



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 AUGUST 20, 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 Muenzer.
- 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.

AGRICULTURAL COMMISSIONER – R. Ross:

- 1) Approve contract with the Dept. of Food & Agriculture to provide exotic pest detection services for the period of July 1, 2013 through June 30, 2014, for a total of \$46,321.00.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 2) Approve the County Behavioral health Department's FY 2013-14 MHSA, Annual Plan Update and submission to the Mental Health Services Act Oversight and Accountability Commission; and authorize the Behavioral Health Director to sign.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 3) Approve the reappointment of Christine Harwood as a public interest member to the Behavioral Health Board for the term effective July 18, 2013 through July 18, 2016.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 4) Approve the appointment of Syliva Sims DeLay as a public interest member to the Behavioral Health Board effective August 20, 2013 through August 20, 2016.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 5) Approve contract renewal with John Muir for psychiatric hospital care for the period of July 1, 2013 through June 30, 2014, for a maximum total not to exceed \$70,000.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 6) Approve contract renewal with Merced County, Psychiatric Health Facility for outpatient clinic services for the period of July 1, 2013 through June 30, 2014, for a maximum annual amount of \$75,000.

CHILD SUPPORT SERVICES – K. Johnson:

- 7) Approve the proposed reclassification of the two Account Clerk III positions to Accounting Technicians.

CLERK OF THE BOARD – D. Thome:

- 8) Approve the action minutes of the May 28, 2013 special meeting, the June 1, 2013 special meeting and the June 18, 2013 regular meeting.

COUNTY COUNSEL – M. Granger:

- 9) Approve Amendment No. 2 to legal services agreement with Cota Cole, LLP., to increase the existing contract amount by an additional \$25,000 and extending the term of the contract to December 31, 2014.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 10) Certificate of Recognition to Alicia Liddle for a one-year term as Parks and Recreation Youth Commissioner.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 11) Approve contract for Mr. Donald Blevins as Interim Chief Probation Officer effective August 12, 2013 through February 12, 2014.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 12) Approve MOU with Court Appointed Special Advocate (CASA) of Monterey County for the period of June 1, 2013 through May 31, 2015.

HUMAN RESOURCES DIVISION – G. Cochran:

- 13) Adopt new class specifications of Deputy Clerk-Recorder-Elections to replace Deputy Clerk-Recorder in the Class Title and Pay Plan and the County's Schedule of Authorized Positions; and modify schedule of Authorized Positions in the Clerk's budget #1001259; Recorder's budget #1001260 and Elections budget #1001140 to include the Deputy Clerk-Recorder-Elections class and delete the Deputy Clerk-Recorder class for authorized number of respective positions.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 14) Approve Amendment No. 3 with Kathy Wood & Associates to provide professional services for right-of-way acquisition relating to the Hospital Road replacement project, extending the contract term to June 30, 2014 and expanding the original scope in an amount not to exceed \$10,000, for a total contract value of \$59,500.

SHERIFF'S OFFICE – D. Thompson:

- 15) Approve agreement with the County of Santa Clara for pathology services for the period of July 1, 2013 through June 30, 2018.

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

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 16) Hold a Public Hearing to consider adoption of a resolution to accept certain fees charged by the County of San Benito for transaction services provided; adopt Resolution imposing fees to be charged for debit/credit/electronic check transaction services and formally authorizing the acceptance of credit cards, debit cards and electronic checks; and authorize the County Administrative Officer to sign agreements with Lexis Nexis Vital Check Network, Inc. (Res. No. 2013-59)

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:

- 17) Discuss and provide direction to staff on a proposed General Tax Ballot Measure for November 2014; and review the RFP for polling and public outreach/communication services.

COUNTY COUNSEL – M. Granger:

- 18) Approve contract Amendment #1 to the original agreement dated October 26, 2010 with Gregory La Forge as Public Defender, amending Section B-4

“Attachment (“Special Compensation Terms”) limiting the hourly rate and sums paid to investigators hired under Section B-4.

COUNTY COUNSEL – M. Granger:

- 19) Approve contract Amendment #1 to the original agreement dated October 26, 2010 with Harry Damkar as Alternate Public Defender, amending Section B-4 “Attachment (“Special Compensation Terms”) limiting the hourly rate and sums paid to investigators hired under Section B-4.

COUNTY COUNSEL – M. Granger:

- 20) Approve contract with Law Office of Art Cantu for second tier indigent defense services for the period of September 1, 2013 through August 30, 2014, for an amount not to exceed \$75,500.

COUNTY COUNSEL – M. Granger:

- 21) Approve cover letter and contract for Indigent Defense Attorneys for third level and below conflicts for distribution to local Attorneys to develop a pool for Indigent Defense Attorneys.

PLANNING DEPARTMENT – B. Turner:

- 22) Review the attached staff report and provide direction to staff regarding request and implementation of a Transfer of Development Credits (TDC) program within San Benito County.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 23) Receive status report on efforts to obtain environmental clearance for County projects identified within the Capital Improvement Program.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 24) Approve the proposed San Benito County Heavy Equipment Operator Apprenticeship Program; and approve the revised job descriptions for the following positions; Road Maintenance Worker I, II and III, Road Maintenance Supervisor, Heavy Equipment Mechanic I, and III and the Work Crew Supervisor.

CLOSED SESSION: 1:00 p.m. (Or as soon thereafter as the matter may be heard)

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.)

- 25) Conference with Real Property Negotiator:
Property: - Palmtag Ranch (APN 020-170-017), off of Cienega Road, Hollister, California
- San Benito High School (APNs 020-170-043, 059-020-001 & 059-020-003), off of Nash Rd., Hollister, California
- Chick/TAG Paintball (APN 020-280-050), 2120 San Benito Street, Hollister, California
Agent Negotiator(s): Steve Wittry, Public Works Administrator; Adam Goldstone, Capital Projects Manager; Ray Espinosa, Interim CAO; Matthew

Granger, County Counsel, Barbara Thompson, Assistant County Counsel, and Shirley Murphy, Deputy County Counsel
Negotiating Parties: Ron Ross, on behalf of Palmtag Ranch property owners; Michael Robustelli, on behalf of the San Benito High School District; and Roland Chick, on his own and on behalf of TAG Paintball
Under Negotiation: price and terms of payment
Authority: California Government Code section 54956.8

- 26) Conference with Labor Negotiators
Agency designated representatives: Dania Torres Wong, Allyson Hauck, Ray Espinosa, Joe Paul Gonzalez, Melinda Casillas, and Georgia Cochran
Employee Organizations: Management Employees' Group
Institutions Association
SEIU Local 521 (General Unit Employees)
Law Enforcement Management
Authority: California Government Code Section 54957.6
- 27) 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

ADJOURN TO TUESDAY, SEPTEMBER 10, 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.