



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 DECEMBER 18, 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) **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.*
- d) **Department Head Announcements:** Information only.
- e) **PRESENTATION & RECOGNITIONS, BOARD ANNOUNCEMENTS:**

BOARD OF SUPERVISORS – Supervisor Muenzer:

Present Certificate of Recognition to Doug Emerson for 8 years of service as Councilman for the City of Hollister.

HUMAN RESOURCES:

Board Presentation of Certificates of Recognition for Years of County Service upon Retirement:

- Steven Distance, Accountant II (H&HSA), Thirteen Years
- Lupe Eclarin, Office Services Supervisor (Public Health), Thirty Five Years
- Margie Riopel, Management Analyst III (Internal Services), Twenty Six Years

- Catherine Shaw, Management Analyst III (Administration), Three Years
- Laura Schipper, Employment & Training Services Counselor (H&HSA), Twenty Seven Years

CLOSED SESSION: 9:00 a.m.

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 Labor Negotiator:
 Authority: California Government Code Section 54957.6
 Agency Designated Chief Negotiator: Jodan and Associates, Linzie Daniel and Management Analyst Jacki Credico
 Employee Organization: Management Employees' Group and Institutions Association.

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.

ADMINISTRATIVE OFFICE – R. Espinosa:

- 2) Approve contract with Senior Council Area Agency on Aging for the time period of December 19, 2012 through June 30, 2013 in the amount of \$23,437 for the purpose of serving the San Benito County Senior Citizens.

ASSESSOR'S DEPARTMENT – T. Slavich:

- 3) Adopt Resolutions establishing Agricultural Preserve. (Res. No. 2012-80, 2012-81)

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 4) Approve the Psychiatric Mental Health Nurse Practitioner Intern Filed Placement MOU Agreement with Cal. State University, Fresno, Department of Nursing and authorize the County Behavioral Health Director to sign the CSUF Agreement for the term of January 1, 2013 to January 1, 2016 for the placement of Psychiatric Mental Health Nurse Practitioner Interns.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 5) Authorize the County Behavioral Health Director to sign the Contract Amendment Agreement between DMH and the County for the term of April 1, 2012 through April 30, 2013, effective December 30, 2012.

COUNTY COUNSEL – M. Granger:

- 6) Adopt Ordinance adding Section 3.01.123 to Article VIII of the San Benito County Code establishing Procedures and Limitations Period for Filing Claims against the County. (Ordinance No. 911)

HEALTH AND HUMAN SERVICES AGENCY – M. Corona:

- 7) Approve deletion of the 1.0 FTE Accountant II in budget unit 2214 400 and Approve the addition of 1.0 FTE Accounting Technician in Budget Unit 2214 400.

HEALTH AND HUMAN SERVICES AGENCY – M. Corona:

- 8) Approve Memorandum of Understanding between San Benito County and Hazel Hawkins Memorial Hospital for Hospital Preparedness Program (HPP) for use of Grant Funds in the amount of \$28,110 and authorize the Interim HHS Director to sign said agreement.

HEALTH AND HUMAN SERVICES AGENCY – M. Corona:

- 9) Adopt Resolution authorizing closure of all Public Health Services to include Public Health Department on Fourth Street, the Emergency Medical Services and Environmental Health Office located on San Felipe Road from 8am-5pm on January 8, 2013. (Resolution No. 2012-82)

HEALTH AND HUMAN SERVICES AGENCY – M. Corona:

- 10) Approve Memorandum of Understanding between San Benito County and San Benito Health Foundation for Hospital Preparedness Program (HPP) for use of Grant Funds in the amount of \$21,800.40 and authorize the HHS Interim Director to sign said agreement.

HUMAN RESOURCES DEPARTMENT – J. Credico:

- 11) Adopt Resolution of the San Benito County Board of Supervisors Authorizing the Closure of County Offices on Certain Days in Fiscal Year 2012/2013. (Res. No. 2012-83)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 12) Approve contract with Rincon Consultants, Inc. for professional services for the AB900 Jail Expansion project in the amount of \$18,664 for period of December 18, 2012 through December 31, 2013.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) Adopt Resolution Approving a Right-of-Way Agreement and Grant Deed form with the State of California for the Hospital Road Bridge Project, authorizing the Public Works Administrator to accept the Grant Deed on the approved State of California form, and payment for the purchase in an amount not to exceed \$5,000. (Res. No. 2012-84)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 14) Adopt Resolution approving a Right-of-Way Agreement with and Grant Deed from the Ortiz Family Trust for the Hospital Road Bridge Project Authorizing the Chair to execute the agreement and Grant Deed and Authorizing payment for the purchase in an amount not to exceed \$15,400. (Res. No. 2012-85)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 15) Approve contract for Countywide Vehicle and repair services with San Benito Tire, Inc. for the period of December 20, 2012 through December 31, 2015.

SHERIFF'S OFFICE – D. Thompson:

- 16) Increase expenditures in budget unit 1001 220, Sheriff-Jail in the amount of \$46,394 and revenue in the same amount to provide for the increase in the State Criminal Alien Assistance Program Award.

SHERIFF'S OFFICE – D. Thompson:

- 17) Approve the expenditure increase in budget unit 1001 210 / Sheriff's Operations in the amount of \$4,090 for the purchase of computer forensic software and maintenance. Increase revenue in the amount of \$4090 to allow for the reimbursement of expenditures through the S.A.F.E. Task Force Grant.

SHERIFF'S OFFICE – D. Thompson:

- 18) Approve the contract with the Department of Parks and Recreations, Hollister Hills State Vehicular Recreation Area unit for non-OHV related law enforcement.

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.

ADMINISTRATIVE OFFICE – R. Espinosa:

- 19) Receive report and presentation on the conceptual design of the proposed River Parkway between Fourth Street and Hospital Road and the Regional Park (Focus Area) and approve the regional park conceptual design, Alternate C.

ADMINISTRATIVE OFFICE – R. Espinosa:

- 20) Receive the report and data analysis on the Feasibility Study Regarding the Establishment of a Community Services District for Parks, Recreation and Library Services.

AUDITOR'S OFFICE – JP. Gonzalez:

- 21) Augment the Elections Budget Unit Grant Revenue and Special Department Expense with the Secretary of State HAVA Grant in the amount of \$20,000. Authorize the Department Head to purchase hardware and software from Dell Computer/CDW in an amount not to exceed \$20,000 prior to December 31, 2012.

EMERGENCY SERVICES – J. Clark:

- 22) Approve the Resolution adopting the December 2012 Update to the San Benito County Operational Area Emergency Operations Plan.

HUMAN RESOURCES – J. Credico:

- 23) Update on Vacation Balances.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 24) Declare the vehicles and equipment listed to be surplus and direct staff to remove surplus vehicles and equipment from inventory per County practice.

CLOSED SESSION: 1:30 p.m.

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- 25) Public Employment Recruitment
Title: County Administrative Officer
Authority: California Government Code 54957 (continued from 12/11/12 mtg)

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.)

- 26) Public Employee Performance Evaluation
Title: Interim County Administrative Officer Evaluation
Government Code Section: 54957
- 27) 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)(B) – Implementation of Disciplinary Action Against County Employee.

ADJOURN TO TUESDAY, JANUARY 8, 2013 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.