



SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios
District No. 1

Anthony Botelho
District No. 2
Vice-Chair

Robert Rivas
District No. 3

Jerry Muenzer
District No. 4

Jaime De La Cruz
District No. 5
Chair

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

SPECIAL MEETING SEPTEMBER 6, 2012 MINUTES

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.*

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

PLANNING DEPARTMENT – G. Armstrong:

- 1) **Hold a public hearing to adopt Resolution amending the San Benito County General Plan Land Use Map to change the current General Plan land use designation of approximately 33.81 acres of property located on John Smith Road from Agricultural Rangeland to Public/Quasi-Public (General Plan Amendment 12-46). (Res. No. 2012-52)**

Assistant Planning Director Byron Turner gave a staff report including a PowerPoint presentation. He added that this item only changed the designation to allow for expansion and did not have to do with the actual expansion.

Chairman De La Cruz opened the public hearing.

Barbara Taddeo expressed concern with traffic on John Smith Road and submitted a poster board with photographs of the potholes on John Smith Road for the Board to see. She felt there should be a street sweeper and noted another option was magnets on the trucks. She noted that Cal Trans now pays for damage to cars from their roads.

Robert Rodriguez recommended to the Board that whoever moves into the facility should be charged appropriate rent.

Chairman De La Cruz explained that this matter was not for the new facility.

Shorty Silva spoke in regards to the issues with the road and asked if part of the money would be set aside to repair the roads.

Public Works Director Steve Wittry explained that there were 2 capital projects. One was for the realignment of John Smith Road to the entrance of St. Benedict's Church and the second was the overlay project from the entrance of John Smith Road to the landfill which would take care of the potholes. He explained what surface failure was and noted that the majority of John Smith Road did not have base failure.

Supervisor Muenzer asked if the realignment project was still currently being held up by the Fish & Game concerns.

Public Works Director Wittry replied yes. He added that they were trying to get the most bang for their buck with the three projects which were being held up by the realignment. He indicated that it was feasible to link two projects and was not feasible to link all three. He noted that they had some motion with Fish & Game and they were on day 15 of a 120 day process.

Supervisor Muenzer explained that they were doing the pot holes themselves and were using a one man pothole machine. He added that they only had two machines to do all the roads in the county and the department was doing the best that they could.

Public Works Director Wittry stated that South County was particularly bad and indicated that they would be bringing the machine back into the area. He added that people could call them about bad potholes and they would try to get them higher on the list.

Tammy Jackson expressed that she was appalled and noted that she had been at the meetings each time to complain. She felt that if the dump could not keep the roads up, they had no business getting their zoning changed. She asked why they were doing the realignment before the roads were fixed. She asked who was going to guarantee.

There being no further speakers, the Chairman closed the public hearing.

*Upon motion duly made by Supervisor Botelho and seconded by Supervisor Rivas, **adopted Resolution No. 2012-52 amending** the San Benito County General Plan Land Use Map to change the current General Plan Land Use designation of approximately 33.81 acres of property located on John Smith Road from Agricultural Rangeland to Public/Quasi-Public, **adopted** the Mitigated Negative Declaration, the findings required by CEQA, **adopted** the Mitigation Monitoring and Reporting Program, the General Plan consistency findings and other required findings. (General Plan Amendment 12-46). (The motion passed 5-0) (File #790)*

Chair De La Cruz asked confirmation that the public would have two to three more times to address the road issues and also if the department had a plan in place to address the issues.

Public Works Director Wittry replied yes to both.

REGULAR AGENDA:

INTEGRATED WASTE MANAGEMENT – M. Rose:

2) Approve application for a Solid Waste Facility Permit Revision for expansion of the John Smith Road Landfill.

Integrated Waste Management Director Mandy Rose gave a staff report and summarized that they would be increasing the tonnage limit from 500 tons per day to 1,000 tons per day and that they would increase the height and width of the landfill but it would be four to seven years before they moved into that area. She noted that the majority of the questions on the project were related to the road which would be addressed at the budget process along with questions of the landscaping improvements. She explained that on the resource recovery park there would be a landscape screen and landscaping for the entrance had been discussed, but nothing was promised.

Chairman De La Cruz noted that the application for permit related to daily tonnage and asked if it changed the language on who could dump.

Integrated Waste Management Director Rose replied that it did not change the operator.

Supervisor Rivas asked for an estimate of revenue for the next five to ten years.

Integrated Waste Management Director Rose stated that at 400 tons they break even and estimated as they grow it could generate \$100,000 to \$200,000 to the fund balance each year.

Supervisor Rivas stated that his concern was the infrastructure and roads and they would need to make a commitment at a later time to improve John Smith Road.

Supervisor Botelho concurred with Supervisor Rivas and added that he believed in the Resource Recovery Park.

Supervisor Barrios reiterated that she wanted to let the public know that they did not take the road situation lightly and that it takes a lot of time to get where they need to be.

Supervisor Muenzer asked confirmation that the peak daily tonnage was set by previous Board action.

Integrated Waste Management Director Rose concurred and added that the traffic is about 250.

Supervisor Muenzer noted that the traffic limit was 600.

Integrated Waste Management Director Rose stated that at maximum build out it would be 25 more trucks a day.

Supervisor Muenzer asked if there was still a buffer between John Smith Road and the landfill.

Integrated Waste Management Director Rose replied that there was.

Supervisor Muenzer indicated that he would like to address the landscaping issue.

Those speaking under public comment were:

Shorty Silva stated that there had been no attempt to beautify the existing facility and they needed to set a certain amount of money standards for beautification. He felt they needed some sort of timeline before it was approved.

Tammy Jackson felt that besides beautification they needed to add a fence to catch garbage as there was only one on the Amador Lima side. She stated that it should be a requirement along with beautification before it is approved. She inquired as to what number they should call after hours for enforcement when trucks are dumping, adding that there was no one to call after hours if garbage is dumped in the road or partially in the road.

The public comment period was closed.

Chairman De La Cruz stated that the last speaker made some good points. He asked Ms. Jackson to e-mail staff with concerns and to cc him. He noted that he was against it in the beginning, but over time, moved on and addressed the community needs. He felt conditions had to be in place.

Supervisor Muenzer asked who was responsible for the fence to keep the product from blowing across the property lines, the county or the operator.

Integrated Waste Management Director Rose stated that litter was an operational issue and that they could not control the wind. She noted that they had moveable litter fences and that crews are sent to clean up on properties. She added that they were aware and added that if they called the site manager

about litter they would go pick it up. She indicated that they have a street sweeper two times a month and the trucks have magnets.

Supervisor Muenzer asked who would pay for a hedge or fence.

Integrated Waste Management Director Rose stated that either way the rate payers would end up paying for it.

Supervisor Muenzer asked that staff be directed to study what they could do for landscaping and some type of barrier to keep trash from blowing off site.

Integrated Waste Management Director Rose asked for a date certain to report back.

Supervisor Muenzer suggested October 16, 2012.

Integrated Waste Management Director Rose asked if it was entrance only.

Supervisor Muenzer stated that because the landfill had risen to the ridgeline that needed to be looked at also.

Supervisor Botelho agreed that it would not be the operator or the county but would be the rate payers that pay for it. He explained that they were doing this to try and raise revenue for the county and suggested a tree line along the border.

Supervisor Barrios felt the operator would have to look at it as a long term recovery and they needed to show the Board how much it would cost. She suggested bringing it back in November with a visual of what is to be done.

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Muenzer **approved** the submittal of the John Smith Road Landfill Solid Waste Facility Permit Revision Application and **authorized** the Director of Integrated Waste Management to sign. Further **directed** staff to report back regarding landscaping and barriers on November 6, 2012. (Unanimous) File #142*

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

There being no further business the Board adjourned at 9:51 a.m. to September 11, 2012 at 9:00 a.m.

JAIME DE LA CRUZ, CHAIRMAN

San Benito County Board of Supervisors

ATTEST:

Denise R. Thome, Clerk of the Board