



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 MAY 21, 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 Barrios.

b) Acknowledge Certificate of Posting.

c) **PRESENTATIONS & RECOGNITIONS:**

EMERGENCY MEDICAL SERVICES – M. Morrow:

Proclaim May 19-25, 2013 as Emergency Medical Services Week; identify May 22nd as EMS for Children Day to focus on child safety and injury prevention; and recognize individuals for outstanding EMS Service as recommended by the EMS Agency.

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:** 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.

BEHAVIORAL HEALTH DEPARTMENT– A. Yamamoto:

- 1) Approve contract renewal with Remi Vista, Inc. for Therapeutic Behavioral Services for the period of July 1, 2013 through June 30, 2014, for a maximum amount of \$70,000.

BEHAVIORAL HEALTH DEPARTMENT– A. Yamamoto:

- 2) Approve contract renewal with Hope Rehabilitation Services for the period of July 1, 2013 through June 30, 2014, for a maximum annual total of \$25,000.

BEHAVIORAL HEALTH DEPARTMENT– A. Yamamoto:

- 3) Approve contract renewal with Rebekah Children's Services for therapeutic behavioral services for the period of July 1, 2013 through June 30, 2014, for a maximum amount of \$40,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 4) Approve contract renewal with Gary Ernst for administrative/fiscal consultant for the period of July 1, 2013 through June 30, 2014, for a maximum annual total of \$95,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 5) Approve contract renewal with IDEA Consulting for the period of July 1, 2013 through June 30, 2014, for a maximum annual total of \$122,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 6) Approve contract renewal with Charis Youth Center for therapeutic behavioral services for the period of July 1, 2013 through June 30, 2014, for a maximum amount of \$80,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 7) Approve contract renewal with Value Options, Inc. for administrative services organization for the period of July 1, 2013 through June 30, 2014, for an amount not to exceed \$10,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 8) Approve contract renewal with Unity Care Group, Inc. a residential treatment facility for the period of July 1, 2013 through June 30, 2014, for a maximum amount of \$40,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 9) Approve contract Amendment #1 with Natividad Medical Center to extend contract to June 30, 2014.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 10) Approve contract renewal with Kings View Corporation for telepsychiatry services for the FY 2013-14, for a maximum total of \$110,000.

CLERK OF THE BOARD – D. Thome:

- 11) Approve the action minutes of the April 2, 2013 regular meeting and action minutes of April 30, 2013 special meeting.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 12) Adopt Resolution relinquishing command authority of County Fire Services from CAL Fire to the City of Hollister Fire Department effective June 23, 2013 at 0800 hours. (Res. No. 2013-35)

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 13) Approve Certificate of Appreciation to Ingersoll Rand Technologies of Northern California for the donation of two programmers.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 14) Approve contract renewal with Dr. Carol Johnson-Schroetlin for psychological services for the period of July 1, 2013 to June 30, 2014, in the amount of \$30,000.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 15) Approve contract renewal with Goodfellow Occupational Therapy Services for the period of July 1, 2013 through June 30, 2014, for an amount not to exceed \$79,800.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 16) Approve contract renewal with Sandra Montgomery for physical therapy services for the period of July 1, 2013 through June 30, 2014, for an amount not to exceed \$24,000.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 17) Appoint Mr. Darrell Lawrence to the Workforce Investment Board to represent the public sector for a three year term effective May 21, 2013 through May 21, 2016. (CSWD)

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 18) Approve the purchase of a climate controlled storage unit for grant program supplies from Mobile Mini, Inc., in the amount of \$18,662.

PLANNING DEPARTMENT – G. Armstrong:

- 19) Adopt 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". (Ord. No. 916)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 20) Adopt a Resolution of Intention to impose a new Property Related Fee in county Service Area No. 50 (Dunneville Estates); approve fee report and set a public hearing for July 23, 2013 at 9:30 a.m. (Res. No. 2013-36)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 21) Accept all responsive bids in the bid summary report for the Veterans Memorial Park Irrigation Well project; approve contact with Maggiora Bros. Drilling, Inc., as the lowest responsive, responsible bidder, in the amount of \$53,880; and authorize the Public Works Administrator to execute the contract and issue change orders in the amount not to exceed \$5,388.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 22) Accept all responsive bids in the bid summary report for the Direct Bore Electrical Line to the Veterans Memorial Park Irrigation Well project; approve contract with Daleo, Inc., as the lowest responsive, responsible bidder, in the amount of \$8,666.85; and authorize the Public Works Administrator to execute the contract and issue change orders, in an amount not to exceed \$890.

SHERIFF'S OFFICE – D. Thompson:

- 23) Allow the Sheriff to accept a donation of \$1,449.42 from San Benito County Child Alert in support of National Night Out.

SHERIFF'S OFFICE – D. Thompson:

- 24) Approve the multi-year lease with Dataflow Business Systems for two copy machines and one scanner for the corrections division; and enter into a new 36-month lease for two copier/scanners for the Sheriff's operations division.

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.*

PLANNING DEPARTMENT – G. Armstrong:

- 25) Adopt Ordinance amending Chapter 19.21 ("Oil and Gas Wells") of Title 19 of the San Benito County Code, and (2) direct staff that fees for a conditional use permit related to oil and gas shall not be waived or deferred without the prior approval of the Board of Supervisors. (Ord. No. 917)

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 26) Reintroduce new ordinance establishing Administrative Citation Authority; read the title of the ordinance for the record: "An Ordinance of the County of San Benito, adding Chapter 1.04 "Administrative Citations" to Title 1 of the San Benito County Code to allow for the issuance of administrative citations for violations of the San Benito County Code; and accept introduction, waive further reading of the ordinance and continue to June 4, 2013 for adoption.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 27) Adopt Resolution granting the County Code Enforcement Office, Administrative Citation Authority and the Administrative Citation Program that is included as Exhibit A to the resolution.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 28) Adopt Resolution granting the Animal Control Officer of the City of Hollister, Administrative Citation Authority and the implementation of the Administrative Citation procedures as Exhibit A to the resolution.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 29) Receive 2-1-1 United Way presentation and provide direction to staff.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 30) Discuss renaming Bolsa Road and Airline Highway as Pinnacles National Park Highway and provide direction to staff.

INTEGRATED WASTE MANAGEMENT – M. Rose:

- 31) 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:

- 32) Adopt the Mitigated Negative Declaration, Mitigated Monitoring and Reporting Program and related CEQA findings for the Jail Expansion project.

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.)

- 33) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Personnel (Government Code Section 5497)
- 34) Conference with Legal Counsel-Existing Litigation
Subdivisions (a) and (d)(1) of Section 54956.9
Name of Case: Verizon California Inc. v. California State Board of Equalization, et.al, Sacramento County Superior Court, Case No. 34-2013-00138191
- 35) Conference with Legal Counsel-Existing Litigation
Subdivisions (a) and (d)(1) 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
- 36) Conference with Real Property Negotiator:
Property: Palmtag Ranch (APN 020-170-017), off of Cienega Road, Hollister, CA
Lantis-Ward (APN's 020-170-045 and 020-280-052), at 2100 Cienega Rd., Hollister, CA
San Benito High School (APN's 020-170-043, 059-020-001 and 059-020-003), off of Nash Road, Hollister, CA
Agency Negotiator(s): Steve Wittry, Public Works Administrator; Ray Espinosa, Interim CAO; Matthew Granger, County Counsel and Shirley Murphy, Deputy County Counsel
Negotiating Parties: Ron Ross, on behalf of Palmtag Ranch property owners

Dr. Stan rose, on behalf of the San Benito High School District
Dave Lantis, on behalf of the Lantis-Ward property owners
Under Negotiation: price and terms of payment
Authority: California Government Code section 54956.8

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

AFTERNOON SESSION

1:00 p.m.

CLOSED SESSION (Continued):

- 38) Public Employee Appointment (Recruitment)
Title: County Administrative Officer
Authority: California Government Code Section 54957

ADJOURN TO TUESDAY, JUNE 4, 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.