



SAN BENITO COUNTY BOARD OF SUPERVISORS

Don Marcus
District No. 1
Chair

Anthony Botelho
District No. 2

Pat Loe
District No. 3

Reb Monaco
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 AUGUST 7, 2007 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, Botelho, De La Cruz and Marcus were all present. Also present was County Administrative Officer Susan Thompson, County Counsel Dennis Le Clere and Clerk of the Board Janet Slibsager. Chairman Don Marcus presided.

9:30 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 / RECOGNITIONS:**
Chairman Marcus presented a certificate of recognition, on behalf of the County of San Benito, to Geraldine Doman who is leaving after more than 13 years of dedication and service to the San Benito County Tax Collector/Treasurers Department.
- d) **Public Comment:**
Joe Pendry, Former Substance Abuse Program Director voiced his concerns regarding the Substance Abuse Program. He has had many comments from citizen's who have approached him regarding what is not going on in the Substance Abuse Program.

Marty Richman thanked the County Administration and the members of the Board for foregoing their portion of the grant that the City of Hollister is going to apply for regarding Public Safety funds so they can put in video machines in some of their cars.
- e) **Department Head Announcements:** County Administrative Officer Susan Thompson announced that the Secretary of State and the State of California have made a decision that will probably cause every county in the State that have converted to automotive voting systems to have some significant problems in getting our elections conducted. The Secretary of State has decertified all electronic voting machines in the State of California, which means the new voting machines that our county bought last year at the States insistence and the only system the State had certified at that time are now

decertified. This could be a serious problem for us since we have three elections in the upcoming fiscal year. Ms. Thompson stated she would be coming back to the board with some options and ideas noting that County Clerk, Joe Paul Gonzales will be the point person.

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

Supervisor De La Cruz announced that some community members in his neighborhood got together and cleaned up the Tony Aguirre Park and he commended the City of Hollister for providing the necessary tools and manpower. Supervisor De La Cruz also commended the Correction Department, Yolanda and Nick, for providing the resources and he thanked the public for their time.

Supervisor De La Cruz commended Supervisor Loe for a great effort in the Relay for Life Event.

Supervisor Loe announced that the Relay for Life raised over \$180,000 and there was still money coming in and they are taking donations until August 25th. She thanked Sheriff Hill and his deputies and the Deputies Sheriffs Association for all of their support. Supervisor Loe said there was tremendous support from the community and thanked everyone who participated.

Chairman Marcus stated he had the honor of being part of the opening ceremony at the Relay for Life and it was a tremendous event.

CONSENT AGENDA:

Upon motion made by Supervisor De La Cruz and seconded by Supervisor Monaco, approved Consent Items 1, 2, 3, 4, 6, 7, 8, 9 and 10. Item 5 was withdrawn from the agenda for discussion.

BEHAVIORAL HEALTH – A. Yamamoto:

- 1) **Approved** contract with Sequoia Psychiatric Health Facility for acute inpatient psychiatric hospital care for a maximum amount of \$50,000 for the term of August 28, 2007 through June 30, 2008. *File #810*
- 2) **Approved** contract renewal with Good Samaritan/Mission Oaks Hospital for adult psychiatric hospitalization when needed, for a maximum amount of \$50,000, for FY 2007/2008. *File #810*
- 3) **Approved** contract renewal with St. Helena Hospital Center for inpatient, acute psychiatric hospital services for children and adolescents for a maximum amount of \$50,000 for FY 2007/2008. *File #810*
- 4) **Approved** the appointment of Diane Ortiz as a public interest and family member to the Mental Health Board for the term August 7, 2007 to August 8, 2010. *File #810*

ADMINISTRATIVE BUSINESS – S. Thompson:

- 5) **Approve sole source purchase and installation of a play structure and safety surfacing for the John Z. Hernandez Park, in the amount of \$38,621.62.**

BOARD ACTION:

Supervisor De La Cruz stated he would like to have it read not to exceed the amount of \$38,621.62. Upon motion made by Supervisor De La Cruz and seconded by Supervisor Botelho, approved as recommended. (Unanimous) File #93

- 6) **Approved** amendment to original contract with Rich Inman, Director Internal Services/Assistant County Administrative Officer that provides adjustments in salary and administrative leave provisions. (Continued from July 24, 2007 meeting) File #630

HEALTH & HUMAN SERVICES – K. Flores:

- 7) **Approved** contract with Planned Parenthood Mar Monte for provision of teen pregnancy prevention services for an amount of \$54,400 for the FY 2007/2008 and **authorized** the H & HSA Director to sign said contract. File #420

SHERIFF'S DEPARTMENT – C. Hill:

- 8) **Adopted Resolution No. 2007-68** authorizing acceptance of the cash donations from Hollister Rotary Club, San Benito County Deputy Sheriff Association and IBD Products for "National Night Out" to be held on Tuesday, August 7, 2007 from 5:30 pm to 8:00 pm in San Juan Bautista for children of all ages to learn about public safety in a fun atmosphere. File #110
- 9) **Approved** Memorandum of Understanding with the City of Hollister to apply for the 2007 Byrne Justice Assistance Grant (JAG) and **authorized** the County Administrative Officer to sign on behalf of the County of San Benito. File #110
- 10) **Approved** the request for out of state travel for Sergeant Mike Rodrigues, to attend the 2007 IOMGIA (International Outlaw Motorcycle Gang Investigators Association) Annual Conference in West Palm Beach, Florida from September 4-9, 2007. File #110

REGULAR AGENDA:

PLANNING DEPARTMENT – A. Henriques:

- 11) **Introduce ordinance revising Chapter 30 of the San Benito County Code, General Plan and Specific Plan-Local Procedures, also known as the General Plan Potential Residential Growth Increase (PRGI) ordinance; waive reading of said ordinance; and continue to August 14, 2007 Board of Supervisors meeting for final adoption.**

Art Henriques, Planning Director, provided a power point summary of the staff report and additional comments. Mr. Henriques reported that some concerns were addressed to the Board on July 24, 2007 in regards to the proposed PRGI ordinance draft changes. The PRGI committee met on July 30th and provided further direction to staff to update the proposed ordinance as following:

- a. Include an advisory vote of the people once a complete application for a project is submitted.
- b. Retain a Referendum vote of the people after the Board of Supervisors makes a decision of a General Plan amendment and/or specific plans under PRGI.
- c. Clarify transfer of development credit-bonus density (TDC) language.
- d. Retain a 500-unit annual cap for related projects less than 100 units each.

- e. Clarify that exemptions from the vote requirements include comprehensive General Plan amendments including residential and housing element updates initiated by the County.

Mr. Henriques stated the main change to the ordinance proposed to the Board today is type and timing of the vote.

Chair Marcus thanked Planning Department and the committee for their hard work.

The following members of the public addressed the Board: Annette Giacomazzi, Ann Carpenter, Jeannette Langstaff, Susanna Langstaff, Marty Richman, Janet Brians, Tony Ruiz, Stephen Rosati.

Alexander Henson, Attorney, for concerned citizens of San Benito County gave the Board a heartfelt thank you regarding the staff report and response by County Officials that has been so responsive. Mr. Henson stated having two votes, one at the front and the back, is smart and the people need to make that decision. Mr. Henson asked that the Board adopt as proposed.

The Board of Supervisors provided comments.

BOARD ACTION: *Upon motion made by Supervisor Monaco and seconded by Supervisor Botelho, directed Planning Department to delete the language pertaining to an advisory vote and keep everything else intact; and to look at affordable housing language. (4-1 vote. Loe voted no) The revised ordinance, excluding the advisory vote language will be reintroduced at the August 14, 2007 meeting and scheduled for adoption on August 28, 2007. 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, De La Cruz, Marcus, Botelho
NOES: SUPERVISORS: None
ABSENT: SUPERVISORS: None

There being no further business the Board adjourned to August 28, 2007 at 9:30 a.m. for a regular meeting.

DON MARCUS, CHAIRMAN

San Benito County Board of Supervisors

Attest:

Linda Churchill, Clerk of the Board

By: Janet Slibsager, Deputy Clerk