



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 OCTOBER 2, 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:

- Pledge of Allegiance to be led by Supervisor Muenzer.
- Acknowledge Certificate of Posting.
- PRESENTATIONS AND RECOGNITIONS:**

Proclamation declaring October 23-31, 2012 as Red Ribbon Week in San Benito County.

HUMAN RESOURCES:

Present Certificate of Recognition to Alfredo Casas, Public Works Custodian, for almost 14 years of service.

- 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.*
- Department Head Announcements:** Information only.
- 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.

CLERK OF THE BOARD – D. Thome:

- 1) Approve the action minutes of the August 14, 2012 regular meeting and the August 21, 2012 regular meeting.

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

- 2) Adopt Resolution approving the FY 2012-2013 Final Budget. (Res. No. 2012-59)

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

- 3) Adopt Resolution establishing the Proposition 4 (Gann Limit) Appropriation Limit for the fiscal year July 1, 2012 to June 30, 2013 at \$28,180,506. (Res. No. 2012-60)

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 4) Approve budget augmentation in the amount of \$16,846.39 for gate at Migrant Camp. (4/5 vote)

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 5) Adopt ordinance adding Chapter 11.12 (“Standards for Body Art and Piercing”) to Title 11 of the San Benito County Code. (Continued from October 2, 2012 meeting) (Ord. No.907)

PLANNING DEPARTMENT – G. Armstrong:

- 6) Adopt Ordinance amending Section 23.15.008 (Parkland Dedication). (Continued from October 2, 2012 meeting) (Ord. No. 908)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 7) Approve contract Amendment #1 for environmental services for San Juan Highway Bike lane project with LSA Associates, Inc., in the amount of \$25,385 for a total contract amount value of \$30,185.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 8) Approve contract Amendment #1 with Parikh Consultants, Inc., for material testing services for the San Juan Bike Lane project, in an amount not to exceed \$25,362.52 for a total contract amount value of \$45,704.76.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 9) Approve contract Amendment #1 for resident engineering and construction administration services for San Juan Highway Bike Lane project with MNS Engineers, Inc., in the amount of \$79,992 for a total contract amount value of \$217,172.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 10) Approve contract with ACCO Engineered Systems, Inc. for the heating ventilation air conditioning (HVAC) service and repair for the period of October 1, 2012 through September 30, 2013, in an amount not to exceed \$7,283.00.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 11) Approve contract with Edward R. Bacon, Inc. for generator maintenance services for the period of October 2, 2012 through September 30, 2013, in an amount not to exceed \$16,237.53.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 12) Adopt a Resolution establishing Multi-way Stop controls on Nash Road at the intersections of Monterey Street and West Street. (Res. No. 2012-61)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) Adopt plans and specifications for the Park Hill Fiber Optic Cabling project.

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.

COUNCIL OF GOVERNMENTS – L. Rheinheimer:

- 14) Receive report on Highway 25 Bypass Route Transfer and recommend a preferred option to the Council of San Benito County Governments.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 15) Receive report from the Bureau of Land Management (BLM) regarding resource management plan (RMP) for the Panoche-Coalinga area of critical environmental concern.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 16) Discussion and/or direction concerning a Board Retreat focused on county budget issues.

COUNTY ADMINISTRATIVE OFFICE – R. Inman:

- 17) Chairman to dissolve the FY 2012-2013 Budget Ad Hoc Committee.

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.)

- 18) 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)(C).

- 19) 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 of California, County of San Benito, Case No. CU-12-00060.
- 20) Public Employee Evaluation
Government Code Section 54957
Title: County Administrative Officer

ADJOURN TO TUESDAY, OCTOBER 16, 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.