



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 19, 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 Barrios.
- b) Acknowledge Certificate of Posting.
- c) **PRESENTATIONS & RECOGNITIONS:**

BOARD OF SUPERVISORS:

Introduction of Kellie Mancino, Miss San Benito Rodeo 2012, who is representing the San Benito County Saddle Horse Association in the 2012 Saddle Horse Show and Rodeo Downtown Parade and the Saddle Horse Show and Rodeo to be held June 22-24 at Bolado Park.

HUMAN RESOURCES:

Certificate of recognition to the following employees for years of County Service upon retirement:

- Mary Edrington-Office Service Supervisors (Probation Department), 13 years
- Martha Gibson-Office Assistant (Probation Department), over 22 years
- Nancy Leon-Legal Secretary (District Attorney's Office), over 35 years
- Martha Ruiz-Staff Services analyst (First Five), almost 26 years
- Dianna Smith-Deputy Clerk Recorder (County Clerk/Recorder/Elections), over 12 years

- Gifford Swanson-Public Authority Manager (In-Home Supportive Services), almost 9 years

PARKS AND RECREATION COMMISSION:

Proclaim Parks and Recreation Month in San Benito County.

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.)

- 1) Conference with Legal Counsel-Existing Litigation.
(Subdivision (a) of Section 54956.9)
Name of Case: *Purple Cross Rx, et. al. v. County of San Benito*, Superior Court, County of San Benito, Case No. CU-12-00060
- 2) Conference with Labor Negotiator:
Authority: California Government Code Section 54957.6
Agency Designated Chief Negotiator: Linzie Daniel, Jodan and Associates and Jacki Credico, Management Analyst
Employee Organization: Deputy Sheriff's Association, SEIU Local 521, Management Employees Group

SITTING AS THE PUBLIC AUTHORITY FOR IN HOME SUPPORTIVE SERVICES:

- 3) Conference with Labor Negotiator:
Authority: California Government Code Section 54957.6
Agency Designated Chief Negotiator: Gifford Swanson, Public Authority Manager and Jacki Credico, Management Analyst
Employee Organization: SEIU Local ULTCW (In-Home Supportive Services)
- 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:

- 4) Approve contract with the Department of Food & Agriculture to provide Enforcement of the Organic Food Act for a total of \$8,595 for the period of July 1, 2012 through June 30, 2013.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 5) Approve contract renewal with Gary Ernst, Administrative/Fiscal Consultant for FY 2012/13, for a maximum annual total of \$95,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 6) Approve contract renewal with Connecting Principles, facilitation of domestic violence diversion groups for FY 2012-2013, for a maximum total of \$25,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 7) Approve contract renewal with IDEA Consulting for FY 2012-13, for a maximum annual total of \$122,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 8) Approve contract renewal with Hope Rehabilitation Services for the FY 2012-13, for a maximum annual total of \$25,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 9) Approve contract renewal with Remi Vista, Inc. for therapeutic behavioral services for the FY 2012-13, for a maximum amount of \$70,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 10) Approve contract renewal with Rebekah Children's Services for therapeutic behavioral services for FY 2012-13, for a maximum amount of \$40,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 11) Approve contract renewal with Natividad Medical Center for acute hospital psychiatric services for the FY 2012-13, for a maximum annual total of \$250,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 12) Approve contract renewal with Project Ninety, Inc., substance abuse residential treatment facility for the FY 2012-13, for a maximum total not to exceed \$70,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 13) Approve contract renewal with Door to Hope Substance Abuse Residential Treatment Facility for the FY 2012-13, for a maximum total of \$70,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 14) Approve contract renewal with Charis Youth Center, Inc. for therapeutic behavioral services for the FY 2012-13, for a maximum amount of \$80,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 15) Approve contract renewal with Santa Cruz Counseling Center, Inc., substance abuse residential treatment facility for the FY 2012-13, for a maximum total of \$70,000.

CLERK OF THE BOARD – D. Thome:

- 16) Approve the action minutes of the May 29, 2012 regular meeting.

COUNTY COUNSEL'S OFFICE – M. Granger:

- 17) Adopt Ordinance adding Article III (“Youth Protection”) to Chapter 9.01 (“Offenses-Miscellaneous”) and amending Sections 9.01.008 through 9.01.010 of Chapter 9.01 of Title 9 (“Offenses”) of the San Benito County Code. (Ord. No.896)

COUNTY COUNSEL'S OFFICE – M. Granger:

- 18) Approve Amendment No. 1 to Legal Services Agreement with Cota Cole LLP., to cover additional legal expenses in responding Petition for Writ of Mandate on Purple Cross Rx in the amount of \$24,000 and extending the term of contract to January 1, 2013.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 19) Review, approve and authorize the Interim Director of HHSA to sign contract with the Regents of the University of California on behalf of its Davis Campus, UC Davis Extension from July 1, 2012 through June 30, 2013, in the amounts of \$16,720 and \$33,440, for onsite training.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 20) Approve agreement with California State University, Chico, School Nursing with the Public Health Division of Health & Human Services Agency for the period of May 1, 2012 through April 30, 2015; and authorize the Interim Director of Health and Human Services Agency to sign said agreement.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 21) Approve agreement with California State University, Dominguez Hills for nursing clinical affiliation for the period of May 24, 2012 through May 23, 2015; and authorize the Interim Director of Health and Human Services Agency to sign said agreement.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 22) Approve contract with National Council on Crime and Delinquency for structured decision making report services for the period of July 1, 2012 through June 30, 2013, in the amount of \$12,000.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 23) Make a finding that this is sole source procurement and an exception to the competitive bid process based on the specialized nature of the software; approve purchase of Envision Connect Decade Software System for Mandated AB2286 Hazardous Materials Electronic Reporting with Decade Software Company for the period of June 19, 2012 to November 30, 2012, in the amount of \$23,534 with an additional annual licensing fee of \$3,780 for subsequent years 2 and 3; and authorize the HHSA Interim Director to sign contract.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 24) Approve a transfer of expense from special department expense to Fixed Assets, Equipment in the amount of \$5,870; and recognize the set of forks for the Landfill Forklift to be added to the schedule of fixed assets.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 25) Approve contract with Philip Services Corporation for Household Hazardous Waste and Small Quantity Generator (Business) Hazardous Waste for the period of July 1, 2012 through June 30, 2013, in an amount not to exceed \$140,000.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 26) Approve payment from the Landfill Operating budget, in the amount of \$272,546.70 to Waste Connections, Inc. to cover changes in Law costs for Fiscal year 2012.

PROBATION DEPARTMENT – B. Cardall:

- 27) Approve contract with Hollister Youth Alliance for the period of July 1, 2012 through June 30, 2013, for an amount not to exceed \$57,800.

PROBATION DEPARTMENT – B. Cardall:

- 28) Approve contract with Paula Norton for the period of July 1, 2012 through June 30, 2013, for an amount not to exceed \$18,500.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 29) Approve Public Works Division budget adjustments in the amount of \$74,969, authorizing the increases in revenues and reductions and expenditures in FY 2011-12. (4/5 vote)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 30) Approve contract with Ken Lewis Engineering & Surveying for engineering and surveying services for the period of July 1, 2012 through June 30, 2015, in an amount not to exceed \$18,000.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 31) Approve Amendment No. 1 to contract with SSA Landscape Architects, Inc. for design services for the River Parkway/Regional Park Conceptual Master Plan, increasing the contract by \$16,182, for a total not to exceed amount of \$205,332.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 32) Accept all responsive bids in the bid summary report for the New Manager's Office/Apartment at San Benito County Migrant Farm Worker Camp project; and approve contract with Hough Construction Co., Inc. as the lowest responsive, responsible bidder in the amount of \$262,380; and authorize the Public Works administrator to execute the contract upon receipt of documents as required per the project specifications and authorize the Public Works Administrator to issue change orders in an amount not to exceed \$25,619.00.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 33) Approve contract with Nolte Associates, Inc. for engineering services for preparation and specifications for the Anzar Road Bridge at San Juan Creek project for the period of June 19, 2012 to June 30, 2016, in an amount not to exceed \$314,238.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 34) Approve contract Amendment #1 with San Benito Tire, Inc., for countywide vehicle maintenance and repair services for the period of July 1, 2012 through June 30, 2013.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 35) Identify and add the Limekiln Road Bridge project to the Public Works-Capital Improvement Projects budget unit as a new capital project; approve the budget augmentation; and approve contract with Quincy Engineering, Inc. for development of plans and specifications for Limekiln Road Bridge at Pescadero Creek for the period of June 19, 2012 to June 30, 2016, in an amount not to exceed \$356,117.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 36) Approve contract Amendment #1 with Bengal Engineering, LP, extending the term for engineering, environmental and design services for Hospital Road Bridge project for the period of June 30, 2012 through June 30, 2014.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 37) Approve Amendment #1 with Kathy Wood & Associates, extending the contract term to June 30, 2013.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 38) Adopt 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. (Continued from the June 5, 2012 meeting) (Ord. No. 897)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 39) Approve an extension of the contract award date for the Stonegate Water Supply Project, by 45 days, to August 7, 2012.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 40) Approve Change Orders #1 and #2 with Crosno Construction, Inc., in the amount of \$3,124.41 and \$3,375.59, respectively, for the Stonegate Water Tank Repair and Relining project; and authorize Public Works Administrator to sign Change Orders #1 and #2.

SHERIFF’S OFFICE – D. Thompson:

- 41) Adopt Governing Body Resolution that authorizes positions named to execute for and on behalf of the County for making application, filing and obtaining state and federal assistance and funding under the State Homeland Security Grant Program and Emergency Management Performance Grant. (Res. No. 2012-31)

SHERIFF’S OFFICE – D. Thompson:

- 42) Approve contract renewal with Emergency Vehicle Specialists, Inc. to provide maintenance and repair for the San Benito County repeater sites for the period of July 1, 2012 through June 30, 2014.

SHERIFF'S OFFICE – D. Thompson:

- 43) Approve appropriation and revenue increase in the Sheriff's Coroner budget in the amount of \$10,000. (4/5 vote)

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

AGRICULTURAL COMMISSIONER – R. Ross:

- 44) Hold a public hearing to hear objections, protests or requested changes or corrections to the written report regarding the Mosquito and Disease Control Assessment rate to be imposed by Mosquito and Disease Control Assessment; adopt Resolution accepting the annual report for the Mosquito and Disease Control Assessment and levying the rate of \$10.08 per unit Mosquito and Disease Control Assessment for FY 2012/2013 based on the Engineer's report prepared by SCI Consultants. (Res. No. 2012-32)

SITTING AS THE PUBLIC AUTHORITY FOR IN- HOME SUPPORTIVE SERVICES:

The Board will adjourn as the Board of Supervisors and reconvene as the IHSS Public Authority re:

IN-HOME SUPPORTIVE PUBLIC AUTHORITY – M. Corona:

- 45) Approve Memorandum of Understanding between HHSA and the Public Authority, for conducting In Home Supportive Services (IHSS) provider background checks and orientations for the period of July 1, 2012 through June 30, 2014, for the amount of \$46,039, and authorize the Interim Director to sign MOU.

The Board will adjourn as the IHSS Public Authority and reconvene as the San Benito County Board of Supervisors re:

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.

BOARD OF SUPERVISORS:

- 46) Discussion and/or direction concerning Farmers' Market fees. (Supervisor Botelho)

COUNTY ADMINISTRATION OFFICE – R. Inman:

- 47) Progress report by Nancy Martin Executive Director/CEO of the San Benito County Economic Development Corporation.

COUNTY ADMINISTRATION OFFICE – R. Inman:

- 48) Discuss and provide direction on the formation of a Fire Protection standing committee consisting of representative of the County, Cities and fire protection agencies.

COUNTY ADMINISTRATION OFFICE – R. Inman:

- 49) Discussion and/or direction concerning county budget.

COUNTY AUDITOR/ASSESSOR/TREASURER/DISTRICT ATTORNEY:

- 50) Adopt Resolution accepting the completed and signed Elected Officials voluntary and irrevocable waivers.

PLANNING DEPARTMENT – G. Armstrong:

- 51) Approve contract with Benchmark Resources to prepare the Nash Road Quarry Environmental Impact Report, in an amount not to exceed \$343,672; and authorize the Planning Director to approve minor contract amendments, authorizing additional work within the 10% contract contingency amount not to exceed \$34,367.

PLANNING DEPARTMENT – G. Armstrong:

- 52) Receive report on Permit Activity in the Planning & Building Department.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 53) Approve budget adjustment for CSA 50 (Dunneville Estates) increasing revenue and expenses in the amount of \$4,500. (4/5 vote)

SHERIFF'S OFFICE – D. Thompson:

- 54) Read title of ordinance for the record: "An Ordinance of the County of San Benito to Repeal and Replace Ordinance No. 711 providing for the preparation, direction and coordination of Emergency Services"; accept the introduction of the ordinance, waive further reading of the ordinance; and continue to July 10, 2012 for adoption of said ordinance.

ADJOURN TO TUESDAY, JULY 10, 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.