assessment for the 2007-2008 Tax Year for JMK Golf, LLC (Ridgemark Golf & Country Club, Inc.); **waived** the appearance of the person affected, and **changed** the assessed value in accordance with Revenue & Taxation Code Section 1610.8. (Unanimous) File #7

- 21) **Adopt the Findings of Facts for assessment appeal application #99 (Daniel Emmett Lynch, APN 020-070-006-000).**

Assessor Tom Slavich gave a staff report and asked the Board to review his Findings of Fact along with Mr. Lynch's Findings of Fact and to come back with their own. He further stated that normally County Counsel writes the Findings of Fact, but the Board had asked the Assessor to do so. He felt the Board needed to review the applicant's comments.

**BOARD ACTION:** Upon motion made by Supervisor De La Cruz and seconded by Supervisor Barrios, **continued** consideration of adoption of the Findings of Facts for assessment appeal application #99 (Daniel Emmett Lynch, APN 020-070-006-000). (Unanimous) File #7

The Board adjourned as the San Benito County Board of Equalization and reconvened as the San Benito County Board of Supervisors.

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

**AGRICULTURAL COMMISSIONER – R. Ross:**

- 22) **Hold a public hearing to hear objections, protests or requested changes or corrections to the written report regarding the Mosquito and Disease Control Assessment rate to be imposed; adopt resolution accepting the annual report for the Mosquito and Disease Control Assessment and levy the rate of \$10.08 per unit for FY 2011/2012.**

Management Analyst Margie Riopel appeared on behalf of Agricultural Commissioner Ron Ross who was unavailable, and gave a brief staff report.

Chair Barrios opened the public hearing.

There was no public comment.

Chair Barrios closed the public hearing.

**BOARD ACTION:** Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Barrios, **adopted Resolution No. 2011-55 accepting the annual report for the Mosquito and Disease Control Assessment and levied the rate of \$10.08 per unit for FY 2011/2012. (Unanimous) File #1.1**

The Board adjourned at 10:30 a.m. for a break and reconvened at 10:40 a.m. into regular session.

The Board decided to skip to item #25 before continuing with the rest of the agenda.

**PLANNING DEPARTMENT – G. Armstrong:**

- 23) **Hold a public hearing to review the project record and Planning Commission Resolution #2011-05; review and consider the proposed zone change; make the CEQA zone change and PUD findings set forth in the staff report; and adopt an Ordinance to approve zone change No. 07-52 (2324 Union Road), based on the conditions of approval set forth in Exhibit “B” of the proposed ordinance.**

Planning Director Gary Armstrong gave a brief staff report.

Chair Barrios opened the public hearing.

Ruben Rodriguez spoke in favor of the zone change and requested approval of the project.

Discussion was had.

There being no further public comment, Chair Barrios closed the public hearing.

**BOARD ACTION:** Upon motion duly made by Supervisor Botelho and seconded by Supervisor De La Cruz, **made the CEQA, Zone Change, and PUD Findings as set forth in the staff report and adopted Ordinance No. 873 approving Zone Change #07-52, based on the conditions of approval set forth in Exhibit “B” of the proposed ordinance. (Unanimous) File #790**

**PLANNING DEPARTMENT – G. Armstrong:**

- 24) **Hold a public hearing to review the project record and Planning Commission Resolution #2011-03; and consider the proposed zone change; make the CEQA and zone change findings set forth in the staff report; and adopt Ordinance approving Zone Change No. 08-163 (off Cypress Court), based on the conditions of approval set forth in Exhibit “B” of the proposed ordinance.**

Planning Director Gary Armstrong gave a brief staff report.

Chair Barrios opened the public hearing.

Brian Curtis of Stonecreek Properties, applicant, spoke under public comment.

Discussion ensued.

There being no further public comment, Chair Barrios closed the public hearing.

**BOARD ACTION:** Upon motion duly made by Supervisor Botelho and seconded by Supervisor Muenzer, **made the CEQA and Zone Change Findings as set forth in the staff report and adopted Ordinance No. 874 approving Zone Change #08-163, based on the conditions of approval set forth in Exhibit “B” of the proposed ordinance. (Unanimous) File #790**

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

- 25) Hold a public hearing to receive and consider for adoption the Transportation Impact Mitigation Fee Nexus Study and its recommended modifications to the list of Traffic Improvement Projects and the Traffic Impact Mitigation Fees; adopt Resolution, finding the proposed modifications to the list of Traffic Improvement Projects and Traffic Impact Mitigation Fees to be categorically exempt under CEQA, and adopting the March 21, 2011 Transportation Impact Mitigation Nexus Study, the recommended modifications to the list of Traffic Improvement Projects and the recommended Traffic Impact Mitigation Fees.

Public Works Director Steve Wittry gave a brief report and introduced Sally Van Etten.

Sally Van Etten of Willdan Financial Services gave a PowerPoint presentation.

Chair Barrios opened the public hearing.

Those speaking under public comment were: Scott Fuller of San Juan Oaks and Hollister resident Marvin Jones.

There being no further public comment, Chair Barrios closed the public hearing.

Lengthy discussion ensued.

Mr. Wittry asked the Board to continue the matter until after lunch so that they could make changes to the resolution.

*Upon motion duly made by Supervisor De La Cruz and seconded by Supervisor Botelho, **continued** the matter to the afternoon. (Unanimous)*

Afternoon session:

Mr. Wittry read the changes to the resolution into the record.

**BOARD ACTION:** *Upon motion duly made by Supervisor Botelho and seconded by Supervisor Muenzer, **adopted Resolution No. 2011-56 finding** the proposed modifications to the list of Traffic Improvement Projects and Traffic Impact Mitigation Fees to be categorically exempt under CEQA, and **adopting** the March 21, 2011 Transportation Impact Mitigation Nexus Study, the recommended modifications to the list of Traffic Improvement Projects and the recommended Traffic Impact Mitigation Fees. (Unanimous) File #105*

The Board returned to the regular order of the agenda commencing with item #23.

**PUBLIC HEARINGS – 9:30 A.M. (Or as soon thereafter as the matter may be heard)**

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

- 26) Receive HHS Director's report on the 2012-2013 Community Action Plan (CAP); conduct a public hearing to receive comments on the 2012-2013 CAP; adopt Resolution approving 2012-2013 Community Services Block Grant, Community Action Plan; and authorize the HHS Director to execute grant agreements, amendments and other documents related to the CSBG with the State of California.

HHS Deputy Director Enrique Arreola gave a staff report.

Chair Barrios opened the public hearing.



Speaking under public comment were: Hollister Youth Alliance Site Coordinator Katrina Valdez and Hollister Youth Alliance parent Maria Spandri, both of whom supported the Hollister Youth Alliance program.

There being no further public comment, Chair Barrios closed the public hearing.

**BOARD ACTION:** *adopted Resolution No. 2011-56 approving the 2012-2013 Community Services Block Grant, Community Action Plan and authorized the Director of HHSA to execute grant agreements, amendments and other documents related to the CSBG with the State of California. (Unanimous) File #939*

## **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:**

- 27) **Approve contract with Santa Cruz Regional 9-1-1 for Communications Services with a term to begin July 1, 2011 through June 30, 2012 at \$391,576, with an automatic renewal term of four years, unless terminated.**

County Administrative Officer Rich Inman gave a staff report and noted that he felt the savings indicated in the feasibility report was understated.

Those speaking under public comment were: Hollister resident Marty Richman, Field Representative for Assemblyman Alejo, Vanessa Rebecchi, Joe Keffer of SEIU 521, Hollister resident Valerie Macedo and San Benito County dispatcher Jonell Casada.

Management Analyst Margie Riopel spoke in regards to the savings that would be realized with contracting out.

The Board adjourned for a lunch break at 12:35 p.m. and reconvened at 1:30 p.m.

Ms. Riopel provided additional information and points brought up from the previous speakers and spoke in regards to the current system and the system that Santa Cruz County has. She also touched base on costs and the contract with the City of Hollister and what happens if the City goes with Santa Cruz 911 contract.

Robert Scattini, Hollister resident, also spoke in regards to 911 contract.

Supervisor Rivas thanked staff and Santa Cruz County for working on this issue. Supervisor Rivas said that this proposal needs through research and an analysis of our local 911 operations and service before he can support this agreement.

Supervisor De La Cruz had questions for Ms. Riopel, the Santa Cruz 911 staff and Joe Paul Gonzalez. Supervisor De La Cruz said that he would also like to have a comparison with something else and does not support without an analysis and a comparison.

Chair Barrios asked how much it would cost to get another study. Ms. Riopel replied that the City and County did provide the Santa Cruz 911 with figures and information. She said that the county did have input.

CAO Rich Inman said that it could take four to six months to get another analysis.

Supervisor Muenzer said that he had several meetings with SEIU, Santa Cruz 911 and the Sheriff.

Sheriff Thompson provided additional information in regards to the warrants that would be handled by the Sheriff's Department.

There were questions for the Sheriff, Ms. Riopel and Santa Cruz 911 from the Supervisors.

Supervisor Botelho said that once we make this decision it would be permanent and it should not be done in haste.

Discussion ensued by board and staff.

**BOARD ACTION:** Upon motion made by Chair Barrios and seconded by Supervisor Botelho, **approved** agreement between Santa Cruz Regional 9-1-1 for Communications Services for a term from July 1, 2011 to June 30, 2012 for \$391,576 with automatic renewals for an additional four years unless otherwise terminated. (3/2 vote, De La Cruz and Rivas voted no) *File #116*

#### **ADMINISTRATION – R. Inman:**

##### **28) Discussion and/or direction concerning the illegal street vendor issue.**

Supervisor Rivas spoke in regards to more clarity in regards to the protocol to confiscate private property pertaining to food vendors. Mr. Rivas said that our local policy is very vague and he wants to know if what we are doing is right and if it is legal and how to address this issue.

Environmental Health Director Vivian Nelson addressed Supervisor Rivas's concerns in regards to confiscating private property pertaining to food vendors.

County Counsel Matt Granger provided information in regards to what we can do legally to a street vendor that does not have a permit.

Discussion ensued by Board and staff.

*The consensus of the Board of Supervisors was to take the matter back to the inter-governmental committee for discussion with the Sheriff and Environmental Health Departments present.*

Those speaking on this matter: Marty Richman, Hollister resident.  
(Unanimous) *File #119*

#### **ADMINISTRATION – R. Inman:**

##### **29) Discussion and/or direction concerning three alternative options regarding redistricting of supervisorial districts utilizing 2010 census data.**

County Administrative Officer Rich Inman provided information in regards to the three alternative options regarding redistricting that was provided by staff.

Discussion ensued by Board and staff.

**BOARD ACTION:** *Upon motion made by Supervisor Rivas and seconded by Supervisor De La Cruz, **moved** to go forward with option 3, but bring all three options back for a public hearing to a date in the future and have staff contact all political affiliations in regards to the public hearings. (Unanimous) File #156*

#### **ADMINISTRATION – R. Inman:**

##### **30) Discussion to rescind the Board action of May 10, 2011 to begin budget hearing on July 11, 2011 and set budget hearings for FY 2011-2012 to begin 9:30 am Tuesday July 19, 2011 and direct the Clerk of the Board to post and publish notice of hearings as required.**

County Administrative Officer Rich Inman provided information to change budget hearings from July 11, 2011 to July 19, 2011 to begin at 9:30 a.m., due to a conflict for Supervisor Rivas on July 11, 2011.

**BOARD ACTION:** Upon motion made by Supervisor De La Cruz and seconded by Supervisor Rivas, **approved** item as presented. (Unanimous) File #865

**PLANNING DEPARTMENT – G. Armstrong:**

- 31) **Make the CEQA Findings set forth in Section 2 of the Ordinance; adopt ordinance, amending Section 3.05.051 of Chapter 3.05 of title 3 of the San Benito County Code (County Organizations), amending the duties of the Planning Commission.**

Planning Director Gary Armstrong provided information in regards to the proposed ordinance amending the duties of the Planning Commission.

**BOARD ACTION:** Upon motion made by Chair Barrios and seconded by Supervisor Botelho, **adopted Ordinance No. 875**, amending §3.05.051 of Chapter 3.05 of Title 3 of the San Benito County Code and making the CEQA Findings set forth in Section 2 of the Ordinance. (Unanimous) File #790

**PLANNING DEPARTMENT – G. Armstrong:**

- 32) **Make the CEQA Findings set forth in Section 2 of the Ordinance; adopt Ordinance, adding a new Chapter 19.41 (Indemnification) to Title 19 of the San Benito County Code, requiring Indemnification by applicants for certain county approvals.**

Planning Director Gary Armstrong provided information in regards to proposed ordinance regarding Applicant Indemnification of the County of San Benito.

Mr. Armstrong said that this ordinance would not take effect until August and current applications are not affected, only new applications.

County Counsel Matt Granger provided clarification.

Discussion ensued by Board and staff.

Those speaking on this matter: Marty Richman, Hollister resident.

**BOARD ACTION:** Upon motion made by Supervisor Botelho and seconded by Chair Barrios, **made the CEQA Findings set forth in Section 2 of the Ordinance; adopted Ordinance No. 876**, adding a new Chapter 19.41 (Indemnification) to Title 19 of the San Benito County Code. (Unanimous) File #790

**SUPERIOR COURT – G. Solorio:**

- 33) **Approve Memorandum of Understanding for services exchanged between the County of San Benito and the Superior Court.**

Executive Officer Gil Solorio from the County of San Benito County Superior Court provided information in regards to the proposed MOU between the County and the Superior Court.

**BOARD ACTION:** Upon motion made by Supervisor Rivas and seconded by Supervisor Muenzer, **approved** item as presented. (Unanimous) File #595

The vote of each member of the Board of Supervisors upon each matter at the foregoing meeting, unless otherwise stated, was as follows:

AYES: SUPERVISORS: Barrios, De La Cruz, Botelho, Rivas, Muenzer  
NOES: SUPERVISORS: None  
ABSENT: SUPERVISORS: None

There being no further business the Board adjourned to June 28, 2011 at 9:00 a.m.

MARGIE BARRIOS, CHAIR  
San Benito County Board of Supervisors

ATTEST:

Denise Thome, Clerk of the Board (morning session)

Janet Slibsager, Asst. Clerk of the Board (afternoon session)