

SAN BENITO COUNTY BOARD OF SUPERVISORS

Richard V. Scagliotti
District No. 1

Ruth E. Kesler
District No. 2
Vice Chair

Pat Loe
District No. 3

Reb Monaco
District No. 4

Bob Cruz
District No. 5
Chair

REGULAR MEETING AGENDA MARCH 9, 2004

9:30 a.m. CALL TO ORDER:

- a) Pledge of Allegiance.
- b) Acknowledge Certificate of Posting.
- c) **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) Speakers are limited to five (5) minutes.
- d) **Department Head Announcements:** Information only.
- e) **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. A member of the public should seek recognition by the Chair if comment is desired. Approval of a consent item means approval of recommended action as specified on the Agenda Item Transmittal.)

ADMINISTRATIVE BUSINESS:

- 1) Consider budget augmentation for installation of San Benito County medallion to the Building & Grounds Maintenance budget #1001-160. (Management Analyst)

AGRICULTURAL COMMISSIONER:

- 2) Consider agreement with Ryerson, Master & Associates re: San Benito County Agricultural Engine Conversions project with a contract term of January 6, 2004 through January 6, 2006.

AUDITOR:

- 3) Consider Departmental Claims.

CLERK OF THE BOARD:

- 4) Consider the minutes of the meeting of March 2, 2004.

COMMUNITY SERVICES & WORKFORCE DEVELOPMENT (CSWD):

- 5) Consider proposed resolution Acknowledging The Celebration of Forty (40) Years Of Community Action Agency Programs. (Res. No. 2004-20)
- 6) Consider award of construction contract to Paul T. Beck Contractors re: rehabilitation work at the Unaccompanied Adult Farm Labor Camp.
- 7) Consider agreement with Labor Consultants of California re: labor standards enforcement and review services related to rehabilitation of the Unaccompanied Adult Labor Camp with a contract term of March 9, 2004 through December 31, 2004 and authorize CSWD Director to sign said agreement.

HEALTH & HUMAN SERVICES AGENCY (H&HSA):

- 8) Consider approval of In Home Supportive Services (IHSS) provider rates.

MENTAL HEALTH:

- 9) Consider request to purchase used vehicle and amend FY2003/2004 Fixed Asset Schedule.
- 10) Consider agreement renewal with Nusrat Malik, M.D. re: psychiatric evaluation services with a contract term of July 1, 2003 through June 30, 2004.
- 11) Consider agreement with the State Department of Mental Health Services re: Block Grant reporting requirements with a contract term of January 20, 2004 through June 30, 2004.

PUBLIC WORKS:

- 12) Consider amendment to requirements contract with LSA Associates, Inc. re: CEQA Compliance services extending the contract term to March 11, 2005.

PLANNING DEPARTMENT:

- 13) Consider proposed resolution approving Certificate of Compliance 01-19 acknowledging five (5) legal parcels for T.M.V. Lands. (Res. No. 2004-21)

9:30 a.m. PUBLIC HEARING (or as soon thereafter as the matter may be heard):

PLANNING DEPARTMENT - R. Mendiola:

- 14) Hold public hearing to consider a resolution and an ordinance re: Amendment to Zone Change 90-80A to reconfigure and expand the existing Pacheco Creek Estates Planned Unit Development (PUD), in order to create four more 2-acre residential parcels, and to increase the size of the agricultural preserve parcel (Parcel A) from 23 acres to 38 acres. The project involves three parcels containing 47 acres and would require subsequent approval of a Lot Line Adjustment (LLA 03-435) and Minor Subdivision (MS 1139-03) to enact the PUD. **Location:** Pacheco Creek Drive (APNs: 16-06-46; 47; & 48). **Applicant:** Casa de Fruta Orchards. **Zoning:** Agricultural Productive/PUD.
(A request for continuance has been received from the Applicant)

9:40 a.m. REGULAR AGENDA:

(For each regular agenda item, the following schedule shall include):

- a) Staff report.
- b) Public opportunity to address the Board on the particular agenda item. Please seek recognition by the Chair to comment.
- c) Consideration by the Board.

HEALTH & HUMAN SERVICES AGENCY (H&HSA) - M. Coppola:

- 15) Consider extension of the Agricultural Health Care / Chronic Disease Awareness project to June 30, 2004.

DEPARTMENT OF EMERGENCY SERVICES:

- 16) Consider request to transfer vacant Emergency Medical Services (EMS) position from contract to employee status.

ADMINISTRATIVE BUSINESS:

- 17) Consider options for Indigent Criminal Legal Defense Services and provide direction to the County Administrative Officer. (CAO)

10:00 a.m. CLOSED SESSION AGENDA:

- 18) Conference with Legal Counsel - Anticipated Litigation
 - a) Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9. Number of cases: 3
 - b) Initiation of litigation pursuant to subdivision (c) of Government code Section 54956.9. Number of cases: 3

- 19) Conference with Legal Counsel - Existing Litigation
 - a) Sandman vs. County of San Benito
 - b) Monteon vs. Richard Scagliotti, San Benito County Board of Supervisors, San Benito County Financing Corporation, et al.
 - c) California Farm Bureau Federation, et al. vs. California Department of Forestry and Fire Protection, et al.

- 20) Conference with Real Property Negotiators
Property: APNs: 052-080-001, 052-300-001
Negotiating Parties: County of San Benito (Supervisor Cruz and Supervisor Monaco) and Gray Thorning Lumber Co.
Under Negotiation: Price and terms of payment.

- 21) Public Employment
Title: Agricultural Commissioner

ADJOURN TO TUESDAY, MARCH 23, 2004 AT 9:30 A.M.

AGENDA DEADLINE IS WEDNESDAY, MARCH 17, 2004 AT 9:00 A.M.

NOTE: All proposed agenda items with supportive documents are 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.

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.