



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 JUNE 5, 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:

- a) Pledge of Allegiance to be led by Supervisor Rivas.
- b) Acknowledge Certificate of Posting.

c) PRESENTATIONS & RECOGNITIONS:

INTEGRATED WASTE MANAGEMENT:

Recognition of Recycling Art Poster contest winners, a Public Education Program of the San Benito County Integrated Waste Management Regional Agency.

- d) **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.*
- e) **Department Head Announcements:** Information only.
- f) **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.

AGRICULTURAL COMMISSIONER – R. Ross:

- 1) Approve contract with the Department of Food & Agriculture to provide services in the Pierce's Disease Glassy Wing Sharp Shooter program for FY 2012/2013 & 2013/2014, for a total of \$12,136.

CLERK OF THE BOARD – D. Thome:

- 2) Approve the action minutes of the May 1, 2012 regular meeting the May 8, 2012 special meeting and the May 15, 2012 regular meeting.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 3) Approve the appointment of Alicia Liddle to the San Benito Parks and Recreation as Youth Commissioner effective September 1, 2012 through August 31, 2013.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 4) Approve agreement with the California Department of Parks and Recreation for park planning support services for the period of July 1, 2012 through June 30, 2015, for a total agreement amount of \$35,000.

COUNTY COUNSEL – M. Granger:

- 5) Youth Protection Ordinance adding Article III to Chapter 9.01 and amending Sections 9.01.008 through 9.01.010 of Chapter 9.01 of Title 9 of the San Benito County Code; continued to June 19, 2012 for adoption.

FIRST 5 SAN BENITO CHILDREN AND FAMILIES COMMISSION – L. Faulkner:

- 6) Re-appoint Randy Brown to the First 5 San Benito Children and Families Commission.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 7) Approve contract with Dr. Lee for psychological services for the period of July 1, 2012 through June 30, 2013, in the amount of \$72,180.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 8) Approve contract with Sandra Montgomery for physical therapy services for the period of July 1, 2012 through June 30, 2013, in an amount not to exceed \$24,000.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 9) Approve the contract with Goodfellow Occupational Therapy Services for the period July 1, 2012 through June 30, 2013, for an amount not to exceed \$79,800.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 10) Approve contract with Dr. Carol Johnson-Schroetlin for psychological services for the period of July 1, 2012 through June 30, 2013, in the amount of \$30,000.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 11) Approve the California Reportable Disease Information Exchange (CalREDIE) Data Use and Disclosure Agreement with California Department of Public Health; and authorize the San Benito County Health Officer to sign said agreement.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 12) Adopt Resolution accepting the Workforce Investment Act (WIA) Title 1 Master Subgrant, Youth Program Allocation for program year 2012-2013 in the amount of \$212,412, approving the subgrant agreement and delegating signatory authority to the Interim Director of HHSA. (Res. No. 2012-25)

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 13) Appoint Ms. Nora Jimenez to the Community Action Board as District #4 Representative for a three-year term effective June 5, 2012 through June 5, 2015.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 14) Appoint Mr. Arturo Contreras to the Workforce Investment Board for a three-year term effective June 5, 2015 through June 5, 2015.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 15) Appoint Ms. Maria C. Corona to the Workforce Investment Board effective June 5, 2012 through June 5, 2015.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 16) Adopt Resolution extending services for CSA 36 "Emergency Medical Services & Advanced Life Support". (Res. No. 2012-26)

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 17) Adopt Resolution authorizing the Integrated Waste Management Department to apply for the Oil Payment Program grant funds on behalf of San Benito County Integrated Waste Management Regional agency. (Res. No. 2012-27)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 18) Approve joint use agreement with Earthbound Farms for use and maintenance of properties for Public Works equipment storage and Earthbound Farms office parking.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 19) Approve submission of grant proposal to the Monterey Bay Unified Air Pollution Control District for AB2766 Motor Vehicle Emission Reduction Grant program.

SAN BENITO COUNTY LONG TERM COMMISSION – P. Valdivia:

- 20) Appoint Ms. Jennifer Cress MSW to the Long Term Care Commission for a three year term effective January 1, 2012 through December 31, 2014; and reappoint Debbie Reed to the Long Term Care Commission for a three year term effective January 1, 2012 through December 31, 2014.

SHERIFF'S OFFICE – D. Thompson:

- 21) Consider change to Sheriff's Schedule of Fixed Assets, Expenditures and Revenue Schedules adding replacement vehicle. (4/5 vote)

VICTIM WITNESS PROGRAM - J. Roybal:

- 22) Review the proposed Grant Application for continuation funding for the San Benito County Victim Witness Assistance Program; and adopt Resolution designating the District Attorney's Office as the Implementing Agency for the program and authorize the Victim Witness Coordinator and County Auditor to sign and submit all appropriate documentation for the grant application. (Res. No. 2012-28)

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

ASSESSOR'S OFFICE – T. Slavich:

- 23) Hold public hearings to consider the following Land Conservation Act Requests:
- **Moules, Tony & Susanna:** Enlargement: APN: 27-22-11 & 27-24-17
 - **McDonald Trust:** Lot Line Adjustment: 21 Assessor Parcel No's in Book 28, Pages 26, 28, 31 & 33 and Book 29, Page 16.
Daugherty: APN: 028-260-002, Lot Line Adjustment

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

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 24) Hold a public hearing to adopt an Ordinance amending section 5.01.144(B) and (C) of the San Benito County Code, amending Veteran's Memorial Park User Fees and adopting limited waivers of Historical Park and Veteran's Memorial Park User Fees. (4/5 vote) (Ord. No. 894)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 25) Hold a public hearing to adopt an Ordinance amending sections 5.01.048 and 5.01.049 of the San Benito County Code, amending the Public Works Department's Engineering Services and Development Processing Fee Schedules. (4/5 vote) (Ord. No. 895)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 26) Hold a public hearing to adopt a Resolution, imposing a property-related fee in County Service Area Nos. 16, 21, 22, 23, 24, 28, 31, 34, 35, 42 46, 47, 48, 50, 51, 53, and 54, confirming the Fee Report, Fee Schedule and Fee, providing for the levy of the Fiscal Year 2012/13 Property-Related Fees, and making certain related findings. (Res. No 2012-29)

Adjourn as the San Benito County Board of Supervisors and reconvene as the San Benito County Board of Equalization:

SAN BENITO COUNTY BOARD OF SUPERVISORS sitting as the COUNTY BOARD OF EQUALIZATION:

ASSESSOR'S OFFICE – T. Slavich:

- 27) Approve the stipulation for reduction of assessment for the 2009-2010 tax year for Natural Selection Foods LLC., waive the appearance of the person affected, and change the assessed value in accordance with Revenue & Taxation Code Section 1610.8.

Adjourn as the San Benito County Board of Equalization and reconvene as the San Benito County Board of Supervisors:

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.*

PLANNING DEPARTMENT – G. Armstrong:

- 28) Receive presentation in regards to San Benito County Parkland Dedication Code (Section 23.15.008 of the Subdivision Ordinance); and provide comments and direction to staff.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 29) Read title of ordinance for the record: "an Ordinance Adding Section 19.07.006 to Chapter 19.07 ("County Service Areas") of Title 19 of the San Benito County Code relating to the refund of County Service Area Fees; and accept introduction, waive further reading of the ordinance and continue to June 19, 2012 for adoption of said ordinance.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 30) Receive report and presentation on the status of the San Benito River Parkway Conceptual Master Plan project.

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.)

- 31) Conference with Legal Counsel-Anticipated Litigation.
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: Number of Cases: (1)

ADJOURN TO TUESDAY, JUNE 19, 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/. 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.