



# 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 MAY 7, 2013 ACTION MINUTES

The Board of Supervisors of San Benito County met in the Board Chambers on the above date in *regular session*. Supervisors Botelho, De La Cruz, Rivas, Barrios and Muenzer were present. Also present were Interim County Administrative Officer Ray Espinosa, County Counsel Matt Granger, and Clerk of the Board Denise Thome. Chairman Botelho presided.

### 9:00 a.m. CALL TO ORDER:

- a) Supervisor De La Cruz led the Pledge of Allegiance.
- b) *Upon motion duly made by Supervisor Muenzer and seconded by Supervisor Barrios, acknowledged Certificate of Posting.*

### c) PRESENTATIONS & RECOGNITIONS:

#### **Present Proclamation declaring May 19-25, 2013 as “National Public Works Week”.**

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Rivas, **approved** the proclamation declaring May 19 – 25, 2013 as “National Public Works Week”. (Unanimous) File #430*

Supervisor Muenzer presented the proclamation to Public Works Director Steve Wittry.

#### **Present Proclamation recognizing May 18, 2013 as National Kids to Parks Day.**

*Upon motion duly made by Supervisor Barrios and seconded by Supervisor Rivas, **approved** the proclamation recognizing May 18, 2013 as “National Kids to Parks Day”. (Unanimous) File #93*

Supervisor Barrios presented the proclamation to Vice-Chair of the San Benito County Parks and Recreation Commission, Debra Cable.

- d) **Public Comment:** Teresa Owens of Marshall Creek, LLC – General Contracting stated that their client was Homes for Troops. She explained that Homes for Troops built homes for injured veterans and asked that the request to waive the building impact fees for said homes be considered at a future meeting.

Chairman Botelho advised Ms. Owens to speak to her District Supervisor.

Ms. Owens replied that she had and they told her to come to the meeting. Hollister resident Marty Richman spoke in favor of the Homes for Troops program.

e) **Department Head Announcements:**

Interim CAO Ray Espinosa stated that they would be moving item #12 and making it the last item on the agenda. In addition they would be moving item #22 to the first item on the regular agenda.

COG Director Lisa Rheinheimer announced that on Thursday, May 9, 2013 would be "Bike to work and bike to school day". She added that Association of Monterey Bay Area Governments (AMBAG) would be holding a "Design our Future" community meeting on Tuesday, May 14, 2013 from 6:00 to 7:30 p.m. at the Hollister Community Center. She stated that they would be working on a sustainable community strategy and people were encouraged to go.

f) **Board Announcements:**

Supervisor De La Cruz reported that he attended the Build Homes for Troops event and asked that the matter previously requested be put on a future agenda.

Supervisor Muenzer thanked all the firefighters for keeping the fire in Tres Pinos Hills from any structural damage. He added that it was shaping up to be a bad fire season and asked everyone to be careful with combustible items. He added that he attended the Off Hills Motor Vehicle Committee meeting in regards to Bureau of Land Management final EIS where testimony was taken. He reported that he went to Sacramento where there was a successful day of testimony in regards to SB446 with a 5-0 vote to move it to the appropriation committee.

Supervisor Barrios supported Supervisor De La Cruz's request to put the Homes for Troops on the agenda and noted that there were two supervisors making a formal request. She spoke of the Continuum of Care grant that was received and that families were placed thanks to Hazel Hawkins Hospital and the Homeless Coalition. She noted that the Intergovernmental Committee planned to discuss the shopping cart dilemma issue in the county.

<b>CONSENT AGENDA:</b>
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*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 November 13, 2012 Special Meeting Board Retreat.

**COUNTY COUNSEL – M. Granger:**

- 2) Approve legal services contract with the law firm of Miller Starr Regalia, related to processing and forming the Santana Ranch CFD, in an amount not to exceed \$15,000.

**COUNTY COUNSEL – M. Granger:**

- 3) Adopt Resolution approving contract with the law firm of Renne Sloan Holtzman Sakai LLP for the services of an Interim Human Services Director, authorizing County Counsel to execute the contract and taking other related action. (Res. No. 2013-31)

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

- 4) Approve the Kofile Preservation Inc. (DBA-Brown River Marotti Co.) contract for the preservation and restoration of official records for the period of May 1, 2013 through July 30, 2013, in amount not to exceed \$80,000.

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

- 5) Re-appoint Ms. Katherine Hart as the Private Sector Representative for District #4 to the Community Action Board for a three year term effective May 7, 2013 through May 7, 2016.

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

- 6) Adopt Resolution extending services for CSA 36 “Emergency Medical Services & Advanced Life Support”. (Res. No. 2013-32)

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

- 7) Approve the Temporary Operating Permit issued to Westmed Ambulance Service.

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

- 8) Approve contract with Ruby Canyon Engineering for Green House Gas Verification Services, on behalf of the Regional Agency for the period of July 1, 2013 through December 31, 2013, at a cost not to exceed \$12,000.

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

- 9) Accept all responsive bids in the bid summary report for the Building Improvements – Agriculture Commissioner’s Office project and approve contract for the Building Improvements with John Hodges as the lowest responsive responsible bidder in the amount of \$18,303.86; and authorize the Public Works Administrator to execute the contract and issue change orders, in an amount not to exceed \$5,000.

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

- 10) Approve the Budget Adjustment, increasing the Public Works-Road Maintenance Fund (2101-303) by \$142,232 from \$2,943,153 to \$3,085,385. (4/5 vote)

**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:**

- 11) Discussion on Bureau of Land Management Final EIS for Clear Creek; adopt Resolution and approve protest letter setting forth county's objections to the Final EIS and proposed plan. (Supervisor Muenzer and Barrios)

**BOARD OF SUPERVISORS:**

- 12) Discuss Central California Alliance for Health's decision for not expanding in county and create a sub-committee to address the Alliance's concerns.

**BOARD OF SUPERVISORS:**

- 13) Allow the Interim CAO to request a proposal from the Sheriff and the City of Hollister Police Department for safety services within the County.

**BOARD OF SUPERVISORS:**

- 14) Adopt Resolution supporting Comprehensive Immigration Reform that addresses full legalization with a path to citizenship and future immigration of families and workers.

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

- 15) Approve contract with SouthTech Systems for the automating of FPPC Form 700/Statement of Economic Interest for the period of May 7, 2013 to June 30, 2014, in the amount of \$92,107; and approve the budget augmentation to the Election Budget Unit, 1001-140, in the amount of \$92,107. (4/5 vote)

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

- 16) Approve FY 2012/13 budget augmentation in the amount of \$192,000 for the Community Development Block Grant activities; and approve the use of up to 4.0 Part-Time, Temporary positions of Employment Training Services Counselor I/II's for the duration of the grant funding. (4/5 vote)

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

- 17) Review and accept the Annual Rate Adjustment Notification from Recology San Benito County (formerly Norcal Waste Systems of San Benito County).

**PLANNING DEPARTMENT – G. Armstrong:**

- 18) Discussion in regards to Brigantino Annexation Fee Reduction/Waiver Request; and provide direction to staff.

**PLANNING DEPARTMENT – G. Armstrong:**

- 19) Receive report on Various Development Agreements.

**PLANNING DEPARTMENT – G. Armstrong:**

- 20) Discuss the merits of the formations of a CSA(s), or alternate financing mechanism, to handle the maintenance of the approved, but not yet constructed projects; and provide direction to staff.

**PLANNING DEPARTMENT – G. Armstrong:**

- 21) Review and consider the proposed amendment of Section 23.25.007 of the San Benito County Code; introduce and waive reading of the ordinance entitled "An Ordinance Amending Sections 23.25.007 of Title 23 of the San Benito County

Code pertaining to the requirements of County Service Areas in New Subdivisions” and continue to May 21, 2013 at 9:00 for adoption of the ordinance.

**PLANNING DEPARTMENT – G. Armstrong:**

- 22) Review and consider the proposed amendment; read title of ordinance for the record: “An Ordinance Amending Chapter 19.21 (“Oil and Gas Wells”) of Title 19 of the San Benito County Code; make the CEQA Finding No. 1, set forth on Attachment “A”; and accept introduction, waiver further reading of the ordinance and continue to May 21, 2013 at 9:00 a.m. for adoption.

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

- 23) Approve the Lico & Greco Properties LLC Large Lot-Phase I Subdivision Map for Tract Number 300 [TSM #04-70A]; and authorize County Engineer to submit said map to County Recorder for its recordation.

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

- 24) Review Janitorial Services contract proposal and provide direction to staff.

**ADJOURN TO TUESDAY, MAY 21, 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.***