



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 SEPTEMBER 11, 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 Botelho.

b) Acknowledge Certificate of Posting.

c) **PRESENTATIONS AND RECOGNITIONS:**

HUMAN RESOURCES:

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

- Jean Gillaspie-Secretary II (Ag. Commissioner's Office), 10 years
- Barbara Larios-Child Support Specialist III (Child Support), over 34 years
- Patricia Maderis-Administrative Services Specialist (Planning & Building), over 22 years
- Irene Uribe-Office Assistant III (Public Works), almost 19 years

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.

AUDITORS OFFICE – J. P. Gonzalez:

- 1) Set and pass the FY 2012/2013 Tax Rates, Debt Service Rates and Direct Assessment Charges; authorize the Auditor to levy the above mentioned rates and charges; and adopt Resolution for FY 2012/2013. (Res. No. 2012-53)

BOARD OF SUPERVISORS – M. Barrios:

- 2) Approve proclamation declaring September 2012 as “Childhood Cancer Awareness Month” in San Benito County and authorize the Chair to sign.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 3) Adopt Resolution retroactively approving the grant application to the S.L. Gimbel Foundation to support promotion of recreational trails, parks and open space in San Benito County, in the amount of \$14,800. (Res. No. 2012-54)

COUNTY COUNSEL – M. Granger:

- 4) Approve contract with LexisNexis for online legal research service for the period of December 12, 2012 through May 31, 2016 in an amount not to exceed \$563.00 per month and authorize County Counsel to execute the contract.

DISTRICT ATTORNEY – C. Hooper:

- 5) Approve contract with LexisNexis for online legal research service for the period of October 1, 2012 through September 30, 2015 in an amount not to exceed \$551.00 per month and authorize the District Attorney to sign said contract.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 6) Approve Memorandum of Understanding with the California State University of Monterey Bay for the placement of undergraduate student interns for the period of September 11, 2012 to August 31, 2015 and authorize the Health & Human Services Interim Director to sign.

HUMAN RESOURCES – J. Credico:

- 7) Approve an increase in the allocation of one Deputy County Counsel III position by .1 FTE from .6 to .7 FTE effective September 1, 2012.

HUMAN RESOURCES – J. Credico:

- 8) Adopt Resolution regarding county office days and hours of operation with corrected Exhibit A, which omitted the change for the Probation Department. (Res. No. 2012-55)

PROBATION DEPARTMENT – B. Cardall:

- 9) Approve contract with Juliana M. Taymans for “Thinking for A Change” Training from July 10, 2012 through July 13, 2012 for an amount not to exceed \$7,725.00.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 10) Approve Contract Change Order #1 with Calstroy Construction for the Sheriff/Administration/County Permit Center Building Improvements project in the amount of \$22,849.90; authorize the Public Works Administrator to sign change order and restore Public Works Administrator's authority to \$34,600.00 for the remaining work on the project. (4/5 vote)

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

- 11) Hold a public hearing regarding an Ordinance amending Section 23.15.008 of Title 23 of the San Benito County Code pertaining to Parkland Dedication, introduce and waive further reading of the ordinance and continue to September 25, 2012 for adoption and order publication of display ad.

PLANNING AND BUILDING – G. Armstrong:

- 12) Hold a public hearing to adopt an Ordinance approving Zone Change 12-174, changing the zoning designation of a 4 acre parcel located on Bridgevale Road (APN's:019-240-031 & 032) owned by Ruben Rodriguez from Ag. Productive (AP) to Residential Multiple (RM). (Ord. No. 904)

PLANNING AND BUILDING – G. Armstrong:

- 13) Hold a public hearing to adopt an Ordinance amending Article III of Chapter 25.29 of Title 25 of the San Benito County Code pertaining to sign regulations and order publication of display ad. (Ord. No.905)

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:

- 14) Discussion and/or direction concerning the county budget: 1) County Library;
2) Other.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 15) Discussion and direction concerning consolidation of Behavioral Health with Health and Human Services Agency.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 16) Discussion and direction concerning Proposition 30 entitled Sales and Income Tax Initiative.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 17) Discussion and direction concerning Proposition 31 entitled The Government Performance and Accountability Act (the California Forward Measure).

COUNTY COUNSEL – M. Granger:

- 18) Consider proposal of Fee Schedule for Applications for Changed Assessment and Preparation of Written Findings of Fact and set public hearing to adopt fees.

HEALTH AND HUMAN SERVICES AGENCY – M. Corona:

- 19) Adopt Resolution authorizing HHSA and Community Services and Workforce Development to accept the donation of a 2010 Ford Escape Hybrid vehicle and authorize the addition to the schedule of assets.

HEALTH AND HUMAN SERVICES AGENCY – M. Corona:

- 20) Presentation by Central Coast Energy Services (CCES) on weatherization services provided in San Benito County.

HUMAN RESOURCES – J. Credico:

- 21) Approve layoffs in various departments effective November 1, 2012.

HUMAN RESOURCES – J. Credico:

- 22) Approve Amendment #5 to the Memorandum of Understanding between San Benito County and the San Benito County Deputy Sheriff's Association, effective retroactive to July 1, 2012 through December 31, 2014.

HUMAN RESOURCES – J. Credico:

- 23) Adopt Resolution for employer-paid member contributions with the California Public Employees Retirement regarding the safety employees.

HUMAN RESOURCES – J. Credico:

- 24) Approve Countywide Employee Cash Incentive Program to participate in PERS Select Employee-Only Health Plan for Calendar Year 2013.

INTERNAL SERVICES – M. Riopel:

- 25) Approve the Comprehensive Impact Fee Study for San Benito County developed by Wildan Financial Services and direct staff to bring back ordinances setting the impact fees as they relate to said Impact Fee Study.

INTERNAL SERVICES – M. Riopel:

- 26) Approve contract amendment #2 with the California Dept. of Forestry and Fire Protection for the period from July 1, 2009 through June 30, 2012 with specifics for three year FY 2011-2012 "Schedule A" services and adopt Resolution to reflect an amount not to exceed \$949,953 for "Schedule A" services for FY 2011-2012.

PLANNING DEPARTMENT – G. Armstrong:

- 27) Review letters regarding California Foothills Legacy Area Program and direct staff accordingly. *(Continued from August 21, 2012 meeting)*

PLANNING DEPARTMENT – G. Armstrong:

- 28) Discussion regarding Level of Service C vs. D for purposes of the General Plan. *(Continued from August 21, 2012 meeting)*

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 29) Receive report regarding the AB900 Phase II Local Jail Construction Financing Program and provide direction to staff.

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.)

- 30) Conference with Labor Negotiators
Authority: Government Code Section 54957.6
Agency Designated Representatives: JoDan and Associates, Linzie Daniel and Human Resources Analyst Jacki Credico
Employee Organizations: SEIU Local 521 and Management Employees Group (MEG) and Institutions Association
- 31) Public Employee Evaluation
Government Code Section 54957
Title: County Administrative Officer

ADJOURN TO TUESDAY, SEPTEMBER 25, 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.