



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 25, 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:

Proclamation declaring October 1-14, 2012 as Bi-National Health Week in San Benito County.

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.

BOARD OF SUPERVISORS:

- 1) Approve contract with Jovenes de Antano for the period of October 1, 2012 through June 30, 2013, in the amount of \$35,706.

CLERK OF THE BOARD – D. Thome:

- 2) Approve the action minutes of the July 23, 24, 25, 26 and 27, 2012 budget hearings and September 6, 2012 special meeting.

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

- 3) Approve the contract Amendment & Extension for the two Professional Services contracts with Janet Norris, CPA for an additional 31 days.

COUNTY ADMINISTRATION OFFICE – M Riopel:

- 4) Approve Communications Agreement to provide 911 services for the EMS Agency with a term to begin retroactively from July 1, 2012 through June 30, 2017 at an annual cost to the EMS Agency of \$80,867 and a CPI adjustment in subsequent years.

COUNTY ADMINISTRATION OFFICE – M. Riopel:

- 5) Approve Communications Agreement to provide services to the City of San Juan Bautista with a term to begin retroactively from July 1, 2012 through June 30, 2017 at an annual cost to the City of San Juan Bautista of \$50,470 and a CPI adjustment in subsequent years.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 6) Approve temporary Registered Environmental Health Specialist to participate in the 24/7 on-call rotation without counting the stand-by time as worked hours.

HUMAN RESOURCES – J. Credico:

- 7) Approve Class Specifications for Public Authority Employment Coordinator and set salary at range 16.9; add 1.0 FTE Public Authority Employment Coordinator to the schedule of authorized positions for the Public Authority budget for FY 2012/2013; and delete 1.0 FTE Office Assistant II from the schedule of authorized positions for Public Authority budget effective no later than January 1, 2013.

HUMAN RESOURCES – J. Credico:

- 8) Approve Class Specification for Property Tax and Special Accounting Analyst and set salary range at 23.6 (\$55,752-\$71,172 annually).

<p><i>SITTING AS THE PUBLIC AUTHORITY FOR IN- HOME SUPPORTIVE SERVICES:</i></p>
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The Board will adjourn as the Board of Supervisors and reconvene as the IHSS Public Authority re:

HUMAN RESOURCES – J. Credico:

- 9) Approve Reorganization in the Public Authority Office and approve budget augmentation related to reorganization. (4/5 vote)

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

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

COUNTY COUNSEL – M. Granger:

- 10) Hold a public hearing to adopt an ordinance adopting a fee schedule pertaining to property tax assessment appeals; review and consider the proposed fee schedule, supportive fee study, and the proposed Notice of Exemption pursuant to CEQA sections and CEQA guidelines; adopt Notice of Exemption; adopt Ordinance adopting a Property Tax Assessment Appeal Fee Schedule, to add a new fee for filing an application for changes assessment and to increase an existing fee for preparation of written findings of fact. (Ord. No.906)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 11) Hold a public hearing for refund of County Service Area Fees in the amount of approximately \$32,593 – (CSA #33-Torrano Estates).

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:

- 12) Approve letter to the U.S. Fish & Wildlife Service regarding the proposed California Foothill Legacy Area Program; and adopt Resolution asserting legal standing and requesting coordination with all Federal and State agencies maintaining jurisdiction over lands and/or resources within the County.

COUNTY ADMINISTRATION OFFICE – M. Riopel:

- 13) Approve Auto Aid Agreement between the County of San Benito and the City of San Juan Bautista to provide fire service and emergency response in the unincorporated areas; and approve the Operational Plan for Auto Aid Response.

COUNTY ADMINISTRATION OFFICE – M. Riopel:

- 14) Approve contract between County of San Benito and the City of San Juan Bautista for fire service and emergency response in the unincorporated areas as designated, with a term to begin retroactively from July 1, 2012 through June 30, 2013 at a cost of \$10,000 and includes a fire engine and maintenance and insurance as specified.

COUNTY ADMINISTRATION OFFICE – M. Riopel:

- 15) Receive staff report regarding the status of the FY 2012/2013 CalFire budget.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 16) Introduce an ordinance adding Chapter 11.12 (“Standards for Body Art and Piercing”) to Title 11 of the San Benito County Code; waive the reading of said ordinance and continue to October 2, 2012 for adoption of said ordinance.

HUMAN RESOURCES – J. Credico:

- 17) Consider options regarding two employees' excess vacation hours after budget reductions.

PLANNING DEPARTMENT – G. Armstrong:

- 18) Further discussion regarding Level of Service C vs. D for purposes of the General Plan and direct staff accordingly.

PLANNING DEPARTMENT – G. Armstrong:

- 19) Re-introduce an Ordinance amending Section 23.15.008 (Parkland Dedication); accept the new introduction, waive further reading of the revised ordinance and continue to October 2, 2012 for adoption.

PLANNING DEPARTMENT – G. Armstrong:

- 20) Discussion in regards to Oil and Gas well drilling and provide direction to staff.

PLANNING DEPARTMENT - G. Armstrong:

- 21) Update on the Comprehensive General Plan budget status by consultant (Mintier Harnisch); 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.)

- 22) Conference with Legal Council-Existing Litigation, (Subdivision (a) of Section 54956.9)
Name of Case: *Robert Raymond v. Joe Paul Gonzalez*, United States District Court for the Northern District of California, Case No. CV-12-04594 HRL.
- 23) Conference with Legal Council-Existing Litigation, (Subdivision (a) of Section 54956.9)
Name of Case: *Brett Johnson v. San Benito County, et. al.*, United States District Court for the Northern District of California, Case No. CV-12-3691 HRL.
- 24) Public Employee Evaluation
Government Code Section 54957
Title: County Administrative Officer

ADJOURN TO TUESDAY, OCTOBER 2, 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.