



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 15, 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 De La Cruz.
- b) Acknowledge Certificate of Posting.

c) PRESENTATIONS & RECOGNITIONS:

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Present Proclamation to the San Benito County 4-H All Stars declaring 2013 as Centennial Year of the California 4-H Youth Development Program. (Supervisor Muenzer)

- 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 Traditions Behavioral Health for psychiatry services for the period of July 1, 2013 through June 30, 2014, for a maximum annual total of \$310,191.

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- 2) Appoint Bernardette Hernandez and Caitlyn Fernandez as Youth Commissioners on the Parks and Recreation Commission, for a one year term effective October 15, 2013 through August 31, 2014.

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- 3) Adopt Resolution requesting support by local assembly and congressional representatives for the Zebra Mussel Eradication at San Justo Reservoir.
(Res. No. 2013-74)

CLERK OF THE BOARD – D. Thome:

- 4) Approve the action minutes of the February 5, 2013 and the August 6, 2013 regular meetings.

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 5) Adopt Resolution authorizing closure of all Public Health Services to include Public Health Department on Fourth Street, the Emergency Medical Services and Environmental Health Office located on San Felipe Road from 8:00 a.m. to 5:00 p.m. on November 7, 2013. (Res. No. 2013-75)

HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:

- 6) Approve the sixty (60) month lease with Pitney Bowes for a postage machine at \$257.77 per month for the San Benito County Health & Human Services; and authorize the Director to sign.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 7) Adopt Resolution approving the purchase agreement with the Frances Palmtag Trust, et al 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. 2013-76)

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:

- 8) Approve the response to 2013 San Benito County Grand Jury Report No. 8 & 9; direct staff to submit the prepared response to the Presiding Judge of the San Benito County Superior Court; and authorize Chair to sign letter.

COUNTY COUNSEL – M. Granger:

- 9) Adopt ordinance amending subsection (D) of Section 3.01.091 (Qualifications) of Article VI (County Administrative Officer) of Chapter 3.01 of Title 3 of the San Benito County Code. (Ord. No.920)

FIRST 5 SAN BENITO – L. Faulkner:

- 10) Receive presentation from First 5 San Benito regarding the proposal for First 5 to become independent from the County; adopt resolution supporting First 5 San Benito Children and Families Commission's goal of becoming independent from the County of San Benito.

PLANNING DEPARTMENT – B. Turner:

- 11) Receive progress report on the General Plan Update.

PLANNING DEPARTMENT – B. Turner:

- 12) Make CEQA Findings, Adopt Negative Declaration and Accept Introduction of Ordinance amending Chapter 15.05 of Title 15 of the San Benito County Code relating to Groundwater Aquifer Protections; waive further reading of the ordinance and continue to November 5, 2013 at 9:00 a.m. for adoption.

PUBLIC WORKS DEPARTMENT – S. Wittry:

- 13) Approve Final Map for TSM 08-80, Track No. 306, commonly known as Creekside 5 Subdivision (Stonecreek Properties, aka Anderson Homes, Inc.); and approve Road Maintenance Agreement.

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.)

- 14) CONFERENCE WITH LABOR NEGOTIATORS
Agency designated representatives: Barbara Thompson, Dania Torres Wong, Allyson Hauck, Ray Espinosa, Joe Paul Gonzalez, Melinda Casillas, Georgia Cochran and Mark Gregersen
Employee Organizations: Management Employees' Group

Institutions Association
SEIU Local 521 (General Unit Employees)
SEIU United Long Term Care Workers Local 6434
Law Enforcement Management

Authority: California Government Code Section 54957.6

15) CONFERENCE WITH REAL PROPERTY NEGOTIATOR:

Property: -San Benito High School (APNs 020-170-043, 059-020-001 & 059-020-003), off of Nash Rd., 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: Michael Robustelli, on behalf of the San Benito High School District Under Negotiation; price and terms of payment

Authority: California Government Code Section 54956.8

16) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Interim County Administrative Officer

Authority: California Government Code 54957

ADJOURN TO TUESDAY, NOVEMBER 5, 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.