



# 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*

## REGULAR MEETING AGENDA FEBRUARY 21, 2012

### **Mission Statement**

***The County Board of Supervisors will recognize the public trust it holds, will on all occasions conduct business with honesty, integrity, and respect for the individual, and will hold the organization of County government to that same standard.***

***The San Benito County Board of Supervisors welcomes you to this meeting and encourages your participation.***

- If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Comment period at the beginning of the meeting. Please complete a Speaker Card and provide it to the Clerk of the Board prior to the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing on the agenda. When addressing the Board, please state your name for the record. Please address the Board as a whole through the Chair.*
- If you wish to speak on an item contained in the agenda please complete a Speaker Card identifying the item(s) and provide it to the Clerk of the Board prior to consideration of the item.*

**Each individual speaker will be limited to a presentation total of three (3) minutes.**

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

- Pledge of Allegiance** to be led by Supervisor Barrios.
- Acknowledge Certificate of Posting.**
- 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.
- Department Head Announcements:** Information only.
- 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. Approval of a consent item means approval of the recommended action as specified on the Agenda Item Transmittal.*

*If any member of the public wishes to comment on a Consent Agenda Item, please fill out a speaker card, present it to the Clerk prior to consideration of the Consent Agenda and request the item be removed and considered separately.*

### **BEHAVIORAL HEALTH – A. Yamamoto:**

- 1) Authorize the Behavioral Health Director to sign certifications and all other related documents necessary to complete the application and award agreement as related to the Cal EMA 2011-12 Residential Substance Abuse Treatment Program (RSAT) Aftercare Treatment Services (ATS) Grant; and authorize the Chair of the Board to sign the Cal EMA RSAT, ATS Grant Certification of

Compliance signifying the approval of the County Behavioral Health Director as the authorized official to sign certifications and all other related documents to complete the application and award agreement.

**CLERK/AUDITOR/RECORDER – J. P. Gonzalez:**

- 2) Adopt Resolution authorizing the consolidation and provision for services by the County Clerk of the San Benito County Board of Education district election to be held on June 5, 2012 Statewide Primary Election. (Res. No. 2012-6)

**COUNTY ADMINISTRATIVE OFFICER – R. Inman:**

- 3) Adopt Ordinance of the County of San Benito amending Article 1 of Chapter 3.01 of Title 3 of the San Benito County Code to specify compensation paid to Grand Jurors in San Benito County. (Continued from February 7, 2012 meeting) (Ord. 889)

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

- 4) Appoint Mr. Michael Spears to the Community Acton Board for a three-year term effective February 21, 2012 through February 21, 2015. (CSWD)

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

- 5) Appoint Mr. Juan Cruz to the Community Action board for a three-year term effective February 21, 2012 through February 21, 2015. (CSWD)

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

- 6) Appoint Ms. Jill Tarolli to the Community Action Board for a three-year term effective February 21, 2012 through February 21, 2015. (CSWD)

**PLANNING DEPARTMENT – G. Armstrong:**

- 7) Adopt Ordinance of the County of San Benito, amending Section 5.01.261 of the San Benito County Code pertaining to Traffic Impact Fees. (Continued from February 7, 2012 meeting) (Ord. 890)

**PUBLIC WORKS DEPARTMENT – S. Wittry:**

- 8) Approve the specifications for the repair and relining of the Stonegate Water Tank Repair and Relining project.

**SHERIFF'S OFFICE – D. Thompson:**

- 9) Approve the transfer of one (1) FTE Deputy Sheriff to budget/Sheriff State Grants from budget /Sheriff-operations; and approve the addition of one (1) 2012 Dodge Crew 4x4 pickup to the Sheriff's Schedule of Fixed Assets; and approve appropriations and revenues of \$178,373 for the California Rural Crime Prevention Grant Program as shown on the operating budget adjustment form. (4/5 vote)

**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.

**COMMUNITY SERVICES & WORKFORCE DEVELOPMENT – E. Arreola:**

- 10) Adopt Resolution approving the amendment of the Community Action board (CAB) Bylaws designating the Community Action Board (CAB) as the San Benito County Home Investment Partnerships Program (HOME) Loan Committee.

**COUNTY ADMINISTRATIVE OFFICER – R. Inman:**

- 11) Receive activity report from Nancy Martin President of the San Benito County Economic Development Corporation.

**COUNTY ADMINISTRATIVE OFFICER – R. Inman:**

- 12) Approve Memorandum of Agreement (MOA) transferring the authority of the Local Enforcement Agency to (CalRecycle) California Department of Resources, Recycling and Recovery; and adopt Resolution authorizing the transfer of the Local Enforcement Agency back to the State and execution of the MOA.

**INTERNAL SERVICES – R. Inman:**

- 13) Receive Annual Impact Fee Report for the fiscal year 2010/2011. Reports are available for public review until March 20, 2012 at the Clerk of the Board, 481 Fourth Street, Hollister, California.

**PLANNING DEPARTMENT – G. Armstrong:**

- 14) Review the proposed amendments to Section 19.11.008(D)(4) of Chapter 19.11 of Title 19 of the San Benito County Code pertaining to Development Agreements; read the title of the Ordinance for the record: "An Ordinance amending Section 19.11.008(D)(4) of Chapter 19.11 of Title 19 of the San Benito County Code pertaining to Development Agreement; accept introduction and waive further reading of the ordinance; and continue to March 6, 2012 for the adoption of said ordinance.

**PLANNING DEPARTMENT – G. Armstrong:**

- 15) Discussion and direction regarding Caltrans' issue with existing Casa de Fruta Sign in the 101 Scenic Corridor and potential amendments to County sign ordinance.

**CLOSED SESSION:**

*Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Reportable actions taken by the Board during Closed Session will be announced during open session. (Gov. Code Section 54957.1(a) & (b), Ralph M. Brown Act.)*

- 16) Conference with Legal Counsel-Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (b)(3)(B) of Section 54956.9: 1 potential case  
The County has received a public records request requesting disclosure of an internal personnel investigation report.

**ADJOURN TO TUESDAY, MARCH 6, 2012 AT 9:00 A.M.**

NOTE: A copy of this Agenda is published, along with supportive documents, on the County's Web site on the Friday preceding each Board meeting and may be viewed at [www.cosb.us/government/meetings-agendas/](http://www.cosb.us/government/meetings-agendas/). All proposed agenda items with supportive documents are also 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.

*As required by Gov. Code Section 54957.5 any public record distributed to the Board of Supervisors less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the office of the Clerk of the Board, San Benito County Administration Building, 481 Fourth Street, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the office of the Clerk of the Board.*

***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.***