



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 SEPTEMBER 10, 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.

ASSESSOR'S OFFICE – T. Slavich:

- 1) Adopt Resolutions establishing Agricultural Preserve and authorize Chairman to sign Land Conservation Act contracts. (Res. No. 2013-60, Res. No. 2013-61, Res. No. 2013-62)

BOARD OF SUPERVISORS:

- 2) Approve proclamation declaring September 2013 as “Childhood Cancer Awareness Month” in San Benito County to be presented at a later date.

CLERK OF THE BOARD – D. Thome:

- 3) Approve the action minutes of the December 18, 2012, January 8, 2013 and the July 9, 2013 regular meetings.

COUNTY ADMINISTRATION OFFICE – R. Espinosa:

- 4) Approve agreement with Schipper Design for marketing services related to parks and recreation in San Benito County, for the period of September 10, 2103 through June 30, 2014, in the amount of \$17,730.

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

- 5) Adopt Resolution authorizing the consolidation and provision of services by the Department of Elections for the Hartnell Community College District on November 5, 2013 General District Election. (Res. No. 2013-63)

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

- 6) Approve and adopt the Fiscal Year 2013-14 Adopted Budget Resolution. (Res. No. 2013-64)

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

- 7) Adopt Resolution establishing the Proposition 4 Appropriation Limit for the Fiscal Year July 1, 2013 through June 30, 2014 at \$29,605,153. (Res. No. 2013-65)

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

- 8) Appoint County of San Benito Trindel Insurance Fund Board Member and Alternate.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 9) Approve contract with Shared Vision Consultants, Inc. for the County Self Assessment and System Improvement Plan services for the period of September 10, 2013 through August 31, 2014, in the amount of \$22,250; and authorize the Interim Director of H&HSA to sign.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 10) Approve the Medi-Cal Privacy and Security Agreement with the State Department of Health Care Services (DHCS); and authorize the Interim Director of H&HSA to sign.

INTEGRATED WASTE MANGEMENT – M. Rose:

- 11) Approve Budget Augmentation of \$34,000 from Landfill contingency; and approve the purchase of the Hazmat Unit as identified in the Safety Storage quote dated July 25, 2013, in the amount of \$34,000.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 12) Approve Amendment No. 1 with Bracewell Engineering, Inc. to provide water treatment and wastewater services to three County Service Areas, including CSA #31-Stonegate, expanding the original scope in an amount of \$18,228, for a total contract value of \$164,148.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) Approve the plans and specifications for the Cienega Road Realignment Project.

SHERIFF’S OFFICE – D. Thompson:

- 14) Approve 911 Communications Vault Lease with the State of California Department of General 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)

PLANNING DEPARTMENT – B. Turner:

- 15) Hold a Public Hearing on the proposed resolution; adopt a Resolution initiating proceedings for the formation of County Service Area No. 55 (Creekside 5); direct the Public Works Department to prepare and file the required Engineer’s Report; and direct staff to negotiate a deposit and reimbursement agreement with Stonecreek to cover formation and start-up costs for the proposed CSA. (Res. No. 2013-66)

TREASURER-TAX COLLECTOR – M. L. Andrade:

- 16) Hold a Public Hearing to consider adoption of a resolution to establish fees for transaction services provided; adopt Resolution imposing fees to be charged for debit/credit/electronic check transaction services; and approve and authorize the Treasurer-Tax Collector-Public Administrator to sign agreement with Elavon to provide Credit/Debit/ATM transaction services for the County, as well as to approve and execute future amendments to contracts for payment transaction services, with approval of County Counsel. (Res. No. 2013-67)

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.*

SAN BENITO COUNTY ARTS COUNCIL – J. Laine:

- 17) Adopt Resolution approving the San Benito County Arts Council to serve San Benito County as a state and local partner of the California Arts Council.

AGRICULTURAL COMMISSIONER – R. Ross:

- 18) Accept the 2012 Crop Report and authorize the release of this report to the public via the department web-site.

ASSESSOR'S OFFICE – T. Slavich:

- 19) Accept the Assessor's 2013-2014 Annual Report.

BOARD OF SUPERVISORS:

- 20) Appoint "New Community Study Areas" Ad Hoc Subcommittee to create narratives for the General Plan Update to be brought back to the Board at a date certain.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 21) Discuss Farm Labor Association and Homeless Coalition contracts and provide direction to staff.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 22) Authorize the Interim CAO to pay \$7,425 to a County-Wide wayfinding sign project for Phase 1.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 23) Receive quarterly status report from Hollister City Fire on services since transition.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 24) Discussion regarding the collection of encroachment permit and improvement plan check/inspection fees from "partner" agencies; and provide direction to staff.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 25) Receive update on the progress of CEQA process for the River Parkway Master Plan 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.)

26) **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), San Benito Street, Hollister, California

Agency 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

- 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-12-0060
- 28) Pursuant to Government Code Section 54956.9 (a) and (d)(1), the San Benito County Board of Supervisors will meet in closed session with Sheriff Darren Thompson, JPA Trindel Insurance Fund, Interim CAO Ray Espinosa and Auditor Joe Paul Gonzalez regarding facts circumstances related to the Workers' Compensation Appeals Board case #ADJ 8488118 and worker's compensation claim filed by Jack Smiley against the County of San Benito on March 12, 2012.
Authority: California Government code
- 29) Pursuant to Government Code Section 54956.9 (a) and (d)(2), the San Benito County Board of Supervisors will meet in closed session with Public Works Administrator Steve Wittry, Interim CAO Ray Espinosa, Auditor Joe Paul Gonzalez and JPA Trindel Insurance Fund regarding facts and circumstances related to the workers' compensation claim filed by Kenneth Nattell against the County of San Benito on October 26, 2010.
- 30) County Employee Appointment
Title: Director – Health & Human Services Agency
Authority: California Government Code 54957
- 31) County Employee Appointment
Title: County Administrative Officer
Authority: California Government Code 54957

ADJOURN TO TUESDAY, SEPTEMBER 24, 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.