



# SAN BENITO COUNTY BOARD OF SUPERVISORS

Margie Barrios  
District No. 1

Anthony Botelho  
District No. 2  
Chair

Robert Rivas  
District No. 3

Jerry Muenzer  
District No. 4  
Vice-Chair

Jaime De La Cruz  
District No. 5

County Administration Building – Board of Supervisors Chambers, 481 Fourth Street, Hollister, California

## REGULAR MEETING AGENDA FEBRUARY 19, 2013

### **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) **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) **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.*

### **CHILDCARE LOCAL PLANNING COUNCIL – K. Bobsin:**

- 1) Certify the annual Childcare Local Planning Council membership and authorize the Chair to sign certification statement.

**HEALTH & HUMAN SERVICES AGENCY – M. Corona:**

- 2) Adopt Resolution approving the Operation and Maintenance contract between the State Department of Housing and Community Development (HCD) and the County of San Benito in the amount of \$396,763; and authorize the HHSA Interim Director to sign said contract. (Res. No. 2013-14)

**PLANNING DEPARTMENT – G. Armstrong:**

- 3) Approve budget transfer in the amount of \$67,000 to Budget #1001-272 for costs related to the General Plan Update. (4/5 vote)

**PUBLIC WORKS DEPARTMENT – S. Wittry:**

- 4) Approve Use Agreement with Hollister Heat for construction of roof Structure within the Veterans Memorial Park.

**SHERIFF’S OFFICE – D. Thompson:**

- 5) Approve agreement with Venus Azar, MD for autopsy services at the Monterey County coroner’s facility effective February 1, 2013 through December 31, 2013; and authorize the Sheriff to sign said contract.

**SHERIFF’S OFFICE – D. Thompson:**

- 6) Accept the Off-Highway Motor Vehicle Grant award in the amount of \$17,158 and approve the Budget Adjustment/Transfer increasing appropriations and revenue in the amount of \$17,158. (4/5 vote)

**SHERIFF’S OFFICE – D. Thompson:**

- 7) Approve Coordinated Special Weapons and Tactics (SWAT) Agreement with Monterey County Sheriff’s Office for the period of January 21, 2013 and continue until terminated by any participating party; and authorize Sheriff to sign said agreement.

**PUBLIC HEARING – 9:00 a.m. (Or as soon thereafter as the matter may be heard)**

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

- 8) Conduct a public hearing to amend Sections 5.01.035 and 5.01.036 of the San Benito County Code, establishing new fees and amending existing fees in the fee schedule for the offices of the County Clerk, Recorder and Registrar of Voters; and adopt Ordinance, amending Sections 5.01.035 and 5.01.036 of the San Benito County Code, establishing new fees and amending existing fees in the fee schedule for the offices of the County Clerk, Recorder and Registrar of Voters. (Ord. No. 913)

**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.*

**COUNTY ADMINISTRATION OFFICE – R. Espinosa:**

- 9) Discussion regarding San Benito County Fire Protection; and provide direction to staff.

**COUNTY ADMINISTRATION OFFICE – R. Espinosa:**

- 10) Review and discuss documents for the FY 2013-2014 Budget Hearings.

**HEALTH & HUMAN SERVICES AGENCY – M. Corona:**

- 11) Discussion and provide direction regarding the operations of the San Benito County Unaccompanied Adult Farm Labor Camp.

**INTEGRATED WASTE MANAGEMENT – M. Rose:**

- 12) Review the proposal from Waste Connections Inc., and direct staff as appropriate.

**PLANNING DEPARTMENT – G. Armstrong:**

- 13) Discuss the Groundwater Extraction proposed ordinance revisions to Chapter 15.05 of Title 15 of the San Benito County Code; and direct staff to conduct any necessary CEQA analysis on the proposed changes, and then bring back the proposed changes to the Board for further consideration and potential adoption.

**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.)*

- 14) Conference with Labor Negotiator:  
Authority: California Government Code Section 54957.6  
Agency Designated Chief Negotiator: JoDan and Associates, Linzie Daniel and/or Management Analyst Jacki Credico and Interim CAO Ray Espinosa  
Employee Organizations: Management Employees' Group
- 15) Conference with Legal Counsel-Anticipated Litigation  
Significant Exposure to litigation pursuant to subdivision (d) of Section 54956.9:  
Number of Cases: (1)  
Closed session is authorized by Section 54956.9(d)(2), and (e)(2): The State Controller's Office states the County of San Benito underfunded the Education Revenue Augmentation Fund (ERAF) from July 1, 1991 and June 30, 2001.
- 16) Conference with Legal Counsel-Anticipated Litigation  
Significant Exposure to litigation pursuant to subdivision (d) of Section 54956.9:  
Number of Cases: (1)  
Closed session is authorized by Section 54956.9(d)(2),and (e)(1)
- 17) Conference with Real Property Negotiator  
Property: Palmtag Ranch (APN 020-170-017), off of Cienega Road, Hollister, CA  
Agency Negotiator(s): Steve Wittry, Public Works Administrator; Ray Espinosa, Interim CAO, Janelle Cox, Management Analyst, Matthew Granger, County Counsel, and Shirley Murphy, Deputy County Counsel  
Negotiating Parties: Ron Ross, on behalf of the property owners

Under Negotiation: price and terms of payment  
Authority: California Government Code §54956.8

- 18) Public Employee Performance Evaluation  
Title: Interim County Administrative Officer  
Government Code Section: 54957

**ADJOURN TO TUESDAY, MARCH 5, 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/](http://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.***