



# 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 JUNE 18, 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) PRESENTATIONS & RECOGNITIONS:**

#### **BOARD OF SUPERVISORS:**

Introduction of Annie Tobias, Miss San Benito Rodeo 2013, who is representing the San Benito County Saddle Horse Association in the 2013 Saddle Horse Show and Rodeo Downtown Parade and the Saddle Horse Show and Rodeo to be held June 28-30 at Bolado Park.

#### **PARKS & RECREATION COMMISSION:**

Present Proclamation to the Parks & Recreation Commission designating the month of July as Parks Make Life Better! Month.

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.*

### **AGRICULTURAL COMMISSIONER – R. Ross:**

- 1) Appoint John Nino to the Taylor Act Grazing Advisory Board for the term of July 1, 2013 to June 30, 2015.

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

- 2) Approve Help Americans Vote Act (HAVA) contract for the period of July 1, 2013 through December 31, 2014, in the amount of \$30,000.

### **COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:**

- 3) Approve contract with Lynx Technologies for GIS consulting services for the period of July 1, 2013 through June 30, 2016, for a total of \$120,000.

### **COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:**

- 4) Adopt Resolution implementing a \$25.00 late payment penalty for non-payment of fines due under the administrative citation ordinance, codified in Chapter 1.04 of Title 1 of the San Benito County Code. (Res. No. 2013-43)

### **COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:**

- 5) Approve appointment of Byron Turner as Interim Director of Planning & Building effective June 23, 2013.

### **COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:**

- 6) Authorize the County Administrator to under-fill the position of Assistant Director of Planning & Building Department as an Associate Planner.

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

- 7) Approve training contracts with UC Davis Extension for FY 2013-14, and authorize the Interim Director of Health & Human Services to sign in the amounts of \$15,800 and \$31,600.

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

- 8) Adopt Resolution, accepting the Workforce Investment Act (WIA) Title 1 Master Sub grant, Youth Program Allocation for Program Year 2013-2014 in the amount of \$203,205, approving the sub grant agreement and authorizing the Interim Director or the Deputy Director of HHSA to sign the sub grant agreement, amendments to the sub grant agreement, and other documents related to receipt of the sub grant. (Res. No. 2013-44)

**HUMAN RESOURCES – G. Cochran:**

- 9) Approve the requested correction and modify the Schedule of Authorized Positions for the Gang Prevention Budget 1001 227 to read: delete 1.0 FTE Office Assistant II and add .75 FTE Secretary I.

**PLANNING DEPARTMENT/COUNTY COUNSEL – M. Granger:**

- 10) Adopt Ordinance amending Chapter 19.21 ("Oil and Gas Wells") of Title 19 of the San Benito County Code. (Ord. No. 918)

**PROBATION DEPARTMENT – B. Cardall:**

- 11) Authorize the Chief Probation Officer to accept \$300.00 donation on behalf of the San Benito County Juvenile and Delinquency Commission for future juvenile programs and events.

**PROBATION DEPARTMENT – B. Cardall:**

- 12) Approve contract with Hollister Youth Alliance for FY 2013-2014 Youthful Offender's Block Grant (YOBG), in the amount not to exceed \$37,000.

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

- 13) Approve contract with San Benito Engineering & Surveying, Inc. for engineering and surveying services for the Cienega Road Realignment project, for the period of June 18, 2013 through June 30, 2016, in an amount not to exceed \$36,670.

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

- 14) Adopt Resolution approving Right-of-Way agreement, accepting Grant Deed from Property Owners for the Cienega Road Realignment project, and taking other related action; and authorize lump sum payment for such purchases not to exceed \$10,550. (Res. No. 2013-45)

**VICTIM/WITNESS ASSISTANCE PROGRAM – C. Hooper:**

- 15) Review the proposed Grant Application for continuation funding for the San Benito County Victim/Witness Assistance Program; and adopt Resolution designating the District Attorney's Office as the Implementing Agency for the program and authorizing the Victim/Witness Coordinator and County Auditor to sign and submit all appropriate documentation to effect the purpose of the grant application. (Res. No. 2013-46)

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

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

- 16) Hold a Public Hearing to receive comments on the 2014-2015 Community Action Plan; adopt Resolution approving the 2014-2015 Community Services Block Grant, Community Action Plan; and authorize the Interim Director of HHSA to execute grant agreements, amendments and other documents related to the CSBG grant. (Res. No. 2013-47)

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

- 17) Hold a Public Hearing with regards to County Service Areas (CSA) No. 16, 21, 22,23,24,28,31,34,35,42,46,47,48,50,51,53 and 54 on proposed fee for FY 2013-

2014 to be collected on the Tax Roll; and adopt Resolution imposing a property-related fee, confirming the Fee Report, Fee Schedule and Fee, providing for the levy of the Fiscal Year 2013/14 Property-Related Fees, and making certain related finding. (Res. No. 2013-48)

#### **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 ADMINISTRATIVE OFFICE – R. Espinosa:**

- 18) Approve contract with the City of Hollister for Animal Control Services based on 55% of actual costs, with provisions to reduce specific expense or services, less revenues collected for the County of San Benito with a term of July 1, 2013 through June 30, 2016.

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

- 19) Presentation regarding the California Health Care Options Program (Managed Care); approve the Space Use Agreement with MAXIMUS to provide health plan education and enrollment services for Managed Care beneficiaries effective July 1, 2013; and authorize the Interim Director of HHSA to sign agreement.

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

- 20) Approve the rate increases as proposed by Waste Connections, Inc. (WCI) to achieve the projected \$131,213, set public hearing; and approve payment to WCI in the amount of \$142,000 from Landfill Reserves.

#### **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.)*

- 21) Consider Discipline/Dismissal/Release Matter of Public Employee  
Authority: (California Government Code Section 54957)
- 22) 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.

# AFTERNOON SESSION

1:00 p.m.

## CLOSED SESSION (Continued)

- 23) Public Employee Appointment  
Title: County Administrative Officer  
Authority: California Government Code 54957

**ADJOURN TO TUESDAY, JULY 9, 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.***