



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 AUGUST 14, 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 AND RECOGNITIONS:**

SHERIFF'S DEPARTMENT – D. Thompson:

Present Certificate of Recognition and plaque to Sheriff K9 "Dix" for over 8 years of service to San Benito County and its citizens upon his retirement on August 15, 2012.

- 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:** 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 Sudden Oak Death quarantine enforcement work for the period of July 1, 2012 through June 30, 2013, for a total amount of \$604.18.

ASSESSOR – T. Slavich:

- 2) Adopt Resolutions establishing Agricultural Preserves for Waters, Waters Trust and Spencer/Schmidt/Henzi and authorize the Chairman to sign the Land Conservation Act contracts (Res. No. 2012-42, 2012-43, 2012-44)

CLERK OF THE BOARD – D. Thome:

- 3) Approve the action minutes of the June 19, 2012 and July 10, 2012 regular meetings.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 4) Approve agreement with Fairbank, Maslin, Maulin, Metz and Associates, for survey research services pertaining to the formation of a special district and revenue measure to provide parks, recreation, and library services for the period August 14, 2012 through June 30, 2013, in the amount of \$20,200.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 5) Approve agreement with Meyers Nave, for legal services pertaining to the formation of a special district and revenue measure to provide parks, recreation, and library services for the period August 14, 2012 through June 30, 2013, in the amount of \$24,575.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 6) Approve communications agreement to provide services to the City of Hollister for technology link, radio infrastructure, maintenance and alternate PSAP for the term to begin retroactively from July 1, 2012 through June 30, 2017 at a cost of \$65,946 and a CPI adjustment in subsequent years.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 7) Approve the revised San Benito County Workforce Investment Board (WIB) Bylaws.

HUMAN RESOURCES – J. Credico:

- 8) Adopt resolution authorizing the County schedule of office closures for 2012/2013. (Res. No. 2012- 45)

HUMAN RESOURCES – J. Credico:

- 9) Adopt resolution regarding County office hours and days of operation. (Res. 2012-46)

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 10) Approve contract with the California Conservation Corps to perform storm drain marker maintenance and public refuse and recycling container maintenance for the period from July 1, 2012 through June 30, 2013 in the amount of \$18,000 and authorize the Director of Integrated Waste Management to sign said contract.

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.)

- 11) Conference with Labor Negotiators
Authority: Government Code Section 54957.6
Agency designated representatives: County Administrative Officer, Rich Inman and Human Resources Analyst Jacki Credico
Employee Organizations: SEIU, DSA, MEG
- 12) Conference with Legal Counsel-Anticipated Litigation
Significant Exposure to litigation pursuant to subdivision (b) of Section 54956.9:
Number of Cases (1)
Closed session is authorized by Section 54956.9(b)(3)(A)

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.*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) Receive report and presentation on the status of the San Benito River Parkway Conceptual Master Plan project and provide direction to staff.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 14) Approve grant agreement with The Health Trust for funding to complete the feasibility analysis pertaining to the establishment of a special district to support parks, recreation, and library services, for the period August 1, 2012 through January 31, 2013 in the amount of \$61,500 and approve the budget adjustment appropriating the grant funds. (4/5 vote)

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 15) Approve two (2) agreements with Janet Norris; 1) to provide assistance with County's Property Tax responsibilities for the period from July 9, 2012 through September 30, 2012, in an amount not to exceed \$14,000, 2) to provide assistance with the dissolution of the Redevelopment Agency of Hollister for the period from July 9, 2012 through September 30, 2012, in an amount not to exceed \$10,000.

HUMAN RESOURCES – J. Credico:

- 16) Consider proposed reductions to county positions due to County's dire budget situation to be presented at meeting and approve reductions to county positions.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 17) Adopt resolution to support Extended Producer Responsibility including joining the California Product Stewardship Council with an annual fee of \$1,500.

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:

HUMAN RESOURCES – J. Credico:

- 18) Discuss staffing at Public Authority and give direction to Human Resources.

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

PUBLIC HEARINGS – 11:00 A.M. (Or as soon thereafter as the matter may be heard)

PLANNING DEPARTMENT – G. Armstrong:

- 19) Hold a Public Hearing to review the project record and Planning Commission Resolution #2012-05; review and consider the proposed zone change; make the CEQA and zone change findings set forth in the attached staff report; approve and adopt the Mitigated Negative Declaration and mitigated monitoring and reporting program and adopt Ordinance approving Zone Change No. 12-175 (304 Carpenteria Avenue, Aromas, CA. Applicant: Jose Alvarez) based on the findings and conditions of approval reflected in the Board report as recommended by the Planning Commission. (Ord. No. 900)

PLANNING DEPARTMENT – G. Armstrong:

- 20) Hold a Public Hearing to consider proposed amendments to Article VII of Chapter 21.01 of Title 21 of the San Benito County Code pertaining to Agricultural Building Exemptions; read the title of the Ordinance for the record: "An Ordinance Amending Article VII of Chapter 21.01 of Title 21 of the San Benito County Code; make the CEQA findings set forth in Exhibit A to the AIT; accept introduction and waive further reading of the ordinance; and continue the matter to August 21, 2012 at 9:00 a.m. for adoption of said ordinance.

PLANNING DEPARTMENT – G. Armstrong:

- 21) Hold a Public Hearing on zone change 11-173; review the project record and Planning Commission Resolution #2012-07; adopt the CEQA and Zone Change findings set forth in Attachment "A" to the AIT; approve and adopt the Negative Declaration; and adopt ordinance adding Article VII to Chapter 25.13 of Title 25 of the San Benito County Code regarding the definition of an Emergency Shelter combining zoning district and properties to be subject to this zone. (Ord. No.901)

PLANNING DEPARTMENT – G. Armstrong:

- 22) Hold a Public Hearing to review the project record and Planning commission Resolution 2012-08; adopt the CEQA and Zone Change findings set forth in Attachment A to the AIT; approve and adopt the Negative Declaration; and adopt Ordinance adding Section 25.29.016 to Chapter 25.29 of Title 25 of the San Benito County Code, regarding agricultural employee housing. (Ord. No. 902)

CLOSED SESSION (Continued):

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.)

- 23) Public Employee Appointment
Government Code Section 54957
Title: Director County of San Benito Health and Human Services Agency
- 24) Conference with Legal Counsel-Existing Litigation
(Subdivision (a) of Section 54956.9)
Name of Case: *County of San Benito & County of San Benito Deputy Sheriff's Association*, Case No. NB 3392, CSMCS No. ARB-11-0403/LDF 11-1934
- 25) Public Employee Evaluation
Government Code Section 54957
Title: County Administrative Officer

ADJOURN TO TUESDAY, AUGUST 21, 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.