



## 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 OCTOBER 9, 2007 ACTION MINUTES

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

#### 9:30 a.m. CALL TO ORDER:

- a) Supervisor Loe led the Pledge of Allegiance.
- b) *Upon motion duly made, seconded and carried, acknowledged Certificate of Posting.*

Chairman Marcus wished County Administrative Officer Susan Thompson a happy birthday.

Nancy Griffin, current Executive Administrator for the San Benito County Farm Bureau introduced Mindy Sotelho who is replacing Ms. Griffin upon her retirement.

#### c) **PRESENTATIONS / RECOGNITIONS:**

- Chairman Marcus presented a Certificate of Recognition to Mary Covell who is retiring after 30 years with the County of San Benito Probation Department.
- Supervisor Loe presented Mickie Luna, LULAC representative, a LULAC 20<sup>th</sup> Anniversary Proclamation proclaiming the week of October 14<sup>th</sup> through 20<sup>th</sup>, during Hispanic Heritage Month, as LULAC week in San Benito County. (Supervisor Loe).

- d) **Public Comment:** Joe Thompson, Tres Pinos resident, stated that he attended the first General Plan town hall meeting held in the Board of Supervisors Chambers on Saturday noting that transportation was a very frequent issue discussed. Mr. Thompson stated that COG shouldn't be giving the okay to the Transportation Element. The Board of Supervisors should have the final say.

- e) **Department Head Announcements:** CAO Susan Thompson reported that she will be attending a meeting of the Senate Local Government Committee in Sacramento on

October 12<sup>th</sup> to participate in the re-write of the laws related to County Service Areas (CSA).

Ms. Thompson announced that there would be a full emergency response training and exercise to be held at the Hollister Police Department on October 23-24 in the Emergency Operations Center.

Art Henriques, Planning Director, reported that there was a community meeting on the General Plan held on Saturday, October 6<sup>th</sup> in the Board of Supervisors' Chambers and there was very good attendance. There was also a meeting Monday evening, October 8<sup>th</sup> in San Juan Bautista and there will be a meeting tonight, October 9<sup>th</sup> from 5 – 7 p.m. at the Tres Pinos School. Mr. Henriques further reported that the survey has gone out and he encourages the public to complete and return it.

f) **Board Announcements:**

Supervisor Loe reported that she attended a workshop in the Board Chambers on Friday, October 5<sup>th</sup> that was put on by AMBAG (Association of Monterey Bay Area Governments) and AMBAG is looking at a 20-year transportation plan for the whole tri-county area. Supervisor Loe encouraged the public, who are the stakeholders, to attend these meetings as they are held.

Supervisor Botelho reported that he and Chairman Marcus, who were appointed to the ad hoc committee in regards to the San Juan Bautista EDA Grant and working with the San Benito County Water District, did meet and a lengthy discussion was held. Supervisor Botelho felt that the direction that is going to be taken is still inconclusive.

Supervisor Botelho introduced Bill Bowen, Membership Chairman of the Hollister Lions Club, who gave a short presentation on the Lion's 1000 Project that is collecting used glasses for foreign countries and also the collection of hearing aids, which are repaired and then provided to needy members of the public. Mr. Bowen introduced the new local Lions Club President Carlos Zapata.

Supervisor De La Cruz thanked the City of Hollister, the County and the public for the work that has been put into the John C. Hernandez Park and is now completed.

Supervisor De La Cruz reported that he attended a Hollister Downtown Master Plan Meeting stating that he didn't see a lot of public representation and encouraged the community to get involved and voice their opinions.

Chairman Marcus reported that he attended an informal Grand Jury meeting where there was great interaction about various topics that face the County.

<b>CONSENT AGENDA:</b>
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*Upon motion made by Supervisor De La Cruz and seconded by Supervisor Botelho, approved Consent Agenda Items 1 through 17.1 with the exception of 2, 3, 12, 14 and 16 which were pulled for discussion or clarification.*

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

- 1) **Approved** the action minutes of the September 11, 2007 Board of Supervisors regular meeting.

**ADMINISTRATIVE BUSINESS:**

- 2) **Approve the San Benito County Board of Supervisors responses to the 2007 Grand Jury report.**

Item #2 was pulled from the Consent Agenda in error.

**BOARD ACTION:** Upon motion made by Supervisor Loe and seconded by Supervisor De La Cruz, approved Item #2 as recommended. (4-0 Vote. Monaco absent) File #605

- 3) **Approve 2008 San Benito County Saddle Horse Show, Rodeo & Fair operating budget.**

Supervisor Loe noted that Resolution No. 2003-104 that was listed as an attachment was not in the packet.

CAO Susan Thompson assured Supervisor Loe that it would be sent along with the signed budget.

**BOARD ACTION:** Upon motion made by Supervisor Loe and seconded by Supervisor De La Cruz approved the 2008 San Benito County Saddle Horse Show, Rodeo & Fair operating budget. (4-0. Monaco absent) File #55

**AGRICULTURAL COMMISSIONER - P. Matulich:**

- 4) **Approved** contract with California Department of Food & Agriculture for the Nursery inspection services program for the FY 2007/2008 in the amount of \$4,246.00. File #1.1

**BOARD OF SUPERVISORS:**

- 5) **Approved** Certificate of Recognition to Robert J. Mazzuca, San Juan Bautista Native named Chief Scout Executive of the Boy Scouts of America for presentation at a later date. (Anthony Botelho) File #156

**BEHAVIORAL HEALTH – A. Yamamoto:**

- 6) **Approved** Proclamation declaring October 22 to October 28, 2007 as San Benito County's Red Ribbon Week and **authorized** chair to sign said Proclamation. File 430
- 7) **Approved** contract renewal with Mary Helen Lopez, LCSW to provide therapy for Bicultural/Monolingual Spanish speakers for the term of October 9, 2007 to June 30, 2008 for a maximum annual total of \$16,640. File #810

**COUNTY LIBRARIAN – N. Conte:**

- 8) **Approved** contribution from the Friends of the Library in the amount of \$1,450 and augment budget unit 1001-610 increasing temporary salaries by \$1,450 and offsetting revenue by same amount. File #80

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

- 9) **Approved** the Field Practicum Agreement with California State University Stanislaus Social Work Program effective September 1, 2007 through August 30, 2008 and **authorized** the HHSA director to sign. File #130
- 10) **Approved** certification statements for Child Health and Disability Prevention (CHDP) and California Children's Services (CCS) programs for FY 07/08 and **authorized** the chair to sign the certification statements attached and **authorized** program Director/Administrator, Health Officer and Agency Director to sign said certification statements. File #130

**INTERNAL SERVICES – R. Inman:**

- 11) **Approved** agreement with the Law Enforcement Managers (LEM). File #110

- 12) **Approve Resolution for 2008 Employer Contributions for CalPERS Health Insurance Premiums for retirees of San Benito County. (Res. No. 2007-77)**

Chairman Marcus noted that for the record there should be two resolutions therefore adding Res. No. 2007-78.

**BOARD ACTION:** *Upon motion made by Supervisor Loe and seconded by Supervisor De La Cruz, adopted **Resolution Nos. 2007-77 and 2007-78** relating to employer contributions for CalPERS Health Insurance premiums for retirees of San Benito County. (4-0 Vote. Monaco absent) File #630*

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

- 13) **Approved** registration form for participation in the Local Update of Census Addresses (LUCA) program, Option 1 and **authorized** chair to sign registration form and **authorized** staff to complete and execute the required participation documents. *File #790*

- 14) **Approve Amendment #2 to agreement with Dyett & Bhatia for the General Plan Update, extending the term of the agreement from October 25, 2007 to March 31, 2008.**

Supervisor Loe stated that she attended the General Plan Update meeting held on Saturday and she would like to send a thank you letter to the people who attended and encourage them to move forward with the process with the county.

Planning Director Art Henriques said he would have letters sent out.

**BOARD ACTION:** *Upon motion made by Supervisor Loe and seconded by Supervisor De La Cruz, approved Amendment #2 to agreement with Dyett & Bhattia as recommended. (4-0 Vote. Monaco absent) File #790*

#### **PUBLIC WORKS – J. Lo:**

- 15) **Approved** contract with Quinn Equipment Company for the purchase of a pneumatic roller in the amount of \$91,162.50. *File #105*

- 16) **Approve land and tower lease agreement with Verizon Wireless for the construction and maintenance of an equipment shelter and antenna tower to be located within the Veteran's Memorial Park for an initial term of five years and annual rent in the amount of \$21,000.**

Supervisor Loe asked about the looks of the tower and would it be screened at all.

Public Works Director Jerry Lo said it would be disguised as a light tower.

Supervisor Loe also wanted to make sure that any graffiti is removed right away.

Mr. Lo said it would be up to the County and his department will work on that.

**BOARD ACTION:** *Upon motion made by Supervisor Loe and seconded by Supervisor De La Cruz, approved land and tower lease agreement with Verizon Wireless as recommended. (4-0 Vote. Monaco absent.) File #105*

#### **SHERIFF'S DEPARTMENT- C. Hill:**

- 17) **Approved** lease agreement with Monterey County Office of Education for space at School Peak for the purpose of housing 911 communications radio equipment and **authorized** Department Head to sign said agreement. *File #110*

## **INTERNAL SERVICES – R. Inman:**

### **Addendum:**

17.1) **Approved** extension to Memorandum of Understanding between the County of San Benito and the General Unit Employees, SEIU Local 521, effective October 1, 2007. *File #630*

## **REGULAR AGENDA:**

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

- 18) **Approve Integrated Waste Management Regional Agency new franchise agreement for collection and processing services with Norcal Waste System of San Benito County for a period of 7/1/08 through 6/30/15.**

Mandy Rose, Director of Integrated Waste Management Department, provided background information stating that it has been about 18 months since we started the process of considering a new franchise agreement combining all three entities (City of Hollister, City of San Juan Bautista, County of San Benito). Ms. Rose noted that three proposers came forward and through an evaluation process Norcal Waste System was the successful proposer.

Marty Richman, Hollister resident, congratulated Ms. Rose and the three entities for getting together and to be in full compliance with the State. Mr. Richman had suggestions regarding ways to dispose of electronics and stating he was prejudice against pass through rate increases and would like to see an alternate method that would benefit all.

Ms. Rose answered questions posed by the Board.

Phil Couchee, General Manager, Norcal Waste Systems, addressed the Board and answered questions.

Lengthy discussion ensued.

**BOARD ACTION:** *Upon motion made by Supervisor Botelho and seconded by Supervisor Loe, approved new franchise agreement with Norcal Waste System of San Benito County as recommended. (4-0 Vote. Monaco absent.) File #142*

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

- 19) **Review report on San Benito Route 156 Improvement Project Draft EIR/EIS and provide direction on attached letter.**

Supervisor Botelho abstained and excused himself from the Board meeting due to ownership in property affected by this project.

Planning Director Art Henriques provided an informational overview included in the Board's packet noting this was a 5.2 mile proposed widening project on Highway 156 beginning from the edge of Hollister to the edge of San Juan Bautista.

Mr. Henriques indicated that there was a proposed letter to the Branch Chief, California Department of Transportation District 5 which included comments regarding the Draft Environmental Impact Report / Environmental Assessment for San Benito Route 156 Improvement Project. The letter includes areas of concerns: farmland impacts, noise, air quality and impacts to eligible historical properties.

The Board expressed their concerns with possible impacts of the project.

Council of Governments Director Lisa Rheinheimer addressed the Board.

Chairman Marcus felt that flooding and drainage concerns should be added to the letter.

Supervisor Loe stated that CalTrans District Director Rich Krumholtz should come and meet with the county.

**BOARD ACTION:** Upon motion made by Supervisor Loe and seconded by Supervisor De La Cruz, approved the letter to Bobi Lyon-Ritter, Branch Chief, California Department of Transportation District, adding Item #5 addressing drainage and flooding concerns and authorized Chair to sign said letter. (3-0 Vote. Botelho abstained. Monaco absent) File #790

**PUBLIC WORKS – J. Lo:**

- 20) **Adopt Resolution authorizing staff to apply for the Proposition 50 River Parkways Grant and appoint County Administrative Officer, or designee, as agent to manage the project.**

Public Works Director Jerry Lo provided background information and introduced new engineer for the Public Works Department Arthur Bliss who provided the staff report. Mr. Bliss reported that this year's grant application has been downsized with the funding being sought in the amount of \$1 million and is a stand alone submittal by the county for land and easement acquisition.

Marty Richman, local resident, asked if the City of Hollister was applying separately.

Mr. Bliss answered that the City is not pursuing it this year but are pursuing another grant.

**BOARD ACTION:** Upon motion made by Supervisor De La Cruz and seconded by Supervisor Loe, adopted **Resolution No. 2007-79** authorizing Public Works staff to apply for grant funds for the California River Parkways Grant Program under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002; and, appointed the County Administrative Officer, or designee, as agent to manage the project. (4-0 Vote. Monaco absent) File #105.3

**ADMINISTRATIVE BUSINESS:**

- 21) **Receive GIS overview report and presentation of the Countywide Geographic Information System provided by Patrick Kelleher from Lynx Technologies; and authorize to release the data to the County Website for Public Access; and approve the Data Collection Disclaimer Statement attached.**

Management Analyst Margie Riopel presented a GIS overview report and explained the history of the GIS project in San Benito County. Ms. Riopel stated that this has been a long time in coming and there are several agencies involved who have contributed to the planning and establishment of this system.

Patrick Kelleher from Lynx Technologies provided a demonstration of the new system and explained its many capabilities.

Marty Richman, local resident, suggested that the back up is in a secure place.

The Board commended Ms. Riopel and all those involved to have contributed to the development of GIS in San Benito County.

**BOARD ACTION:** Upon motion made by Supervisor De La Cruz and seconded by Supervisor Loe, authorized release of the data to the County Website for public access; and, approved the Data Collection Disclaimer Statement as submitted in the Board's packet. (4-0 Vote. Monaco absent) File #119

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: Loe, De La Cruz, Marcus, Botelho  
NOES: SUPERVISORS: None  
ABSENT: SUPERVISORS: Monaco

There being no further business the Board adjourned to October 23, 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