



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 OCTOBER 1, 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 Amendment #1 to contract with the Department of Food & Agriculture for Light Brown Apple Month for the period of October 1, 2013 through September 30, 2013, for a total of \$23,167.74.

BEHAVIORAL HEALTH DEPARTMENT – A. Yamamoto:

- 2) Authorize the County Behavioral Health Director to assign \$227,000 of County Mental Health Services Authority (MHSA) Statewide Projects Prevention and Early Intervention Funds to CalMHSA for the purpose of development and implementation of mental health prevention and early intervention projects that have regional and State-wide benefit.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 3) Appoint James Rydingsword as the Director of Health and Human Services Agency effective October 14, 2013.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 4) Approve contract with Jovenes de Antano for food services for the elderly for the period of October 1, 2013 to June 30, 2014, in the amount of \$35,706.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 5) Approve contract with Advocacy, Inc. for advocacy and rights protection for the period of October 1, 2013 through June 30, 2014, in the amount of \$5,000.

COUNTY ADMINISTRATIVE OFFICE – R. Espinosa:

- 6) Adopt resolution confirming the County's participation in an inter-jurisdiction effort to investigate the feasibility of a Community Choice Aggregation (CCA) in San Benito or a greater regional area, without obligation from the General Fund; direct the County Administrative Officer or Interim CAO to designate one staff person and an alternate to participate as members of the CCA PDAC; and direct the CAO or Interim CAO to execute appropriate documentation to allow CCA PDAC to request energy usage load data from Pacific, Gas & Electric Company for feasibility study. (Res. No. 2013-70)

COUNTY COUNSEL – M. Granger:

- 7) Adopt Resolution authorizing contract Third Party Administrator, Trindel Insurance Fund, to reject, settle, compromise, or approve Workers' Compensation claims filed against the County of San Benito. (Res. No. 2013-71)

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 8) Appoint Mr. Ken Michaelson as District #4 representative to the Community Action Board for a three-year term effective October 1, 2013 through October 1, 2016.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 9) Appoint Mr. Jeffrey Long as District #5 representative to the Community Action Board for a three-year term effective October 1, 2013 through October 1, 2016.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 10) Appoint Ms. Patty Bove-Stewart to the Workforce Investment Board Youth Employment Program Council for the period of October 1, 2013 through October 1, 2016.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 11) Appoint Ms. Carol A. Thomas to the Workforce Investment Board Youth Employment Program Council for the period of October 1, 2013 through October 1, 2016.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 12) Approve contract with EGG Pediatric Therapy for Occupational Therapy Services for the period of November 1, 2013 through June 30, 2014, for an amount not to exceed \$60,000.

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 13) Adopt Resolution approving the Operation and Maintenance contract with the State Department of Housing and Community Development (HCD) for the maintenance and operations of the San Benito County Migrant Center in the amount of \$791,430; and authorize the HHSA Interim Director or designee to be the signature authority for said contract and any subsequent amendments to said contract. (Res. No. 2013-72)

HEALTH & HUMAN SERVICES AGENCY – M. Corona:

- 14) Approve the operating permits for the following: American Medical Response West, Silicon Valley Ambulance, Inc., WestMed Ambulance and Rural/Metro of Northern California.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 15) Adopt Resolution approving the purchase agreement with the Frances Palmtag Trust for the purchase of real property APN 020-170-017 in the amount of \$415,000, approving the form of a grant deed and authorizing the Public Works Administrator to accept the fully executed grant deed and sign the certificate of acceptance and consent to record, for and on behalf of the County of San Benito. (Res. No. 2013-73)

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 16) Adopt Resolution approving grant deeds pertaining to County-owned parcels, to perfect lot line adjustments 2013-0009399 at the Southside Hospital property. (Res. No. 2013-74)

SHERIFF'S OFFICE – D. Thompson:

- 17) Approve amendment to the Sheriff's Schedule of fixed assets to include a video system in the amount of \$5,000; and approve the augmentation to budget unit 1001-210 increasing expenditures (fixed assets/equipment) in the amount of \$5,000 and revenue in the same amount under 1001-210/570010 (Reimbursable Other) (4/5 vote)

SHERIFF'S OFFICE – D. Thompson:

- 18) Approve amendment to the Sheriff's Schedule of Fixed Assets to include a DVR in the amount of \$4,000; approve budget augmentation.

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.

AGRICULTURAL COMMISSIONER – R. Ross:

- 19) Accept donation of painting the Radio Amateur Civil Emergency Services (RACES) building at 3224 Southside Road by Troop 777, Boy Scouts of America; and authorize the Agricultural Commissioner to execute any documents required, subject to review by the County Counsel and the Interim County Administrative Officer.

COUNTY COUNSEL – M. Granger:

- 20) Introduction of ordinance making revisions to Section 3.01.091 (Qualifications”) of Article VI (“County Administrative Officer”) of Chapter 3.01 of Title 3 of the San Benito County Code; read title of ordinance for the record; and continue to October 15, 2013 at 9:00 a.m. for adoption.

HUMAN RESOURCES – R. Espinosa:

- 21) Receive presentation from Trindel Insurance Fund.

PLANNING DEPARTMENT – B. Turner:

- 22) Approve contract with Rincon Consultants, Inc. for management of the San Juan Oaks project, in an amount not to exceed \$58,799; and authorize the Planning Director to approve minor contract amendments, authorizing additional work within the 10% contract contingency amount not to exceed \$5,879.

PLANNING DEPARTMENT – B. Turner:

- 23) Receive progress report on General Plan Update.

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.)

24) 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

ADJOURN TO TUESDAY, OCTOBER 15, 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.