



# 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 DECEMBER 3, 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.

### **PRESENTATIONS & RECOGNITIONS:**

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

Proclamation proclaiming December 6, 2013 as the 100<sup>th</sup> Anniversary of the Women's Club of Hollister.

#### **HUMAN RESOURCES:**

Presentation of Certificates of Appreciation to County Employees Upon Retirement: Victoria Fernquist, Supervising Welfare Fraud Investigator, 23.5 years; Cheryl Tyler, Assistant Assessor, 14.5 years; Robert Vanetti, Road Maintenance Supervisor, 31 years.

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.*

**CLERK OF THE BOARD – D. Thome:**

- 1) Approve the action minutes from March 26, 2013 special meeting.

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

- 2) Approve Five Year Impact Fee Report for FY 2008/2009 through FY 2012/2013.

**HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:**

- 3) Adopt Resolution authorizing the closure of the San Benito County Migrant Center during the period of December 23, 2013 through January 3, 2014.  
(Res. No. 2013-83)

**HEALTH & HUMAN SERVICES AGENCY – J. Rydingsword:**

- 4) Appoint Mr. James A. Rydingsword to the Workforce Investment Board to represent the public sector for a three year term effective December 3, 2013 through December 3, 2016.

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

- 5) Accept all responsive bids for the Cienega Road Realignment project; award and approve contract with The Don Chapin Company, Inc., as the lowest responsive, responsible bidder in the amount of \$993,939.30; authorize the Public Works Administrator to execute the contract and issue change orders, in an amount not to exceed \$99,394.00.

**SHERIFF'S OFFICE – D. Thompson:**

- 6) Approve County contributions for two temporary employees in the Sheriff's Office.

**SHERIFF'S OFFICE – D. Thompson:**

- 7) Adopt Resolution authorizing the Sheriff to submit a grant application under the Edward Byrne Memorial Justice Assistance Grant Program; and authorize the Sheriff or his designee to sign and submit the grant application. (Res. No. 2013-84)

**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) Review and discuss the process and cost to impose an increase to the Transient Occupancy tax; and provide direction to staff.

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

- 9) Receive the presentation of the logo, recommended by the Parks and Recreation Commission, to represent parks and recreation in San Benito County.

**PLANNING DEPARTMENT – B. Turner:**

- 10) Make CEQA findings, adopt Negative Declaration and accept introduction of Ordinance amending Chapter 15.05 of the San Benito County Code relating to Groundwater/Aquifer Protections and continue to December 17, 2013 at 9:00 a.m. for adoption.

**PLANNING DEPARTMENT – B. Turner:**

- 11) Receive progress report on the 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.)*

- 12) **CLOSED SESSION-CONFERENCE WITH LABOR NEGOTIATORS**  
Agency designated representatives: Dania Torres Wong, Allyson Hauck, Ray Espinosa, Joe Paul Gonzalez, Melinda Casillas, mark Gregersen and Georgia Cochran  
Employee Organizations: Institutions Association  
Law Enforcement Management  
Management Employees' Group  
SEIU Local 521 (General Unit Employees)  
SEIU United Long Term Care Workers Local 6434  
Authority: California Code Section: 54957.6
- 13) Conference with Legal Counsel-Anticipated Litigation  
Initiation of litigation pursuant to subdivision (d)(4) of Section 54956.9.  
Number of Cases: (1)
- 14) Conference with Legal Counsel-Anticipated Litigation  
Significant exposure to litigation pursuant to California Government Code Section 54956.9 (d)(4)  
Number of Cases: (1)

**ADJOURN TO TUESDAY, DECEMBER 17, 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.***