



## SAN BENITO COUNTY BOARD OF SUPERVISORS

Don Marcus  
District No. 1

Anthony Botelho  
District No. 2  
Vice-Chair

Pat Loe  
District No. 3

Reb Monaco  
District No. 4

Jaime De La Cruz  
District No. 5  
Chair

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

### REGULAR MEETING NOVEMBER 25, 2008 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date *in regular session*. Supervisors Monaco, Loe, Marcus, and De La Cruz were present. Supervisor Botelho was absent. Also present was County Administrative Officer Susan Thompson, County Counsel Dennis Le Clere and Assistant Clerk Janet Slibsager. Chairman Jaime De La Cruz presided.

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

- a) Supervisor Monaco led the Pledge of Allegiance.

*Supervisor Loe asked everyone to stand for a moment and reflect on the entire blessing we have in this community.*

- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*

- c) **Public Comment:** Joe Thompson, local resident, spoke in regards to small businesses and how they are drowning in debt and strangled by regulations and how we need a change of policy. Mr. Thompson thanked County Administrative Officer Susan Thompson for her remarks at the San Benito County Economic Corporation meeting for indicating that she too sees that we need a course correction, fees must cover costs.

Natasha Wist, Co-Chair for Hollister People for Peace, reminded everyone about their presentation that will be at the San Benito County Library on December 3, 2008 at 7:00 p.m. They will have a community discussion and brainstorming about the movie Save our Land, Save our Town.

Mary Zanger, Co-Chair for Hollister People for Peace, stated she would like to enforce what Joe Thompson talked about having a vibrant community and believes the movie that they will be showing at the library will help give some thought to that project.

- d) **Department Head Announcements:** County Administrative Officer Susan Thompson announced that there would be an Economic Development Corporation Board meeting retreat on December 10, 2008.

Ms. Thompson announced that she and Supervisor Monaco would be attending the CSAC annual meeting from December 1<sup>st</sup> through December 3<sup>rd</sup> in San Diego.

Public Works Administrator Janelle Cox announced that a grant application has been submitted to the State of California for the River Parkway Grant. The grant application was for 1.3 million dollars with a 2.8 million dollar match, which is a donation of 112 acres from Granite Rock, and the property in question is located in the Union Hospital Road area. The total project cost is 4.1 million dollars and the scope would include recreational and some conversion components.

Supervisor Monaco stated he supports the project and believes it is an excellent project.

County Librarian Nora Conte mentioned that Literacy Program Coordinator Diane Leveridge will be leaving and that she has served as a volunteer coordinator for the past two years and she was recently acknowledged by the community for her contributions to the Literacy Program.

e) **Board Announcements, Introductions and Presentations:**

Supervisor Monaco announced that the Monterey Bay Unified Pollution District has recently gone through a process of recruiting a new air pollution control officer. The contract has been offered to a Mr. Steidman from Washington State.

Supervisor Marcus thanked the Administrative Staff, Sheriff's Department, Health & Human Resources and the District Attorney's Office for working through a very difficult process this past week with a tragic death of an infant child in his district and in keeping the Board informed.

Supervisor Marcus announced that the Pajaro River Authority's next meeting will be on January 9, 2009 and they will be covering the soap lake preservation project, which is a very important project in San Benito County.

Chairman De La Cruz reported that there was a gang fight around the corner from where he lives and feels that the County and City needs to move forward regarding the gang task force.

Chairman De La Cruz thanked the members of the community for their contributions to the 4-H Clubs to help out the Community Pantry.

<b>CONSENT AGENDA:</b>
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*Upon motion made by Supervisor Monaco and seconded by Supervisor Marcus, approved Consent Agenda Items 1 through 15, pulling items 6 and 15 for discussion and action. (Unanimous)*

**AGRICULTURAL COMMISSIONER – P. Matulich:**

- 1) **Approved** contract with the California Department of Food & Agriculture for Nursery inspection services for FY 2008/2009 in amount of \$4,426.00; authorize the Chair to sign contract; and Agricultural Commissioner to sign contract certification. *File #1.1*
- 2) **Approved** contract with the California Department of Food & Agriculture for Sudden Oak Death services for FY 2008/2009 in amount of \$654.22; **authorized** the Chair to sign contract; and Agricultural Commissioner to sign contract certification. *File #1.1*

**BEHAVIORAL HEALTH DEPARTMENT- A. Yamamoto:**

- 3) **Approved** contract with Willow Glen Care Center, Inc. for residential treatment services for the period of November 25, 2008 to June 30, 2009 for a maximum amount of \$22,000. *File #810*
- 4) **Approved** contract with Liz Alameda for Facilitation Domestic Violence Diversion Groups for the period of November 25, 2008 to June 30, 2009 for a maximum total of \$14,000. *File #810*

**CLERK OF THE BOARD – L. Churchill:**

- 5) **Approved** the action minutes of the October 14, 2008, October 28, 2008 meetings and the November 6, 2008 Board Retreat Special Meeting.
- 6) **Approve amended Conflict of Interest Code for 2008 for the Board of Directors of the Council of San Benito County Governments as required by the Political Reform Act.**

Joe Thompson, local resident, spoke in regards to his concern of how the agenda items appear and how there are some serious misleading elements in his opinion the way this item reads on the agenda.

**BOARD ACTION:** *Upon the motion made by Supervisor Loe and seconded by Supervisor Marcus approved* amended Conflict of Interest Code for 2008 for the Board of Directors of the Council of San Benito County Government as required by the Political Reform Act. (Unanimous) *File #285.7*

**COUNTY CLERK, AUDITOR & RECORDER – J. P. Gonzalez:**

- 7) **Adopted Resolution No. 2008-113**, accepting the certified statement of election results for the November 4, 2008 Statewide General Election. *File #285*

**COUNTY LIBRARIAN – N. Conte:**

- 8) **Approved** and directed staff to make purchase of the additional features to equip the Bookmobile from OBS, Inc. at an amount not to exceed \$11,091. *File #80*

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

- 9) **Reappointed** Ms. Celia Sepulveda to the Community Action Board for a three-year term effective November 25, 2008 through November 25, 2011. *File #939*
- 10) **Approved** contract amendment between Community Services and Workforce Development and Community Services Development Corporation to extend through December 31, 2009 for funding for transitional shelter to homeless families in San Benito County and **authorized** the Health & Human Services Director to sign. *File #939*

**INTERNAL SERVICES – R. Inman:**

- 11) **Approved** County Vehicle Log for twenty-four (24) hour assigned vehicles. *File #630*
- 12) **Approved** three percent (3%) cost of living adjustment for all appointed and elected department heads effective first pay period in January 2009. *File #630*

**LAW LIBRARY BOARD OF TRUSTEES – C. Copeland:**

- 13) **Accepted** the Law Library Board of Trustees Annual Report. *File #595*

**PROBATION DEPARTMENT – B. Cardall:**

- 14) **Approved** agreement with Monterey County for reciprocal bed space placement of certain juvenile wards for the period of November 25, 2008 to June 30, 2013. *File #510*

**SHERIFF/CORONER – C. Hill:**

- 15) **Authorize the Sheriff to participate and receive \$163,888 under the Cal-MMET Program; and authorize the San Benito County Sheriff to sign the Grant Award Application.**

Supervisor Marcus stated that he would like to have Sheriff Hill share with the public what this item means for San Benito County and commended the Sheriff for a job well done.

Sheriff Hill stated this is a grant that authorizes the Sheriff's Office to participate and receive \$163,888 under the California Multi-jurisdictional Methamphetamine Enforcement Team (CalMMet) Program and get money back to our county.

**BOARD ACTION:** *Upon motion made by Supervisor Marcus and seconded by Supervisor Monaco, **authorized** the Sheriff to participate and receive \$163,388 under the Cal-Mmett Program; and authorize the San Benito County Sheriff to sign the Grant Award application. (Unanimous) File #110*

**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.*

**ADMINISTRATIVE BUSINESS – S. Thompson:**

- 16) **Accept the completed Hollister Urban Area Water and Waste Master Plan as the basis for planning and developing water and wastewater projects with the understanding that CEQA process must be followed for each project to be implemented.**

Program Manager Harry Blohm of the Hollister Urban Area Water and Wastewater Master Plan provided background information in regards to the handout he provided on the Hollister Urban Area and Wastewater Master Plan.

Mr. Blohm stated that in order to move forward and have this plan serve as the basis for your water planning and wastewater planning throughout the next fifteen years, the staff and the governance committee recommends that this master plan be accepted as the basis for water planning in the Hollister Urban Area 2023.

Supervisor Marcus thanked Mr. Blohm and Supervisor Loe stating it was a pleasure to work with them on this plan. Supervisor Marcus mentioned that he hopes that the Board moves forward with the ratification of this master plan.

Supervisor Monaco thanked everyone who worked on this master plan and commended the committee.

Supervisor Loe stated she would like to echo everything that has been said, this is a great day and we finally achieved a mission that we have been working on for many years. Supervisor Loe thanked CAO Susan Thompson and Mr. Blohm for all of their hard work.

**BOARD ACTION:** *Upon motion made by Supervisor Monaco and seconded by Supervisor Loe, moved to accept the report as presented and move forward. (Unanimous) File #685*

**PROBATION DEPT. – B. Cardall:**

**16.1) Adopt Resolution authorizing the Chief Probation Officer to submit the application for the Juvenile Accountability Block Grant (JABG) with the Corrections Standards Authority (CSA) for the Gang Intervention Grant.**

Chief Probation Officer Brent Cardall provided background information in regards to applying for the Juvenile Accountability Block Grant (JABG) in the amount of \$850,000.

Mr. Cardall stated that if they receive any funds, the intent of these funds are to address gang issues in San Benito County by hiring a full time gang coordinator; establish, implement and administer a software program/case management system for intelligence and collaborating among local law enforcement and school districts and establish and implement graduated sanctions through a Community Accountability Board (CAB).

Lengthy discussion ensued by Board and staff.

Marty Richman, Hollister resident, stated that he was glad to see that we are doing something about gangs, but at the rate we are moving it is going to take another couple of months to find somebody and to get the program running. Mr. Richman mentioned that the gangs are out there working every day, night, etc. and we need to get moving now.

**BOARD ACTION:** *Upon motion made by Supervisor Monaco and seconded by Supervisor Marcus; **authorized** the San Benito County Probation Department to submit the JABG Gang Intervention Grant and Resolution to the California Standards Authority. (Unanimous) File #510*

**COUNTY CLERK, AUDITOR & RECORDER – J. P. Gonzalez:**

**17) Accept the Elections Office report on the November 4, 2008 Presidential Election; and direct staff as appropriate.**

Clerk/Auditor/Recorder Joe Paul Gonzalez provided information in regards to the November 4, 2008 Presidential Election.

Mr. Gonzalez mentioned that this was the largest election that he could remember, with 82% turn out, and that there were about 250 people from the community that helped out in the election process.

Mr. Gonzalez stated that he had a couple of recommendations which were: Direct Election staff to work with the Administrative Office to develop alternatives for the acquisition of a County controlled election tally room; direct Election staff to bring back for Board action the purchase of a Sequoia 400-C Optical Scanning Machine to be used as a backup machine.

Supervisor Monaco and Marcus thanked Mr. Gonzalez and his staff for an outstanding job.

Lengthy discussion ensued by Board and staff in regards to a request from Elections to purchase another Sequoia 400-C Scanning Machine as a backup machine and the cost and alternatives for a tally facility.

Supervisor Loe suggested that Mr. Gonzalez work with CAO Susan Thompson and come back with a plan that they are comfortable with.

Marty Richman, Hollister resident, mentioned that it is important to try and count votes quickly to keep the people interested, especially with the big election that we just had.

Ruth Erickson, Hollister resident, mentioned that she was an inspector at one of the polling places and in response to Chairman DeLaCruz, it would be very difficult to get the elections done by 8:05 at the polling places because the rooms need to be cleaned, every thing needs to be boxed up and you need to fill out your reports and then drive the boxes to the Elections Department. Lots of work needs to be done.

Margie Barrios, Hollister resident, mentioned that maybe we should look into looking into a better service or maintenance contract, since that seems to be where the problem was.

*Chairman De La Cruz stated that the direction from the Board was for CAO Susan Thompson and Joe Paul Gonzalez to come up with some ideas that will work and report back to the Board. File #285*

#### **COUNTY COUNSEL – D. LeClere:**

- 18) a. **Introduce Ordinance Enacting the 2008 Edition of the Code of Ordinances for the County of San Benito, revising, amending, restating, codifying and repealing certain ordinances as specified; waive reading of said ordinance;**
- b. **Direct and authorize the Clerk of the Board of Supervisors to set a public hearing on December 16, 2008, for the adoption of said ordinance, and cause notice of the public hearing and a summary of the ordinance to be published.**

County Counsel Dennis LeClere provided an introduction of the Ordinance enacting the 2008 Edition of the County Code and the request to set a hearing for December 16, 2008 for adoption.

Mr. LeClere mentioned that once this ordinance is adopted, the County would be able to post the new code on the County's website and it would be accessible to County employees and members of the public.

Discussion ensued by Board and staff.

Joe Thompson, resident, mentioned that three weeks is a short period of time to undertake a monumental review of something like this.

**BOARD ACTION:** *Upon motion made by Supervisor Monaco and seconded by Supervisor Loe, introduced Ordinance Enacting the 2008 Edition of the Code of Ordinances for the County of San Benito, Revising, Amending, Restating, Codifying, Compiling and Repealing certain Ordinances as specified herein, and waived reading of said ordinance; and **directed** and **authorized** the Clerk of the Board of Supervisors to set a public hearing on December 16, 2008 at 9:00 a.m. for the adoption of said ordinance, and cause notice of the public hearing and a summary of the ordinance to be published. (Unanimous) File #160*

#### **COUNTY LIBRARIAN – N. Conte:**

- 19) **Review Library Department two-year activities report covering 2006/2007 and 2007/2008.**

County Librarian Nora Conte provided background information on the Library's two-year activities report for the period of 2006/2007 and 2007/2008.  
*File #80*

**INTERNAL SERVICES – R. Inman:**

**20) Presentation by Rich Garza concerning Veterans' Cemetery at Fort Ord and Veterans' Transition Center of Monterey County.**

Internal Services Director Rich Inman introduced Richard Garza, County Veterans Service Officer, who provided a brief history in regards to the Veterans' Cemetery project at Fort Ord and provided a handout.

Supervisor Monaco thanked Mr. Garza for coming and making people aware of this project.

Supervisor Loe asked if staff could draft a resolution of support.

Chairman De La Cruz asked that this item be put on December 16, 2009 Board of Supervisors meeting to adopt a Resolution of Support.

Chairman of the Board of the Veterans Transition Center Tom Griffin spoke in regards to the Veterans Transition Center of Monterey County. Mr. Griffin noted that this program is not just for Monterey County; they want to be able to help and serve homeless veterans or about to be homeless in San Benito County and the Southern Santa Clara County. They are taking people from Fresno County because this is the only program in this part of the State that provides a program. Mr. Griffin announced if there is anyone that is interested in placing a homeless veteran they could contact the Monterey County Veterans Affairs Office at 831-883-8387.

Supervisor Loe and Monaco mentioned they appreciated the presentation and were not aware of this program.

Supervisor Monaco mentioned that he would like to have some brochures put in the lobby for the public.

Ruth Erickson, Hollister resident, asked if this same presentation could be made to the Hollister City Council to help get the work around.

Marty Richman, Hollister resident, stated that these are worthy programs and believes a lot of people do not know about these programs. Mr. Richman stated he would like to encourage Mr. Garza and Mr. Griffin to go out and brief the County and City staff in regards to these programs. *File #125*

**21) Discussion and action regarding revising Public Works Administrator job specification.**

Director of Internal Services Rich Inman provided information in regards to a question that was raised at the last Board of Supervisors Retreat in regards to revising the Public Works position.

Mr. Inman provided copies of the current Public Works Administrator job description, with intent, if there any additions that the Board would like to add they can do so.

Discussion ensued by Board and staff.

Mr. Inman mentioned that they would be looking for a qualified executive search firm to assist with the recruitment of the Public Works Administrator and County Counsel position and an update will be provided to the Board of Supervisors with regards to the process to select a qualified executive search firm. *File #630*

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

### **22) Receive report of 2007 California Climate Action Registry Emissions.**

Integrated Waste Manager Mandy Rose provided background information in regards to the counties greenhouse gas emissions under the 2007 California Climate Action Registry Emissions report.

Lengthy discussion ensued by the Board and staff. *File #142*

## **ADMINISTRATIVE BUSINESS – S. Thompson:**

### **23) First quarter budget status.**

Management Analyst Kellie Kennedy provided information regarding the first quarter budget status with a power point presentation, which covered Departmental Revenue and Expenditures for period ending September 30, 2008; First Quarter Budget Adjustments; Pending Legislative Impacts and Mid-Year Budget Considerations.

Lengthy discussion ensued by Board and staff.

Health & Human Services Director Kathy Flores provided information in regards to the Health & Human Services impacts due to the significant reductions proposed by the Governor in November.

Discussion ensued by Board and staff.

Ms. Kennedy provided information into looking ahead to; Mid Year Consideration, State Budget Impact Adjustments, Departmental Adjustments, Budget Impacts resulting from Employee Benefit Payout.

**BOARD ACTION:** *Upon motion made by Supervisor Loe and seconded by Supervisor Marcus; moved to make budget adjustment in the amount of \$496,276. (Unanimous) File #119*

## **CLOSED SESSION:**

*The Board adjourned into Closed Session at 4:26 p.m. and reconvened into Regular Session at 4:30 p.m. re:*

### **24) Conference with Labor Negotiator**

Authority: California Government Code Section 54957.6

Agency Designated Representative: Rich Inman, Director, Internal Services

Employee Organization: Law Enforcement Management (LEM)

***No reportable action. File #235.6***

### **25) LIABILITY CLAIMS: (Government Code Section 54956.95)**

Number of claims: (2)

1.) Claimant: Gayle Leier

Agency claimed against: County of San Benito

2.) Claimant: Linda, Gregory and Rachel Bergen

Agency claimed against: County of San Benito

***Item was pulled from the agenda and not considered. File #235.6***



## AFTERNOON SESSION

### 1:30 P.M.

#### CONSENT AGENDA:

*Upon motion made by Supervisor Monaco and seconded by Supervisor Loe, approved Consent Agenda Items 26 through 32, pulling item 31 for discussion and action. (Unanimous)*

#### **PUBLIC WORKS DEPARTMENT – J. Cox:**

- 26) ***Ratified*** the emergency purchase and installation of the Board Chambers Audio Upgrade Equipment, Purchase Order No. 080948, Pursuant to Ordinance No. 811, Section 13-13, Emergency Purchases Without Prior Approval, from VMI, Inc. in amount of \$16,168.25. *File #156*
- 27) ***Authorized*** the Acting Public Works Administrator to approve change orders on the Stanley Convergent Security Solutions contract for the Juvenile Hall control panel, when needed, not to exceed 10% of the contract amount, or \$22,054. (4/5 Vote) *File #120.5*
- 28) ***Approved*** agreement with the California Department of Transportation for the Regional Surface Transportation Program (RSTP) Federal Apportionment Exchange Program and State Match Program for Fiscal Year 2007-2008, in the amount of \$239,849; ***adopted Resolution No. 2008-114***, approving allocation of said funds; ***authorized*** the Chair to sign said agreement and resolution. *File #105*
- 29) ***Approved*** contract with Bengal Engineering, LP for engineering, environmental and design services for the Hospital Road Bridge Project for the period of July 1, 2008 to June 30, 2010 in the amount of \$708,500. *File #105*
- 30) ***Approved*** joint use agreement with the North County Joint Union School District for the Renovation of Athletic Fields at Spring Grove School for the period of November 25, 2008 to November 24, 2028, in the amount of \$450,000; and ***directed*** the Acting Public Works Administrator to submit all documents necessary.  
*File #13*
- 31) **Accept the bids received on November 13, 2008; award contract to Sanchez Incorporated for Clerk/Recorder remodel in an amount of \$262,000; and authorize the chair to sign; and authorize the Acting Public Works Administrator to approve necessary change orders, not to exceed 10% of the contract amounts, and approve budget adjustment.**

CAO Susan Thompson provided clarification that this item requires a 4/5 vote, which was not noted on the agenda.

Supervisor Marcus had a question in regards to the financial considerations showing the project was budgeted for \$190,000, with the increased cost of construction, inflation and unforeseen circumstances the amount is now \$427,176.

Public Works Administrator Janelle Cox explained that there was an increase due to the scope. The project was originally budgeted for the construction project and we are now adding other things such as furniture that was not budgeted for originally, also the cost of construction has increased since they made the original estimate.

**BOARD ACTION:** *Upon motion made by Supervisor Marcus and seconded by Supervisor Monaco; **accepted** the bids received on November 13, 2008 and **awarded** contract to Sanchez Incorporated, in the amount of \$262,000 and **authorized** the chair to sign; and **authorized** the Public Works Administrator to approve change orders, when needed, not to exceed 10% of the contract; and approved budget adjustment in the amount of \$213,373.*

**Roll Call:** Supervisor Monaco - Yes  
Supervisor Loe – Yes  
Supervisor Monaco – Yes  
Chairman De La Cruz – Yes  
(The motion passed 4-0) File #105.3

- 32) **Extended** contract to Big Red Yard Service for landscaping services for CSA's until March 31, 2009. File #105.3

**1:30 p.m. PUBLIC HEARING:** *(Or as soon thereafter as the matter may be heard)*

**PLANNING DEPARTMENT – A. Henriques:**

- 33) **Hold a public hearing to consider an ordinance for Zone Change (ZC 08-161) Request: A Zone Change from Rural (R) to Rural-Planned Unit Development (R-PUD) for the purpose of subdividing approximately 200 acres into 17 one-acre lots, a 68-acre open space parcel, and a remainder lot of 115 acres. Applicant/Appellant: Guerra Nut Shelling. Location: 500 John Smith Road, Hollister, CA. APN 025-100-007. CEQA Determination: Mitigated Negative Declaration.**

Planning Director Art Henriques provided background information in regards to the public hearing for a zone change, Guerra Nut Shelling.

Planning & Building Director Byron Turner provided details in regards to the Planning Commission recommendations.

Mr. Turner stated that the Staff and the Planning Commission are recommending at this time to approve and adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; adopt the CEQA findings, PUD findings and finding that approval of zone change 08-161 will serve the public necessity, convenience, general welfare or good zoning practice, as reflected in the Board Report and the Planning Commission Resolution No. 2008-04 and adopt Ordinance approving zone change 08-161.

Chairman De La Cruz opened public hearing.

Owner applicant Al Guerra had a concern in regards to condition number 11, which requires that they pay \$27,019.60 per unit in-lieu fees to satisfy the condition of the Inclusionary Housing.

Mr. Guerra provided a handout in regards to the In-Lieu Fee/Inclusionary Housing, asking for a proposal to change conditions in regards to their zone change per the handout.

The applicant answered questions posed by Board Members.

Discussion ensued by Board and staff.

County Counsel Dennis LeClere mentioned that on the agenda today is the action for the zone change only. Mr. LeClere said if there needs to be more clarification, then this item should be put on a future agenda for discussion by the Board.

Deputy County Counsel Barbara Thompson provided additional information to possibly bring back to the Board and continue hearing for another date so the Board may review ordinance.

Lengthy discussion ensued by Board and staff.

Mr. Guerra mentioned that they would agree to continue this item to 90 days, but no longer.

Chairman closed the public hearing.

**BOARD ACTION:** *Upon motion made by Supervisor Monaco and seconded by Supervisor Loe, continued public hearing to March 3, 2009 at 1:30 p.m. (Unanimous) File #790*

## **REGULAR AGENDA:**

### **PUBLIC WORKS DEPARTMENT – J. Cox:**

- 34) Receive the Construction Delivery Methods Workshop; find that the construction management at risk method is preferred and suitable for the three construction projects programmed in the 5-year Capital Improvement Program.**

Public Works Administrator Janelle Cox provided information in regards to the construction management 5-year Capital Improvement Program for design and construction of three substantial facilities; the One Stop Center, Jail Expansion and the Sheriff's Administration Building.

Capital Project Manager Theresa Yee provided a PowerPoint presentation in regards to the Construction Delivery Methods. Ms. Yee covered the following items: brief history, delivery methods, construction management team, design-bid-build, trade contracting, design-build, CM at risk, lease-leaseback, construction delivery methods and staff recommendations.

Discussion ensued by Board and Staff.

Chairman De La Cruz asked that this item be placed on the December 16, 2009 meeting to provide additional information for review. *File #105*

### **PLANNING DEPARTMENT – A. Henriques:**

- 35) Receive report and Changes to the County resale Restriction Agreement and provide direction to staff or approve as proposed.**

Planning Director Art Henriques and Housing Program Coordinator C.J. Valenzuela provided information and the changes to the County Resale and the Refinance Restriction Agreement. Mr. Valenzuela mentioned that they are proposing to revise the document to read; Resale and Refinance Restriction Agreement and propose the change in language to read fixed rate or an approved non-fixed rate loan.

Al Guerra, Hollister resident, encouraged the board to do away with this document one of these days.

**BOARD ACTION:** *Upon motion made by Supervisor Loe and seconded by Supervisor Marcus, approved document as proposed. (Unanimous) File #790*

- 36) **Receive report on Neighborhood Stabilization Grant Program update; provide direction to staff and set time on December 2, 2008 for review of draft comment letter to Housing and Community Development (HCD).**

Planning Director Art Henriques reported that they did not receive any money from the Neighborhood Stabilization Grant Program. Mr. Henriques mentioned it looks like a lot of the rural counties did not receive much, if any.

Supervisor Loe stated she has contacted Senator Sam Farr's office, Assembly Member Anna Caballeros Office and Senator Jeff Denham's office, asking each of them to send a letter to the Department of Housing pleading our case. *File #790*

- 37) **Review proposed General Plan Advisory Committee bylaws and approve proposed bylaws.**

Planning Director Art Henriques provided information regarding the bylaws for the General Plan Advisory Committee.

Mr. Henriques stated they are hoping to get the committee together the 2<sup>nd</sup> week in December 2008.

**BOARD ACTION:** *Upon motion made by Supervisor Marcus and seconded by Supervisor Loe, approved by-laws as presented. (Unanimous) File #790*

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: Monaco, Loe, Marcus, De La Cruz

NOES: SUPERVISORS: None

ABSENT: SUPERVISORS: Botelho

There being no further business the Board adjourned to December 2, 2008 at 9:00 a.m. for a regular meeting.

**JAIME DE LA CRUZ, CHAIRMAN**

San Benito County Board of Supervisors

**ATTEST:**

Janet Slibsager

Asst. Board Clerk